



336 Pacific Avenue • Shafter, CA 93263

**AMENDED AGENDA  
REGULAR MEETING  
SHAFTER CITY COUNCIL  
TUESDAY, MAY 19, 2009**

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

**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. Ralph Gonzalez, Shafter Recreation and Park District Programs.

**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 take*

1. Approval of Payroll and General Checks.
2. Approval of Minutes: April 21, 2009.
3. Approval of Minutes: April 30, 2009.
4. Approval of Minutes: May 5, 2009.

5. Special Events Permit: Teen Challenge Barbeque, 650 Riverside St, May 29, 2009.
6. Special Events Permit: Donny Youngblood for Sheriff Fundraiser, Warbird Unlimited, 710 Aviation, June 6, 2009.
7. Special Events Permit: Shafter Stingray Swim Team Swim Meet, Shafter Aquatics Center, June 13, 2009.
8. Special Events Permit: Shafter Stingray Swim Team Swim Meet, Shafter Aquatics Center, July 7, 2009.
9. Notice of Completion: Parcel Map 11199.
10. Resolution No. 09-2031 Declaring the Existence of a Public Nuisance and Giving Notice of Abatement: Weed Nuisance, APN 026-062-19, 464 Gibson Lane, Roger Murray Oden,
11. Reject Claim for Damages: Randy's Trucking Inc./Fernando M. Sandoval.

**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. **AMERICAN RECOVERY AND REINVESTMENT ACT CONTINGENCY GRANT APPLICATION FOR TRANSIT VEHICLE PURCHASE:** a request to conduct a public hearing and continue the public hearing until June 16, 2009, at which time public testimony can be received should the grant be funded.
2. **DEVELOPMENT AGREEMENT NO. 09-12:** a request to conduct a public hearing on Amendment No. 1 to the ITTC Development Agreement, as adopted by the City of Shafter on September 14, 1998, to change (1) the name of the ITTC Development Agreement "Owner", (2) increase the required Metropolitan Bakersfield Habitat Conservation Plan fee, (3) increase the required traffic impact fee, (4) revise the ITTC Master Plan boundary exhibit to include a conceptual development plan, (5) revise the required street dedications for Seventh Standard Road to provide for a six-lane expressway, and (6) to extend the ITTC Development Agreement for an additional five (5) years, an addendum to the adopted Negative Declaration for the ITTC Development Agreement has been prepared for the project, located on the north side of Seventh Standard Road, northeast of Santa Fe Way and the Burlington Northern/Santa Fe railway right-of-way; generally located in portions of Section 32 and 33 of Township 28 South, Range 26 East, MDB&M; and introduce Ordinance No. 09-628, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPTING AN ADDENDUM TO THE NEGATIVE DECLARATION ADOPTED FOR THE ITTC DEVELOPMENT AGREEMENT FOR DEVELOPMENT AGREEMENT NO. 09-12 AND APPROVING AMENDMENT NO. 1 OF DEVELOPMENT AGREEMENT 09-12 AS SET FORTH IN EXHIBIT "1" OF THIS ORDINANCE, for first reading by title only and reading be waived. (City Manager Guinn)

3. **AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 07-01:** a request to conduct a public hearing on Tentative Tract 6540, changing the minimum dwelling unit size requirement for the 84 lot subdivision from a minimum average of 1,575 square feet with no dwelling unit smaller than 1,400 square feet to a minimum average maintained at 1,500 square feet with thirteen (13) dwelling units permitted at 1,351 square feet, located at the northwest corner of Mark Avenue and North Valley Street; and introduce Ordinance No. 09-629, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPTING AN ADDENDUM TO THE NEGATIVE DECLARATION THAT WAS ADOPTED FOR TENTATIVE TRACT NO. 6450 FOR THE AMENDMENT TO SECTION 7.10 IN DEVELOPMENT AGREEMENT NO. 07-01 AND APPROVING THE AMENDMENT TO SECTION 7.10 IN DEVELOPMENT AGREEMENT 07-01 AS SET FORTH IN EXHIBIT "A" OF THIS ORDINANCE, for first reading by title only and reading be waived. (City Manager Guinn)
  
4. **AMENDMENT NO. 2 TO DEVELOPMENT AGREEMENT NO. 06-07:** a request to conduct a public hearing on Tract 6447, changing the minimum dwelling unit size requirement for the 50 lot subdivision from a minimum average of 1,600 square feet with no dwelling unit smaller than 1,400 square feet to a minimum average maintained at 1,500 square feet with eight (8) dwelling units permitted at 1,351 square feet, located west of Wall Street, between West Tulare Avenue and Poso Avenue; and introduce Ordinance No. 09-630, an ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHAFTER ADOPTING AN ADDENDUM TO THE NEGATIVE DECLARATION THAT WAS ADOPTED FOR TENTATIVE TRACT NO. 6447 FOR THE AMENDMENT TO SECTION 7.10 IN DEVELOPMENT AGREEMENT NO. 06-07 AND APPROVING THE AMENDMENT TO SECTION 7.10 IN DEVELOPMENT AGREEMENT 06-07 AS SET FORTH IN EXHIBIT "A" OF THIS ORDINANCE, 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. **UPDATED AGREEMENT WITH THE COUNTY OF KERN TO IMPLEMENT CROSS-CONNECTION CONTROL PROGRAM:** a request to authorize the City Manager to execute an updated contract with the County of Kern entitled "Agreement for Implementation of Cross-Connection Control Program" as prepared and submitted by the County. (City Manager Guinn)

