



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

**TUESDAY AUGUST 16, 2016 6:00p.m.  
CITY HALL COUNCIL CHAMBERS  
200 CAMPUS DRIVE, ARVIN**

**CALL TO ORDER**

Mayor Jose Flores

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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**ROLL CALL**

Jose Flores	Mayor
Erika Madrigal	Mayor Pro Tem
Jose Gurrola, Jr.	Councilmember
Jess Ortiz	Councilmember
Jazmin Robles	Councilmember

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**STAFF**

Alfonso Noyola	City Manager
Cecilia Vela	City Clerk
Shannon L. Chaffin	City Attorney – Aleshire & Wynder
Richard G. Breckinridge	Chief of Police
Robert Ruiz	Finance Director
Robin Dickerson	City Engineer – Quad Knopf
David Brletic	City Planner – Collins & Schoettler

## **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 Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

**2. PUBLIC COMMENTS**

*(This is the opportunity for the public to address the City Council on any matter on the agenda or any item of interest to the public that is within the subject matter jurisdiction of the City Council.)*

**3. PRESENTATION(S)**

A. Swearing In of Community Development Director, Marti Brown  
Cecilia Vela, City Clerk

B. Certificate of Appreciation to Maricela Maciel for Coordination of National  
Night Out Event of August 2, 2016.

J. Breckenridge, Police Chief

**4. DISCUSSION ITEM(S)**

A. FY 2014 - 2015 Financial Audit (Finance Director)

B. Development Impact Fee (DIF) Deferral & Reduction Programs (City Planner)

C. Discussion and Guidance Regarding Exploring Options for a Public/Private  
Partnership with the Historical Society to Promote Tourism. (Mgmt Analyst)

D. Smothermon Spray Park Equipment and Maintenance (Mayor Flores)

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

A. Approval of Demand Register(s) of July 15, 2016 – August 12, 2016.

B. Approval of Payroll Register(s) of July 29, 2016 and August 12, 2016.

C. Approval of the Minutes of the Regular Meeting of July 19, 2016 and Special  
Meeting of August 09, 2016.

D. Approval of Task Order No. 1617 Pursuant to the City Engineering Services  
Agreement #2013-32 between Quad Knopf, Inc. and the City of Arvin for  
General Engineering.

E. Approval of a Resolution Approving CEQA Categorical Exemptions for the  
Sycamore Drainage Project.

F. Approval of Proclamation proclaiming August 2016 as Valley Fever  
Awareness Month.

G. Approval of A Resolution of the City Council of the City of Arvin Consenting to  
the Inclusion of Properties Within the Territory of the City in the CMFA PACE  
Program; Authorizing the California Municipal Finance Authority to Accept  
Applications From Property Owners, Conduct Contractual Assessment

Proceedings and Levy Contractual Assessments Within the Territory of the City; and Authorizing Related Actions.

- H. Approval of Second Amendment to the March 2006 Exclusive Franchise Agreement Between the City of Arvin and Mountainside Disposal, Inc.
- I. Approval of A Resolution of the City Council of the City of Arvin Approving An Agreement for Vehicle Entrance Gate Equipment Between the City of Arvin and the U.S. General Services Administration.
- J. Approval of Title Change from Building Clerk to Community Development Clerk and Revised Reporting Change.
- K. Approval of New Custodian Job Description and Corresponding Step Schedule Level and Authorize the Finance Director to Post the Step Schedule on the City's Website [www.arvin.org](http://www.arvin.org) and Authorize the City Manager to Search For and Hire a Part-time Custodian.

Staff recommends approval of Consent Agenda.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

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

- A. Public Hearing to Consider Adoption of an Ordinance of the City Council of the City of Arvin, Amending Subsection 3.08.090(E) And Adding Subsection 3.08.095(D) To The Arvin Municipal Code Addressing When No Bids or Responses to Request for Proposals (RFPs) Have Been Received. (City Manager)

Staff recommends that the Council consider adopting the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive second reading of the Ordinance, and approve the adoption of the ordinance.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

- B. Public Hearing to Consider Introduction of an Ordinance of the City Council of the City of Arvin, Amending Appendix A to Chapter 1.24 of the Arvin Municipal Code Relating to the City's Conflict of Interest Code. (City Clerk)

Staff recommends that the Council consider introducing the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive first reading of the Ordinance, and approve the introduction of the ordinance.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

C. Public Hearing to Consider Introduction of an Ordinance of the City Council of the City of Arvin, Amending 2.06.210 of Chapter 2.06 of Title 2 of The Arvin Municipal Code Addressing Council and City Manager Relations: Non-Interference with Administrative Services; and Consideration and Approval of a Resolution Amending the Procedural Rules for the Conduct of City Council Meetings. (City Manager)

1. Staff recommends that the Council consider introducing the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive first reading of the Ordinance, and approve the introduction of the ordinance.
2. Approve the Resolution amending the Procedural Rules for the Conduct of City Council Meetings.

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

Roll Call: CM Ortiz \_\_\_\_ CM Robles \_\_\_\_ CM Gurrola \_\_\_\_ MPT Madrigal \_\_\_\_ Mayor Flores \_\_\_\_

## 7. ACTION ITEM(S)

A. Consideration and Approval of Arvin Hispanic Chamber of Commerce Special Event Permit to Include Use of Smothermon Park and Pavilion, Use of Utilities, and for Public Safety and Public Works Assistance from the City of Arvin for the Arvin Youth Festival during Sept. 2 - 4, 2016. (Police Chief)

Staff recommends approval of the special event permit for the Arvin Youth Festival Event with the requirement to abide by stipulations set forth by the Arvin Police Department for private security guards, ABC daily license, & Police personnel requirements.

