



CITY OF AVENAL
“Pistachio Capital of the World®”
CITY COUNCIL/SUCCESSOR AGENCY
THURSDAY, MARCH 12, 2020; 5:15 P.M.
AVENAL THEATER; 233 E. KINGS STREET; AVENAL, CA. 93204

Study Session – 4:15 to 5:15 PM: Interview Applicants for Consideration of Filling the Vacant City Council Seat Interviews begin at 4:15 p.m. and conclude at 5:15 p.m.

LAST ORDINANCE: 2019-03

CITY LAST RESOLUTION: 2020-08

PFA LAST RESOLUTION: 2019-01

AGENDA

1. **CALL TO ORDER:**
2. **PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**

CITY CLERK:

Government Code Section 54952.3: The members of the City Council/Successor Agency are entitled to receive a total of \$300.00 per month because of being elected to the City Council. They receive no other compensation for sitting as a member of Successor Agency.

4. **CLOSED SESSION: (City/Successor Agency):**

It is the intent of this governing body to meet in closed-session to review its position and to instruct its designated representatives:

- A. **POTENTIAL/PENDING LITIGATION (Government Code § 54956.9).**

It is the intention of this governing body to meet in closed-session concerning:

Conference with legal counsel – Deciding whether basis exists for closed-session for anticipated litigation (Government Code § 54956.9(d)(3)).

Number of potential cases is: 1.

- B. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S) (Government Code § 54956.8).**

It is the intent of this governing body to meet in Closed Session to confer with its real property negotiator(s) concerning the purchase, sale, exchange or lease of real property by or for this local agency as follows:

Property Description: APN: 038-260-048 & 038-260-062.

Negotiator(s): City Manager/City Attorney.

Party with whom negotiating: Chevron.

Instructions to negotiator concerning: Terms

Property Description: APN: 040-165-007

Negotiator(s): City Manager/City Attorney/CrisCom.

Party with whom negotiating: County of Kings/State of California.

Instructions to negotiator concerning: Terms

Property Description: APN: 038-010-040.

Negotiator(s): City Manager/City Attorney.

Party with whom negotiating: Legacy Development Properties, LLC.

Instructions to negotiator concerning: Terms

C. CONSIDER THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code § 54957(a)).

It is the intention of this governing body to meet in Closed Session concerning the following:

Consultation with Avenal Police Department: Rusty Stivers, Chief of Police.

5. CONSENT CALENDAR:

All items listed under the consent calendar are routine and enacted by one motion: (Action)

A. Consider City of Avenal/Successor Agency's Approval of Minutes for February 3, 2020; February 13, 2020; February 27, 2020: (Discussion/Action).

B. Consider City Warrants & Financial Statement for February: (Discussion/Action).

6. MAYOR & COUNCIL MEMBER/ SUCCESSOR AGENCY/ITEMS FOR CONSIDERATION:

A. Presentation by Mayor: "Distinguished Service Award": Former City Councilmember Keith Harvick.

B. Consider Four (4) Interested Applicants that Submitted Applications to Fill One (1) City Council Seat:

- Interview of Applicants: During Study Session beginning at 4:15 p.m. and conclude at 5:15 p.m.;
- If City Council so desires: Open Nominations to Consider Appointment of One (1) Applicant/Individual to Fill Vacant City Council Seat: (Discussion/Direction/Action); and,
- If Appointment Made by City Council, City Clerk will Administer Oath of Office and Seat New City Council Member.

C. Consider Appointment to the Planning Commission to Fill Vacant Seat: (Discussion/Action).

D. Consider Avenal High School Sober Grad Committee Request for Monetary Support: (Discussion/Action).

7. ACTIVITY REPORTS/SPECIAL PRESENTATIONS & COMMITTEE REPORTS:

A. Activity Reports:

- 1) Public Works/Building/Code Enforcement/ Animal Control Activity Report: Scott Davis, Public Works Supervisor;
- 2) Avenal Theater & Event Center Activity Report: Humberto Bermudez, Avenal Theater & Event Center Coordinator;
- 3) Recreation Department Activity Report: Sheila Verdugo, Supervisor.

B. Special Presentations/Requests:

1. None.

8. PUBLIC COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:

Any person may directly address the Council/Agency at this time on any item on the agenda or on any other items of interest to the public that is within the subject matter jurisdiction of the City Council/Successor Agency. State Law prohibits any member of the Council/Agency from commenting or acting on matters not on the agenda. Three (3) minutes are allowed per person.

