



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, JUNE 17, 2008**

CALL TO ORDER: 3:00 p.m.

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

STUDY SESSION: Fiscal Year 2008-2009 Budgets.

RECESS: 5:00 p.m.

RECONVENE & CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Florez
INVOCATION: Council Member Nelson

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.

1. Community Action Partnership of Kern Executive Director Fred Drew: Shafter Youth Facility Summer Program.

PRESENTATION:

1. Proclamation: Healthy Air Living Week, July 7-13, 2008
2. Proclamation: United States Army Week, June 9-15, 2008

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 3, 2008
3. Special Events Permit-Shafter Chamber of Commerce, Fireworks Show, July 3, 2008, Shafter High School Stadium and Soccer Field
4. Special Events Permit-Sky Circus, Circus Show, July 11-14, 2008, St. Therese's Catholic Church
5. Special Events Permit-Shafter Chamber of Commerce, Senior Street Fair, August 6, 2008
6. Claim for Damages incurred on May 23, 2008 filed by Jennifer Davis.

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. **2008-2009 ANNUAL BUDGET:** a request to adopt Resolution No. 08-1989 entitled a Resolution of the City Council of the City of Shafter, Shafter, California, Approving and Adopting the Budget for Fiscal Year 2008-2009 and Appropriating the Funds Necessary to Meet the Expenditures Set Forth Therein; and adopt Resolution No. 08-1990 entitled a Resolution of the City Council of the City of Shafter, California, Setting Forth an Appropriations Limit For Fiscal Year 2008-2009 Consistent With Article XIII B of the California Constitution and Giving Notice of Availability of Information Supporting Said Determination (City Manager Guinn)
2. **HEALTH AND SAFETY SMOKING ORDINANCE UPDATE:** a request to introduce Ordinance No. 08-0622 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 first reading by title only and reading be waived. (City Manager Guinn)
3. **CONSIDERATION OF AMENDMENT NO. 09-28 OF THE COUNTYWIDE SITING ELEMENT FOR INCLUSION OF THE H.M. HOLLOWAY LANDFILL SITE:** a request to conduct public hearing on Amendment No. 09-28 of the Countywide Siting Element for the inclusion of the H.M. Holloway Landfill Site and consider adoption of Resolution No. 08-1993 entitled a Resolution of the City Council of the City

of Shafter Adopting Amendment No. 9-28 of the Kern Countywide Siting Element For the Inclusion of the H.M. Holloway Landfill. (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. **AUTHORIZE CITY ENGINEER TO COMPLETE RIGHT-OF-WAY CERTIFICATES FOR 2008 LERDO IMPROVEMENT PROJECT (FEDERAL PROJECT NO. STPL 5281) (011):** a request to adopt Resolution No. 08-1992, entitled a Resolution of the City Council of the City of Shafter, California, Authorizing the City Engineer to Execute Right of Way Certificates for 2008 Lerdo Hwy Street Improvements Federal Program Project No. Stpl-5281 (011). (City Manager Guinn)
2. **RESOLUTION ORDERING THE ANNEXATION AND LEVYING THE ASSESSMENTS IN CONNECTION WITH ANNEXATION NO. 1 LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. LL003-2005 (TRACTS 6584, 6910 AND 6936):** a request to adopt 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, contingent upon property owner support for Annexation No. 1 into Landscape and Lighting Assessment District No. LL003-2005. (City Manager Guinn)
3. **AUTHORITY TO CONSTRUCT IMPROVED STREET PASSAGE THROUGH LOVELESS PROPERTIES ON LOS ANGELES AVENUE:** a request to authorize paving and other miscellaneous improvements to Los Angeles Ave. east of Thompson St. to facilitate safer vehicular traffic flow within existing residential areas. (City Manager Guinn)
4. **FEDERAL BUREAU OF INVESTIGATIONS NATIONAL ACADEMY TRAINING:** a request to authorize Captain Jeff Bell to attend the Federal Bureau of Investigation National Academy Class No. 235 beginning on September 28, 2008 and ending on December 12, 2008. (City Manager Guinn)
5. **2008/2009 EMPLOYEE MEDICAL INSURANCE:** a request to authorize the City Manager to cancel the medical insurance contract with Health Net and contract with Pacific Care effective July 1, 2008. (City Manager Guinn)
6. **ACCEPTANCE OF DEED OF PROPERTY FROM RICHLAND SCHOOL DISTRICT FOR SHAFTER AQUATICS CENTER:** a request to authorize acceptance

of Deed of Property and Ownership in Fee of the Shafter Aquatics Center located at 269 Poso Street (a portion of APN 026-090-06). (City Manager Guinn)

7. **GENERAL MUNICIPAL ELECTION NOVEMBER 4, 2008:** a request to adopt Resolution No. 08-1986 entitled a Resolution of the City Council of the City of Shafter, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 4, 2008, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to Charter Cities; adopt Resolution No. 08-1987 entitled a Resolution of the City Council of the City of Shafter, California, Requesting the Board of Supervisors of the County of Kern to Consolidate a General Municipal Election to be Held on November 4, 2008, with the Statewide General Election to be Held on the Date Pursuant to Section 10403 of the Elections Code; and Adopt Resolution No. 08-1988 entitled a Resolution of the City Council of the City of Shafter, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements Submitted to the Voters at an Election to be held on Tuesday, November 4, 2008. (City Manager Guinn)
8. **INFORMATION BULLETIN 08-12:** Overtime Report-May 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 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 12, 2008. Further information regarding this Agenda notice is available at City Hall, 336 Pacific Ave., Shafter, CA.

Christine Wilson S/S, City Clerk