



336 Pacific Avenue • Shafter, CA 93263

**AGENDA
REGULAR MEETING
SHAFTER CITY COUNCIL
TUESDAY, NOVEMBER 6, 2012**

CALL TO ORDER: 7:00 p.m.

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

PLEDGE OF ALLEGIANCE: Council Member Prout

INVOCATION: Council Member Alvarado

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.

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. Approval of Payroll and General Checks.
2. Approval of Minutes: October 16, 2012 (Special Meeting).
3. Approval of Minutes: October 16, 2012.
4. Approval of Special Events Permit: Valley Bible Church Community Thanksgiving, November 22, 2012, Veterans Hall.
5. Approval of Special Events Permit: Shafter Ministerial Association, Christmas Festival Concert, December 3, 2012, Town Square and Parking Lot.
6. Proclamation: Kern County Family Week, November 11-17, 2012.

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. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2013-2014:** a request to conduct a public hearing on the use of Community Development Block Grant (CDBG) funds for fiscal year 2013-2014, discuss and determine the project(s) to submit for a funding application to the Kern County Community Development Department, and adopt Resolution No. 2247, “a Resolution of the City Council of the City of Shafter Authorizing the filing of Fiscal Year 2013-2014 CDBG Fair Share Funds” to certify the council’s project submission. (City Manager Guinn)

2. **ZONE CODE AMENDMENT NO. 12-08: A PROPOSAL TO ALLOW PERMANENTLY INSTALLED COMMERCIAL/OFFICE COACHES IN THE INDUSTRIAL (I) DISTRICT, SUBJECT TO SPECIFIC DEVELOPMENT STANDARDS:** a request conduct a public hearing; and introduce for first reading by title only and waive reading of Ordinance No. 648, Amending Chapters 6 and 11 of Title 17 of the Municipal Code to Allow Permanent Installation of Commercial Coaches/Office Coaches Subject to Specific Use Development Standards. (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. **TARGET CORPORATION CONSTRUCTION TRAILER, 5101 FANUCCHI WAY:** a request to authorize the City Manager to execute a License Agreement for Temporary Use of Premises. (City Manager Guinn)

2. **INTERMODAL RAIL FACILITY EXPANSION PROJECT RIGHT OF WAY CERTIFICATION:** a request to adopt Resolution No. 2246, Authorizing the City Engineer or Public Works Director to Execute Right of Way Certificates for the City of Shafter Intermodal Rail Facility Expansion Project - Federal Project I.D. No. CML-5281(016). (City Manager Guinn)

3. **BEECH AVENUE PAVEMENT IMPROVEMENTS FUNDING AGREEMENT:** a request to adopt Resolution No. 2245, Authorizing the City Manager to execute Program Supplement Agreement No. 013-N and for Federal Aid Project No. STPL 281(015) as submitted by the Department of Transportation Division of Local Assistance; and Authorize Public Works Director to commence the solicitation of bids for the proposed

Beech Avenue Street Improvements between Lerdo Highway and Los Angeles Avenue.
(City Manager Guinn)

4. **LERDO HIGHWAY PAVEMENT IMPROVEMENTS FUNDING AGREEMENT**
Adopt Resolution No. 2249, a resolution Authorizing the City Manager to execute Program Supplement Agreement No. 012-N and for Federal Aid Project No. STPL 5281 (014) as submitted by the Department of Transportation Division of Local Assistance.
(City Manager Guinn)
5. **WATER STORAGE TANK PAINTING:** a request to accept quote submitted by Shar-Craft Incorporated to paint City water storage Tank No. 1, and authorize Public Works Director to award the proposed work. (City Manager Guinn)
6. **SHAFTER YOUTH CENTER LEASE AGREEMENT RENEWAL WITH COMMUNITY ACTION PARTNERSHIP OF KERN:** a request to approve renewal of the Lease Agreement with Community Action Partnership Lease Agreement for the Shafter Youth Center for FY 2012/2013; and authorize the City Manager to execute the lease agreement. (City Manager Guinn)
7. **REVISED CONTRACTUAL AGREEMENT WITH THE COUNTY OF KERN FIRE PROTECTION DUTIES AND ENFORCEMENT OF STATE FIRE MARSHAL REGULATIONS:** a request to approve Resolution No. 2248 Approving the Revised Contractual Agreement Between the County of Kern and the City of Shafter for County Provision of Fire Protection Duties and Enforcement of State Fire Marshal Regulations. (City Manager Guinn)
8. **ARTICLE 4 CLAIM FOR FISCAL YEAR 2012-13:** a request to adopt Resolution No. 2244, Approving the Filing of TDA Article 4 Claim for Fiscal Year 2012-2013. (City Manager Guinn)
9. **INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED UPON PROCEDURES TO THE CITY OF SHAFTER'S APPROPRIATIONS LIMIT AND REVISING THE APPROPRIATIONS LIMITS FOR FISCAL YEARS 2011-2012 AND 2012-2013 CONSISTENT WITH ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.** a request to adopt Resolution Number 2243; Approving the Independent Accountants' Report on Applying Agreed Upon Procedures to the City of Shafter's Appropriations Limit and Revising the Appropriations Limits for the Fiscal Years 2011-2012 and 2012-2013 Consistent with Article XIII B of the California Constitution. (City Manager Guinn)
10. **COMPREHENSIVE ANNUAL FINANCIAL REPORT AND SINGLE AUDIT REPORT:** a request to accept the Comprehensive Annual Financial Report for the year ended June 30, 2012, the Internal Controls Report, and SAS 113 letter, and find that a Single Audit Report for the year ended June 30, 2012 was not necessary. (City Manager Guinn)

11. **REPORTS TO THE CITY COUNCIL SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED SHAFTER COMMUNITY DEVELOPMENT AGENCY:**
 - a. **ANNUAL FINANCIAL REPORT:** a request to accept the Component Unit Financial Statements for the seven months ended June 30, 2012. (City Manager Guinn)
12. **INFORMATION BULLETIN NO. 12-18:** a. Investment Report–September 2012; b. Water System Update; c. North Park North Shafter Sewer Improvement Project Update; d. ESL Program Update

ORDINANCE:

1. **ORDINANCE NO. 647: ZONING CODE AMENDMENT NO. 12-07 A PROPOSAL TO CHANGE SECTION 14.50.3.b(2) OF TITLE 17 OF THE MUNICIPAL CODE TO ALLOW THE PLACEMENT OF TEMPORARY POLITICAL SIGNS FROM FORTY-FIVE (45) DAYS TO NINETY (90) DAYS PRIOR TO AN ELECTION:** a request to introduce for second reading, adopt by title only and waive reading of Ordinance No. 647, Approving Zoning Code Amendment No. 12-07 to revise Section 14.50.3.b(2) of Title 17 (Zoning Ordinance), allowing a 90-day placement or display of all temporary political signs before an election. (City Manager Guinn)

CLOSED SESSION:

1. **CONFER ABOUT LABOR NEGOTIATIONS** (Government Code 54957.6): City Labor Negotiator: City Manager Guinn; Employee Organization: Shafter Miscellaneous Unit; Shafter Public Works Unit; Shafter Police Officers Association; and Management, Temporary, and Part-time Employees excluded from other bargaining units.
2. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** (G.C.54956.9 (a): (1 case) San Bernardino Superior Court Case No. 06-453292; City of Shafter v. Dow Chemical, et al.
3. **CONFERENCE WITH LEGAL COUNSEL** (Government Code Section 54956.95): Liability Claim: Claimant: Melissa Alaniz; Agency Claimed Against: City of Shafter.

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., November 2, 2012. Christine Wilson S/S, City Clerk.