9. PUBLIC HEARING(s):

- A. Consider Public Hearing for San Joaquin Street Project Retention (Third Avenue to Highway 33/Laneva Avenue):
 - Staff Report/Discussion
 - Public Hearing
 - Discussion/Action (Consider by Resolution)

- B. Consider Public Hearing for Draft Mitigated Negative Declaration and Mitigation Measures for the Avenal Corcoran Avenue/Kern Street Subdivision Project:
 - Staff Report/Discussion
 - Public Hearing
 - Discussion/Action (Consider by Resolution)

- C. Consider Public Hearing for General Plan Amendment (GPA) No. 2020-01 & Change of Zone District Boundaries (CZDB) No. 2020-01;
 - 1) Staff Report/Discussion of GPA 2020-01 and CZDB 2020-01;
 - 2) Open Public Hearing for GPA 2020-1 and CZDB 2020-01;
 - 3) After Close of Public Hearing, Consider the following:
 - a. By motion, Adopt the attached resolution for GPA 2020-01; and,
 - b. By motion, Introduce Ordinance to consider CZDB 2020-01 and waive the first reading.

10. OLD BUSINESS:

- A. None.

11. NEW BUSINESS:

- A. Consider Plant No. 2, Filter No. 3 – Sand Blasting and Recoating of Interior Filter: (Discussion/Action).

12. CORRESPONDENCE/ANNOUNCEMENTS/CLOSING COMMENTS:

- A. City Council/Successor Agency;
- B. City Manager/Successor Agency;
- 1) Correspondence/Announcements/Information;
- C. City/Successor Agency/Attorney:

13. ADJOURNMENT:

- 1) *In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office (559) 386-5766. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.02.35.1044 AA Title II].*
- 2) *Materials related to an item on this Agenda submitted to the [Council/ Authority] after distribution of the agenda packet are available for public inspection in the [City Clerks] office at 919 Skyline Blvd., Avenal, CA 93204 during normal business hours.*

I certify this Agenda of the City of Avenal City Council workshop is to be posted at the following locations: 1) City Council Chambers, Avenal Theater 233 E. Kings St.; 2) City Hall 919 Skyline Blvd.; 3) Avenal Lumber, 600 Skyline Blvd.; and, 4) T&T Market, 801 Skyline Blvd. Avenal CA 93204 on March 9, 2020.

/s/ Maria Ortiz

Maria Ortiz, City Clerk



1.

CIUDAD DE AVENAL
"Pistachio Capital Del Mundod@"
CONSEJO DE CIUDAD/SUCCESSOR AGENCY
JUEVES, 12 DE MARZO DE 2020; 5:15 P.M.
TEATRO AVENAL; 233 E. KINGS STREET; AVENAL, CA. 93204

Sesión de Estudio - 4:15 a 5:15 PM: Solicitante de entrevistas para la consideración de llenar la un vacante en el Ayuntamiento entrevistas comienzan a las 4:15 p.m. y concluir a las 5:15 p.m.

ÚLTIMA ORDINANCE: 2020-01

ÚLTIMA RESOLUCIÓN DE LA CIUDAD: 2020-08

PFA ÚLTIMA RESOLUCIÓN: 2019-01

Agenda en Espanol

1. **LLAMADA AL ORDEN:**

2. **PROMESA DE LEALTAD:**

3. **PASAR LA LISTA:**

CITY CLERK:

Código de Gobierno Sección 54952.3: Los miembros del Ayuntamiento/Agencia Sucesora tienen derecho a recibir un total de \$300.00 por mes debido a ser elegidos para el Ayuntamiento. No reciben ninguna otra compensación/o sentarse como miembro de la Agencia Sucesora.

4. **SESION CERRADA: "Ciudad/Agencia Sucesora):**

La intención de este órgano de gobierno es reunirse en sesión a puerta cerrada para revisar su posición e instruir a sus representantes designados:

A. **LITIGIO POTENCIAL/PENDING (Código de Gobierno No 54956.9).**

La intención de este órgano rector es reunirse a puerta cerrada en relación con:

Conferencia con el abogado - Decidir si existe la base para la sesión a puerta cerrada para los litigios previstos (Código de Gobierno 54956.9(d)(3)).

