

**TAFT CITY COUNCIL/SUCCESSOR AGENCY
MINUTES
MARCH 5, 2013**

REGULAR MEETING

The March 19, 2013, regular joint meeting of the Taft City Council/Taft Successor Agency, held in the Council Chamber at Taft City Hall, 209 East Kern Street, Taft, CA 93268, was opened by Mayor Linder at **6:02:30 PM**. The Pledge of Allegiance was led by Council Member Waldrop, followed by invocation given by Jack Turner, Peace Lutheran Church.

PRESENT: Mayor Paul Linder; Mayor Pro Tem Orchel Krier.
Council Members Randy Miller, Dave Noerr and Ron Waldrop.
HR Director/Assistant City Manager Lon Boyer; City Attorney for David Prentice;
City Clerk Louise Hudgens.

1. HEARING ON COSTS AND PLACEMENT OF LIENS ON ABATED PROPERTIES

The PH was opened to receive testimony from proponents and opponents. Being none, the PH was closed.

Motion: Moved by Miller, seconded by Noerr to confirm Statement of Expense.

Noerr stated that it was a shame that the city has to go through this process to get a property cleaned up, that property owners shouldn't have to be told to keep their properties cleaned. He then applauded Mark Salvaggio and new Fourth District Supervisor David Couch and his aide Mark Salvaggio for taking an active role in the clean-up of Taft and outlying areas. All Council Members concurred in their praise for Couch and Salvaggio.

Miller indicated in the years he had been on Council and the number of abatement liens placed on properties, only one property owner had ever bothered to show up for the hearing on their property.

Motion: Moved by Miller, seconded by Noerr, to amend motion to confirm statement of expense on each property and to include approving resolutions entitled:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING AND CONFIRMING THE COSTS FOR THE ABATEMENT OF THE NUISANCE AT 322 CENTER STREET, TAFT, CA, APN# 031-030-22-00**
- B. RESOLUTION 123 NORTH ST., TAFT, CA, APN #031-440-10-00**
- C. RESOLUTION 716 NORTH ST., TAFT, CA, APN #031-230-16-00**
(Resolution Nos. 3516-13 through 3518-13)

AYES: Krier, Miller, Noerr, Waldrop, Linder

2. CITIZEN REQUESTS/PUBLIC COMMENTS

Holly Gowan, Taft resident since 1993, stated that she had noticed that Highways 33 and 119 are covered with trash, especially around the entrances to Taft. She inquired why would anyone want to visit Taft's Oil Worker Monument when there is no signage and the entrances to Taft are so un-inviting? She stated that Taft needs a community clean-up and that Taft had never looked so trashy. Gowan stated that she thought the entrances could be cleaned up in 2 – 3 week-ends with Community volunteer groups. She indicated that perhaps youth groups could be organized to earn badges or similar awards. Waldrop pointed out that youth under age 18 could not work along the highways without adult supervision. Miller suggested to Gowan that she start a program by talking to the newspapers.

Kathy Orrin, Executive Director Chamber of Commerce:

- Stated that clean-up around Taft was a major topic, and that the Greater Taft Economic Development Authority had a tour of Taft, both incorporated and unincorporated areas, and that they had created a list of some of the worse situations. (List distributed to Council). Orrin agreed that Taft does need to get cleaned up.
Mayor Linder stated that he would like to see names attached to the list and let the people know who their neighbors are that can't or won't keep their properties clean.
- Cinco de Mayo scheduled for May 5
- Car show June 7-8
- Fireworks show Wednesday, July 3 and community picnic on July 4
- Ocktoberfest the 1st week-end in October
- Fishing Derby November 15
- Christmas Parade, 1st Monday in December
- Farmer's Market in June, July and August and will be held at the Chamber parking lot at 400 Kern Street. Farmer's Market first started with two (2) vendors and this year will have seven (7) vendors.
- Cruz Night 1st Friday of each month.
- Hall of Fame scheduled for April 27 and the Chamber has tickets.

Recess [6:30:19 PM](#) to [6:34:23 PM](#) for technical problem with an iPad.

3. COUNCIL STATEMENTS (NON ACTION) [6:34:23 PM](#)

Council Member Krier:

- Voiced appreciation to Supervisor Couch for starting out doing an excellent job and for identifying 80 properties in the county areas for abatement. Also kudos to Taft's own enforcement. It takes money from reserves to run these clean-up programs.
- Voiced appreciation to Bob Hampton and his work with the Wauckawans and that they are busy on week-ends cleaning up alleyways and lots.

