



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

**TUESDAY JANUARY 22, 2019 5:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Mayor Jose Gurrola

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Jose Gurrola	Mayor
Jazmin Robles	Councilmember
Gabriela Martinez	Councilmember
Olivia Trujillo	Councilmember
Mark S. Franetovich	Councilmember

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.

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 Martinez ____ CM Trujillo ____ CM Franetovich ____ 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. PRESENTATION(S)

- A. Swearing In of New Police Officer, Vicente Medrano
Cecilia Vela, City Clerk

4. CONSENT AGENDA ITEM(S)

- A. Approval of Demand Register(s) of December 01, 2018 – January 17, 2019.
- B. Approval of Payroll Register(s) of December 14, 2018; December 28, 2018; and January 11, 2019.
- C. Approval of the Minutes of the Regular Meeting(s) of December 04, 2018 and Special Meeting(s) of December 10, 2018.
- D. Approval of Appointment of Arturo Hinojosa to the Arvin Planning Commission. (Councilmember Trujillo)
- E. Approval of Reappointment of Gerardo Tinoco to the Arvin Planning Commission. (Councilmember Robles)
- F. Approval of A Resolution of the City Council of the City of Arvin Accepting the Work Completed by JT2 Inc. dba Todd Companies and Filing the Notice of Completion for the Sycamore Road Storm Drainage Improvement Project.
- G. Approval of Task Order No. 1901 Pursuant to Section 2.4 of the Professional Services Agreement Entered Into Between the City of Arvin and DeWalt Corporation Dated September 1, 2017 for Design, Bid Support, and Construction Management Services for the Arvin Urban Greening Grant Pathway Project.
- H. Approval of A Resolution of the City Council of the City of Arvin for the Acceptance of Improvements within the Public Right-of-Way within Tract 5816 Phase 12 and A Release of Bond Less 10% as a Security for Maintenance Purposes for a Period of One Year.
- I. Consideration and Approval of A Resolution of the City Council of the City of Arvin Authorizing A Task Order By and Between the City of Arvin and Veolia For A Wastewater Treatment Plant Facility Master Plan and Related Budget Transfers.

Staff recommends approval of the Consent Agenda.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

5. PUBLIC HEARING(S)

- A.** A Public Hearing to Consider Adoption 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 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.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

- B.** 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. This is the second public meeting and outreach opportunity for public comments. A separate hearing will be held on February 12, 2019 to approve the final projects once they have been identified.

- C.** A Public Hearing to Consider Introduction of An Uncodified Ordinance of the City Council of the City of Arvin, Approving Development Agreement No. 2018-01 Between the City of Arvin and Aaron Coppelson, M.D., Inc. for the Development of Certain Commercial Cannabis Operations Located at 100 Sycamore Road, Arvin, California. (City Planner)

Staff recommends that the City Council introduce the Ordinance to be read by title only, open the hearing, allow for 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 Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

- D. A Public Hearing to Consider Adoption of A Resolution of the City Council of the City of Arvin Amending the General Plan by Adopting an Updated Safety Element Consistent with the 2013-2023 Housing Element Work Programs, Including A Recommendation to Adopt an Exemption Pursuant California Environmental Quality Act Guidelines Section 15061(B)(3). (City Planner)

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

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

6. ACTION ITEM(S)

- A. Consideration and Approval of Appointments of Councilmembers to Serve on Agency Boards/Committees. (City Clerk)

Kern Council of Governments (KernCOG): Appointment of One Alternate Board Member by the City Council. Mayor Gurrola currently serves as the Primary Board Member.

City Selection Committee: Appointment of One Alternate Member by Mayor Gurrola.

San Joaquin Valley Air Pollution Control District Special City Selection Committee: Appointment of One Primary member by the City Council. CM Robles currently serves as the alternate member.

Staff recommends that the Council nominate and appoint a councilmember to serve on each Board/Committee.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

7. SUCCESSOR AGENCY ITEM(S)

- A. Consideration and Approval of A Resolution of the Successor Agency to the Arvin Community Redevelopment Agency Appointing Financing Team in Connection With Refinancing Transaction, and Approving Related Documents and Actions. (Finance Director)

Staff recommends that the Successor Agency:

1. Approve the refunding proposal dated 11/22/18, submitted by Bill Fawell of W. J. Fawell Co., Public Finance to serve as municipal financial advisor to the City's Successor Agency for refinancing its 2005 and 2008 Bonds.

2. Approve the Resolution appointing the financing team, authorizing the refinancing of the Successor Agency's 2005 and 2008 Bonds and the execution of professional service agreements with W. J. Fawell Co., Public Finance as municipal financial advisor, Aleshire and Wynder as bond counsel, Jones Hall as disclosure counsel, HdL Coren & Cone as fiscal consultant and Alamo Capital as bond underwriter.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

- B.** Consideration and Approval of A Resolution of the Board of Directors of the Successor Agency to the Dissolved Arvin Community Redevelopment Agency, Approving and Adopting A Recognized Obligation Payment Schedule Covering the Period of July 01, 2019 Through June 30, 2020, Pursuant to Health and Safety Code Section 34177(r) and (m).

Staff recommends approval of the Resolution and to authorize Staff to submit report to the Kern County Oversight Board for approval.

Motion _____ Second _____ Vote _____

Roll Call: AM Robles ____ AM Martinez ____ AM Trujillo ____ AM Franetovich ____ Chair Gurrola ____

8. ELECTION OF VICE MAYOR

9. STAFF REPORTS

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

10. COUNCIL MEMBER COMMENTS

11. CLOSED SESSION ITEM(S)

- A.** Conference with Legal Counsel: Anticipated Litigation (Pursuant to Government Code § 54956.9(d)(2)
One Potential Case
- 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

12. 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 January 17, 2019.

A handwritten signature in blue ink, appearing to read "Cecilia Vela", written over a horizontal line.

Cecilia Vela, City Clerk