El número de casos potenciales es: 1

B. **CONFERENCIA CON NEGOTIATOR (es) DE PROPIEDAD REAL (Código de Gobierno n.o 54956.8).**

La intención de/su órgano de gobierno es reunirse en Sesión Cerrada para conversar con sus bienes inmuebles negociadores en relación con la compra, venta, el intercambio o arrendamiento de bienes inmuebles para esta agencia local de la siguiente manera:

Descripción de la propiedad: APN: 038-260-048 y 038-260-062.

Negociador(s): Gerente de la ciudad/Abogado de la ciudad.

Partido con quien negociar: Chevron.

Instrucciones para el negociador relativas a: Términos

Descripción de la propiedad: APN: 040-165-007 Negociador(s):

City Manager/City Attorney/CrisCqm.

Parte con quien negociar: Condado de Kings/Estado de California.

Instrucciones para el negociador relativas a: Términos

Descripción de la propiedad: APN: 038-010-040.

Negociador(s): Gerente de la ciudad/Abogado de la ciudad.

Parte con quien negociar: Legacy Development Properties, LLC.

Instrucciones para el negociador relativas a: Términos

C. CONSIDERAR AMENAZA A SERVICIOS O INSTALACIONES PUBLICAS (Código de Gobierno n.o 54957(a)).

It is the intention of this governing body to meet in Closed Session concerning the following:

Consulta con el Departamento de Policía de Arenal: Rusty Stivers, Jefe de Policía.

5. CALENDARIO DE CONSENTIMIENTO:

Todos los elementos enumerados en el calendario de consentimiento son rutinarios y promulgados by one motion:(Acción)

1. Considere la Aprobación de Actas de la Ciudad de Arenal/Agencia Sucesora para el 3 de febrero de 2020; 13 de febrero de 2020; 27 de febrero de 2020: (Debate/Acción).
2. Considere las garantías de la ciudad y el estado financiero para febrero: (Discusión/Acción).

6. ALCALDE Y MIEMBRO DEL CONSEJO/AGENCIA SUCESORA/ELEMENTOS PARA CONSIDERACION:

- A. Presentación del Alcalde: "Premio al Servicio Distinguido": El exconcejal Keith Harvick.
- B. Considere a cuatro (4) solicitantes interesados que presentaron solicitudes para llenar un (1) asiento del Ayuntamiento:
 - Entrevista de solicitantes: Durante la Sesión de Estudio a partir de las 4:15 p.m. y concluya a las 5:15 p.m.;
 - Si el Ayuntamiento así lo desea: Nominaciones abiertas para considerar el nombramiento de uno
 - (1) Solicitante/Individuo para Llenar el Asiento vacante del Ayuntamiento: (Discusión/Dirección/Acción); Y
 - Si el nombramiento es hecho por el Concejo Municipal, el secretario de la Ciudad administrará el Juramento de la Oficina y el Miembro del Nuevo Consejo Municipal del Asiento.
- C. Considere la cita a la Comisión de Planificación para llenar el asiento vacante: (Discusión/Acción).
- D. Considere la Solicitud de Apoyo Monetario al Comité de Grado Sobrio de la Escuela Secundaria Arenal: (Discusión/Acción).

7. ACTIVITY REPORTS/SPECIAL PRESENTATIONS & COMMITTEE REPORTS:

A. Informes de actividad:

- 1) Informe de Actividades de Obras Públicas/Construcción/Aplicación de Códigos/Control Animal: Scott Davis, Supervisor de Obras Públicas;
- 2) Informe de actividad del Centro de Eventos y Teatro Arenal: Humberto Bermúdez, Coordinador del Centro de Eventos y Teatro Arenal;
- 3) Informe de Actividad del Departamento de Recreación: Sheila Verdugo, Supervisora.

B. Presentaciones/Solicitudes Especiales:

1. Ninguno.

8. COMENTARIO/ANUNCIOS PUBLICOS Y APARICIONES NO PROGRAMADAS:

Cualquier persona puede dirigirse directamente al Consejo/Agencia en este momento sobre cualquier punto del orden del día o de cualquier otro punto de interés para el público que esté dentro de la jurisdicción del Ayuntamiento/Agencia Sucesora. La Ley del Estado prohíbe a cualquier miembro del Consejo/Agencia hacer comentarios o actuar sobre asuntos que no estén en el orden del día. Se permiten tres (3) minutos por persona.

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/s/Maria Ortiz

Maria Ortiz, City Clerk