

REGULAR MEETING MINUTES

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

SEPTEMBER 18, 2018

CALL TO ORDER @ 6:03PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: CM Robles and CM Martinez absent; All others present.

1. Approval of Agenda as To Form.

Motion to approve the Agenda.

Motion Mayor Gurrola Second MPT Ortiz 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.)

3. CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of August 31, 2018 – September 13, 2018.

B. Approval of Payroll Register(s) of September 07, 2018.

C. Approval of the Minutes of the Regular Meeting(s) of September 04, 2018.

D. Approval of A Resolution of the City Council of the City of Arvin Authorizing the Interim City Manager to Apply for Mills-Alquist-Deddeh (TDA) Act Funds.

Resolution No. 2018-61

E. Approval of A Resolution of the City Council of the City of Arvin Authorizing the Interim City Manager to Apply for Non-Transit Funding from the Mills-Alquist-Deddeh (TDA) Act Funds.

Resolution No. 2018-62

F. Approval of A Resolution of the City Council of the City of Arvin Approving the Sale of Vehicles Declared as Surplus.

Resolution No. 2018-63

Staff recommends approval of the Consent Agenda.

Motion to approve Consent Agenda Items 3A – 3F.

Motion Mayor Gurrola Second MPT Ortiz Vote 3-0

C.V.

4. PUBLIC HEARING(S)

- A.** A Public Hearing to Consider An Appeal of the Arvin Planning Commission Conditional Use Permit and Site Development Plan (SDP) 2018-240LA – 240 Langford Avenue – 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 CEQA Guidelines Section 15061(B) (3) (City Planner)

Staff recommends the City Council affirm the Planning Commission decision of April 19, 2018 conditionally approving 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 CEQA Guidelines Section 15061(B) (3) and direct staff to present a City Council Resolution at the next regular meeting date.

Hearing opened.

Public Testimony: 2 members of the public including the applicant spoke in favor of the project and approval for expansion for a Take-Out Kitchen.

Hearing closed.

Motion to direct staff to prepare a Resolution to initiate a plan amendment and rezone for the property to be considered at the next meeting, and to direct staff to return with a Resolution denying the appeal and upholding the decision of the Planning Commission for the Council to consider at next Regular City Council Meeting of October 02, 2018.

Motion Mayor Gurrola

Second CM Madrigal

Vote 3-0

- B.** A Public Hearing to Consider Adoption of an Uncodified Ordinance of the City Council of the City of Arvin for a Third Amendment to the Development Agreement with Auburn Oaks Developers, LLC, and CEQA Determination. (City Planner)

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 of the Ordinance, and approve the adoption of the Ordinance.

Motion Mayor Gurrola

Second MPT Ortiz

Vote 3-0

Ordinance No. 452

Agreement No. 2018-24

A.V.

5. ACTION ITEM(S)

- A. Consideration and Approval of A Resolution Approving the Employment Agreement with Richard G. Breckinridge for the City Manager Position with the City of Arvin. (HR Administrator)**

Staff recommends approval of the Resolution and Employment Agreement between City of Arvin and Richard G. Breckinridge with an effective date of September 18, 2018 and Authorize the Mayor to execute the Agreement on behalf of the City.

Motion to approve the Resolution and Employment Agreement between City of Arvin and Richard G. Breckinridge with an effective date of September 18, 2018 and Authorize the Mayor to execute the Agreement on behalf of the City.

Motion Mayor Gurrola Second CM Ortiz Vote 3-0

Resolution No. 2018-64

Agreement No. 2018-25

6. STAFF REPORTS

7. COUNCIL MEMBER COMMENTS

8. CLOSED SESSION ITEM(S)

- A. Conference with Legal Counsel: Anticipated Litigation (Pursuant to Government Code § 54956.9(d)(4)
Two Potential Cases**

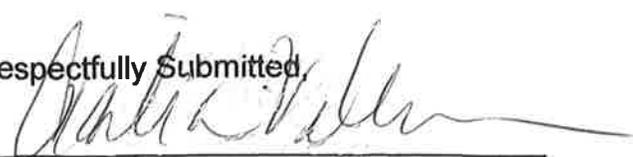
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code § 54956.9(d)(1))
Ronald Austin v. Arvin Police Department, et al., Kern County Superior Court
Case No. BCV-18-101803**

CLOSED SESSION REPORT BY CITY ATTORNEY:

No reportable action.

9. ADJOURNED @ 7:15PM

Respectfully Submitted,



Cecilia Vela, City Clerk