

REGULAR MEETING MINUTES

ARVIN CITY COUNCIL / SUCCESSOR AGENCY TO THE ARVIN COMMUNITY REDEVELOPMENT AGENCY / ARVIN HOUSING AUTHORITY / ARVIN PUBLIC FINANCING AUTHORITY

SEPTEMBER 06, 2016

CALL TO ORDER @ 6:00PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: CM Robles absent; all others present. CM Gurrola arrived late during agenda Item 1.

1. Approval of Agenda as To Form.

Motion to approve agenda with removal of Presentation Item 3A.

Motion CM Ortiz Second MPT Madrigal Vote 4-0

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

Above Presentation Item 3A removed from Agenda.

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.

0.0

- 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.

Resolution No. 2016-58

- 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.

Resolution No. 2016-59

Agreement No. 2016-25

- 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.

Resolution No. 2016-60

Agreement No. 2016-26 (Master Agreement)

Agreement No. 2016-27 (Program Supplement Agreement)

- 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 to approve Consent Agenda Items 4A – 4H.

Motion CM Gurrola

Second CM Madrigal

Vote 4-0

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.

Hearing opened.

Public testimony: Arvin resident, Ange McNeill raised questions regarding City management and structure including qualifications and knowledge. Staff responded.

Hearing closed.

Motion to waive second reading of the Ordinance to be read by title only and approve the adoption of the Ordinance.

Motion CM Gurrola

Second CM Ortiz

Vote 4-0

Ordinance No. 432

- 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.

Hearing opened.

Public Testimony: Arvin resident, Ange McNeill voiced her opposition of the Ordinance.

Hearing closed.

Motion to waive second reading of the Ordinance to be read by title only and approve the adoption of the Ordinance.

Motion MPT Madrigal

Second CM Ortiz

Vote 3-1 (Mayor Flores voted No.)

Ordinance No. 433

- 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.

Hearing opened.

No public testimony.

Hearing closed.

Motion to waive first reading of the Ordinance to be read by title only and approve the introduction of the Ordinance.

Motion CM Gurrola

Second CM Ortiz

Vote 4-0

- 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.

**Hearing opened.
No public testimony.
Hearing closed.**

Motion to waive first reading of the Ordinance to be read by title only and approve the introduction of the Ordinance.

Motion CM Gurrola Second MPT Madrigal Vote 4-0

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 to approve the Arvin Hispanic Chamber of Commerce Special Event Permit at the reduced rate of \$1,500 with the requirement that the Arvin Hispanic Chamber of Commerce abides by the resolution and the process that the City Council has adopted when providing subsidies or donations to community groups including the public purpose findings for reducing the rates, including that the funds will be used for public health, safe and welfare, including help and assistance for the homeless, raising funds for non-profits and otherwise taking steps to promote the Arvin community.

Motion CM Gurrola Second CM Ortiz Vote 4-0

- 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.

C.N.

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 to authorize the Voting Delegate to vote in favor of the one Resolution that will be considered at the League of California Cities Annual Conference Business Meeting on October 07, 2016.

Motion CM Gurrola Second CM Ortiz Vote 4-0

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 to direct Staff to move forward with implementing a transparency policy; determine costs to install the OpenGov software; and compare transparency policies from other cities.

Motion CM Gurrola Second CM Ortiz Vote 4-0

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 to: 1) Approve the new 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 and 2) Authorize the City Manager to search for and hire Police Officer Trainees.

Motion CM Gurrola Second CM Ortiz Vote 4-0

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 to approve the Resolution.

Motion MPT Madrigal Second CM Gurrola Vote 3-1 (Mayor Flores voted No.)
Resolution No. 2016-61

C.N.

- 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 to approve the Resolution.

Motion CM Gurrola Second MPT Madrigal Vote 4-0

Resolution No. 2016-62

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))

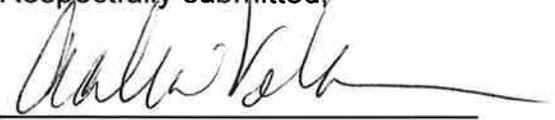
Cecilia Vela v. City of Arvin (SEIU Case 74626)

0.21.

**CLOSED SESSION REPORT BY CITY ATTORNEY:
No reportable action.**

11. ADJOURNED@ 10:20PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cecilia Vela', written over a horizontal line.

Cecilia Vela, City Clerk