

**TAFT CITY COUNCIL/SUCCESSOR AGENCY
MINUTES
JUNE 4, 2013**

REGULAR MEETING

The June 4, 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 [6:03:40 PM](#). The Pledge of Allegiance was led by Council Member Noerr, followed by invocation given by Scott Pearson, First Baptist Church.

PRESENT: Mayor Paul Linder; Mayor Pro Tem Orchel Krier.
Council Members Dave Noerr and Ron Waldrop.
City Manager Craig Jones; City Attorney Tom Ebersole;
City Clerk Louise Hudgens.

ABSENT: Council Member Randy Miller

1. PUBLIC HEARING – RESULTS OF AN ASSESSMENT BALLOT PROCEEDING AND APPROVING CERTAIN ACTIONS.

The PH was opened to receive testimony for proponents and opponents. Being none, the PH was closed. With the help of Nick Dayhoff from NBS, 34 ballots out of 108 mailed ballots were opened and results tabulated. Results were a Majority protest of 16 NO to 14 YES. There were 2 duplicates and 2 without preference indicated. The proposed formation of a new Landscape and Lighting District (LLMD 2013-1) failed.

Moved by Waldrop, seconded by Krier, to approve a RESOLUTION entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT, CALIFORNIA, DECLARING THE RESULTS OF AN ASSESSMENT BALLOT PROCEEDING AND APPROVING CERTAIN ACTIONS (*Resolution No. 3532-13*)

AYES: Krier, Noerr, Waldrop, Linder

2. PUBLIC HEARING – ORDINANCE THAT ADDS TITLE 1, CHAPTER 3, TO THE TAFT MUNICIPAL CODE, TITLED ADMINISTRATIVE CITATIONS AND PENALTIES. [6:24:28 PM](#)

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

Moved by Noerr, seconded by Krier, to approve an Ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAFT ADDING A CHAPTER TO THE TAFT MUNICIPAL CODE TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES FOR CODE VIOLATIONS by title only and reading of such be waived **for first reading by title only and reading of such be waived.**

AYES: Krier, Noerr, Waldrop, Linder

3. PUBLIC HEARING – HEARING ON COSTS AND PLACEMENT OF LIENS ON ABATED PROPERTIES [6:29:53 PM](#)

The PH was opened to receive testimony for proponents and opponents.

Frank Tripicchio, 906 6th St., voiced objection to an invoice received for boarding up windows and doors and voiced objection to the amount to lien. The invoice was for Attorney fees associated with obtaining a warrant to enter his property; however, Tripicchio boarded up the windows himself after the warrant was obtained but prior to the City completing the work. It was explained to him that there were still expenses paid by City taxpayers to do something he should have taken care of prior to being cited and that it is the responsibility of all property owners to take care of their property.

Moved by Noerr, seconded by Waldrop , to confirm Statement of Expenses as submitted and approve 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 134 NORTH STREET, TAFT, CA APN#031-450-29; (*Resolution No. 3533-13*)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING AND CONFIRMING THE COSTS FOR THE ABATEMENT OF THE NUISANCE AT 105 ½ LUCARD STREET, TAFT, CA APN#031-460-13; (*Resolution No. 3534-13*)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING AND CONFIRMING THE COSTS FOR THE ABATEMENT OF THE NUISANCE AT 906 6TH STREET, TAFT, CA APN#032-010-18;
(*Resolution No. 3535-13*)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING AND CONFIRMING THE COSTS FOR THE ABATEMENT OF THE NUISANCE AT 108 7TH STREET, TAFT, CA APN#031-200-10; (*Resolution No. 3536-13*)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING AND CONFIRMING THE COSTS FOR THE ABATEMENT OF THE NUISANCE AT 427 SAN EMIDIO STREET, TAFT, CA APN#031-280-27 & 28. (*Resolution No. 3537-13*)

AYES: Krier, Noerr, Waldrop, Linder

Mayor Linder recessed the regular meeting to closed session at [6:56:35 PM](#) and returned to the regular meeting at [7:08:54 PM](#).

CLOSED SESSION

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 – APN #032-110-58.

ACTION TAKEN: This parcel is controlled by a DDA at the current time. 1) Council voted 4-0 (1 absent) to amend bullet point on page 2 of the “Compensation Method and Timing” that is attached to the agenda as Item 15. The second page says 30 cents per square foot and is being corrected to 90; 2) the DDA requires title insurance from all purchasers. Council voted 4-0 (1 absent) to amend that to that title insurance is required only from the final purchaser and not from the middle escrow; and 3) Council voted 4-0 (1 absent) as a policy decision for any future hotels within the City of Taft to include a financial feasibility part of its CEQA analysis.

