



**CITY OF AVENAL**  
**JOINT MEETING OF THE AVENAL CITY COUNCIL/SUCCESSOR AGENCY**  
**THURSDAY, FEBRUARY 27, 2020; 5:15 P.M.**  
**AVENAL THEATER; 233 E. KINGS STREET, AVENAL, CA 93204**

**MINUTES**

**Mayor Ovalle called the meeting to order at 5:15 p.m.**

**Staff Present: Whitten, Ortiz, Perkins, Davis, Santillan, Bermudez, Stivers, Rivera.**

**Legal Counsel: Josph Beery.**

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

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

**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.*

**City Council went into Closed Session at 5:17 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/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: 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*

**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.*

Mayor Ovalle, reopened the City Council meeting at 5:58 p.m. with no action to report.

**CONSENT CALENDAR:**

A. Consider City of Avenal/Successor Agency’s Approval of Minutes for February 3, 2020 & February 13, 2020:

**A motion was made to table the consent calendar as presented by Mayor Pro Tem/Successor Agency Member Woolley, seconded by Councilman/Successor Agency Hernandez and carried.**

**Roll Call Vote:**

**AYES: Woolley, Hernandez, Ovalle.**

**NOES: None.**

**ABSENT: Preciado.**

**ABSTAIN: None.**

**MAYOR & COUNCIL MEMBER/ SUCCESSOR AGENCY/ITEMS OR CONSIDERATION:**

A. None.

**ACTIVITY REPORTS/SPECIAL PRESENTATIONS & COMMITTEE REPORTS:**

A. Activity Reports:

1) Avenal Police Department Activity Report: Rusty Stivers, Chief of Police;

Russell Stivers, Chief of Police, reported the following: 1) Domestic violence incident; 2) Officers arrested a male subject for threatening employees at the Avenal Health Center; 3) A law enforcement/probation search was conducted in the 700 block of Laneva Avenue; 4) he informed the City Council that in 2019, there were 88 tows and no 30-day holds as per Councilman Preciado's request; 5) A new gang is trying to form in Avenal called the Avenal Crips most of them were arrested after a disturbance near the high school. They were booked for a variety of felony charges and hopefully, they will think twice about forming a new gang; 6) Probation compliance checks were conducted in January - one person was arrested for being an ex-felon in possession of ammunition and ten others were searched with only one arrest; and, 7) CAD Calls & monthly statistical report.

2) Community Development/Planning Activity Report: Fernando Santillan, Community/Economic Development Director.

Fernando Santillan, Community/Economic Development Director, reported the following: 1) The Community Center progress; 2) Second Avenal Complete County Census Committee meeting on Wednesday, February 19th and thanked Tony. Also, Kings County set aside \$15,000 to do outreach within Avenal; 3) The 2019 CDBG NOFA has been released and plans are to submit an application for up to \$3.5 million within the next week; 4) Staff is working on two residential development projects that currently in the CEQA (California Environmental Quality Act) review phase, which if completed would add roughly 132 single family and multifamily units to the community's housing inventory; 5) continuing to work with KCAG on the County-wide electric vehicle readiness plan; 6) coordinating with the County to host a job fair in Avenal in May; 7) the Planning Commission met on February 3rd and will meet again on March 2nd to consider two potential projects; 8) the City of Avenal did receive from the State an grant for a kids' park; 8) Staff met with representatives of Kochergen Farms Composting Inc. to address ongoing fire/smoke issues at their facility. The company provided updates on new and improved processes that have helped significantly reduce fires at the facility; 9) working on finalizing RV/Trailer Park Ordinance language, which will be presented to the Planning Commission before being brought to the City Council for final consideration and adoption; 10) Our Active Transportation Program (ATP) project for new/improved crosswalks on SR 269 continues and we will be issuing an RFQ soon for engineering services related to the project; and, 11) The Mitigated Negative Declaration (MND) comment period for the 122 lot subdivision on Corcoran has closed and staff will be bringing the item to the City Council for adoption within the next few weeks once the Tentative Tract Map is finalized.

B. Special Presentations/Requests:

1. None.

**PUBLIC HEARING(s):**

A. Consider Public Hearing to Discuss Submittal of a 2019/2020 Community Development Block Grant Application:

- Staff Report
- Public Hearing
- Discussion/Action (Consider by Resolution)

Mr. Santillan reported that the City proposes to apply for CDBG funds to complete the construction of amenities within the new public recreational facility, such as restrooms, elevator, flooring, air conditioning system, indoor soccer field, weight room, community kitchen, and other miscellaneous items (scoreboards, volleyball net, water fountains, etc.). A resolution is attached for your consideration, which requests approval to submit of a 2019/2020 CDBG Program application for up to \$3,500,000 as follows:

Public Facility	\$3,500,000
General Administration (up to 7.5% of activity fund awarded	
TOTAL:	<u>\$3,500,000</u>

When the Public Hearing is opened, citizens are encouraged to ask questions and/or comment on the proposed activities/application or on any aspect of the CDBG Program. Citizens are also invited to submit written comments to the City or to review information on the City's CDBG Program at City Hall, 919 Skyline Blvd, Avenal, CA 93204. Write or contact Fernando Santillan, Community Development Director, at the same address.

