



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, MAY 20, 2008**

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Prout
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:

1. Proclamation: 2008 Shafter Junior Miss

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 6, 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. **TIME EXTENSION FOR TENTATIVE TRACT NO. 6713:** a request for a two-year extension of time for this map proposing to subdivide an approximate 23 acre parcel into 70 parcels for single family residential development and a sump lot. The site is generally located between West Los Angeles Avenue and Elizabeth Avenue, west of Verde Street, within the City of Shafter. (City Manager Guinn)
2. **ZONE CHANGE NO. 08-53:** a proposal to change the zoning on 19.61 acres located on the south side of East Los Angeles Avenue, 1/4 mile west of State Highway 43 from A (Agriculture) to R-1 (Residential Low Density), consistent with the existing Low Density Residential land use designation of the City of Shafter General Plan, for the purpose of creating a future home-site parcel for an existing residence. and introduce Ordinance 08-617 an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER APPROVING THE ZONING (ZONE CHANGE NO 08-53) FOR CERTAIN PROPERTY for first reading by title only and reading be waived. (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. **AWARD AUDIT SERVICES CONTRACT:** a request to authorize the City Manager to enter into an agreement with Teaman, Ramirez and Smith, Inc to perform auditing services for the City for fiscal years 2007/2008, 2008/2009 and 2009/2010. (City Manager Guinn)
2. **AWARD COLD MIX OVERLAY PROJECT:** a request to accept the bid from Granite Construction, dated May 5, 2008, for the 2008 Cold Mix Overlay Project; authorize the Public Works Director to award a contract to Granite Construction in the amount \$86,740; and make the appropriate budget amendments and transfers. (City Manager Guinn)
3. **DRAINAGE SUMP CLEAN OUT WORK BUDGET AMENDMENT:** a request to authorize a budget amendment in the amount of \$10,000 to increase the Capital Improvement Fund Storm Drain Project No. 0330 from \$10,000 to \$20,000 to remaining the remaining sump maintenance work. (City Manger Guinn)

4. **COOPERATIVE AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDING:** a request to adopt Resolution No. 08-1983 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER COUNCIL TO COOPERATE WITH THE COUNTY OF KERN; approve the Cooperation Agreement for Community Development between the City of Shafter and the County of Kern for Community Development Block Grant and Home Investment Partnership funding; and authorize the City Manager to sign the agreement and to perform all other appropriate acts necessary to accomplish the purpose of the Resolution and Agreement. (City Manager Guinn)

5. **ANNEXATION OF DEVELOPMENTS TO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 003-2005 FOR TRACT 6584 GREGORIO INVESTMENTS INC., TRACT 6910 WESTERN AG REALTY INC., AND TRACT 6936 SHAFTER COMMUNITY DEVELOPMENT AGENCY:** a request to adopt Resolution No. 08-1982 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER INITIATING PROCEEDINGS FOR THE ANNEXATION (ANNEXATION #1) OF TRACT 6584 (GREGORIO INVS INC), TRACT 6910 (WESTERN AG REALTY, INC.) AND TRACT 6936 (SHAFTER COMMUNITY DEVELOPMENT AGENCY) INTO LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. LLD003-2005 AND FOR THE ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO LLD003-2005 (TRACT 6222) AND FOR LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. LLD003-2005 ANNEXATION #1 (TRACT 6910, TRACT 6584 AND TRACT 6936) as Annexation #1 of LLD003-2005, incorporating Tracts 6584, 6910, and 6936 in the existing Landscaping and Lighting District and authorize the City Engineer to file a report to the City Clerk. (City Manager)

6. **INFORMATION BULLETIN 08-10:** Overtime Report March 2008

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 15, 2008. Further information regarding this Agenda notice is available at City Hall, 336 Pacific Ave., Shafter, CA.

Christine Wilson S/S, City Clerk