

REGULAR MEETING MINUTES

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

JUNE 05, 2018

CALL TO ORDER @ 6:03PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: CM Martinez absent; All others present.

1. Approval of Agenda as To Form.

Motion to approve the Agenda with removal of Closed Session Item 11B.

Motion Mayor Gurrola Second CM Robles 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. Proclamation proclaiming June 05, 2018 as Arvin Bears Varsity Baseball Team – Day of Pride (Mayor Gurrola and Councilmember Robles)

4. CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of May 11, 2018 – June 01, 2018.

B. Approval of Payroll Register(s) of May 18, 2018 and June 01, 2018.

C. Approval of the Minutes of the Regular Meeting(s) of May 15, 2018.

D. Approval of A Resolution of the City Council of the City of Arvin to Authorize the Mayor and/or the Interim City Manager to Sign a Cooperative Agreement - Local Contribution Only - With the State of California - Department of Transportation (Caltrans) In Respects to Project 0614000162 - Installing Traffic Signals in the City of Arvin Miles West of Derby Street to King Street and Also Authorizing the Mayor and/or Interim City Manager to Sign a Deobligation Letter in Respects to the Same Project.

Resolution No. 2018-36

Agreement No. 2018-13

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- E. Approval of A Resolution of the City Council of the City of Arvin Approving and Adopting the Safety-Sensitive Drug and Alcohol Testing Policy.

Resolution No. 2018-37

- F. 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 Action.

Resolution No. 2018-38

- G. 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 5339 Program; and Authorizing Related Actions.

Resolution No. 2018-39

- H. Approval of A Proclamation Proclaiming June 05, 2018 as Arvin Bears Varsity Baseball Team – Day of Pride.
- I. Approval of A Resolution of the City Council of the City of Arvin Repealing and Replacing Previously Adopted Resolution No. 2017-30 and Setting Salary Ranges and Benefits For Non-Represented, Non-Department Head Employees.

Resolution No. 2018-40

Staff recommends approval of the Consent Agenda.

Motion to approve Consent Agenda Items 4A to 4I.

Motion MPT Ortiz Second CM Robles Vote 4-0

5. PUBLIC HEARING ITEM(S)

- A. Public Hearing to Consider Introduction and First Reading, by Title Only, of an Ordinance of the City Council of the City of Arvin Amending and Renumbering Chapter 17.62 (“Commercial Cannabis Activity”) of Title 17 of the Arvin Municipal Code and Thereby Adding Chapter 17.64 (“Commercial Cannabis Activity”) to Title 17 of the Arvin Municipal Code to Establish Comprehensive Regulations Pertaining to Commercial Cannabis Activity, and Finding an Exemption from the California Environmental Quality Act. (Finance Director / City Attorney)

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 Ordinance.

Hearing opened.

No testimony.

Hearing closed.

C.W.

Motion to waive first reading of the Ordinance and approve the introduction of the Ordinance with the following revisions to Section 17.64.190(j)(4) and (5) of the Ordinance to read as follows:

(4) The decision of the City Manager shall be subject to a further administrative appeal to the Planning Commission, which shall be conducted in accordance with the procedures and requirements applicable to the appeal to the City Manager pursuant to this subsection. The decision of the Planning Commission shall be subject to further administrative appeal to the City Council, which shall be conducted in accordance with the procedures and requirements applicable to the appeal to the City Manager pursuant to this subsection.

(5) The decision of the City Council on the appeal shall constitute a final administrative decision. The appellant may thereafter file a petition for writ of mandate in superior court pursuant to Code of Civil Procedure Section 1094.5 and 1094.6 within ninety (90) calendar days of the date of the decision.

Motion Mayor Gurrola Second CM Robles Vote 4-0

B. Public Hearing to Consider Introduction and First Reading, by Title Only, of an Ordinance of the City Council of the City of Arvin Amending Chapter 17.56 of Title 17 of the Arvin Municipal Code to Add Commercial Cannabis Businesses as a Permitted Use in Specific Zones and to Add Express Procedures for Suspension and Revocation of Conditional Use Permits, and Finding an Exemption from the California Environmental Quality Act. (Finance Director / City Attorney)

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 Ordinance.

Hearing opened.

No testimony.

Hearing closed.

Motion to waive first reading of the Ordinance and approve the introduction of the Ordinance.