Staff recommend the following findings:

1. Open the public hearing to accept comments on the City's proposed submittal of an application in response to the 2019/2020 State Community Development Block Grant (CDBG) Notice of Funding Availability (NOFA), and to solicit citizen input.
2. Adopt Resolution No. 2020-xx and thereby:
  - a. Review and approve an application for up to \$3,500,000 under the NOFA for the following eligible activities:

Public Facility	\$3,500,000
General Administration (up to 7.5% of activity fund awarded)	_____
<b>TOTAL:</b>	<b>\$3,500,000</b>
  - b. Determine that federal Citizen Participation requirements were met during the development of the application.
  - c. Authorize and direct the City Manager or designee, to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of the grant.
  - d. If the application is approved, authorize the City Manager or designee to transfer or modify budget amounts and activities as necessary to fully expend CDBG Program funds and to execute loan documents, Funds Requests, and other required reporting forms.

Mayor Ovalle, opened the public hearing at 7:06 p.m. With no comment from the public Mayor Ovalle, closed the public hearing at 7:06 p.m.

**RESOLUTION 2020-08: A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2019-2020 FUNDING YEAR OF THE STATE CDBG PROGRAM. A motion was made by Mayor Pro Tem Woolley, seconded by Councilman Hernandez and carried.**

**Roll Call Vote:**

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

**PUBLIC COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:**

Mr. Rodriguez reported the following: 1) happy with the projects that are coming to Avenal; 2) there was something not mentioned, a natural gas power plant. We will have the same issue were having with the landfill where the community is not informed about this project; 3) he has many concerns regarding the Landfill questions, no answers, proof or evidence of things being disposed of at the landfill, cell phones prohibited at the landfill and fines; 4) there are businesses would like to come to Avenal like Magic Mountain, NASCAR and with the landfill no one would be interested; 5) there is also, another project that was being planned that Melissa knows about truck parking lot that was planned and money was allocated by Kings County but we do not know where that money went and he want results.

Mayor Ovalle announced that they can't answer questions. Also, please make comments without making personal attacks.

Mr. Rodriguez has no reason to attack anyone personally. He was speaking with all due respect and if anyone thinks he was being disrespectful he apologizes.

Veronica Loya Aguirre reported the following: 1) she lives on North A Avenue and is concerned with traffic congestion of on her street; 2) she mentioned that it's disturbing to listen to the hecklers in the background. They seem to think when people come up to speak during public time, they think it's funny and it very disrespectful and we are all adults. They owe Mr. Rodriguez an apology and she does not feel a City Council meeting should be run this way; 3) her biggest concern is traffic congestion and speed at North "A" Avenue and she did call Avenal Police Department. What we can do regarding these issues?

Chief Stivers commented that Sargent Carr oversees that area and has put a radar trailer to monitor traffic and speed.

Steven Bowen stated the following: 1) he has been here for a few years; 2) February 14, 2020, he took his wife and another lady to the landfill. Also, encourages everyone here to sign-up to take a tour of the landfill with George, Site Manager, and see what it is all about. It is an outstanding place the work that their doing the outfit that running that has invested millions of dollars in that system. You just must go and see it. It is a state-of-the-art landfill compared to many across the country. As far as how many people are employed, there are nine (9) employees and eight (8) live in Avenal. Also, one (1) employee has worked for the landfill for 38-years and he is not dead and can out-work teenagers; 3) George said, "as to dead animals, they must contact George ahead of time so they can make plans and dig a trench to dispose of the animals and the trucks leave within 15 minutes of dumping." Mr. Anderson took him to the top of the landfill and there were no odors.

Anthony Martinez stated the following: 1) he has concerns regarding the landfill and been following the issues concerning residents wishes it wasn't there, its height, it is an emotional issue for many, complaints were for interpreter. He sees that there is an interpreter. The community felt that they were not heard. Therefore, having homes, reside and raising children its concerning. He hopes that the concerns are heard, and we find solutions. As residents we see the good and bad.

Katy Clementson, former resident of Avenal, had a privilege of working with students and teachers in Avenal and rural community across United States for the last four years. California State First Environmental Justice Science Curriculum this past summers this program was sponsored by the Central California Environmental Justice Network but funded by California EPA currently managing a statewide role out of the program. The goal of the program is to connect student to leaders provide support and feed back as they work through their community. She has been working directly with three students at Avenal Middle School as part of the program they have meet with Assembly members at the capital, presented at Statewide conferences and attended City Council meetings. These students are her favorite to work with because of their passion and excitement to learn and connect to the community. There exemplary, and Tec Comancy, Silicone Valley came to Avenal to work with these students. She sent an invitation to the City Council knowing they have busy schedules. Also, invite the City Council to spend time with these group of students to learn trh

#### **OLD BUSINESS:**

- A. None.

