

**TAFT CITY COUNCIL  
MINUTES  
DECEMBER 16, 2008**

**REGULAR MEETING**

The December 16, 2008, regular meeting of the City Council of the City of Taft, held in the Council Chamber, 209 East Kern Street, Taft, California, was opened by Mayor Noerr at **7:01:40 PM**. Council Member Thompson led the Pledge of Allegiance and invocation was given by Bill LeBarron, First Congregational Church of Maricopa.

**PRESENT:** Mayor Dave Noerr; Mayor Pro Tem Randy Miller.  
Council Members Paul Linder, Craig Noble and Cliff Thompson.  
Robert T. Gorson, Jr., City Manager; Kathy Gibson, City Attorney; and  
Louise Hudgens, City Clerk.

**1. PUBLIC HEARING –NEGATIVE DECLARATION NO. 08-04 FOR TAFT ENTERPRISE ZONE APPLICATION 7:05:41 PM**

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

**Motion:** Moved by Thompson, seconded by Noble, to approve a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT APPROVING NEGATIVE DECLARATION NO. 08-04 RELATED TO THE TAFT ENTERPRISE ZONE APPLICATION. (*Resolution No. 3104-08*)

**AYES:** Linder, Miller, Noble, Thompson, Noerr

**2. CITIZEN REQUESTS/PUBLIC COMMENTS**

Lucille Holt, Grant Administrator for the City of Taft, reported that she attended an ULI Conference and learned the following:

- Market will not fully rebound until late 2009 to mid 2010
- Investment dollars are there, but no more 100%-105% financing – closer to 65%/35%
- Promoting mixed use development, with higher density for housing
- GO GREEN – savings generated by going green exceed the extra cost generated by pursuing green development. Legislation in the works to make green development a requirement.
- Affordable housing has historically been the leader out of recessions. Now is time to pursue workforce, senior, assisted living or other type of affordable housing. Government injects the capital to make it feasible for developers.

**3. COUNCIL STATEMENTS (NON ACTION) 7:14:00 PM**

Council Member Miller 1) referred to a letter received by Council Members that should have been directed to the Chamber of Commerce, with complaints about the Annual Christmas parade. Miller commended Dianne Emfinger for heading the parade committee and for a well organized parade; 2) stated that there is a sign at the Chamber office to “Shop Taft” and that most local businesses support this community and make donations to the community and pay sales tax; and 3) read a prepared statement that he did not agree to retaining committees as they had been for the past several years and even though he was disappointed not to have been selected Mayor, he fully supports the committees and Mayor Noerr.

Council Member Linder stated that he had rang the bell for the Salvation Army and that donations are down this year, and indicated that it seemed that the people who have the least give the most.

Council Member Thompson remarked about the state’s growing budget problem, and he read a letter from Laura Geiger explaining that the old hospital building was in escrow (See attached Exhibit A).

Mayor Noerr remarked about rural healthcare declines and how exciting the news was that healthcare was being reestablished in Taft.

All Council Members wished citizens a Merry Christmas and a safe and Happy New Year.

**4. PLANNING COMMISSION REPORT – None.**

**5. CITY MANAGER STATEMENTS 7:29:32 PM**

- Reported pooled Liability refund from RMA for \$15,595
- Stated that he didn't know what the public's perception was after reading recent newspaper articles, but wanted it on record that the City Manager and Council get along just fine. They all agree on the big vision and that he admires each of the Council Members
- Thanked Council Member Noble for his work on the land use and circulation element
- Stated that he had nominated Marty Jones for Public Official and Cliff Thompson for an award of merit in transportation for his work on Highway 119. Kern COG's Regional Awards would be held on March 5, 2009 and Council Member Thompson would be receiving his award at that time
- Explained that there would be a 2-day Charrette starting February 9, where ideas would be exchanged regarding uses of the rail road property
- Reported that he had sent a letter sent to legislators re: economic stimulus package

**6. CITY ATTORNEY STATEMENTS**

City Attorney Gibson stated that she would be presenting an overview on the Brown Act at the January 6, 2009 meeting and to let her know if anyone had any specific questions.

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**CONSENT CALENDAR ITEMS 7-10 7:40:19 PM**

Motion: Moved by Linder, seconded by Miller, to approve consent calendar items 7-10.

AYES: Linder, Miller, Noble, Thompson, Noerr

**7. APPROVAL OF MINUTES**  
**December 2, 2008 Regular Meeting**  
Recommendation - Approve as submitted.  
(Item was distributed at the meeting.)

**8. PAYMENT OF BILLS**  
Cash Disbursements Warrant #64911 - #65002 - \$466,599.52  
Recommendation – Consent of approved expenditures.