Motion MPT Ortiz Second CM Robles Vote 4-0

C. Public Hearing to Consider Introduction and First Reading, by Title Only, of an Ordinance of the City Council of the City of Arvin, Modifying the Arvin Municipal Code Such That Certain Fees Which Must Be Set By Ordinance May Now Be Set By Resolution, By Amending The Following Sections of the Arvin Municipal Code: Section 16.40.040 of Chapter 16.40 of Title 16; Section 17.45.130 of Chapter 17.45 of Title 17; Section 17.45.210 of Chapter 17.45 of

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Title 17; Section 17.46.060 of Chapter 17.46 of Title 17; Section 17.54.080 of Chapter 17.54 of Title 17; and Section 17.60.080 of Chapter 17.60 of Title 17. (City Planner / City Attorney)

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 Ordinance.

Hearing opened.

No testimony.

Hearing closed.

Motion to waive first reading of the Ordinance and approve the introduction of the Ordinance.

Motion MPT Ortiz

Second CM Madrigal

Vote 4-0

- D. Public Hearing to Consider Introduction and First Reading, by Title Only, of An Ordinance of the City Council of the City of Arvin, Modifying the Arvin Municipal Code Such That Certain Fees Which Must Be Set By Ordinance May Now Be Set By Resolution, By Amending The Following Sections of the Arvin Municipal Code: Section 3.32.010 of Chapter 3.32 of Title 3; Section 3.32.020(A) of Chapter 3.32 of Title 3 of the Arvin Municipal Code; The First Paragraph of Section 3.32.040(A) of Chapter 3.32 of Title 3 of the Arvin Municipal Code; Section 10.02.010 of Chapter 10.02 of Title 10; Section 10.02.020 of Chapter 10.02 of Title 10; Section 12.04.040(B) of Chapter 12.04 of Title 12; Section 12.04.250 of Chapter 12.04 of Title 12; Section 12.12.070 of Chapter 12.12 of Title 12; Section 12.16.030(B) of Chapter 12.16 of Title 12; Section 15.08.010(M) of Chapter 15.08 of Title 15; and Section 15.24.090 of Chapter 15.24 of Title 15. (City Planner / City Attorney)

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 Ordinance.

Hearing opened.

No testimony.

Hearing closed.

Motion to waive first reading of the Ordinance and approve the introduction of the Ordinance.

Motion MPT Ortiz

Second CM Madrigal

Vote 4-0

6. ACTION ITEM(S)

- A. Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference to be held on September 12-14, 2018 in Long Beach, CA. (City Clerk)

Staff recommends designating a voting delegate and up to two alternates.

Motion to designate Councilmember Madrigal as the Voting Delegate and Mayor Pro Tem as the Alternate.

Motion Mayor Gurrola Second CM Robles Vote 4-0

- B.** Presentation of Veolia Capabilities and Recommendations for a Comprehensive Wastewater Capital Improvement Program Plan. (Dale Ducharme - Veolia Water)

Staff recommends the Council provide direction to Veolia Capital Program Management Team to return to Council with a proposal to develop a Comprehensive Capital Improvement Management Plan.

Motion to direct the Veolia Capital Program Management Team to return to Council with a proposal to develop a Comprehensive Capital Improvement Management Plan.

Motion Mayor Gurrola Second CM Robles Vote 4-0

7. WORKSHOP

- A.** Budget Update Fiscal Year 2018-2019 (Finance Director)

8. DISCUSSION ITEM(S)

- A.** CalTrans Audit (Finance Director)

9. STAFF REPORTS

- A.** Budget Amendment Report (Finance Director)

10. COUNCIL MEMBER COMMENTS

11. CLOSED SESSION ITEM(S)

- A.** Conference with Legal Counsel Anticipated Litigation (Pursuant to Government Code § 54956.9)
Four Potential cases
- B.** Conference with Labor Negotiators (Pursuant to Government Code § 54957.6) City Negotiator, Pawan Gill, Human Resources Administrator
Employee Organizations: Arvin Police Officers Association (APOA) and Service Employees International Union (SEIU) Local 521

Closed Session Item 11B removed from the agenda.

Closed Session Report by City Attorney:

Item 11A: The City Council authorized litigation against Gurmit and Baljeet Kooner. The vote was 4-0.

12. ADJOURNED @ 7:51PM

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cecilia Vela", written in black ink. The signature is positioned above a horizontal line.

Cecilia Vela, City Clerk