



**REGULAR MEETING AGENDA  
OF THE  
ARVIN CITY COUNCIL / SUCCESSOR AGENCY TO THE  
ARVIN COMMUNITY REDEVELOPMENT AGENCY / ARVIN HOUSING  
AUTHORITY / ARVIN PUBLIC FINANCING AUTHORITY**

**TUESDAY DECEMBER 04, 2018 6:00p.m.  
CITY HALL COUNCIL CHAMBERS  
200 CAMPUS DRIVE, ARVIN**

**CALL TO ORDER**

Mayor Jose Gurrola

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

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**ROLL CALL**

Jose Gurrola	Mayor
Jess Ortiz	Mayor Pro Tem
Jazmin Robles	Councilmember
Erika Madrigal	Councilmember
Gabriela Martinez	Councilmember

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**STAFF**

Richard G. Breckinridge	City Manager/Interim Chief of Police
Shannon L. Chaffin	City Attorney – Aleshire & Wynder
Jeff Jones	Finance Director
Adam Ojeda	City Engineer – DeWalt Corporation
Cecilia Vela	City Clerk

## **PUBLIC COMMENTS:**

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

## **AGENDA STAFF REPORTS AND HANDOUTS:**

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

## **CONDUCT IN THE CITY COUNCIL CHAMBERS:**

### **Rules of Decorum for the Public**

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

### **Removal from the Council Chambers**

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

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### **AMERICANS with DISABILITIES ACT:**

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

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

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

**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 November 03, 2018 – November 30, 2018.
- B. Approval of Payroll Register(s) of November 16, 2018 and November 30, 2018.
- C. Approval of the Minutes of the Regular Meeting(s) of November 06, 2018.
- D. Approval of A Resolution of the City Council of the City of Arvin Accepting the Work Completed by Griffith Company and Filing the Notice of Completion for the DiGiorgio Sidewalk Project.
- E. Approval of A Resolution of the City Council of the City of Arvin Amending Agreement No. 06-1680, Dated June 29, 2018, Between the City of Arvin and the California Department of Transportation Defining the Terms and Conditions for Installing Traffic Signals in the City of Arvin 0.2 Miles West of Derby Street to King Street.
- F. Approval of A Resolution of the City Council of the City of Arvin Authorization the City Staff to Submit an Application to the Department of Resources Recycling and Recovery (CalRecycle) for Payment Programs and Authorizing Related Actions.
- G. Approval of A Resolution of the City Council of the City of Arvin Authorizing the Submittal of Applications to the Department of Resources Recycling and Recovery (CalRecycle) for all CalRecycle Grants and Authorizing Related Actions.
- H. Accept Aleshire & Wynder, LLP, Charitable Donation of \$500 for the benefit of the Arvin Historical Society. (Mayor Jose Gurrola)

Staff recommends approval of the Consent Agenda.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

**4. PUBLIC HEARING(S)**

- A.** A Public Hearing to Consider the Application Design Phase for the 2018/2019 Funding Year of the State’s Community Development Block Grant Program and Any Related Actions. (Grant Writer)

Staff recommends to open the hearing, allow for public testimony, and close the hearing. A second hearing will be held in early January 2019 to approve the final projects once they have been identified.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

- B.** A Public Hearing to Consider and Approve A Resolution of the City Council of the City of Arvin Denying the Appeals of, and Affirming, the Planning Commission’s Approval of Conditional Use Permit (CUP) 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 adoption of a Finding Per CEQA Guidelines Section 15061(B) (3). ***(Item continued from meeting of September 18, 2018: public comment/hearing portion of proceeding was closed at that meeting; item was further continued at the meeting of October 2, 2018 and meeting of November 6, 2018)*** (City Planner)

Staff recommends approval of the Resolution.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

- C.** A Public Hearing to Consider and Approve 1) A Resolution of the City Council of the City of Arvin Approving General Plan Amendment 2013-01-Ariston Project; 2) Introduction of An Ordinance Of The City Of Arvin, California, Amending The Official Zoning Map, Heretofore Adopted By Section 17.06.020 Of The Arvin Municipal Code, Being The Zoning Ordinance of the City Of Arvin, for Zone Change 2013-01 (Ariston); and 3) Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for GPA 2013-01 and ZC 2013-01 for the Ariston Project. (City Planner)

Staff recommends to open the hearing, allow for public testimony, close the hearing and consider the following:

1. Approve the Resolution.

2. Introduce 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; and
3. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Programs for GPA 2013-01 and ZC 2013-01 for the Ariston Project.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

**D. A Public Hearing to Consider an Introduction of An Ordinance of the City Council of the City of Arvin Amending Appendix A to Chapter 1.24 to the Arvin Municipal Code Relating to the City’s Conflict of Interest Code. (City Clerk)**

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.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

Roll Call: CM Robles \_\_\_\_\_ CM Madrigal \_\_\_\_\_ CM Martinez \_\_\_\_\_ MPT Ortiz \_\_\_\_\_ Mayor Gurrola \_\_\_\_\_

**5. STAFF REPORTS**

- A. Monthly Financial Report – October 2018 (Finance Director)

**6. COUNCIL MEMBER COMMENTS**

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

- A. Conference with Labor Negotiators (Pursuant to Government Code §54957.6)  
City Negotiator: Pawan Gill, Director of Administrative Services  
Organizations: Arvin Police Officers Association (APOA) and Service Employees International Union (SEIU) Local 521
- B. Conference with Legal Counsel: Anticipated Litigation (Pursuant to Government Code § 54956.9(d)(4)  
One Potential Case
- C. Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code § 54956.9(d)(1)) Citizens for a Better Arvin v. City of Arvin and City Council (Real Party In Interest: Petro Lud, Inc.) Kern County Superior Court Case No. BCV-18- 102949-KCT

- D. Public Employee – Appointment (Pursuant to Government Code §54957)  
Position – Chief of Police

## 8. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin City Council Chambers Bulletin Board not less than 72 hours prior to the meeting. Dated November 30, 2018.



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Cecilia Vela, City Clerk