2. **AUTHORIZE CITY PROPERTIES TO ENTER INTO NEW LANDSCAPE AND LIGHTING DISTRICT NO. LL001-2009:** a request to authorize the City Manager to complete a ballot that supports the levying of assessments to become effective Fiscal Year 2009-2010 as proposed in the Engineer's Report approved by the Council on April 21, 2009. (City Manager Guinn)
3. **RESOLUTION DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN EXISTING LANDSCAPING AND LIGHTING DISTRICTS FOR FISCAL YEAR 2009-2010:** a request to adopt Resolution No. 09-2032 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN EXISTING LANDSCAPING AND LIGHTING DISTRICTS FOR FISCAL YEAR 2009-2010 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF LIGHTING AND LANDSCAPING, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE HEARING ON THE ANNUAL LEVY OF ASSESSMENTS." (City Manager Guinn)
4. **F.B.I. GANG TASK FORCE PARTICIPATION:** a request to authorize the Chief of Police to enter into an agreement with the Federal Bureau of Investigation for participation in the Kern County Violent Crimes Task Force. (City Manager Guinn)
5. **BUDGET AMENDMENT - CITY MUNICIPAL SERVICES REVIEW, SPHERE OF INFLUENCE AMENDMENT, GENERAL PLAN AMENDMENT, AND ENVIRONMENTAL IMPACT REPORT:** a request to approve the CITY MUNICIPAL SERVICES REVIEW, SPHERE OF INFLUENCE AMENDMENT, GENERAL PLAN AMENDMENT, AND ENVIRONMENTAL IMPACT REPORT PROJECT #0010, and a budget amendment in the amount of \$321,250 from the General Fund and \$160,000 general fund revenues to be collected from landowners. (City Manager Guinn)
6. **AGREEMENT WITH COUNTY OF KERN TO COLLECT SPECIAL ASSESSMENTS AND TAXES:** a request to authorize the City Manager to execute the agreement. (City Manager Guinn)
7. **2009/2010 EMPLOYEE MEDICAL INSURANCE:** a request to authorize the City Manager to cancel the medical insurance contract with Pacific Care and to contract with Aetna effective July 1, 2009, pending resolution of the meet and confer process with the labor units. (City Manager Guinn)
8. **NOTICE TO PROCEED FOR MAPLE SCHOOL WATER LINE PROJECT CONSTRUCTION:** a request to accept a revised construction bid submitted by Superior Pipelines, Inc., dated April 22, 2009, for the Maple School Water Line Project totaling to \$507,758.72 (Base Bid Plus Option "A"); and authorize the Public Works Director to issue a Notice to Proceed to Superior Pipelines, Inc., and execute the construction agreement. (City Manager Guinn)

9. **AWARD KENNEL CONTRACT FOR THE SHAFTER ANIMAL CONTROL SHELTER:** a request to award the Kennels Contract for the Shafter Animal Control Facility to the Mason Company in an amount not to exceed \$42,452.53. (City Manager Guinn)
10. **AWARD FLOORING CONTRACT FOR THE SHAFTER ANIMAL CONTROL SHELTER:** a request to award the Flooring Contract for the Shafter Animal Control Facility to the Cal Tex Flooring of Shafter in an amount not to exceed \$4,350. (City Manager Guinn)
11. **AWARD CAT ENCLOSURE CONTRACT FOR THE SHAFTER ANIMAL CONTROL SHELTER:** a request to award the Cat Enclosure Contract for the Shafter Animal Control Facility to the Mason Company in an amount not to exceed \$9,084.56. (City Manager Guinn)
12. **INFORMATION BULLETIN NO. 09-10:**
  - a. Water System Update
  - b. Investment Report – March 2009
  - c. Overtime Report – April 2009

**CLOSED SESSION:**

1. Conference with Legal Counsel (Government Code Section 54956.9(b)(1): Anticipated Litigation (1 case): City Well No. 10
2. Conference with Legal Counsel (Government Code Section 54956.9(b)(1): Anticipated Litigation (1 case): Police Department

**ADJOURNMENT:**

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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 2:00 p.m., May 18, 2009.

Christine Wilson S/S, City Clerk