

**REGULAR MEETING MINUTES**

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

**JUNE 21, 2016**

**CALL TO ORDER @ 6:00PM**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL: All present.**

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

**Motion to approve Agenda with removal of Action Item 6I.**

Motion CM Ortiz                      Second CM Robles                      Vote 5-0

**2. PUBLIC COMMENTS**

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

A. Approval of Demand Register(s) of June 04, 2016 – June 17, 2016.

B. Approval of Payroll Register(s) of June 17, 2016.

C. Approval of the Minutes of the Regular Meeting of June 07, 2016.

D. Approval for Arvin Police Department to Apply For and Accept the Edward Byrne Memorial Justice Assistance Grant.

Staff recommends approval of Consent Agenda.

**Motion to approve Consent Agenda Items 3A – 3D.**

Motion CM Ortiz                      Second Mayor Flores                      Vote 5-0

**4. ACTION ITEM(S)**

A. Consideration and Approval of A Resolution of the City Council of the City of Arvin To Approve the Financial Policies and Procedures. (Finance Director)

Staff recommends approval of the Resolution.

**Motion to approve Resolution.**

Motion CM Ortiz                      Second MPT Madrigal                      Vote 5-0

**Resolution No. 2016-25**

P.V.

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

- A. Consideration and Introduction of An Ordinance of the City Council of the City of Arvin Amending Sections 3.04.010, 3.04.020, 3.08.030, 3.04.040, 3.08.060, and 3.08.080 of the Arvin Municipal Code Regarding the City of Arvin's Financial Management. (Finance Director)**

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, and approve the introduction of the 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 Ortiz

Second CM Robles

Vote 5-0

- B. Public Hearing to Consider A Resolution of the City Council of the City of Arvin Confirming the Annual Levy of Assessments for Fiscal Year 2016-17 for Landscaping and Lighting Maintenance District No. 1. (City Engineer)**

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

**Hearing opened.**

**No public testimony.**

**Hearing closed.**

**Motion to adopt the Resolution.**

Motion CM Robles

Second MPT Madrigal

Vote 4-1 (CM Ortiz recused himself from

discussion and voting of this item due to a potential conflict of interest)

**Resolution No. 2016-26**

- C. Public Hearing to Consider A Resolution of the City Council of the City of Arvin Confirming the Annual Levy of Assessments for Fiscal Year 2016-17 for Landscaping and Lighting Maintenance District No. 2. (City Engineer)**

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

**Hearing opened.**

**No public testimony.**

**Hearing closed.**

**Motion to adopt the Resolution.**

Motion MPT Madrigal

Second Mayor Flores

Vote 5-0

**Resolution No. 2016-27**

*C.W.*

**6. ACTION ITEM(S)**

- A. Consideration and Approval of Task Order No. 1613 Pursuant to the City Engineering Services Agreement #2013-32 between Quad Knopf, Inc. and the City of Arvin for the CDBG Grant Development and Submission Services FY 2016–2017. (City Engineer)**

Staff recommends approval of Task Order No. 1613.

**Motion to approve Task Order No. 1613.**

Motion CM Ortiz                      Second CM Gurrola                      Vote 5-0

- B. Consideration and Approval of A Resolution of the City Council of the City of Arvin Rejecting All Bids for the Feasibility Study for Wastewater Treatment Upgrades and Treated Effluent Reuse at the City of Arvin Wastewater Treatment Facility. (City Engineer)**

Staff recommends approval of the Resolution.

**Motion to approve Resolution.**

Motion CM Ortiz                      Second MPT Madrigal                      Vote 5-0

**Resolution No. 2016-28**

- C. Consider and Approve First Amendment to March 2006 Exclusive Franchise Agreement between the City of Arvin and Mountainside Disposal, Inc., Which Extends Said Agreement Until August 31, 2016. (City Manager)**

Staff recommends Council approve the First Amendment.

**Motion to approve the First Amendment to March 2006 Exclusive Franchise Agreement between the City of Arvin and Mountainside Disposal, Inc., Which Extends Said Agreement Until August 31, 2016.**

Motion CM Ortiz                      Second CM Gurrola                      Vote 5-0

**Agreement No. 2016-12**

- D. Consideration and Approval of Task Order #2: Design Sewers for Unsewered Properties Within City of Arvin and Oxidation Ditch Metering Flume at Wastewater Treatment Plant (Dale Ducharme – Veolia Water)**

Staff recommends approval of Task Order #2 for an amount not to exceed \$138,028 from the City's Wastewater Fund and authorize the City Manager to sign the Task Order #2.

**Motion to approve Task Order #2 for an amount not to exceed \$138, 028 from the City's Wastewater Fund and authorize the City Manager to sign the Task Order #2.**

Motion CM Ortiz                      Second CM Robles                      Vote 5-0

*C.W.*

- E. Consideration and Approval of A Resolution of the City Council of the City of Arvin Receiving the 2015-2016 Kern County Grand Jury Letter of May 04, 2016, and Directing That It Be Filed and Posted in a Conspicuous Location at City Hall. (City Manager)

Staff recommends approval of the Resolution.

