



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, MAY 4, 2010**

- CALL TO ORDER:** 7:00 p.m.
- PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Nelson
- INVOCATION:** Council Member Colvard
- ROLL CALL:** Mayor Prout
Mayor Pro Tem Nelson
Council Member Alvarado
Council Member Colvard
Council Member Johnston

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.

CONSENT CALENDAR:

All items on the consent calendar are considered to be routine and non-controversial by 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. Approve Payroll and General Checks.
2. Approve Minutes: April 20, 2010.
3. Approve Notice of Completion and Acceptance of Work by Bakersfield Well and Pump for the Construction of the Repair and Rehabilitation of Well 11.
4. Adopt Resolution No. 2093-10 Declaring the Existence of Public Nuisance and Giving Notice of Abatement of APN 028-041-09, 509 Sycamore Avenue, Jesus Ruiz Fernandez.
5. Adopt Resolution No. 2094-10 Declaring the Existence of Public Nuisance and Giving

- Notice of Abatement of APN028-123-14, 205 Walnut Street, William Mobely.
6. Adopt Resolution No. 2095-10 Declaring the Existence of Public Nuisance and Giving Notice of Abatement of APN 028-552-06, Robert And Carla McCaslin.

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. **COMMUNITY LANDSCAPING IMPROVEMENT GRANT APPLICATION:** a request to approve the Landscaping Improvement Grant Application in the amount of \$5000 for the Church of Christ located at 850 Minter Avenue. (City Manager Guinn)
2. **AMENDMENT OF SECTION 1.04.040 AND ADDITION OF SECTION 1.04.050 OF THE SHAFTER MUNICIPAL CODE PROHIBITING CLASS ACTION LAWSUITS TO RECOVER MONEY OR DAMAGES FROM THE CITY AND REQUIRING PERSONS FILING LEGAL ACTION AGAINST THE CITY CHALLENGING LIABILITY FOR TAXES, ASSESSMENTS OR FEES TO PAY ALL SAID TAXES, ASSESSMENTS, FEES, PLUS ANY INTEREST AND/OR PENALTIES, PRIOR TO AND AS A CONDITION TO SEEKING JUDICIAL REVIEW:** a request to introduce by title only and waive full reading of Ordinance No. 632, an ordinance amending Section 1.04.040 and adding Section 1.04.050 to Chapter 1.04 of Title 1 of the Shafter Municipal Code prohibiting class action lawsuits to recover money or damages from the City and requiring persons filing legal action against the City challenging liability for taxes, assessments or fees to pay all said taxes, assessments, fees, plus any interest and/or penalties, prior to and as a condition to seeking judicial review. (City Manager Guinn)
3. **ACCEPTANCE OF EAST ASH AVE. STREET LIGHTS AND FINAL BUDGET AMENDMENT:** a request to accept the improvements for the East Ash Avenue Lighting Project; authorize the City Engineer to file a Notice of Completion and Acceptance of Work; and authorize a Capital Project #0343 budget amendment in the amount of \$15,000 from the Unallocated General Fund Reserve. (City Manager Guinn)
4. **AGREEMENT WITH THE COUNTY OF KERN TO ADMINISTER CONSTRUCTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 18.09.01 FOR WALKER STREET STORM DRAIN IMPROVEMENTS:** a request to authorize the City Manager to execute Agreement with the County of Kern entitled "Community Development Activity - City of Shafter - Walker Street Storm Drain Improvements CD#18.09.1". (City Manager Guinn)

5. **APPROVAL OF ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING DISTRICT NO. LL001-2009:** a request to adopt Resolution No. 2091-10, a Resolution of Declaring Intention to Increase, Levy and Collect Assessments Within Landscaping and Lighting District No. LL001-2009 for Fiscal Year 2010-2011 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 Increase and Annual Levy of Assessments. (City Manager Guinn)

6. **PART TIME PLANNING DIRECTOR – BUDGET AMENDMENT:** a request to authorize a Budget Amendment of \$29,000 from the General Fund Unappropriated Reserve Balance to provide the necessary funding for the part time Planning Director position thru the end of FY 2009-10. (City Manager Guinn)

7. **INFORMATION BULLETIN NO. 10-09:**
 - a. Investment Report – March 2010;
 - b. Water System Update

ADJOURNMENT:

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. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263.

This is to certify that this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., April 30, 2010.
Christine Wilson S/S, City Clerk