Council Member Miller:

- Reported that the West Side Healthcare District had a public meeting the previous Thursday evening and that there were 80 people in attendance. Health care on the Westside was discussed and there will be no hospital in the near future. The District has saved enough money to tear down the old hospital and will create a health care campus. Even if they were ever able to open a hospital, it would be better to build a new one as the existing hospital is over 70 years old and would have to be retro-fitted. Also discussed was a new Health Care Foundation championed by the Rotary Club and expansion of hours at the Urgent Care.
- Voiced disappointment that a 50-year relationship between the Taft Little League and Kiwanis Club had ended. Kiwanis used to put on a pancake breakfast for the Little League and would raise between \$3,500-\$6,000 a year.

Council Member Waldrop:

- Voiced appreciation to Supervisor Couch for getting things started on the West Side. He stated that there were service clubs that clean portions of the highways about two (2) times a year. He thanked Holly Gowan for her interest in cleaning up Taft.

Mayor Linder:

- Stated that there were some unused funds for Call-boxes along the highways due to the use of cell-phones. KernCOG has agreed to use some of those funds for highway clean-up. Although most of that money would be used for Highways 58 and 99, he would see if he could get some of the money for highway clean-up on Highways 33 and 119.
- Stated that KernCOG had held their Regional Awards Banquet the past Thursday Night and that Council Member Miller had received the Darrell Hillenbrand Distinguished Service Award for an Elected Official.

4. DEPARTMENT REPORTS [6:48:50 PM](#)

Mike Waiczis, Planning Director:

- Both Popeye's and Family Dollar stores are nearing their openings in about mid-April. Details from Pizza Hut are harder to obtain.
- Reported he had met with Mark Salvaggio and CalTrans regarding better signage along Highway 33
- Received an inquiry about placing a cell-tower near the Albertson's Shopping Center.
- Planning Commission meeting the following day.
- Reported he had been dealing with non-conforming uses on Center Street and had asked the attorney for an opinion in how to deal with the issued. They were working on a policy that would be brought to Council for consideration.
- Reported that the Planning Department had received an application for a site-plan review for a hotel at 6th and Main Streets. He distributed a plan for a Best Western Plus Hotel.

5. CITY MANAGER STATEMENTS [6:56:42 PM](#)

Lonn Boyer, HR Director/Assistant City Manager:

- Reported that the web-site design had been agreed upon and he had been working with the web-designer to get the information together. The website should be operational in a few short weeks at cityoftaft.org
- The California Department of Corrections and Rehabilitation (CDCR) had sent a request for proposals to house level 2 inmates. Taft will submit a proposal. Boyer explained the different levels of inmates – Minimum, Medium, and Maximum. Taft would be eligible for Medium 1-2 level in dorm style settings.

6. CITY ATTORNEY STATEMENTS - None

7. FUTURE AGENDA REQUESTS [6:59:46 PM](#)

Krier asked for a resolution to support the new hydrogen energy facility in Tupman. He stated that the facility would bring around 2,500 jobs for construction and 250 permanent jobs. The Sierra Club is against the facility. Waldrop concurred.

Miller inquired about the previously requested commendation for Mr. Heber and Mr. Fields, teacher and school security officer at Taft Union High School, both instrumental in resolving what could have been a much worse situation during the recent school shooting. Linder stated that there is a committee working on the commendation.

Mayor Linder reported that at the last meeting it had been reported that PG&E would possibly be closing their Taft maintenance yard and that a letter was sent to a number of PG&E officials. He and the City Manager had met with two (2) PG&E representatives and they were assured that there were no plans to close the Taft yard or office. A couple of the local workers had temporarily been reassigned to Bakersfield to help get a couple of projects completed there and then will be back in Taft later in March or early April. PG&E was thanked for their prompt action to Council's concerns.

CONSENT CALENDAR ITEMS 8 – 18 [7:06:40 PM](#)

Motion: Moved by Krier, seconded by Miller, to approve consent calendar items 8 – 18.

AYES: Krier, Miller, Waldrop, Linder

ABSTAIN: Noerr (abstain from Minutes as he was absent at the February 19, 2013 meeting.
YES on remainder of Consent Calendar items)

8. MINUTES
February 19, 2013 Regular
Recommendation – Approve as submitted.

9. PAYMENT OF BILLS

Cash Disbursements	Warrant #021513	Check No. 74872-74965	\$ 346,280.71
Cash Disbursements	Warrant #022113	Check No. 74966-74967	\$ 1,252.73
Cash Disbursements	Warrant #030113	Check No. 74968-75028	\$ 228,364.59

Recommendation – Approve payment of bills.

10. AB1234 ETHICS TRAINING CLASS

Recommendation – 1) Motion to approve \$800 to be allocated from Capital Reserves for the cost of City Attorney David Prentice of Cota Cole to provide AB 1234 Ethics Training Class; and 2) Motion to approve additional funds not to exceed \$200 to provide meal prior to meeting for attendees of AB 1234 Ethics Training Class. Cost of the meal can be prorated between the different agencies/districts sending their board members.

