

**REGULAR MEETING MINUTES**

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

**JUNE 19, 2018**

**This Regular Meeting was called to order along with the Special Meeting of June 19, 2018 at the same time at 6:01PM.**

**CALL TO ORDER @ 6:01PM**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL: CM Martinez absent; All others present. CM Robles arrived late during Public Hearing Item 4B of the Regular Meeting.**

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

**Motion to approve the Agenda with the following changes:**

- **Consent Agenda Items 3I and 3J: The dates will be set unless there is an appeal withdrawn or the application is withdrawn.**
- **Closed Session Item 8A: Number of cases revised to Two (2) cases as One (1) case was withdrawn.**

Motion MPT Ortiz                      Second CM Madrigal                      Vote 3-0

**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.)

**NONE**

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

- A. Approval of Demand Register(s) of June 02, 2018 – June 15, 2018.**
- B. Approval of Payroll Register(s) of June 15, 2018.**
- C. Approval of the Minutes of the Regular Meeting(s) of June 05, 2018.**
- D. Approval of A Resolution of the City Council of the City of Arvin Establishing the Appropriation Limit for Fiscal Year 2018-2019.**

**Resolution No. 2018-41**

*B.W.*

- E. A Resolution of the City Council of the City of Arvin Calling and Giving Notice of the Holding of A General Municipal Election to be Held on Tuesday, November 06, 2018, for the Election of Three (3) Members of the City Council.

**Resolution No. 2018-42**

- F. 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 Termination Statement - With the State of California - Department of Transportation (Caltrans) In Regards to Project 0614000162 - Installing Traffic Signals in the City of Arvin 0.2 Miles West of Derby Street to King Street.

**Resolution No. 2018-43  
Agreement No. 2018-14**

- G. A Resolution of the City Council of the City of Arvin Consenting to the Submittal of An Application to the Kern Council of Governments Transportation Development Act – Article 3 Bicycle and Pedestrian Facilities Program for the City of Arvin; and Authorizing Related Actions.

**Resolution No. 2018-44**

- H. Approval of Task Order No. 1801-QK for Derby HSIP Coordination Services and Affirmation of Memorandum of Understanding (MOU) Regarding Continued Professional Services Between City of Arvin and QK - September 19, 2017, Agreement No. 2017-25.
- I. Approval to Set the Public Hearing Date for August 21, 2018 to Consider the Appeal of Planning Commission Conditional Use Permit 2017-Petro Lud - Stockton Project - Oil and Gas Exploratory and Production Well -APN 189-351-36 Southwest Corner of Sycamore Road and Meyer Street, Establishment of a drill pad no larger than 300'-0" X 500'-0" and four (4) exploratory well sites which may be converted into production wells and adoption of a related CEQA exemption findings pursuant to the California Environmental Quality Act, Unless Previously Withdrawn by the Appellant Before Such Date.

**Item 3I: The date will be set unless there is an appeal withdrawn or the application is withdrawn.**

- J. Approval to Set the Public Hearing Date for September 4, 2018 Regarding the Appeal of Planning Commission Conditional Use Permit and Site Development Plan (SDP) 2018-240LA – Ismaili Market – Expansion of a Non-Conforming Use – Regarding Storage and Patio Use, and Denial of Expansion for a Take Out Kitchen, Located within the R-1 Single Family Dwelling Zone at 240 Langford in Arvin, and Adopt the Notice of Exemption Per CQA Guidelines Section 15061(B) (3), Unless Previously Withdrawn by the Appellant Before Such Date.

**Item 3J: The date will be set unless there is an appeal withdrawn or the application is withdrawn.**

Staff recommends approval of the Consent Agenda.

**Consent Agenda Item 3F pulled for discussion.**

**Motion to approve Consent Agenda Items 3A, 3B, 3C, 3D, 3E, 3G, 3H, 3I and 3J.**

Motion MPT Ortiz                      Second CM Madrigal                      Vote 3-0

**Motion to approve Consent Agenda Item 3F.**

Motion Mayor Gurrola                      Second CM Madrigal                      Vote 3-0

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

- A. A Public Hearing Regarding the Draft 2018 Regional Transportation Plan/Sustainable Communities Strategy; Draft 2019 Federal Transportation Improvement Program and Corresponding Draft Air Quality Conformity Analysis; and Draft Environmental Impact Report. (Rob Ball – Kern Council of Governments)**

Staff recommends the City Council open the hearing, allow for public testimony, and close the hearing.

**Hearing opened.**

**Public Testimony received. Adeyinka Glover from the Leadership Counsel for Justice and Accountability encouraged KernCOG to continue to host more meetings than what is statutorily required, due to Kern County's vast geographic size compared to other counties, and to host them in a multitude of communities. Hearing from residents will produce more feedback and address more resident transportation related needs. Ms. Glover expressed concerns of level and methods of outreach for this public hearing and made request to KernCOG to include information related to these methods in the Regional Transportation Plan. Ms. Glover indicated these are not the complete comments from the Leadership Counsel but submitted a preliminary letter to KernCOG on the first of June and they will submit another letter and comments at the Bakersfield public hearing. Hearing closed.**

**There was no motion and no action required or taken for Public Hearing Item 4A.**

- B. Public Hearing to Consider Adoption and Second 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)**

C.N.

