

**REGULAR MEETING MINUTES**

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

**NOVEMBER 06, 2018**

**CALL TO ORDER @ 6:02PM**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL: Mayor Gurrola absent; All others present.**

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

**Motion to add the following Consent Agenda Item as a “subsequent need” item:  
Authorization to Oppose the Federal Government’s Litigation Against the  
State of California Challenging the State’s Sanctuary State Law, and  
Authorize and Direct the Mayor and City Attorney to Sign an Amicus Brief  
Opposing the Same on Behalf of the City of Arvin.**

Motion CM Robles                      Second CM Martinez                      Vote 2-2-0 (CM Madrigal and  
CM Martinez voted No. Motion fails.)

**Motion to add the following Closed Session Item to the agenda:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to  
Government Code § 54957(b)(1)  
Position: City Attorney**

Motion CM Robles                      Second CM Martinez                      Vote 4-0

**Motion to approve the Agenda with the addition of Closed Session Item:  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to  
Government Code § 54957(b)(1)  
Position: City Attorney**

Motion CM Martinez                      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.)

*aw.*

**3. PRESENTATION(S)**

- A. Swearing In - Police Officers Armando Pantoja, Jr. and Adrian Hernandez  
Cecilia Vela, City Clerk
  
- B. Street Story Link – A Web and Phone Application  
Kate M. Beck, University of CA, Berkley

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

- A. Approval of Demand Register(s) of October 12, 2018 – November 02, 2018.
  
- B. Approval of Payroll Register(s) of October 19, 2018 and November 02, 2018.
  
- C. Approval of the Minutes of the Regular Meeting(s) of October 16, 2018.
  
- D. Approval of A Resolution of the City Council of the City of Arvin Regarding the Preparing of the 2019 Local Appointments List and Posting of the Same.

**Resolution No. 2018-70**

- E. Approval of A Resolution of the City Council of the City of Arvin to Approve the Arvin Chamber of Commerce's Special Event Permit Application and Waive City Costs Associated with the Event.

**Resolution No. 2018-71**

- F. Approval of A Resolution of the City Council of the City of Arvin to Approve the St. Thomas Church Special Event Permit Application and Waive City Costs Associated with this Event.

**Resolution No. 2018-72**

- G. Approval of A Proclamation Proclaiming November 2018 as Domestic Violence Awareness Month.

- H. Approval of A Resolution of the City Council of the City of Arvin Augmenting the FY 18/19 Sanitation Fund Budget to Authorize an Increase in the Construction Budget by \$106,346 and Amend Task Orders 3 and 4 with Veolia West Operating Systems in the Same Amount for Parshall Flume Upgrade.

**Resolution No. 2018-73**

- I. Approval of A Resolution of the City Council of the City of Arvin Authorizing A Contract By and Between the City of Arvin and Veolia for Updating the City's Sanitary Sewer Management Program (SSMP) and Authorizing the Mayor and/or City Manager to Enter Into A Contract with Veolia in the Amount Not To Exceed \$375,992 for the SSMP study.

**Resolution No. 2018-74**

**Agreement No. 2018-18**

*o.k.*

Staff recommends approval of the Consent Agenda.

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

Motion MPT Ortiz

Second CM Madrigal

Vote 4-0

**5. PUBLIC HEARING(S)**

- A.** 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)* (City Planner)

Staff recommends approval of the Resolution.

**No quorum in attendance for above Public Hearing Item 5A. Public hearing automatically continued to the following Council Meeting of December 04, 2018.**

**6. STAFF REPORTS**

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

**7. COUNCIL MEMBER COMMENTS**

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

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

AN-

D. 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

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code § 54957(b)(1)  
Position: City Attorney

**CLOSED SESSION REPORT BY CITY ATTORNEY:  
No reportable action.**

**9. ADJOURNED @ 7:10PM**

Respectfully submitted,

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

Cecilia Vela, City Clerk