

REGULAR MEETING MINUTES

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

FEBRUARY 07, 2017

CALL TO ORDER @ 6:04PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: All present.

1. Approval of Agenda as To Form.

Motion to approve the Agenda.

Motion MPT Robles Second CM Madrigal Vote 5-0

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. School Update – Grimmway Academy
Greg West, Principal

4. CITY COUNCIL & SUCCESSOR AGENCY CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of January 06, 2017 – February 02, 2017.

B. Approval of Payroll Register(s) of January 13, 2017 and January 27, 2017.

C. Approval of the Minutes of the Special Meeting of January 10, 2017 and Special Meeting of January 26, 2017.

D. Approval of A Resolution of the City Council of the City of Arvin to Approve a Development and Disposition Agreement Between the City and the Kern Community College District for the Development of A Community College Campus in the City of Arvin.

Resolution No. 2017-05

Agreement No. 2017-27

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- E. Approval of A Resolution of the Agency Board of the City of Arvin As Successor Agency of the Arvin Community Redevelopment Agency (“Successor Agency”) to Approve an Agreement Between the Successor Agency and the Kern Community College District for the Development of A Community College Campus in the City of Arvin.

Resolution No. 2017-06

Agreement No. 2017-27

- F. Approval of Task Order No. 1701 Pursuant to the City Engineering Services Agreement #2013-32 between Quad Knopf, Inc. and the City of Arvin for Design and Installation of Sidewalks Along the Eastern and Western Boundaries of DiGiorgio Park.

- G. Approval of A Resolution of the City Council of the City of Arvin Consenting to the Submittal of A Grant Application to CAL OES 2016-2017 CTSGP Grant Program; and Authorizing Related Actions.

Resolution No. 2017-07

- H. Approval of A Resolution of the City Council of the City of Arvin Consenting to the Submittal of A Grant Application and Application Documents to the Federal Transit Administration 5311 Program; and Authorizing Related Actions.

Resolution No. 2017-08

- I. Approval of Appointment of Miguel Rivera to the Arvin Planning Commission (Mayor Gurrola)
- J. Approval of A Resolution of the City Council of the City Of Arvin Supporting the California Police Chiefs Association’s 2016 Talking Points On Immigration.

Resolution No. 2017-09

Staff recommends approval of Consent Agenda.

Above Consent Agenda Items 4D, 4E and 4J pulled from the Consent Agenda for discussion. Motion to approve Consent Agenda Items 4A, 4B, 4C, 4F, 4G, 4H, & 4I.
Motion MPT Robles Second Mayor Gurrola Vote 5-0

Consent Agenda Item 4D: Motion to approve the Resolution and staff is directed to work towards a diligent and robust public engagement process to adequately meet the City’s Regional Housing Needs Assessment Allocation under housing element law.

Motion Mayor Gurrola Second CM Robles Vote 5-0

Resolution No. 2017-05

C.R.

Consent Agenda Item 4E: Motion to approve the Resolution and the Successor Agency urges the City to move forward with a robust public engagement process to meet the City's Regional Housing Needs Assessment Allocation.

Motion Chair Gurrola Second AM Ortiz Vote 5-0

Resolution No. 2017-06

Consent Agenda Item 4J: Motion to approve amending the Resolution to include a provision that directs staff to put an item on the next Council agenda to vote on a sanctuary city ordinance.

Motion Mayor Gurrola Second CM Martinez Vote 2-2-1 (MPT Robles & CM Madrigal voted No. CM Ortiz recused himself from discussion and voting of this item due to a potential conflict of interest)

Consent Agenda Item 4J: Motion to approve the Resolution as to form.

Motion MPT Robles Second CM Madrigal Vote 3-1-1 (CM Martinez voted No. CM Ortiz recused himself from discussion and voting of this item due to a potential conflict of interest)

Resolution No. 2017-09

5. PUBLIC HEARING ITEM(S)

- A. Public Hearing to Consider Adoption of An Uncodified Ordinance of the City Council of the City of Arvin Establishing Speed Limits on Certain Streets in the City of Arvin. (City Engineer)**

Staff recommends the City 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.

No public testimony.

Hearing closed.

Motion to waive second reading and approve adoption of the Ordinance.

Motion CM Ortiz Second MPT Robles Vote 5-0

Ordinance No. 439

- B. Public Hearing to Consider Adoption of An Ordinance of the City Council of the City of Arvin Amending Sections 3.08.070 and 3.08.080 of the Arvin Municipal Code to Provide For Bidding Procedures For Purchase of Supplies, Equipment, Materials and Public Works Projects, While Also Providing For Cooperative Purchasing Procedures. (Finance Director)**

Staff recommends the City 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.

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Hearing opened.

No public testimony.

Hearing closed.

Motion to waive second reading and approve adoption of the Ordinance.

Motion CM Ortiz

Second CM Madrigal

Vote 5-0

Ordinance No. 440

6. WORKSHOP – MARIJUANA POLICY

David McPherson, HDL Companies

Above Workshop Item 6 presented and discussed after Presentation Item 3A.