4. SPECIAL RECOGNITION [7:10:38 PM](#)

Mayor Linder read a Certificate of Appreciation to Morgan Butler, for completing the 2012/2013 Taft College Internship Program assigned to working at Taft City Hall.

5. CITIZEN REQUESTS/PUBLIC COMMENTS [7:11:11 PM](#)

Kathy Orrin, Executive Director Taft Chamber of Commerce announced several upcoming events for the City of Taft.

6. COUNCIL STATEMENTS (NON ACTION) [7:18:32 PM](#)

Council Member Krier – announced that the hockey court at the Taft Veterans Hall was to receive upgrades and stated that everyone needs to support Chamber events.

Council Member Noerr – emphasized that residents need to take pride in their property by keeping it maintained and indicated that everyone to keep an eye on their neighbors because of the heat.

Council Member Waldrop – thanked Fourth District Supervisor David Couch for his support and thanked everyone who showed up at the Veterans Hall flag raising ceremony.

Mayor Linder – stated that he had opportunity to attend 100th Birthday celebration for Conley School.

7. DEPARTMENT REPORTS - None.

8. CITY MANAGER STATEMENTS – None.

9. CITY ATTORNEY STATEMENTS – None.

10. FUTURE AGENDA REQUESTS [7:23:38 PM](#)

Mayor Linder requested item to discuss commercial properties sewer and refuse. Noerr concurred.

CONSENT CALENDAR ITEMS 11 – 25 [7:24:16 PM](#)

Moved by Noerr, seconded by Waldrop, to approve consent calendar items

AYES: Krier, Noerr, Waldrop, Linder

11. MINUTES

May 21, 2013 Regular

Recommendation – Approve as submitted.

12. PAYMENT OF BILLS

Cash Disbursements	Warrant # 051013	Check No. 75423-75424	\$ 17,536.42
	Warrant # 052413	Check No. 75425-75514	\$677,926.09

Recommendation – Approve payment of bills.

13. SECOND READING – ORDINANCE ESTABLISHING SEWER RATES FOR CITY RESIDENCES, BUSINESSES, AND INDUSTRIAL CUSTOMERS

Recommendation – Motion to adopt ordinance titled an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAFT AMENDING SECTION 3.3-6 OF THE TAFT CITY CODE ESTABLISHING SEWER RATES FOR CITY RESIDENCES, BUSINESSES, AND INDUSTRIAL CUSTOMERS (*Ordinance No. 795-13*)

14. SECOND READING – ORDINANCE ESTABLISHING REFUSE AND STREET SWEEPING RATES FOR CITY CUSTOMERS

Recommendation – Motion to adopt ordinance titled an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAFT AMENDING SECTION 3.2-12 OF THE TAFT CITY CODE ESTABLISHING REFUSE AND STREET SWEEPING RATES FOR CITY CUSTOMERS (*Ordinance No. 796-13*)

16. WAIVING OF FEES TO THE TAFT DISTRICT CHAMBER OF COMMERCE FOR COSTS ASSOCIATED WITH THE 2013 FARMER’S MARKET

Recommendation – Motion to approve waiving reservation fees for the Taft District Chamber of Commerce for Farmer’s Market fees for the 2013 season in accordance with the M.O.U. dated December 18, 2013.

15. WAIVING OF FEES TO THE TAFT DISTRICT CHAMBER OF COMMERCE FOR COSTS ASSOCIATED WITH THE 2013 CAR SHOW

Recommendation – Motion to approve waiving of fees to the Taft District Chamber of Commerce for 2013 car show fees in accordance with M.O.U. dated December 18, 2013.

16. TAFT CHAMBER OF COMMERCE CAR SHOW

Recommendation – Motion to adopt a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING THE STREET CLOSURES FOR THE 2013 CHAMBER OF COMMERCE CAR SHOW (*Resolution No. 3538-13*)

17. CONSIDER WAIVING PARK RESERVATION FEE FOR REMNANT TEAM EVANGELISTIC ASSOCIATION EVENT

Recommendation – Motion to approve waiving reservation fees for Remnant Team Evangelistic Association event.

18. CONSIDER WAIVING PARK RESERVATION FEES FOR TAFT PRIMARY PLAY DAY

Recommendation – Motion to approve waiving reservation fees for Taft Primary Play Day.

21. RATIFY EMERGENCY PURCHASE OF REPLACEMENT LIGHTS FOR 10TH STREET LIGHTED CROSSWALK

Recommendation – Motion to approve ratification purchase of in-pavement replacement lights.

