



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

**TUESDAY SEPTEMBER 06, 2016 6:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Mayor Jose Flores

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Jose Flores
Erika Madrigal
Jose Gurrola, Jr.
Jess Ortiz
Jazmin Robles

Mayor
Mayor Pro Tem
Councilmember
Councilmember
Councilmember

STAFF

Alfonso Noyola
Shannon L. Chaffin
Robert Ruiz
Marti Brown
Richard G. Breckinridge
Robin Dickerson
Cecilia Vela

City Manager
City Attorney – Aleshire & Wynder
Finance Director
Community Development Director
Chief of Police
City Engineer – Quad Knopf
City Clerk

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.

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

J. Breckenridge, Police Chief

B. Recognition to Mr. Donald Burkett

Mayor Flores

4. CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of August 13, 2016 – September 01, 2016.

B. Approval of Payroll Register(s) of August 26, 2016.

C. Approval of the Minutes of the Regular Meeting of August 16, 2016.

D. Approval of A Resolution of the City Council of the City of Arvin Adopting and Implementing Labor Compliance Provisions on Certain Public Works Contracts.

E. Approval of A Resolution of the City Council of the City of Arvin Approving Program Supplement No. 016-N1 to Administering Agency-State Agreement for Federal-Aid Projects No. 06-5370R for the Construction of the Varsity Avenue from Comanche Drive to Campus Drive Roadway Rehabilitation Project STPL-5370(026), and Authorizing the Mayor or City Manager to Sign and Execute the Agreement.

F. Approval of A Resolution of the City Council of the City of Arvin Approving Program Supplement Agreement No. F017 to Administering Agency-State Agreement for Federal-Aid Projects No. 06-5370F15 for the Roadway Rehabilitation Project of Franklin Street from Derby Street to Stockton Avenue STPL-5370(028), as well as the Master Agreement and Authorizing the Mayor or City Manager to Sign and Execute the Agreements.

- G. Approval of Task Order No. 1619 Pursuant to the City Engineering Services Agreement #2013-32 between Quad Knopf, Inc. and the City of Arvin for QK Inc. to perform a Speed Study on 34 Segments of Road Within the City of Arvin and Authorize the City Manager to Execute the Task Order.
- H. Approval of Task Order No. 1620 Pursuant to the City Engineering Services Agreement #2013-32 between Quad Knopf, Inc. and the City of Arvin for QK Inc. to prepare a Feasibility Study for Wastewater Treatment Upgrades and Treated Effluent Reuse at the City of Arvin Wastewater Treatment Facility and Authorize the City Manager to Execute the Task Order.

Staff recommends approval of Consent Agenda.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz _____ CM Robles _____ CM Gurrola _____ MPT Madrigal _____ Mayor Flores _____

5. PUBLIC HEARING ITEM(S)

- A. Public Hearing to Consider Adoption 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 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 Adoption 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. (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 _____

C. Public Hearing to Consider Introduction of an Ordinance of the City Council of the City of Arvin, Adding Chapter 32 to Title 8 of the City of Arvin Municipal Code Concerning Food Safety Education. (City Manager)

Staff recommends the City 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 attached Ordinance.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

D. Public Hearing to Consider Introduction of an Ordinance of the City Council of the City of Arvin, Adding Chapter 30 to Title 8 of the City of Arvin Municipal Code Relating to Tobacco Retailer's Permit. (City Manager)

Staff recommends the City 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 attached Ordinance.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

6. 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 Oct. 15 - 16, 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 A Resolution to be Considered at the League of California Cities Annual Conference Business Meeting on October 07, 2016. (City Clerk)

- 1) Resolution Committing the League of California Cities to Supporting Vision Zero, Toward Zero Deaths, and Other Programs or Initiatives to Make Safety a Top Priority for Transportation Projects and Policy Formulation, While Encouraging Cities to Pursue Similar Initiatives.

Staff recommends that the Council consider the one Resolution and determine the City's position so that the Voting Delegate can represent the City's position for this Resolution at the Business Meeting.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

C. Consideration and Direction Regarding Implementing A Transparency Policy for the City of Arvin. (Finance Director)

Staff recommends consideration and direction from Council as to next steps in order to implement this policy.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

D. Consideration and Approval of New Police Officer Trainee Job Description and Related Salary Step Schedule Rates. (City Manager)

Staff recommends that:

- 1) The City Council approve the new job description and corresponding Step Schedule level and authorize the Finance Director to post the Step Schedule on the City's web site www.arvin.org.
- 2) The City Council authorizes the City Manager to search for and hire Police Officer Trainees.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

E. 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 ____

F. Consideration and Approval of A Resolution of the City Council of the City of Arvin In Support of the Adoption of a Health Protective Maximum Contaminant Level for the Unregulated Contaminant 1,2,3-Trichloropropane by the State Water Resources Control Board. (CM Gurrola & CM Robles)

Staff recommends consideration and direction from Council.

Motion _____ Second _____ Vote _____

Roll Call: CM Ortiz ____ CM Robles ____ CM Gurrola ____ MPT Madrigal ____ Mayor Flores ____

7. DISCUSSION ITEM(S)

A. Citizen's Oversight Committee for Measure L (Finance Director)

B. Short Term Loan for Sycamore Drainage Project (Finance Director)

8. STAFF REPORTS

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

9. COUNCIL MEMBER COMMENTS

10. CLOSED SESSION ITEM(S)

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

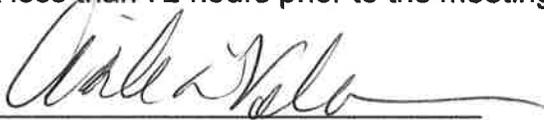
(Pursuant to Government Code, § 54956.9 (d)(1)):

City of Arvin vs. Big N Deep Agricultural Development, Lauraine Cook, Jeffrey Alexander, Collin Alexander, Jeff Alexander Farming, Fanucchi Family LP, Richard Fanucchi, Edward Fanucchi, and Ag-Wise Enterprises, Inc.
Kern County Superior Court Case No. BCV-16-100246 DRL

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Govt. Code § 54956.8)**
Property: APN: 190-250-06 and -07 (North of Bear Mountain Blvd. along a portion of the Walnut Drive Street Improvement Project)
Negotiator: Alfonso Noyola, City Manager
Negotiating parties: City of Arvin and Hasmig and Parsegh Ananian
Under negotiation: Price and terms of payment.
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Government Code, § 54956.9(d)(1)
DFEH Complaint No. 768159-232472 (EEOC No. 37A-2016-02371-C)
re Fred Rodriguez v. City of Arvin et al
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Government Code, § 54956.9(d)(1)
Cecilia Vela v. City of Arvin (SEIU Case 74626)

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 September 01, 2016.



Cecilia Vela, City Clerk