7. ACTION ITEM(S)

- A. Consideration and Approval Arvin Chamber of Commerce Wildflower Festival to Include Use of Smothermon Park and Pavilion, Use of Utilities, and for Assistance from the Police Department and Maintenance and Infrastructure Department from the City of Arvin during the dates of April 27, 2017 – April 30, 2017 and Request for Waiver of Certain Costs and Findings of a Public Purpose. (Police Chief)**

Staff recommends Council consider waiving the costs for services for the festival if the conditions as outlined in the staff report are met, with findings that the event serves a public purpose.

Motion to approve waiving all costs above the fee of \$1,500 to Include Use of Smothermon Park and Pavilion, Use of Utilities, and for Assistance from the Police Department and Maintenance & Infrastructure Department for the Wildflower Festival if the conditions as outlined in the staff report are met, with findings that the event serves a public purpose.

Motion Mayor Gurrola

Second CM Ortiz

Vote 5-0

- B. Consideration and Approval of Arvin Hispanic Chamber of Commerce Arvin Youth Festival to Include Use of Smothermon Park and Pavilion, Use of Utilities, and for Assistance from the Police Department and Maintenance and Infrastructure Department from the City of Arvin during the dates of September 09, 2017 – September 10, 2017 and Request for Waiver of Certain Costs and Findings of a Public Purpose. (Police Chief)**

Staff recommends Council consider waiving the costs for services for the festival if the conditions as outlined in the staff report are met, with findings that the event serves a public purpose.

Motion to approve waiving all costs above the fee of \$1,500 to Include Use of Smothermon Park and Pavilion, Use of Utilities, and for Assistance from the Police Department and Maintenance & Infrastructure Department for the Youth Festival if the conditions as outlined in the staff report are met, with findings that the event serves a public purpose.

Motion Mayor Gurrola

Second CM Madrigal

Vote 5-0

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C. Consideration and Approval of Appointment to the Kern Mosquito & Vector Control District Board. (City Clerk)

Staff recommends that the Council consider the letter(s) received from Arvin residents interested in serving on the Board and to appoint a member to the Kern Mosquito & Vector Control Board.

Motion to appoint Lowell Chalk as the board member to the Kern Mosquito & Vector Control Board.

Motion Mayor Gurrola Second CM Madrigal Vote 5-0

D. Consideration and Approval of Appointment of Councilmembers to Serve On Agency Boards/Committees.

Staff recommends that the Council nominate and appoint a councilmember to serve on each Board/Committee.

Kern Council of Governments (KernCOG)

One Board Member (and potentially one Alternate).

Kern Local Agency Formation (LAFCO).

One Alternate Member (and potentially one Primary).

City Selection Committee Alternate

Appointment of One Alternate Member by Mayor Gurrola.

San Joaquin Valley Air Pollution Control District Special City Selection Committee.

One Alternate Member (and potentially one Primary).

Nominations for Kern Council of Governments (KernCOG)

Mayor Gurrola nominated himself to serve as the primary member and relinquished his seat as the alternate member.

Mayor Gurrola nominated CM Ortiz to serve as the alternate member.

Second by MPT Robles.

Vote 4-1 (CM Madrigal voted No.)

Primary Member = Mayor Jose Gurrola

Alternate Member = CM Jess Ortiz

Nominations for Kern Local Agency Formation (LAFCO)

CM Martinez nominated herself to serve as the alternate member.

Second by CM Madrigal.

Vote 5-0

Alternate Member = CM Gabriela Martinez

City Selection Committee

C.V.

**Mayor Gurrola nominated CM Madrigal to serve as the Alternate Member.
Second by MPT Robles.**

Vote 5-0

Alternate Member = CM Erika Madrigal

**San Joaquin Valley Air Pollution Control District Special City Selection Committee
Mayor Gurrola relinquished his seat as the primary member and nominated CM
Madrigal to serve as the primary member.**

Mayor Gurrola nominated MPT Robles as the alternate member.

Second by CM Martinez.

Vote 5-0

Primary Member = CM Erika Madrigal

Alternate Member = MPT Jazmin Robles

8. WORKSHOP – MIDYEAR BUDGET FISCAL YEAR 2016 - 2017

9. DISCUSSION ITEM(S)

- A. Discussion Regarding Formation of a Citizen's Oversight Committee for Measure L (Finance Director)

10. STAFF REPORTS

- A. Annual Report – City Manager

11. COUNCIL MEMBER COMMENTS

12. CLOSED SESSION ITEM(S)

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code § 54957(b)(1)
Position: City Manager

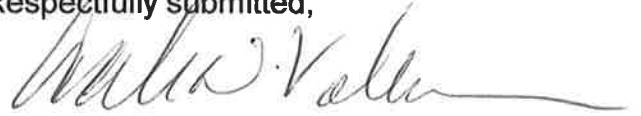
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code, § 54956.9(d)(1)
DFEH Complaint No. 768159-232472 (EEOC No. 37A-2016-02371-C) re
Fred Rodriguez v. City of Arvin

CLOSED SESSION REPORT BY CITY ATTORNEY

No reportable action.

13. ADJOURNED @ 11:19PM

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cecilia Vela", written in black ink. The signature is fluid and extends to the right with a long horizontal stroke.

Cecilia Vela, City Clerk