#### **NEW BUSINESS:**

- A. Consider Two (2) Requests for Out-of-State Travel: "California Rural Water Association Expo" and "36th Annual Tri-State Seminar":

City staff would like to send two employees from Public Works and two from Utilities to attend two out-of- state water/wastewater conferences (operators will rotate annually if approved). The California Rural Water Association Expo, held in Lake Tahoe, Nevada April 28-30, 2020, and the 36th Annual Tri-State Seminar which will be held in Las Vegas, Nevada August 11-13, 2020. These conferences will enable us to attend a variety of sessions that are directly applicable to our work and will allow us to network with a variety of experts and colleagues from the tri-state area. Many of the presentations are tailored to the water and wastewater profession which will allow us to gain knowledge and understanding about how we can improve our processes. We will also earn valuable contact hours to keep our certifications current. The presentations are facilitated by both industry experts and water and wastewater colleagues who have faced similar challenges and are familiar with the industry. Getting the information in a conference format will greatly reduce time and costs that

would normally incur in researching the topics. We have found these conferences to be very beneficial. Attendance would allow staff to obtain more information on the current technologies available and firsthand experiences from other operators.

Estimated cost breakdown of what each conference would cost:

The California Rural Water Association Expo:

Registration-	\$425	per member/person
Hotel-	\$75	per member/person
Per Diem-	\$218	for 5-days
Travel-	\$100	fuel for all-\$25 per person
Total-	\$968.	(estimate per person)

Also, funds are budgeted in Wastewater Fund 15.15100-661, current balance is \$1828 and Water Treatment, 14.14000-661 balance \$1222; Public Works 14.14100/661, current balance \$3,000.00

The 36th Annual Tri-State Seminar:

Registration-	\$95	per member/person
Hotel-	\$400	per night
Per Diem-	\$218	for 5-days
Travel-	\$100	fuel for all-\$25 per person
Total-	\$738.	(estimate per person)

Therefore, anticipated budget for 2020/21 in Water Treatment 14.14000-661 to be \$3,000.00; Public Works anticipated budget for 20/21 is \$6,000. Staff recommends by motion, approve both out-of-state travel requests.

**A motion was made by Mayor Pro Tem Woolley to approve both out-of-state travel requests, seconded by Councilman Hernandez and carried.**

**Roll Call Vote:**

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

**B. Consider Purchase of Intelligent Video Solution Interview Room Recording System: .**

Police Officer Gabriela Rivera reported that the current video recording system being utilized in the interview room is outdated, not user friendly and has had system failures. The current video system we have is difficult for the user to access videos, search for videos and download videos, which makes it difficult to share videos with the District Attorney's office for prosecution purposes. After careful consideration it was determined the need for an updated and user-friendly video system was needed. The Avenal Police Department has researched similar interview room proposals from the following companies: Goserco Inc., Axon, and Intelligent Video Solutions. The agencies who are currently using Intelligent Video solutions are: Kings County Sheriffs Department, Kings County District Attorney's Office and Hanford Police Department.

She continues that a decision to go with Intelligent Video Solutions has created a more effective process for all law Enforcement Agencies and District Attorney's Office to work seamlessly. Intelligent Video Solutions allows continuous recording and easy storage of recording. All recordings are uploaded to an onsite server that can be accessed by any user who has the right to view. The video recording system can be accessed from all computers in our department and we can also transfer files within our network to the District Attorney's Office. Intelligent Video Solutions is a reliable and dependable system.

Below is a list of quotes received from each company that include installation and warranty charges:

- Intelligent Video Solutions \$17829.61
- Goserco Inc. \$19,123.73

- Axon \$29,935.06

Staff recommends that the amount of \$17,829.61 will be expended from 10.12500.655.18 which is the Supplemental Law Enforcement Fund for fiscal years 17/18 and that the City Council approve the purchase of the Intelligent Video Solutions Interview Room recording system.

**A motion was made by Mayor Pro Tem Woolley to approve the purchase of the Intelligent Video Solutions Interview Room recording system, seconded by Councilman Hernandez and carried.**

**Roll Call Vote:**

**AYES:** Woolley, Hernandez, Ovalle.

**NOES:** None.

**ABSENT:** Preciado.

**ABSTAIN:** None.

**CORRESPONDENCE/ANNOUNCEMENTS/CLOSING COMMENTS:**

Councilman Hernandez reported the following: 1) Thanked everyone for coming.

Melissa stated that the following: 1) thanked everyone; 2) Census Meeting; and, 3) City Coordinating Meeting.

Mayor Ovalle stated the following: 1) thanked, everyone for their participation.

**ADJOURNMENT.**

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

Respectfully Submitted,

Maria Ortiz, City Clerk