11. POLICE DISPATCHER VACANCY

Recommendation – Authorize filling the vacant position of Police Dispatcher.

12. ACCEPT BID FROM GRIFFITH COMPANY FOR THE 10TH STREET REHABILITATION PROJECT

Recommendation – Motion to accept the lowest responsible bid, award the project and to execute a construction agreement with Griffith Company, for the 10th Street Rehabilitation Project – STPL – 5193 (031).

13. YEARLY TRANSIT UNMET NEEDS HEARING

Recommendation – Motion to adopt a resolution entitled a Resolution of the City Council of the City of Taft Making Findings Regarding Unmet Transit Needs in the City of Taft
(Resolution No. 3519-13)

14. TAFT PUBLIC FINANCING AUTHORITY SERIES 1997A BOND ISSUE

Recommendation – Information only.

15. OBSOLETE EQUIPMENT DISPOSAL

Recommendation – Motion to approve disposing of listed equipment through online auction.

16. PURCHASE OF AMMUNITION AND FIREARMS PARTS

Recommendation – Information only.

17. THE POLICE DEPARTMENT IS REQUESTING TO CONSIGN AND SELL (17) .12 GAUGE SHOTGUNS TO TEN PERCENT FIREARMS IN TAFT CA.

Recommendation – Motion to approve consignment and sale of (17) .12 gauge shotguns to Ten Percent Firearms in Taft, CA.

18. RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14A (ROPS 13-14A) – JULY 1, 2013 THROUGH DECEMBER 31, 2013 (Taft Successor Agency)

Recommendation – Motion to approve the ROPS 13-14A

19. TAFT SUCCESSOR AGENCY DECREASE IN ANTICIPATED REVENUE [7:09:10 PM](#)

Linder explained that this is on-going incurred costs for the shut-down of the Redevelopment Agency and the Successor Agency/Council is going to have to loan money to again. Finance Director Binkley explained that none of the Community Development Planner salary is being allocated in the budget for the RDA and it is not appropriate to allocate his entire salary from General Fund as he has activities associated with redevelopment. With the RDA there are audit costs, attorney fees, personnel and overhead costs. All the costs are kept to a minimum but they are costs that have to be paid. If successor agency chooses not to do a loan, the costs still has to be paid and there are not sufficient revenues to pay them and the bond debt still has to be paid. Binkley stated that the amount that she \$156,749 is an estimate based on a revised budget to determine the amount. If the Successor agency chooses to give a loan, then Binkley will bring back a revised budget, then the loan would have to be brought to the Oversight Board to deem that it is necessary and that it is necessary and listed on the enforceable obligation before being sent to the state Department of Finance. Miller pointed out that if Council doesn't do it, then the state would take the land and all that Council had worked so hard for.

20. TAFT DISTRICT CHAMBER OF COMMERCE SPONSORSHIP [7:22:18 PM](#)

Linder stated that he had talked to the Executive Director of the Chamber and that he knew that this had not been included in the current budget because of the City's financial situation and that the Chamber understands. Miller indicated that the sponsorship had been pulled by the Finance Committee. Binkley explained that he had not been included in the prior budget either but that Noerr had suggested that the City pay the sponsorship.

Chamber Director Orrin stated that the Chamber had adjusted their billing to coincide with the city's budget and that the \$10,000 paid last year had gone to the 2011 membership year, and that the billing before Council at this time was for the 2012 membership year. Orrin stated that the Chamber feels that they are partners of the City and it is important to be recognized.

Noerr stated that the Finance Committee had tasked the employees with getting on a solid financial footing and that he could not recommend taking funds out of reserves when Council had asked employees to give up so much.

Krier stated that the Chamber of Commerce is like a life-blood to the City. They are out in the front and working hard. Krier stated that he knew that the budget was tight but he would still like to help out. Waldrop stated that everybody wants to help but sometimes when times are tough, everybody has to readjust. He stated he would like to help too but it was a rough decision knowing about what all the employees had given up.

Miller stated that he was disappointed and was surprised that this was not a line-item in the budget. Miller stated that as he had worked as the Executive Director of the Chamber, he understood how hard they work for the city and had always thought of them as a department of the City, and that they do work for the city. If Council can't give them \$10,000, then they needed to do something as he was not in favor of completely cutting them off.

Linder agreed and asked the Finance Department to see how the city was doing at this time. Linder stated that he wanted to make sure the city was whole but perhaps it could be included in the May budget revision. Linder inquired if the TOT paid to the Chamber was underfunded.

Binkley reported that he had just attended some training and had learned just how far behind in her training she had become because of the budget constraints. However, she had found out about some Transient Occupancy Tax auditing and it is no longer allowed for audit firms to do them on a contingency basis. Binkley stated she would be doing a Request for Proposal for an audit firm for TOT.