23. ADDENDUM TO AN AGREEMENT WITH UTILITY COST MANAGEMENT LLC

Recommendation – Motion to authorize the City Manager to sign the Addendum to the Agreement between the City of Taft and Utility Cost Management LLC.

24. CITY SERVICES ASSISTANT

Recommendation – 1) Motion to approve changing the Temporary City Services Assistant to City Services Assistant – Part Time. 2) Motion to approve A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AMENDING THE POSITION CLASSIFICATION PLAN AND ESTABLISHING CORRESPONDING COMPENSATION RATES (*Resolution No. 3539-13*)

25. AGREEMENT WITH MGT AMERICA, INC. TO PREPARE AND SUBMIT COST CLAIMS TO THE STATE CONTROLLER’S OFFICE

Recommendation – Motion to authorize the City Manager to execute the Multi-Year Agreement with MGT America, Inc. to prepare and submit cost claims to State Controller’s Office for the three fiscal years ending June 30, 2013, June 30, 2014 and June 30, 2015.

15. PROPOSED AMENDMENTS TO DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BETWEEN SUNSET RAILS, LLC AND THE CITY OF TAFT [7:27:26 PM](#)

➤ **Removed at request of Noerr**

Moved by Noerr, seconded by Krier, to Authorize the Mayor to execute an amendment to the “Disposition and Development Agreement” between the City of Taft and Sunset Rails, LLC, amending Section 315 (Transfer of Lands) to allow the transfer of the real property to the Developer to obtain financing for the project. It is requested that Council’s authorization be subject to the requirement that the proposed amendment be substantially similar to the agreements discussed between the parties in the May 28, 2013, Sunset Rails letter to the City, and the proposed amendments to the “Compensation Method and Timing” document (Exhibit 5) both which are attached hereto, and to include the three bullet points as described in the report out of Closed Session.

AYES: Krier, Noerr, Waldrop, Linder

22. RATIFY CONTRACT AND EXPENDITURES FROM SEWER SPILL ON MARCH 12, 2013 [7:28:45 PM](#)

➤ **Removed at request of Linder**

Linder stated that he did not see any mention of liability insurance. Need to make sure contractors provide City with Liability Insurance certificates.

Moved by Noerr, seconded by Waldrop, to approve ratification expenditures for sewer spill from Sewer Reserves and execute contract with Kern Consulting, Inc.

26. TO CREATE A NEW ASSESSMENT DISTRICT FOR NUISANCE ABATEMENT TO BE COLLECTED BY THE KERN COUNTY TAX COLLECTOR [7:30:54 PM](#)

Moved by Noerr, seconded by Waldrop, to approve a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT, INTENTION TO FORM AN ASSESSMENT DISTRICT FOR NUISANCE ABATEMENT TO BE COLLECTED BY THE KERN COUNTY TAX COLLECTOR (*Resolution No. 3540-13*)

AYES: Krier, Noerr, Waldrop, Linder

27. 2013 – 2014 APPROPRIATIONS LIMIT [7:35:56 PM](#)

Moved by Noerr, seconded by Krier, to adopt a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT ESTABLISHING APPROPRIATIONS LIMIT FOR 2013 – 2014 (*Resolution No. 3541-13*)

AYES: Krier, Noerr, Waldrop, Linder

28. DONATION TO THE TAFT CHAMBER OF COMMERCE TO HELP COVER COST OF 4TH OF JULY CELEBRATION [7:39:21 PM](#)

Moved by Linder, seconded by Krier, to fund \$2,000.00 from General Fund for July 4th Celebration to be held on Rails-to-Trails

AYES: Krier, Noerr, Waldrop, Linder

29. APPROVE TRAVEL EXPENSE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND DESIGNATION OF VOTING DELEGATE AND ALTERNATE [7:47:33 PM](#)

Moved by Noerr, seconded by Krier, to authorize expenses for registration, lodging, meals, transportation, and other incidental expenses for the Council Members who wish to attend the 2013 League of California Cities Annual Conference in Sacramento.

AYES: Krier, Noerr, Waldrop, Linder

Linder stated that he would probably attend and would be the Voting Delegate. Krier said that he would also be attending and he could be the Alternate Voting Delegate for the League of California Cities Annual Business Meeting to be held at the Annual Conference on September 20. Remaining Council Members concurred, with Noerr and Waldrop both stating that they would not be able to attend.

ADJOURNMENT – As there was no further business to conduct, Mayor Linder adjourned the meeting at [7:54:45 PM](#)