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

Roll Call: CM Ortiz \_\_\_\_ CM Robles \_\_\_\_ CM Gurrola \_\_\_\_ MPT Madrigal \_\_\_\_ Mayor Flores \_\_\_\_

B. Consideration and Direction Regarding Comanche Drive and Derby St. Future Road Projects. (City Engineer)

Staff recommends consideration and direction from Council.

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

Roll Call: CM Ortiz \_\_\_\_ CM Robles \_\_\_\_ CM Gurrola \_\_\_\_ MPT Madrigal \_\_\_\_ Mayor Flores \_\_\_\_

C. Consideration and Approval of A Resolution of the City Council of the City of Arvin Approving a Pavement Maintenance Priority List to be Utilized as a Tool to Plan and Design for the Maintenance of Existing Roads Within the City. (City Engineer)

Staff recommends approval of the Resolution.

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

Roll Call: CM Ortiz \_\_\_\_ CM Robles \_\_\_\_ CM Gurrola \_\_\_\_ MPT Madrigal \_\_\_\_ Mayor Flores \_\_\_\_

**D. Consideration and Approval of A Resolution of the City Council of the City of Arvin Awarding A Construction Contract with Valley Slurry Seal International for the Double Fiberized Microsurfacing Project and Authorizing the Mayor to Sign and Execute the Agreement. (City Engineer)**

Staff recommends the City Council approve the Resolution that:

1. Reject the bid protest filed by Telfer Pavement Technologies LLC as being unsubstantiated;
2. Adopts a Class 1 Categorical Exemption, pursuant to CEQA Guidelines section 15301 for the Double Fiberized Microsurfacing Project.
3. Awards a contract to Valley Slurry Seal for the Double Fiberized Microsurfacing Project in the amount of \$312,256,000, subject to approval as to legal form by the City Attorney, and authorizes the Mayor to execute the same.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

**E. Consideration and Acceptance of Work Completed by Plank and Henry Inc. DBA Cen-Cal Construction, and Notice of Completion for City of Arvin Construction of the 2015 Sidewalk Improvement Project ATPL-5370 (027). (City Engineer)**

Staff recommends Council to: (1) accept the work completed by Plank and Henry, Inc. DBA Cen-Cal Construction, (2) approve the final contract amount, (3) authorize the execution and filing of the Notice of Completion, and (4) release the 5% retention to Plank and Henry, Inc. DBA Cen-Cal Construction, after 35 days pending claims or liens filed during this 35-day period.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

**F. Consideration and Approval of A Resolution of the City Council of the City of Arvin, Approving the Second Amended Employment Agreement Between the City of Arvin and Alfonso Noyola, for City Manager Services. (MPT Madrigal)**

Staff recommends approval of the Resolution.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

- G. Consideration and Approval of A Resolution of the City Council of the City of Arvin, California, Approving the City Manager's Designation of Specified Directors as Qualified Substitutes, as well as Authorizing the Designation of Qualified Substitutes for the City Clerk, in the Event of Absence or Unavailability (City Manager).**

Staff recommends approval of the Resolution.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

- H. Consideration and Approval of Renaming of the Arvin Senior Center to "Arvin Community Center"; Direct Staff to Provide a Proposal for Providing Youth Programs at the Center Recognizing It May Require Cancellation of Existing Leases. (Mgmt Analyst)**

Staff recommends that the Council rename the Arvin Senior Center to the "Arvin Community Center" and direct staff to bring forward a proposal for youth programs to be administered from Arvin Senior Center.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

- I. Consideration and Approval to Hold a Community Town Hall Meeting at the Arvin Veteran's Hall Regarding Measure L Funding. (Mayor Flores)**

Staff recommends consideration and direction from Council.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

- J. Consideration and Approval for Replacement and Continued Maintenance of Purple Heart Signs on Bear Mountain Blvd. (Mayor Flores)**

Staff recommends consideration and direction from Council.

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

Roll Call: CM Ortiz \_\_\_\_\_ CM Robles \_\_\_\_\_ CM Gurrola \_\_\_\_\_ MPT Madrigal \_\_\_\_\_ Mayor Flores \_\_\_\_\_

## **8. STAFF REPORTS**

## **9. COUNCIL MEMBER COMMENTS**

**10. CLOSED SESSION ITEM(S)**

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Pursuant to Government Code, § 54956(d)(1)

City of Arvin v. CalOSHA (Docket No. 16-R4D7-2799/2800; OIS# 1111092)

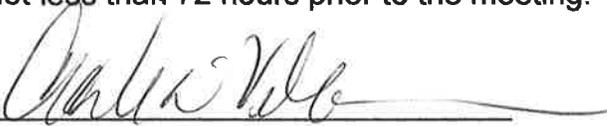
**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(pursuant to Government Code § 54956.9(d)(1)

SEIU Local 521 v. City of Arvin, PERB Case No. LA-CE-1059-M

**11. 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 August 12, 2016.



Cecilia Vela, City Clerk