Orrin indicated that she had met with every hotel owner a few weeks ago and as she talked to each of them, she found that some of them were not very forthcoming about the TOT and she believed that a lot of the occupancy is passed from one occupant to another rather than turned into the owners, i.e. an occupant would pass the key off to another employee working for the same employer as each of their jobs in the area were completed.

21. RESOLUTION SUPPORTING SECOND AMENDMENT AND THE RIGHT TO BEAR ARMS [7:54:28 PM](#)

Motion: Moved by Krier, seconded by Waldrop, adopt resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT IN SUPPORT OF THE SECOND AMENDMENT AND THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS. (*Resolution No. 3520-13*)

Miller stated that he had a friend in Cofax, California, who had sent the resolution that was passed in Sisku County and found it worthy to pass along. The resolution is simply saying that it is a citizen's right to own a gun. Lawmakers are devising legislation that would limit gun sales and/or to limit the sale of ammunition. All the media talk and proposed regulations is a knee-jerk reaction to what happened back east and here at the Taft High School.

Waldrop stated that he had been a hunter and had owned guns all his life. However, he stated that the 2nd Amendment to the United States Constitution is not about hunting rights. It is about protecting one's self. Waldrop stated that there are things that could be done to change things and it is not the weapon but the individual using the weapon. He suggested that everyone join the National Rifle Association and then emphasized that he would protect his home and family.

Krier stated that he concurred with everything already said and that all cities and counties should take notice and pass similar resolutions in support of the Constitution and all the Amendments.

Noerr read the resolution and stated that when our forefathers first drew the Second Amendment up, they had just endured tyranny. Our forefathers wrote the Second Amendment in case tyranny ever happened again and it was not written with hunting in mind. It was written so that a person could protect his/her self. Noerr indicated that democracy often fails and that apathy is the beginning of the failing of democracy. Noerr told about a dinner he had with a retired British General who had told him that because of indifference in England, they had lost their rights to own guns. Noerr emphasized that the Second Amendment to the Constitution shall not be infringed upon. Military operations overseas are winding-down and they have been over there defending our Constitution and our rights, but now the fight seemed to be right here on our own soil.

Linder stated that this isn't just about gun control but about civil rights. Tomorrow it would be about something else, perhaps the right to free religion or free speech. If you take the guns away from lawful abiding citizens, the criminals would still have them. Linder stated he had also read something on the internet such as gun control was like taking all the cars away from law abiding citizens to punish the drunk drivers. Linder stated that he had forwarded the completed resolution to Congressman Kevin McCarthy, State Senator Jean Fuller and State Assemblywoman Shannon Grove. Although he had not heard back from McCarthy, both Fuller and Grove supported it 100%, and that this resolution will show up throughout the state and will start a grass roots message.

Noerr stated he had spoken with Grove earlier in the day and that she wanted to be at this meeting and that she supported to resolution 1000%.

AYES: Krier, Miller, Noerr, Waldrop, Linder

22. CHARTER CITY DISCUSSION [8:21:02 PM](#)

Krier stated that while he was at the League of Cities Conference in the fall, he had heard about Charter cities, and had spoken to Russell Johnson and invited him to Taft. Krier then introduced Mr. Johnson, who then gave a power point presentation about the differences between charter and general law cities. Johnson stated that there were 132 cities out of about 490 in California that have charters and named a couple of cities that are currently in the process. Shafter and Bakersfield are already charter cities. He also explained that a commission would have to be formed, that the City could not promote whether the pros or cons of such a charter, and that it would be up to the voters whether the city would become a charter city or remain general law.

Staff and the City Attorney were instructed to work on an analysis and feasibility of holding an election to place the question on a future election if Taft should become a charter city.

Mayor Linder recessed the meeting to closed session at [8:45PM](#), and closed session continued [9:55PM](#).

CLOSED SESSION

- Prentice requested that item B be removed until a later time.
- A. At this time the City Council will hold a closed session pursuant to Government Code Section 54956.9 (C) re: claim filed by Foch and Delgado.
ACTION TAKEN: Approved claim 5-0.
- B. At this time the City Council will hold a closed session pursuant to Government Code Section 21151(a) regarding Determination of Disability for Robin Adkins
ACTION TAKEN: removed at request of Prentice.
- C. At this time the City Council will hold a closed session pursuant to Government Code Section 54957.6 to give direction to its labor negotiator concerning labor negotiations: All units
ACTION TAKEN: Direction given to staff.
- D. At this time the City Council will hold a closed session pursuant to Government Code Section 54956.8 for the Council to give instructions to its negotiator, Craig Jones, regarding negotiation for real property – various locations.
ACTION TAKEN: Direction given to staff

ADJOURNMENT – The meeting adjourned at 9:55 PM with no further business to conduct.

Louise Hudgens, CMC
City Clerk

Paul Linder, Mayor