**9. PROPOSITION 1B STREET IMPROVEMENT PROJECT – NOTICE OF COMPLETION**  
Recommendation – Motion to approve the Notice of Completion for the Proposition 1B Street Improvement Project and direct the City Clerk to record same.

**10. CITY INVESTMENT POLICY ANNUAL REVIEW**  
Recommendation – Motion to concur with the Finance Committee's recommendation after their annual review and their recommended change.

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**11. CONTRACT FOR PROFESSIONAL CONSULTANT SERVICES (PUBLIC WORKS PROJECTS) [7:41:48 PM](#)**

Motion: Moved by Thompson, seconded by Miller, to approve contract for professional consulting services.

Council Members concurred that there are many streets to pave and that this person could share his knowledge with current Acting Public Works Director Jones, then the City could proceed without outside assistance, and liked the idea of someone on site while the job is in progress. City Manager Gorson explained that the City would be renting a paver with a 4-man crew and that this contract person would supervise, saving the City money.

AYES: Linder, Miller, Noble, Thompson, Noerr

**12. DONATION OF LAND FOR COURT BUILDING [7:48:55 PM](#)**

Judge Phillips explained that the State has pre-approved building specifications, and that that the future Taft court needs two (2) court rooms, on separate floors for security purposes, and that there was a need for different types of cases: family law, civil, criminal, traffic. He explained that they would like to be near the Police Department as extra cells are needed and it should to be close to Highways 33 and 119 because of large trucks. He also explained that a donation of land would move the Taft Court up on the list of state projects.

Several locations were discussed and staff was instructed to contact property owners near the Police Department to see if interested and to bring a resolution back for Council consideration in support of the Court in Taft. City Attorney Gibson explained that a donation of land would be appropriate as it would be a benefit to the citizens of Taft to have the court located here.

**13. FUNDING FOR ALPHA HOUSE [8:15:08 PM](#)**

Motion: Moved by Thompson, seconded by Linder, to approve funding to Alpha House in the amount of \$2,500.

Council discussed and concurred that Alpha House was vital to the community, and as economic times get tough, Alpha House would be more vital. Council Member suggested that Council use the \$15,000 rebate from RMA. Council Member Miller indicated that he would like to see Alpha House have more fund raisers.

Alpha House Administrator Faith Mitchell reported that the Board had voted to hold at least a quarterly fund-raisers. All funds brought to Alpha House is used by Alpha House, and that they were doing everything they could to raise awareness and they were also working with United Way.

Motion: Moved by Thompson, seconded by Linder, to amend the motion to approve funding to Alpha House and that the City Council of the City of Taft hereby finds that it is in the best interest of the Health, Safety and Welfare for the City of Taft to provide funding to Alpha House in the amount of \$15,000.00.

AYES: Linder, Miller, Noble, Thompson, Noerr

**14. ADDITIONAL FUNDING FOR CHAMBER OF COMMERCE FOR WEBSITE DESIGN AND ONE-YEAR MAINTENANCE [8:29:27 PM](#)**

- Council Member Miller stepped down from the dais.

Orchel Krier thanked Council for support in building the new website to help market Taft.

**Motion:** Moved by Noble, seconded by Linder, to approve additional funding for Chamber of Commerce in the amount of \$5,400 for website design and one-year maintenance from capital reserves.

Noble, stated that he fully supported upgrading the website as he frequently travels to other cities and that he always uses their websites to familiarize himself with that city before leaving home.

AYES: Linder, Noble, Thompson, Noerr

- Council Member Miller returned to the dais.

**15. OPPOSITION TO GOVERNOR'S PROPOSAL TO IMPOSE SEVERANCE TAX ON CALIFORNIA CRUDE OIL PRODUCTION [8:34:08 PM](#)**

City Manager Gorson read a memo from Occidental of Elk Hills, Inc., which fully supported the Resolution.

**Motion:** Moved by Thompson, seconded by Miller, to approve a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT OPPOSING PROPOSED IMPOSITION OF SEVERANCE TAX ON CALIFORNIA CRUDE OIL PRODUCTION. (*Resolution No. 3105-08*)

Council Members concurred that the State's budget problems are a spending issue and that more revenues at the state level would not help. They concurred that a 9.9% per barrel tax would only stifle oil production and would make it uncompetitive with world oil prices.

AYES: Linder, Miller, Noble, Thompson, Noerr

**16. LEASE AGREEMENT FOR PROPERTY AT 333 COMMERCE WAY [8:47:05 PM](#)**

City Manager Gorson explained that staff had looked at all available properties and that this was the best option. He pointed out the advantages, such as that the street crews would save up to 1½ hours per day by not having to meet at the corporation yard before having to go to the CCF to pick up their inmates for the day. Also, Transit buses would be locked up at night, and as it was across from the Police Department, staff felt that there would be more security for the Transit drivers.

