



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, DECEMBER 16, 2008**

- CALL TO ORDER:** 7:00 p.m.
- PLEDGE OF ALLEGIANCE:** Council Member Nelson
- 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.*

ORGANIZATIONAL BUSINESS:

1. **CERTIFICATION OF ELECTION NOVEMBER 4, 2008:** a request to adopt Resolution No.08-2013 entitled a Resolution of the City Council of the City of Shafter, California, Reciting the Fact of the General Municipal Election Held on November 4, 2008, Declaring the Result and Such Other Matters as Provided by Law. (City Manager Guinn)
2. **REORGANIZATION AND APPOINTMENTS TO VARIOUS BOARDS:** Each Agency individually make nominations to the City Manager and make the necessary appointments. (City Manager Guinn)

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: December 2, 2008.

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:

3. **CLAIM FOR DAMAGES BY JULIA ORTIZ, 408 FREEDMAN STREET, NOVEMBER 22, 2008:** a request to reject and refer complaint. (City Manager Guinn)
4. **COOPERATIVE SOURCING, LLC AMENDMENT TO AMENDED AND RESTATED LOCATION AGREEMENT:** a request to approve an Amendment to the Amended and Restated Location Agreement between the City of Shafter and Cooperative Sourcing LLC and authorize the City Manager to execute. (City Manager Guinn)
5. **AUTHORIZATION FOR AGREEMENT WITH TARGET CORPORATION FOR ENCROACHMENT PERMIT AND UTILITY EASEMENT:** a request to authorize the City Manager to execute the pending "Encroachment Permit and Public Utility Easement Agreement" with Target Corporation as prepared by the City Attorney and approved by the Public Works Department.; and authorize staff to record said agreement pending execution from both the City Manager and authorized Target Corporation official. (City Manager Guinn)
6. **AUTHORIZATION TO AWARD 2009 ALLEY RESURFACE PROJECT:** a request to accept the low bid submitted by Burtch Construction for the 2009 Alley Resurface Project; authorize Public Works Director to issue a Notice of Award and Notice to Proceed contingent upon contractor executing a construction contract and submitting proper insurance certification and bonds; and if deemed necessary, authorize a budget amendment in the amount of \$30,000 in unencumbered TDA Article 8 reserve funds towards the project. (City Manager Guinn)
7. **NOTICE OF COMPLETION AND ACCEPTANCE OF WORK 2008 EAST LERDO HIGHWAY IMPROVEMENTS PROJECT (CVH TO SHAFTER AVENUE):** a request to accept the improvements for 2008 East Lerdo Highway Improvements Project; direct the City Engineer to file a Notice of Completion and authorize a budget amendment of \$25,000 for Project #0306 to be funded with unencumbered Article 8 Funds. (City Manager Guinn)
8. **ACCEPTANCE OF STATE COMMUNITY ORIENTED POLICING FUNDS:** a request to accept funds, authorize the Police Chief to use these funds to enhance first line law enforcement operations, and authorize staff to make appropriate budget amendments for Fiscal Year 2008-09 and restrict expenditure of these funds to actual revenue received. (City Manager Guinn)

9. **WATER SYSTEM TCP UPDATE:** Verbal information to be presented on the status of the water system and TCP. (City Manager Guinn)
10. **INFORMATION BULLETIN NO. 08-21:** Overtime Report – November 2008, Investment Report – October 2008 (City Manager Guinn)

CLOSED SESSION:

1. Conference with Property Negotiators (Government Code 54956.8):
Property Location: 151 Vultee, 157 Vultee, 159 Vultee, Shafter,
Property Negotiator: City Manger John Guinn
Property Owner: Chuck Antonino
Under Negotiation: Provide instructions to negotiator regarding price and terms
2. Conference with Legal Counsel – Anticipated Litigation (1 case)
Subdivision (b) of Section 54956.9(b(1))
Case Name: City Well No. 10
3. Public Employee Discipline
Subdivision (b) of Section 54957

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., December 12, 2008.

Christine Wilson S/S, City Clerk