



336 Pacific Avenue • Shafter, CA 93263

**AMENDED AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, MAY 18, 2010**

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

PRESENTATIONS:

1. Proclamation of Recognition: Dulce Marin, Shafter High School MEChA Club Cinco de Mayo Queen 2010.
2. Certificate of Recognition: Jessica Gonzalez, Shafter High School MEChA Club 1st Runner Up Cinco de Mayo Queen 2010.
3. Certificate of Recognition: Nadia Valladarez, Shafter High School MEChA Club 2nd Runner Up Cinco de Mayo Queen 2010.

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. Approve Payroll and General Checks.
2. Approve Minutes of May 4, 2010.
3. Approve Park Usage Permit: Valley Bible Church Service and Picnic Celebration, Mannel Park, June 27, 2010.

4. Approve Park Usage Permit: Apostolic Assembly of the Faith Christ Jesus Religious Event, June 25-26, 2010.
5. Approve Special Events Permit: Shafter Chamber of Commerce Fireworks Display, Shafter Sports Complex and Shafter High School, July 3, 2010.
6. Approve Special Events Permit: Kern County Farmers Association, Downtown Plaza, May 26, 2010 – September 15, 2010.
7. Approve Acceptance of Dedication of Easement for Alley Purposes from the Steven Bloemhof, APN 028-510-04 and 028-510-05.
8. Adopt Resolution No. 2096-10 Declaring the Existence of Public Nuisance and Giving Notice of Abatement of APN 028-061-06, 514 Prince Lane, Money Network Inc.
9. Authorize City Manager to Complete a Ballot that supports the Levying of Assessments for the City Lots within Landscape and Lighting District No. LL001-2009 Become effective Fiscal Year 2010-2011 as Proposed in the Engineer's Report Approved by the Council on May 4, 2010.
10. Approve Notice of Completion and Acceptance of Work by Bakersfield Well and Pump for the Construction of the Repair and Rehabilitation of Well 11.

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. **BIANNUAL REVIEW OF CONFLICT OF INTEREST CODES:** a request to direct the City Manager to review the City's Conflict of Interest Code pursuant Government Code Section 87306.5; to file a statement of review with the City Clerk no later than October 1, 2010; and if necessary, to submit a revised the Conflict of Interest Code for Council approval. (City Manager Guinn)
2. **M-I L.L.C. GROUND LEASE FOR APN 091-260-42:** a request to authorize the City Manager to execute the Ground lease with M-I L.L.C. (City Manager Guinn)
3. **WELL PROJECT PERMIT FEES BUDGET AMENDMENT:** a request to authorize a transfer in the amount of \$28,000 from the Water Project #0601 in the amount of \$7,000, to Water Project #0615 in the amount of \$5,150, and to Water Operating Contract Services Account in the amount of \$15,850. (City Manager Guinn)
4. **USE OF A MAXIMUM OF \$900,000 IN LOW AND MODERATE INCOME HOUSING FUNDS FOR THE NORTH SHAFTER WASTEWATER PROJECT:** a request to approve Resolution 2097-10 authorizing use of a maximum of \$900,000 in low/moderate income housing funds to supplement the North Shafter Wastewater construction project (\$500,000 grant); and to fund loans to North Shafter residents for physical connection to sewer truck lines and demolition of existing septic systems and leach fields (\$400,000 loan). (City Manager Guinn)

5. INFORMATION BULLETIN NO. 10-10:

- a. Overtime Report – April 2010.
- b. Water System Update.

ORDINANCE:

1. **ORDINANCE NO. 632:** a request to introduce for second reading and adoption by title only, and waive reading of Ordinance No. 632, an Ordinance Amending Section 1.04.040 And Adding Section 1.04.050 To Chapter 1.04 Of Title 1 Of The Shafter Municipal Code Prohibiting Class Action Lawsuits To Recover Money Or Damages From The City And Requiring Persons Filing Legal Action Against The City Challenging Liability For Taxes, Assessments Or Fees To Pay All Said Taxes, Assessments, Fees, Plus Any Interest And/Or Penalties, Prior To And As A Condition To Seeking Judicial Review. (City Manager Guinn)

CLOSED SESSION

1. 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:

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., May 14, 2010.
Christine Wilson S/S, City Clerk