**Motion:** Moved by Linder, seconded by Miller, to approve lease and to adopt resolution titled A RESOLUTION OF THE CITY OF TAFT APPROVING A LEASE CONTRACT BETWEEN SMS HOLDING COMPANY LLC AND THE CITY OF TAFT FOR PROPERTY LOCATED AT 333 COMMERCE WAY. (*Resolution No. 3106-08*)

Council Member Linder voiced concerns that the City would be responsible for the mechanical replacement, such as the air conditioner. City Manager Gorson stated that the City would be responsible for maintenance and repairs but not replacement and that the CCF had a very competent A/C Maintenance person on staff.

AYES: Linder, Miller, Noble, Thompson, Noerr

**17. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH FOUR SEASONS CARPET FOR TILE/CARPET REPLACEMENT AT THE TAFT FIREHOUSE [9:01:19 PM](#)**

**Motion:** Moved by Linder, seconded by Miller, to authorize the City Manager to enter into an agreement with local contractor Four Seasons, and supply direction concerning replacement of carpet not within construction area. Funds to be used from capital reserves.

AYES: Linder, Miller, Noble, Thompson, Noerr

**18. RFP FOR CONSTRUCTION OF CITY OF TAFT “ENTRY ARCH” [9:05:59 PM](#)**

Motion: Moved by Thompson, seconded by Miller, to authorize staff to submit RFP for the construction of the City of Taft entry arch.

Council Member Thompson stated that he did not feel that this was the time to go out to RFP for arches as the roads are a priority. Mayor Noerr stated that he knew that there were many local artisans that could construct the arch and that he would like to talk to some of them first.

**19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING CITY CLERK TO ACCEPT CONVEYANCES TO THE CITY OF TAFT FOR PUBLIC PURPOSES [9:22:35 PM](#)**

Motion: Moved by Thompson, seconded by Miller, to adopt resolution titled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING CITY CLERK TO ACCEPT CONVEYANCES TO THE CITY OF TAFT FOR PUBLIC PURPOSES. (*Resolution No. 3107-08*)

AYES: Linder, Miller, Noble, Thompson, Noerr

**20. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING THE CITY MANAGER TO PURCHASE 32.02 ACRES OF RIGHT-OF-WAY PROPERTY LOCATED SOUTHEAST OF DOWNTOWN FOR THE AMOUNT OF \$170,293.00 FROM UNION PACIFIC RAILROAD COMPANY & SUNSET RAILWAY COMPANY FOR TAFT COMMUNITY DEVELOPMENT AGENCY [9:24:32 PM](#)**

Motion: Moved by Linder, seconded by Miller, to adopt resolution titled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING THE PURCHASE OF 32.02 ACRES OF RIGHT-OF-WAY PROPERTY FROM UNION PACIFIC RAILROAD COMPANY AND SUNSET RAILWAY COMPANY FOR TAFT COMMUNITY DEVELOPMENT AGENCY, and to appropriate \$170,293.00 plus filing fees from Capital Reserves. (*Resolution No. 3108-08*)

AYES: Linder, Miller, Noble, Thompson, Noerr

**21. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT AUTHORIZING THE CITY MANAGER TO PURCHASE 40.84 ACRES OF YARD PROPERTY IN THE AMOUNT OF \$1,400,000.00 AND ACCEPT 4.58 ACRES OF STREET RIGHT-OF-WAY FROM UNION PACIFIC RAILROAD COMPANY & SUNSET RAILWAY COMPANY FOR TAFT COMMUNITY DEVELOPMENT AGENCY [9:08:35 PM](#)**

- City Attorney Gibson stated that she had received a communication imposing a new request and requested that this item be removed from this agenda and a special meeting be called for closed session.

Mayor Noerr recessed the regular meeting to a regular meeting of the Taft Community Development Agency at [9:30:49 PM](#). The Regular meeting reconvened at [9:40:12 PM](#), at which time Mayor Noerr recessed the meeting to closed session. The regular meeting reconvened at [9:59:12 PM](#) with all members present.

**CLOSED SESSION**

1. At this time the City Council will hold a closed session pursuant to Government Code Section 54956.9 (b) (1) re claims filed by Jerry Gregory.

ACTION TAKEN: Claim was rejected.

2. At this time the City Council will hold a closed session pursuant to Government Code Section 54957 Performance Evaluation. Positions to be evaluated: City Manager.

ACTION TAKEN: None.

**ADJOURNMENT - [9:59:12 PM](#)**

There was no further business to conduct and Chairman Noerr continued the meeting to 5:00 p.m. on Wednesday, December 17, 2008 for closed session.

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Louise Hudgens, CMC  
City Clerk

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Dave Noerr, Mayor