



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, JUNE 3, 2008**

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE: Council Member Colvard
INVOCATION: Council Member Johnston

ROLL CALL: Mayor Prout
Mayor Pro Tem Florez
Council Member Colvard
Council Member Johnston
Council Member Nelson

APPROVAL OF AGENDA:

PUBLIC COMMENT:

This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to five minutes. Please state your name and address for the record before making your presentation. The Council may take action to direct the staff to place a matter of business on a future agenda.

1. Energy Efficiency Month, June 2008: Kern County Superintendent of Schools Youth Services Program Manager Jeff Coomber

PRESENTATION:

1. Proclamation: Anna Jelmini Shafter High Lady Generals Shot Put and Discus Champion

CONSENT CALENDAR:

All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.

1. Approval of Payroll and General Checks
2. Approval of Minutes May 16, 2008
3. Approval of Minutes May 20, 2008
4. Special Events Permit –Shafter Stingrays Swim Team Swim Meets, June 14, June 21, and July 1, 2008, Shafter Aquatics Center

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to this public hearing.

1. **TENTATIVE TRACT 7033:** a request to approve resolution No. 08-1984, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPTING THE NEGATIVE DECLARATION AND APPROVING TENTATIVE TRACT 7033 ADOPTING FINDINGS AND CONDITIONS OF APPROVAL. A proposal to subdivide 36.61 acres into 87 single-family residential lots and one sump lot. The proposed lots range in size from 10,887 square-feet to 19,669 square feet. The project is generally located at the southeast corner of North Shafter Avenue and East Fresno Avenue. The property is zoned for E (Estate) development (City Manager Guinn)

COUNCIL ANNOUNCEMENTS AND REPORTS:

On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. Council Members may ask a question for clarification, make a referral to staff, or take action to have staff place a matter of business on a future agenda. No formal action by the Council will be taken unless an item is identified on the Agenda.

CITY MANAGER COMMENTS AND REPORTS:

MANAGEMENT REPORTS:

1. **IN CAR VIDEO SYSTEM STEP GRANT PURCHASE:** a request to authorize the purchase of a Digital Video Monitor and Flashlight Kit from Digital-Ally, Inc. in the amount of \$4,559.43. (City Manager Guinn)
2. **AWARD CONTRACT SHAFTER ANIMAL CONTROL SHELTER STEEL BUILDING:** a request to award the Steel Building Contract for the Shafter Animal Control Shelter to Valley Steel Construction in an amount not to exceed \$83,061. (City Manager Guinn)
3. **TRACT 6936 CITY OF SHAFTER 13-LOT SUBDIVISION-AWARD CONSTRUCTION OF WATER IMPROVEMENTS, CURB, GUTTER, AND SIDEWALK IMPROVEMENTS, AND STREET IMPROVEMENTS:** a request to award the installation of water improvements to SUPERIOR PIPELINES in the amount of \$29,914; award the installation of concrete curb, gutter, and sidewalk to BAKERSFIELD CONCRETE in the amount of \$38,308; award the installation of street

and paving improvements to BURTCH CONSTRUCTION in the amount of \$89,764; and authorize the City Engineer to execute the contract for construction for Tract 6936.(City Manager Guinn)

4. **ACCEPTANCE OF RAIL SERVICE EQUIPMENT MATERIALS - FTIP PROJECT I.D. #CML-5281(010):** a request to accept the work of Papé Materials Handling for furnishing one rail car mover and one container lift machine; authorize the Public Works Director to file and record a Notice of Completion and Acceptance of Work for the project; and authorize the Public Works Director to complete, execute and file the applicable Final Report of Expenditures and other related forms with the Caltrans Office of Local Assistance to close the project and secure all reimbursable project costs. (City Manager Guinn)
5. **INTENT TO ANNEX DEVELOPMENTS TO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. LL003-2005:** a request to adopt Resolution No. 08-1985 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER DECLARING INTENTION TO ANNEX TRACTS 6584, 6910 AND 6936 TO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. LL003-2005 (ANNEXATION #1) AND TO LEVY AND COLLECT ASSESSMENTS ON LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO.LL003-2005 (TRACT 6738) AND LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO.LL003-20050 ANNEXATION #1 (TRACTS 6584, 6910 AND 6936) FOR FISCAL YEAR 2009-2010 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LIGHTING AND LANDSCAPING AND SETTING THE TIME AND PLACE OF THE HEARING ON THE PROPOSED ANNEXATION AND THE PROPOSED LEVY AND COLLECTION OF ASSESSMENTS. (City Manager Guinn)
6. **BIANNUAL REVIEW OF CONFLICT OF INTEREST CODES:** a request the City Manager to review the City's Conflict of Interest Code pursuant Government Code Section 87306.5; file a statement of review with the City Clerk no later than October 1, 2008; and if necessary, submit a revised the Conflict of Interest Code for Council approval. (City Manager Guinn)
7. **REASSIGNMENT OF OFFICE LEASE WITH BARNWELL AND COMPANY TO JEFFRIES BROTHERS:** a request to authorize City Manager to terminate office lease with Barnwell and execute a new lease with Jeffries Brothers with the exact same terms and conditions resulting in no financial impact to the City. (City Manager Guinn)
8. **INFORMATION BULLETIN 08-11:** Investment Report April 2008

ORDINANCE:

1. **Council Introduce Ordinance 08-621** entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPTING A NEGATIVE DECLARATION AND APPROVING ZONE CHANGE 08-53 for second reading and adoption by title

only and waive reading. The project site is located on the south side of East Los Angeles Avenue, approximately 1/4 mile west of South Beech Avenue/State Highway 43. (City Manager Guinn)

CLOSED SESSION:

1. Conference with Property Negotiators (Government Code 54957.8):
Property Location: APN 089-230-48-6
Property Negotiator: City Manger John Guinn
Property Owner: Daniel C. & Janice I. Smith
Under Negotiation: Provide instructions to negotiator regarding price and terms
2. Confer with Legal Counsel - Existing Litigation (Government Code Section 54956.9a):
 - a. Kern County Superior Court-Bakersfield Case No. S-1500-CV-260384
City of Bakersfield v. Oildale Mutual Water Company
 - b. Kern County Superior Court-Bakersfield Case No. S-1500-CV-260360
Tulare County Superior Court-Visalia Case No. VCU-224933
City of Bakersfield v. North Kern Water District
 - c. Kern County Superior Court-Bakersfield Case No. S-1500-CV-260277
City of Bakersfield v. City of Shafter
 - d. Kern County Superior Court-Bakersfield Case No. S-1500-CV-258075
Ventura County Superior Court-Ventura Case No. CIV242067
City of Bakersfield v. Kern Delta Water District
3. Confer about Labor Negotiators (Government Code 54957.6): City Labor Negotiator City Manager Guinn; Employee Organizations: Shafter Correctional Officers Association, Shafter Miscellaneous Employees Unit, Shafter Police Officers Association, and Shafter Public Works Employees Unit; and Unrepresented Employees: Department Heads, Division Managers, Supervisors, and Part-Time Employees.

ADJOURNMENT:

NOTE: Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person may be limited to raising those issues addressed at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to this public hearing.

Pursuant to the Americans With Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time when special services are needed to allow City staff in making reasonable arrangements to provide you with access to the meeting.

This is to certify that this Agenda notice was posted at City Hall and the Police Department by 5:00 p.m., May 29, 2008. Further information regarding this Agenda notice is available at City Hall, 336 Pacific Ave., Shafter, CA.

Christine Wilson S/S, City Clerk