



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, JULY 1, 2008**

CALL TO ORDER: 7:00 p.m.

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

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.

PRESENTATION:

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 June 17, 2008
3. Approval of Minutes June 20, 2008
4. Special Events Permit: Grand Opening, La Hacienda Market, 315 James St, July 25, 2008

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 NO. 6783:** a request to conduct a public hearing and consider adoption of Resolution No. 08-1994, a Resolution of the City Council of the City of Shafter adopting the Negative Declaration and Approving Tentative Tract No. 6783, Adopting Finding and Conditions of Approval. The project site is generally located on the north side of Riverside St. ¼ mile east of South Shafter Ave. and proposes to subdivide approximately 20 acres into 43 single-family residential lots with a sump lot and an approximate 10½ acre designated remainder. The subject property is designated very low density residential and is zoned for estate development. (City Manager Guinn)

ROLL CALL

2. **TENTATIVE TRACT NO 7079:** a request to conduct a public hearing and consider adoption of Resolution No. 08-1995, a Resolution of the City Council of the City of Shafter adopting the Negative Declaration and Approving Tentative Tract No. 7079, Adopting Finding and Conditions of Approval. The project site is generally located on the southwest corner of West Lerdo Hwy and South Poplar Ave. and proposes to subdivide approximately 52.91 acres into 133 single-family residential lots with a 37.27 acre designated remainder. The subject property is designated very low density residential and is zoned for 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. **RESOLUTION ORDERING THE ANNEXATION AND LEVYING THE ASSESSMENTS IN CONNECTION WITH ANNEXATION NO. 1 OF LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. LL003-2005 (TRACTS 6584, 6910 AND 6936):** a request to adopt, contingent upon property owner support for Annexation No. 1 into Landscape and Lighting Assessment District No. LL003-2005, Resolution No. 08-1991 entitled a Resolution of the City Council of the City of Shafter Ordering Annexation No. 1 to Landscaping and Lighting District No. LI003-2005 for the Maintenance and Servicing of Lighting and Landscaping, and Levying the Annual Assessment for Fiscal Year 2009-2010. (City Manager Guinn)
2. **RESOLUTION DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN EXISTING LANDSCAPING AND LIGHTING DISTRICTS FOR FISCAL YEAR 2008-2009:** a request to adopt Resolution No. 08-1997 entitled a Resolution of the City Council of the City of Shafter Declaring Intention to Levy and Collect Assessments Within Existing Landscaping and Lighting Districts for Fiscal Year 2008-2009 Pursuant to the Landscaping and Lighting Act of 1972 for the Maintenance and Servicing of Lighting and Landscaping, and Giving Notice of and

Setting the Time and Place of the Hearing on the Annual Levy of Assessments. (City Manager Guinn)

3. **COUNTY OF KERN AGREEMENT TO COLLECT SPECIAL ASSESSMENTS AND TAXES:** a request to authorize the City Manager to execute an agreement with the County of Kern for collection of special assessments and taxes. (City Manager Guinn)
4. **NORTH PARK/NORTH SHAFTER ASSESSMENT DISTRICT 92-1:** a request to adopt Resolution No.08-1996 entitled a Resolution of the City Council of the City of Shafter, California Determining Amount of Annual Billing on the Unpaid Assessments for Assessment District No. 92-1 (North Park/North Shafter Assessment District). (ity Manager Guinn)
5. **LEGAL SERVICES FEE INCREASE:** a request to authorize the City Manager to execute the Agreement for the proposed fee increase for legal services with Best, Best & Krieger. (City Manager Guinn)
6. **ROADSIDE CLEANUP CONTRACT BETWEEN THE COMMUNITY CORRECTIONAL FACILITY AND THE DEPARTMENT OF TRANSPORTATION:** a request to adopt Resolution No. 08-1998 entitled a Resolution of the City Council of the City of Shafter Authorizing the City Manager to Sign and Execute District Agreement #06A1358 with the Department of Transportation for the Operation of Four (4) Outside Work Crews.
7. **CCF BUDGET AMENDMENT SHOWER FLOORS AND WALLS, AND DORM CARPET:** a request to authorize a budget amendment in the amount of \$50,000 to replace the CCF shower floors and walls, and form carpet. (City Manager Guinn)
8. **AWARD OF CONTRACT AND NOTICE TO PROCEED-2008 AIRPORT ENTRANCE REALIGNMENT PROJECT:** a request to authorize the City Engineer to issue a Notice of Award to Guinn Construction Company for the 2008 Airport Entrance Realignment Project, and issue a Notice to Proceed once contractor submits signed agreements, required bonds, and proof of insurance. (City Manager Guinn)
9. **AUTHORIZATION TO RECORD FINAL MAP TRACT 6584, WILLIAMS DEVELOPMENT, INC., GUINN PROPERTIES LLC, AND GREGORIO INVESTMENTS, INC.:** a request to authorize the recording of the final map for Tract 6584. (City Manager Guinn)

ORDINANCE:

1. **ORDINANCE 08-622 HEALTH AND SAFETY SMOKING ORDINANCE UPDATE:** a request to introduce Ordinance No. 08-622 entitled an Ordinance of the City Council of the City of Shafter, California, Amending Chapter 8.05 of the Shafter Municipal Code Concerning Smoking Restrictions, for second reading and adoption by title only and waive reading. (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. Conference with Property Negotiators (Government Code 54957.8):
Property Location: APN 091-260-42
Property Negotiator: City Manger John Guinn
Property Owner: City of Shafter
Under Negotiation: Provide instructions to negotiator regarding price and terms
3. 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
4. Confer about Labor Negotiations (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., June 27, 2008. Further information regarding this Agenda notice is available at City Hall, 336 Pacific Ave., Shafter, CA.

Christine Wilson S/S, City Clerk