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.**

**Public Testimony:** Luis Franco of Natural Selection provided comments and questions regarding the square footage requirements and options for expansion of business. Diana Arredondo from the SEIU Union questioned who would be handling code enforcement for the cannabis and who will ensure the companies will be in compliance.

**Hearing closed.**

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

Motion Mayor Gurrola      Second MPT Ortiz      Vote 4-0

**Ordinance No. 447**

- C. Public Hearing to Consider Adoption and Second 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 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 the adoption of the Ordinance.**

Motion Mayor Gurrola      Second MPT Ortiz      Vote 4-0

**Ordinance No. 448**

- D. Public Hearing to Consider Adoption and Second 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 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)

C.N.

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 the adoption of the Ordinance.**

Motion Mayor Gurrola

Second MPT Ortiz

Vote 4-0

**Ordinance No. 449**

- E. Public Hearing to Consider Adoption and Second 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 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 the adoption of the Ordinance.**

Motion Mayor Gurrola

Second MPT Ortiz

Vote 4-0

**Ordinance No. 450**

- F. Public Hearing to Consider Adoption of A Resolution of the City Council of the City of Arvin Amending and Updating the Existing Citywide Master Fee Schedule, Thereby Adjusting the Existing Citywide Fees and Charges. (City Planner)

Staff recommends that the City Council open the hearing, allow for public testimony, close the hearing, and approve the Resolution.

*C.V.*

**Hearing opened.**

**No public testimony.**

**Hearing closed.**

**Motion to approve the Resolution.**

Motion Mayor Gurrola      Second MPT Ortiz      Vote 4-0

**Resolution No. 2018-45**

- G. Public Hearing to Consider Adoption of A Resolution of the City Council of the City of Arvin, California, Amending the Citywide Master Fee Schedule by Adopting Fees Pursuant to Chapter 17.64, "Commercial Cannabis Activity," of the Arvin Municipal Code. (Finance Director)**

Staff recommends that the City Council open the hearing, allow for public testimony, close the hearing, and approve the Resolution.

**Hearing opened.**

**Public testimony: Luis Franco from Natural Selection questioned where to read the fees relating to cannabis.**

**Hearing closed.**

**Motion to approve the Resolution.**

Motion MPT Ortiz      Second CM Robles      Vote 4-0

**Resolution No. 2018-46**

- H. Public Hearing to Consider Adoption of A Resolution of the City Council of the City of Arvin Adopting the Annual Operating and Capital Budgets for Fiscal Year 2018-2019. (Finance Director)**

Staff recommends that the City Council open the hearing, allow for public testimony, close the hearing, and approve the Resolution to adopt the proposed Fiscal Year 18/19 Budget and Fiscal Year 18/19 Capital Improvement Plan.

**Hearing opened.**

**Hearing closed.**

**Public testimony received. Diana Arredondo representing the Service Employees International Union (SEIU) Local 521 with concerns regarding the proposed budget, questioned proposed reduction of salary and benefits for current employees although City proposes to hire 4 new employees. Jose Jimenez recommended to the Council that they provide a budget and agenda to the public that is easier to understand.**

**Motion to approve the Resolution to adopt the proposed Fiscal Year 18/19 Budget and Fiscal Year 18/19 Capital Improvement Plan.**

Motion Mayor Gurrola      Second MPT Ortiz      Vote 4-0

**Resolution No. 2018-47**

C.N.

**5. DISCUSSION ITEM(S)**

A. Utility Tax (Finance Director)

**6. STAFF REPORTS**

A. Monthly Financial Report – May 2018 (Finance Director)

**7. COUNCIL MEMBER COMMENTS**

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

A. Conference with Legal Counsel: Anticipated Litigation (Pursuant to Government Code § 54956.9)

Three Two Potential Cases

B. Conference with Legal Counsel: Liability Claims (Pursuant to Cal. Govt. Code § 54956.9(d)(2))

Claimant: Jemeal Reid - AIMS File No. FR97918-AH; RMA Claim No. 17968

Against: City of Arvin

**CLOSED SESSION REPORT BY CITY ATTORNEY:**

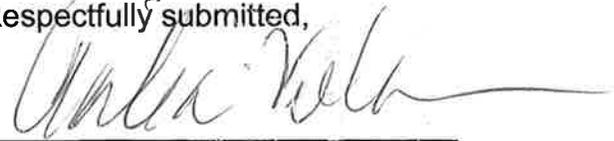
**Item 8A: Number of cases revised to two (2) cases as one (1) case was withdrawn. No reportable action.**

**Item 8B: The Council voted 3-0 to deny the claim submitted by Jemeal Reid; AIMS File No. FR97918-AH; RMS Claim No. 17968.**

**9. ADJOURNED @ 9:29PM**

**This Regular Meeting was adjourned along with the Special Meeting of June 19, 2018 at the same time at 9:29PM.**

Respectfully submitted,



Cecilia Vela, City Clerk