

**REGULAR MEETING MINUTES**

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

**DECEMBER 04, 2018**

**CALL TO ORDER @ 6:00PM**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL: All present.**

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

**Motion to approve Agenda with the removal of Public Hearing Item 4C and  
continue the hearing to a future Council meeting date.**

Motion Mayor Gurrola      Second MPT Ortiz      Vote 5-0

**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 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.

**Resolution No. 2018-75**

- 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.

**Resolution No. 2018-76**

**Agreement No. 2018-29**

C.N.

- 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.

**Resolution No. 2018-77**

- 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.

**Resolution No. 2018-78**

- H. Accept Aleshire & Wynder, LLP, Charitable Donation of \$500 for the benefit of the Arvin Historical Society. (Mayor Jose Gurrola)

**Above Consent Agenda Item 3H pulled for discussion.**

Staff recommends approval of the Consent Agenda.

**Motion to approve Consent Agenda Items 3A – 3G.**

Motion Mayor Gurrola                  Second MPT Ortiz                  Vote 5-0

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

Motion MPT Ortiz                  Second CM Madrigal                  Vote 5-0

**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.

**Hearing opened.**

**Public Testimony Received:**

- 1) Arvin Resident Sal Partida made a request to develop Orange St. located adjacent to the St. Thomas Church from Tejon to St. Thomas St. due to issues with mud when it rains and with dust when it is hot.
- 2) Tom Lingo, Representing Arvin OZ, LLC and Alvarez – Esposo Medical Center and Valley Medical Urgent Care: Mr. Lingo indicated their company is currently in escrow and proposing converting an old church building into an approximate 3,500 sq. ft. medical facility and a 4,000 sq. ft. urgent care facility on the southwest corner of Monroe and Bear Mtn. Blvd. Realizes that urgent care facilities are of dire need in Arvin. Proposing three (3) different grants for application: One for furniture, fixtures, and equipment; second one for services; and third for streets, curbs and gutters as a requirement at the location. Also

*AN*

requested 2 transportation bus stops. Hoping to bring this disadvantaged community up to par by providing a wide range of services and a pharmacy.  
3) Carlos Alvarez, Representing Arvin OZ, LLC and Alvarez – Esposo Medical Center and Valley Medical Urgent Care: Mr. Alvarez was previously approached by someone in Arvin requested an urgent care as there is no medical care after 5pm or on the weekends. The need is there.  
Hearing closed.

**No motion and no action taken for Public Hearing Item 4A.**

- 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 to approve the Resolution.**

Motion MPT Ortiz                      Second CM Madrigal                      Vote 2-1 (CM Madrigal voted No.)

**Point of order by CM Madrigal. Motion to approve to reconsider amending the vote.**

Motion CM Madrigal                      Second Mayor Gurrola                      Vote 3-0

**Motion to approve the Resolution.**

Motion Mayor Gurrola                      Second CM Madrigal                      Vote 3-0

**Resolution No. 2018-79**

- 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:

*CW*

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.

**Above Public Hearing Item 4C removed from the agenda.**

- 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.

**Hearing opened.**

**No public testimony.**

**Hearing closed.**

**Motion to waive first reading to be read by title only and approve the introduction of the Ordinance.**

Motion Mayor Gurrola      Second CM Robles      Vote 5-0

**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

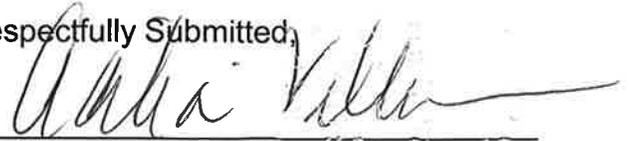
*CW-*

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

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

**8. ADJOURNED @ 7:27pm**

Respectfully Submitted,

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

Cecilia Vela, City Clerk