

**CITY OF AVENAL**  
**SPECIAL JOINT MEETING OF THE AVENAL CITY COUNCIL/SUCCESSOR AGENCY**  
**MONDAY, FEBRUARY 3, 2020; 6:00 P.M.**  
**AVENAL THEATER & EVENT CENTER "PEGASUS ROOM"**  
**233 EAST KINGS STREET AVENAL, CA 93204**

**MINUTES**

**Mayor Ovalle called the meeting to order at 6:01 p.m.**

**PLEDGE OF ALLEGIANCE:** Led by Mayor Ovalle.

**ROLL CALL:** Councilman Preciado, Councilman Hernandez, Mayor Pro Tem Woolley, Mayor Ovalle.

**ABSENT:** None.

**STAFF PRESENT:** Whitten, Ortiz, Stivers.

**CITY CLERK:** *Government Code Section 54952.3: The members of the City Council and 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 the Successor Agency.*

**NEW BUSINESS:**

**A. Consider Direction RE: Filling City Council Vacant Seat:**

Melissa Whitten, City Manager, reported that Councilmember Harvick has submitted a letter of resignation to the City Council as of 5:00 p.m. on Friday, January 24, 2020. According to the California Government Code, if the vacancy occurs, the City Council shall, within sixty (60) days from commencement of vacancy (March 24, 2020), either fill the unexpired term by appointment or call a special election to fill the vacancy.

Staff recommendation that the City Council consider appointment process for a councilmember, understanding that the 60 days then terminate the last day March 24, 2020.

After a brief discussion, following action was taken.

**A motion was made by Councilman Preciado that there be a deadline date to submit application for vacant seat on March 6, 2020, seconded by Councilman Hernandez and carried.**

**Roll Call Vote:**

**AYES:** Preciado, Hernandez, Woolley, Ovalle.  
**NOES:** None.  
**ABSENT:** Harvick.  
**ABSTAIN:** None.

Staff was directed and the City Council will review all applications and invite applicants to interview on or before March 12, 2020. Also, depending on the number of applications, interviews could continue into the week of March 16, 2020.

**PUBLIC COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:** None.

**City Council went into Closed Session at 6:17 p.m.**

**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 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: 038-260-062 & 038-260-048

Negotiator(s): City Manager/City Attorney.

Party with whom negotiating: Chevron.

Instructions to negotiator concerning: Terms

Property Description: APN: 040-330-020.

Negotiator(s): City Manager/City Attorney.

Party with whom negotiating: County of Kings.

Instructions to negotiator concerning: Terms

**ADJOURNMENT.**

There being no further business, the City Council meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Maria Ortiz, City Clerk