**Motion to approve Resolution and direct staff to post the 2015-2016 Kern County Grand Jury Letter of May 04, 2016 for 30 days at both City Hall and the Council Chambers Bulletin Board.**

Motion CM Gurrola          Second CM Ortiz          Vote 5-0

**Resolution No. 2016-29**

- F. Consideration and Approval of A Resolution of the City Council of the City of Arvin Adopting the Annual Operating and Capital Budgets for Fiscal Year 2016-2017. (Finance Director)

Staff recommends approval of the Resolution.

**Motion to approve Resolution.**

Motion CM Ortiz          Second CM Robles          Vote 4-1 (Mayor Flores voted No.)

**Resolution No. 2016-30**

- G. Consideration and Approval of A Resolution of the City Council of the City of Arvin Establishing the Appropriation Limit for Fiscal Year 2016-2017. (Finance Director)

Staff recommends approval of the Resolution.

**Motion to approve Resolution.**

Motion CM Ortiz          Second CM Robles          Vote 5-0

**Resolution No. 2016-31**

- H. Consideration and Approval of A Resolution of the City Council of the City of Arvin Making a Portion of the Property Located in Jewett Square Available to Bakersfield College for Development of a Satellite Campus in the City of Arvin. (City Planner)

Staff recommends approval of the Resolution.

**Motion to approve Resolution.**

Motion CM Gurrola          Second CM Robles          Vote 5-0

**Resolution No. 2016-32**

*0.1*

- I. Consideration and Approval of an Agreement Between the City of Arvin and the Community Action Partnership of Kern Regarding Lease of Premises at Smothermon Park (1111 Bush Street, Arvin, CA) for the Head Start Program and Findings the Project is Categorically Exempt from CEQA. (City Manager)

Staff recommends the City Council find the lease of the property is Categorically Exempt from CEQA under Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) (Minor Alterations to Land) of the State CEQA Guidelines, and approve the Lease Agreement.

**Above Action Item 6I removed from Agenda.**

- J. Consideration and Approval of A Resolution of the City Council of the City of Arvin Interpreting and Clarifying the Provisions of Arvin Municipal Code Sections 3.08.090 and 3.08.095 When No Bids or Responses to Request for Proposals (RFPs) Have Been Received. (City Manager)

Staff recommends approval of the Resolution.

**Motion to approve the Resolution and direct staff to provide an Ordinance at a future meeting to update the Arvin Municipal Code reflect such revisions.**

Motion CM Ortiz                      Second Mayor Flores      Vote 4-1 (CM Gurrola voted No.)

**Resolution No. 2016-33**

- K. Consideration and Approval of A Resolution of the City Council of the City of Arvin Approving an Agreement for Management and Administrative Services Between the City of Arvin and the Regional Government Services Authority (RGS). (City Manager)

Staff recommends approval of the Resolution.

**Motion to approve Resolution with additional language to Paragraph 10 of the Resolution indicating future approvals of the Agreement are to be determined on a case by case basis by the City Council.**

Motion CM Gurrola                      Second CM Robles                      Vote 5-0

**Resolution No. 2016-34**

**Agreement No. 2006-13**

- L. Consideration of Request to Direct Staff to Create a Citizen's Oversight Committee for Measure L. (CM Gurrola)

Staff recommends consideration and direction from Council.

**Motion to direct staff to prepare a scope and structure for a Citizen's Oversight Committee for Measure L and return with options to include 1) holding quarterly meetings; 2) each member of the Council to appoint a member to the Committee; 3) the Oversight Committee shall provide presentations and comments to the City Council including recommendations from the Committee and the Community to the City Council of how funds are expended.**

Motion CM Gurrola                      Second CM Robles                      Vote 5-0

*Arvin*

**7. DISCUSSION ITEM(S)**

- A. Street Sweeper Schedule and Street Signs (CM Gurrola)
- B. Trucks Parking on Comanche and Hwy 223 (CM Gurrola)

**8. STAFF REPORTS**

**9. COUNCIL MEMBER COMMENTS**

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

- A. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code, § 54957.6):  
Agency designated representative(s): Mayor Pro Tem Madrigal and Councilmember Gurrola  
Unrepresented employee: City Manager, Alfonso Noyola
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957(b)(1)  
Position: City Manager
- C. 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
- D. 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
- E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code, § 54956.9(b))  
A closed session will be held because there is a significant exposure to litigation in 2 cases.

**CLOSED SESSION REPORT BY CITY ATTORNEY:**

**Items 10A, 10B, and 10C: No reportable action.**

**Item 10D: The City Attorney's Office has been authorized and directed to retain outside counsel to represent both the City and the City Manager and have been authorized to hire an investigation and that process will go forward.**

**Item 10E: With regards to one of the cases, the City Attorney's office has been authorized to hire an investigator.**

**11. ADJOURNED@ 10:50PM**

Respectfully Submitted,



Cecilia Vela, City Clerk