



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, NOVEMBER 4, 2014**

CALL TO ORDER: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Council Member Colvard

INVOCATION: Mayor Johnston

APPROVAL OF AGENDA:

PRESENTATION:

1. Introduction of Richland Junior High School Student Council President Nataly Ayala, Vice President Julianna Portillo, Secretary Priscilla Barajas, Treasurer Lenis Mora, Keeper of the Grounds Nancy Espinoza, and Activities Directors Serena Miller.
2. Proclamation of Prematurity Awareness Day, November 17, 2014.

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. Approval of Payroll and General Checks.
2. Approval of Minutes: Regular Meeting of October 21, 2014.
3. Acceptance of a Grant of Street Right-of-Way for West Tulare Avenue Widening from the Shafter Parks and Recreation District and authorize the City Engineer to execute and record documents.

4. Acceptance of Bishop Acres Water System Consolidation Project Phase II Well Improvements: Brown and Fowler Construction and authorize Public Works Director to file and record Notice of Completion and Acceptance of Work.
5. Acceptance of Roll Real Estate Water Easement and authorize the City Engineer to record said documents.
6. Acceptance of Roll Real Estate Drainage Easement and authorize the City Engineer to record documents.

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:

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. **AMENDMENT NO. 14-24:** Lennar Homes of California is requesting an amendment to the adopted Coberly West Specific Plan for minor changes to the circulation plan, land use configuration plan, and development standards. The proposal includes a name change to Gossamer Grove Specific Plan. The Coberly West Specific Plan is located generally north of 7th Standard Road between Calloway Road and the Friant-Kern Canal. The Planning Commission is recommending adoption of the amendment by ordinance. An addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH 2004101029), which includes the adopted Coberly West Specific Plan, has been prepared for Amendment No. 14-24. A request to receive public testimony; approve Resolution No. 2373, a Resolution of the City Council of the City of Shafter Certifying It Has Received, Reviewed, Evaluated and Considered the Information Contained in the Addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and Related Actions (Sch No. 2004101029) for Amendment No. 14-24 and Certifying that the Addendum has been Completed in Compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines; and introduce Ordinance No. 662, an Ordinance of the City Council of the City of Shafter Adopting Amendment No. 14-24 for First Reading By Title Only and Waive Reading. (City Manager Hurlbert)
2. **AGRICULTURAL PRESERVE PROCEDURE NO. 14-02:** A proposal to establish an agricultural preserve, pursuant to California Government Code Section 51230 et seq., for 6,943 acres in various locations within the City of Shafter 2005 General Plan Area Boundary. The agricultural preserve is proposed to facilitate Annexation No. 83. The Planning Commission is recommending adoption of the agricultural preserve. Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines, a Notice of Exemption has been prepared for the project. A request to conduct a public

hearing; and adopt Resolution No. 2372, a Resolution of the City Council of the City of Shafter Adopting Agricultural Preserve Procedure No. 14-02 to establish an Agricultural Preserve on approximately 6,943 acres being annexed to the City of Shafter Under Annexation No. 83 (City Manager Hurlbert)

3. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEARS 2012-2013, 2013-2014 AND 2014-2015:** a request to conduct a public hearing; and adopt Resolution No. 2377, a Resolution of the City Council of the City of Shafter, authorizing the submission of an application to the Kern County Community Development Program Department for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 CDBG “fair share” funds, estimated to be \$450,000, to be allocated towards sports field lighting at Veterans Park or another project as determined by Council. (City Manager Hurlbert)

MANAGEMENT REPORTS:

1. **INDEPENDENT ACCOUNTANTS’ REPORT ON AGREED-UPON PROCEDURES APPLIED TO APPROPRIATIONS LIMIT SCHEDULE FOR THE YEAR ENDING JUNE 30, 2014:** a request to accept the Independent Accountants’ Report on Agreed-Upon Procedures Applied to Appropriations Limit Schedule For the Year Ending June 30, 2014. (City Manager Hurlbert)
2. **COMPREHENSIVE ANNUAL FINANCIAL REPORT, SINGLE AUDIT REPORT, AND SAS 114 LETTER, FOR THE YEAR ENDED JUNE 30, 2014:** a request to accept the Comprehensive Annual Financial Report, Single Audit Report, and SAS 114 letter for the year ended June 30, 2014. (City Manager Hurlbert)
3. **ARTICLE 4 CLAIM FOR FISCAL YEAR 2014-2015:** a request to adopt Resolution No. 2378, a Resolution of the City Council of the City of Shafter, approving the filing of TDA Article 4 claim for Fiscal Year 2014-2015. (City Manager Hurlbert)
4. **TRANSIT DEVELOPMENT ACT ARTICLE 8 CLAIM FOR FISCAL YEAR 2014-2015:** a request to adopt Resolution No. 2379, a Resolution of the City Council of the City of Shafter, Approving the Filing of TDA Article 8 Claim For Fiscal Year 2014-2015. (City Manager Hurlbert)
5. **SETTLEMENT AGREEMENT AND RELEASE AND MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF KERN:** a request to approve a Settlement Agreement and Release, and Memorandum of Understanding between the County of Kern and the City of Shafter. (City Manager Hurlbert)
6. **FIGTREE PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE) FOR FINANCING OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS THROUGH THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY (CEDA):** a request to adopt Resolution 2374, a Resolution of the City Council of the City Shafter, California, Consenting to the Inclusion of Properties Within the Incorporated Area of the City of Shafter in the Property Assessed Clean Energy Program to Finance

Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements, Approving the Report Setting Forth the Parameters of the Referenced Program and Certain Matters in Connection Therewith; and adopt Resolution 2375, a Resolution of the City Council of the City Shafter, California, Approving Associate Membership by the City of Shafter in the California Enterprise Development Authority and Authorizing and Directing the Execution of an Associate Membership Agreement. (City Manager Hurlbert)

7. **AMENDMENT TO THE CONFLICT OF INTEREST CODE:** a request to adopt Resolution No. 2376, a Resolution of the City Council of the City of Shafter, approving and adopting an Amended Conflict of Interest Code pursuant to the Political Reform Act of 1974. (City Manager Hurlbert)
8. **FIBER OPTIC NETWORK BACKBONE PHASE III:** a request to approve the Fiber Optic Network Backbone Phase III Project plan, and authorize the use of the design build procedure or formal bidding procedure. (City Manager Hurlbert)
9. **TELECOMMUNICATION INFRASTRUCTURE TRANSFER TO AT&T:** a request to approve the Agreement for Conditional Transfer of Underground Supporting Structure with Pacific Bell Telephone Company dba AT&T; authorize the City Manager to execute the agreement; and authorize a budget amendment increasing \$10,000 in the Streets Contractual account to include net reimbursement proceeds from said agreement. (City Manager Hurlbert)
10. **BRUSH PROGRAM OPERATIONAL CHANGES:** a request to authorize a general fund budget amendment of \$15,000 to streets contractual (010-70-290-5220) to fund Brush Program operations and public outreaching.(City Manager Hurlbert)
11. **WELL 15 PUMP AND MOTOR IMPROVEMENTS:** a request to authorize the Public Works Director to award pump and motor improvements project for City Well No. 15. (City Manager Hurlbert)
12. **INFORMATION BULLETIN NO. 14-21:** a. Investment Report – September 2014 b. Water System Update.

RECESS:

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION:**
(Government Code Section 54956.9(d)(4) (One Case)

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., October 31, 2014. Yazmina Pallares, S/S, Deputy City Clerk.