



**REGULAR MEETING AGENDA  
OF THE  
ARVIN CITY COUNCIL / SUCCESSOR AGENCY TO THE  
ARVIN COMMUNITY REDEVELOPMENT AGENCY / ARVIN HOUSING  
AUTHORITY / ARVIN PUBLIC FINANCING AUTHORITY**

**TUESDAY MARCH 04, 2014 6:00p.m.  
CITY HALL COUNCIL CHAMBERS  
200 CAMPUS DRIVE**

**CALL TO ORDER** Mayor Jose Flores

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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<b>ROLL CALL</b>	Jose Flores	Mayor
	Lupe Vasquez	Mayor Pro Tem
	Toni Pichardo	Councilmember
	Steven Ojeda	Councilmember
	Jose Gurrola, Jr.	Councilmember

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<b>STAFF</b>	Cecilia Vela	Acting City Manager / City Clerk
	John Fox – Aleshire & Wynder	Legal Counsel
	Linda Hollinsworth	Finance Director
	Louis Cobarruviaz	Chief of Police
	Miguel Barcenas - Quad Knopf	City Engineer

## **PUBLIC COMMENTS:**

The meetings of the City Council and all municipal entities, commissions, and boards ("the City") are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

## **AGENDA STAFF REPORTS AND HANDOUTS:**

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

## **CONDUCT IN THE CITY COUNCIL CHAMBERS:**

### **Rules of Decorum for the Public**

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

### **Removal from the Council Chambers**

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

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### **AMERICANS with DISABILITIES ACT:**

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk's office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

**1. Approval of Agenda as To Form.**

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

**2. PUBLIC COMMENTS**

**3. PRESENTATION(S)**

- A. Recognition to Arvin High School Cheerleading & Varsity Basketball Teams
- B. California HERO Program – Renewable Energy and Energy & Water Efficiency Improvements (Mark Rodgers)

**4. CONSENT AGENDA ITEM(S)**

- A. Approval of Demand Register(s) of February 15, 2014 – February 28, 2014.
- B. Approval of Payroll Register of February 28, 2014.
- C. Approval of the Minutes of the Regular Meeting of February 18, 2014.
- D. Approval of A Resolution of the City Council of the City of Arvin Supporting Re-Designation of the Kern County/Lancaster Recycling Market Development Zone.
- E. Approval of A Resolution of the City Council of the City of Arvin Authorizing the Federal Funding Under FTA Section 5311 (49 U.S.C. Section 5311) with California Department of Transportation.

Staff recommends approval of Consent Agenda.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

**5. PUBLIC HEARING ITEM(S)**

- A. Introduction of An Ordinance of the City of Arvin Amending Sections 9.08.030,9.08.04(3), 9.08.050 and 9.08.100 of the Arvin Municipal Code Regarding Procedures for the Abatement of Noise Disturbances. (Legal Counsel)

Staff recommends that the Council consider introducing the Ordinance to be read by title only, open hearing, allow for public testimony, close hearing, waive first reading of the Ordinance, approve the introduction of the ordinance and hold over the hearing to the next regular council meeting for consideration of adoption.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

- B. A Resolution of the City Council of the City of Arvin Declaring There Are No Unmet Transit Needs That Can Be Reasonably Met Within the City of Arvin. (Finance Director)**

Staff recommends that the Council open hearing, allow for public testimony, close hearing and adopt the Resolution.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

**6. ACTION ITEM(S)**

- A. Consideration and Approval by Council to Accept the Work Completed by Kern Pacific Construction and Notice of Completion of the Bear Mountain Blvd. Streetscape Project Phase I and II between "A" Street and Derby Street. (City Engineer)**

Staff recommends that the Council approve of (1) acceptance of the work completed by Kern Pacific Construction, (2) the final contract amount, (3) authorization to execute and file the Notice of Completion, and (4) release of the 5% retention to Kern Pacific Construction after 35 days pending claims or liens filed during this 35 day period.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

- B. Consideration and Approval for City of Arvin to host a Community Informational Meeting Regarding Water Issues with Supervisor Leticia Perez on Thursday, March 6, 2014 at Arvin Veteran's Hall. (Mayor Flores)**

Staff recommends consideration and direction from Council.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

- C. Consideration and Approval of use of Paralegal(s) from Aleshire & Wynder, LLP to assist with the implementation of the nuisance abatement procedures set forth in the City's Nuisances ordinance, Arvin Municipal Code, Chapter 8.12. (Acting City Manager / Legal Counsel)**

Staff recommends approval of assistance with Code Enforcement Procedures from Paralegal(s) from Aleshire & Wynder, LLP.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

- D. Consideration and Approval of Letter to Extend Term of Lease to April 07, 2019 of the DiGiorgio Recreation Hall According to Agreement No. 2011-03 between the County of Kern and the City of Arvin. (Acting City Manager)

Staff recommends that the Council authorize the Acting City Manager to submit a letter to the County of Kern requesting an extension of the lease term for use of the DiGiorgio Recreation Hall through April 07, 2019.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

- E. Consideration and Approval to Direct Legal Counsel to Provide Council with a Memo Outlining the Legal Options to Dissolve the Arvin Community Services District. (Mayor Flores)

Staff recommends consideration and direction from Council.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Gurrola \_\_\_\_ CM Ojeda \_\_\_\_ CM Pichardo \_\_\_\_ MPT Vasquez \_\_\_\_ Mayor Flores \_\_\_\_\_

**7. REPORT(S)**

**8. COUNCIL MEMBER COMMENTS**

**9. ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin City Council Chambers Bulletin Board not less than 72 hours prior to the meeting. Dated February 28, 2014.

  
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Cecilia Vela, Acting City Manager/City Clerk