



336 Pacific Avenue • Shafter, CA 93263

**AGENDA  
REGULAR MEETING  
SHAFTER CITY COUNCIL  
TUESDAY, MARCH 3, 2015**

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

**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. Approval of Payroll and General Checks.
2. Approval of Minutes: Regular Meeting of February 17, 2015.
3. Approval of Special Events Permit: Isaac Aleman, Kids Club Movie Music Worship Story Time Craft, Veterans Park, March 14, 2015.
4. Approval of Special Events Permit: Shafter Christian Fellowship, Easter Carnival, West America Bank Parking Lot and Stringham Park, April 4.

5. Adoption of Resolution No. 2391 Initiating Proceedings For the Annual Levy and Collection of Assessments Within Existing City Landscaping and Lighting Districts for Fiscal Year 2014-2015 for the Maintenance and Servicing of Lighting and Landscaping (Pursuant to the Landscaping and Lighting Act of 1972).
6. Adoption of Resolution No. 2392 Declaring its Intention to Grant a Non-Exclusive Utility Pipeline Franchise to Grimmway Enterprises, Inc., to Construct, Install, Maintain, Inspect, Operate, Repair, Renew and Remove Utility Pipelines for the Purpose of Transporting Non-potable Water.

**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. **ZONING CODE AMENDMENT NO. 15-10:** a request to conduct a public hearing to receive oral comments concerning implementing the adopted programs of the City of Shafter 2010 Housing Element Update; adopt Resolution 2393, 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 Zoning Code Amendment No. 15-10, an Amendment to Title 17 (Zoning Ordinance) of the City of Shafter Municipal Code implementing housing programs of the adopted 2010 Housing Element Update, and Certifying that the Addendum has been Completed in Compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines; and introduce Ordinance 665, an Ordinance of the City Council of the City of Shafter Adopting Zoning Code Amendment No. 15-10, an Amendment to Title 17 (Zoning Ordinance) of the City of Shafter Municipal Code Implementing Housing Programs of the Adopted 2010 Housing Element Update, as Described and Illustrated in Exhibits A(1) Through A(9). The City of Shafter is proposing to amend Title 17 (Zoning Ordinance) of the City of Shafter Municipal Code as follows: 1.) amend Chapter 4 (Residential Districts) and Chapter 11 (Section 11.200) to allow second dwelling units without a conditional use permit and reduce the minimum lot size requirement; 2.) amend Chapter 2 (Permits and Approvals) and Chapter 4 (Residential Districts) to allow multi-family residential units without a conditional use permit; 3.) amend Chapter 10 (Section 10.80) to update and increase the maximum allowable density bonus over the general plan land use density; 4.) amend Chapter 13 (Parking Regulations) to remove the enclosed garage requirement for multi-family

dwelling units; 5.) amend Chapter 5 (Commercial Districts) to create an emergency shelter overlay zone for the Downtown Commercial District; 6.) amend Chapter 6 (Employment Districts) to allow emergency shelters with a conditional use permit in the Industrial District; 7.) amend Chapter 1 (Administration), Chapter 2 (Permits and Approvals), Chapter 4 (Residential Districts), and Chapter 5 (Commercial Districts) to remove constraints on the production of housing for persons with disabilities and persons with special needs; and 8.) amend Chapter 7 (Agricultural District) to allow farm labor housing without a conditional use permit. On February 10, 2015, the Planning Commission recommended the Shafter City Council certify the addendum to the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH 2004101029) for the proposed amendment and approve Zoning Code Amendment No. 15-10 as amended. (City Manager Hurlbert)

#### **MANAGEMENT REPORTS:**

1. **LEGAL SERVICES FEE INCREASE:** a request to authorize the City Manager/Executive Director to execute the Agreement for the proposed fee increase for legal services with Best, Best & Krieger. (City Manager Hurlbert)
2. **DESIGN BUILD OF SHAFTER FIBER NETWORK PHASE III - NOTICE OF AWARD:** a Request to Accept the Leo Tidwell Excavating Corp. Request for Proposal; Authorize the City Engineer, Subject to Acceptable Reference Verification, Issue a Notice of Award and Notice to Proceed to Leo Tidwell Excavating Corp. Being Confirmed as the Proposal that Best Meets the Needs of the City for a Guaranteed Maximum Price up to \$218,134.30; and Authorize the Identified General Fund Budget Amendment of \$220,000 and Addition to the Capital Improvement Program. (City Manager Hurlbert)
3. **BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY THIRD AMENDMENT TO INDUSTRY TRACK AGREEMENT BF36138:** a request to a the Third Amendment to Industry Track Agreement with Burlington Northern and Santa Fe Railway Company for access to the Paramount Logistics Park Center, and authorize the City Manager to execute agreement BF36138. (City Manager Hurlbert)
4. **COLLECTION OF REFUSE USER CHARGES AND WASTEWATER USER CHARGES BY THE KERN COUNTY AUDITOR CONTROLLER ADDING SECTIONS 8.16.051 AND 13.08.021 TO THE SHAFTER MUNICIPAL CODE:** a request to introduce for first reading, and waive reading of Ordinance 664, an Ordinance of the City of Shafter Adding Sections 8.16.051 and 13.08.021 to the Municipal Code Related to the Collection of Refuse User Charges and Wastewater User Charges by the Kern County Auditor Controller. (City Manager Hurlbert)
5. **INFORMATION BULLETIN NO. 15-05:** a. Overtime Report – January 2015 b. Investment Report – January 2015 c. Water System Update

#### **RECESS:**

**CLOSED SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION:** (Government Code Section 54956.9) City of Shafter vs. California High Speed Rail Authority, Kern County Superior Court Case S-1500-CV-282180.
2. **LIABILITY CLAIM:** (Government Code Section 54956.95) Claimant: David Ansolabehere Agency Claimed Against: City of Shafter.
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** (Government Code 54957) Title: City Manager.

**ADJOURNMENT:**

---

*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 the 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., February 27, 2015. Christine Wilson, S/S, City Clerk.*