



**REGULAR MEETING AGENDA
OF THE
ARVIN CITY COUNCIL / SUCCESSOR AGENCY TO THE
ARVIN COMMUNITY REDEVELOPMENT AGENCY / ARVIN HOUSING
AUTHORITY / ARVIN PUBLIC FINANCING AUTHORITY**

TUESDAY MARCH 28, 2023 6:00p.m.

**CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Mayor Olivia Trujillo

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Olivia Trujillo
Daniel Borrelli
Donny Horton
Susana Reyes
Juan Murillo

Mayor
Mayor Pro Tem
Councilmember
Councilmember
Councilmember

STAFF

Jeff Jones
Nathan Hodges
Cecilia Vela

City Manager / Finance Director
City Attorney – Hodges Law Group
City Clerk

PUBLIC COMMENTS:

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

AGENDA STAFF REPORTS AND HANDOUTS:

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

CONDUCT IN THE CITY COUNCIL CHAMBERS:

Rules of Decorum for the Public

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

Removal from the Council Chambers

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

AMERICANS with DISABILITIES ACT:

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

1. APPROVAL OF AGENDA AS TO FORM.

Motion _____ Second _____ Vote _____

Roll Call: CM Murillo ____ CM Reyes ____ CM Horton ____ MPT Borrelli ____ Mayor Trujillo ____

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. PRESENTATION(S)

- A. Swearing In of New Police Officer Adam Hubert (City Clerk)
- B. Winter 2023 Billing Update
Rob Duchow, Public Affairs Manager – Southern California Gas Company
- C. Zoning Ordinance Updates for Multi-Family Housing
Bonique Emerson, VP of Planning/Project Manager – Precision Engineering

4. CONSENT AGENDA ITEM(S)

- A. Approval of Demand Register(s) of February 24, 2023 – March 23, 2023.
- B. Approval of Payroll Register(s) of March 03, 2023 and March 17, 2023.
- C. Approval of the Minutes of the Regular Meeting(s) of February 28, 2023 and Special Meeting(s) of March 07, 2023 and March 17, 2023.
- D. Approval of A Resolution of the City Council of the City of Arvin Adopting the Policy Concerning the Provision of Sewer Services to Proposed Developments that Include Housing Units Affordable to Lower Income Households.
- E. Approval of A Resolution of the City Council of the City of Arvin to Approve the 2022 Housing Element Annual Progress Report.
- F. Approval of Modification to City Clerk Job Description and Corresponding Salary Range.
- G. Approval of Job Description and Corresponding Salary Range for Office Technician Position for the City Clerk's Office.
- H. Approval of A Fiscal Agency Agreement between Kern Community College District (KCCD) and the City of Arvin for Arvin's "Keeping It Green in the San Joaquin" Collective Funding Project.
- I. Approval of Proclamation Proclaiming April 2023 as Autism Awareness Month in the City of Arvin.

- J. Approval of City of Arvin and Kern Regional Center Autism Awareness Joint Public Event and Authorization to Hold Event at Smothermon Park on Saturday, April 15, 2023.
- K. Approval of Agreement for Public Works Services between the City of Arvin and Doug Ross, Inc. dba Central Valley Asphalt for the Franklin Street Reconstruction Project.

Staff recommends approval of the Consent Agenda.

Motion _____ Second _____ Vote _____

Roll Call: CM Murillo ___ CM Reyes ___ CM Horton ___ MPT Borreli ___ Mayor Trujillo ___

5. PUBLIC HEARING ITEM(S)

- A. A Public Hearing to Consider Introduction of An Ordinance of the City Council of the City of Arvin Amending Ordinance 2022-479 Which Established Title 8, Chapter 8.29, Section 8.29.05 Commercial Cannabis Activity of the Arvin Municipal Code To Permit A Limited Number of Type 10 or Type 12 Store Front Sales of Commercial Cannabis and May Permit Store Front Sales in the Industrial, Agricultural and Bear Mountain Central Business District. (City Manager)

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.

Motion _____ Second _____ Vote _____

Roll Call: CM Murillo ___ CM Reyes ___ CM Horton ___ MPT Borreli ___ Mayor Trujillo ___

6. ACTION ITEM(S)

- A. Consideration and Approval of A Resolution of the City Council of the City of Arvin to Select A Nominee for Appointment by the San Joaquin Valley Special City Selection Committee to the District Governing Board or Vote to Reject All Applicants. (City Clerk)

Staff recommends approval of the Resolution and that the Council select a Nominee for Appointment by the San Joaquin Valley Special City Selection Committee to the District Governing Board or Vote to Reject All Applicants.

Motion _____ Second _____ Vote _____

Roll Call: CM Murillo ___ CM Reyes ___ CM Horton ___ MPT Borreli ___ Mayor Trujillo ___

7. STAFF REPORTS

- A. Arvin Police Department Annual Report – 2020 – 2022 Statistic (Acting Chief Ghazalpour)

8. COUNCIL MEMBER COMMENTS

9. CLOSED SESSION ITEM(S)

- A. CONFERENCE WITH LABOR NEGOTIATORS** (Government Code §54957.6):
Agency Negotiator: City Manager and Human Resources Manager.
Employee Organizations: Arvin Police Officers Association (APOA) and Central California Association of Public Employees SEIU Local 521.
- B. CONFERENCE WITH LEGAL COUNSEL--POTENTIAL LITIGATION** (Government Code §54956.9(b).)
Significant exposure to litigation pursuant to §54956.9(b): nine cases
- C. LIABILITY CLAIMS** (Government Code §54956.95)
Claimant: Ruben Rodriguez
Agency claim against: City of Arvin
- D. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION** (Government Code §54956.9)
Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlements - CL-383076
Palomares v. City of Arvin, et al. AIMS Claim No.: FR100085
Vaughan/Posadas v Arvin AIMS Claim No.: FR98890
- E. THREAT TO PUBLIC SERVICES OR FACILITIES** (Government Code §54957(a).)
Consultation with: City Manager and/or City Attorney. (one item)
- F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Government Code §54956.8):
Property: 1541 Bear Mountain Blvd., Arvin CA 93203
Agency Negotiator: City Manager
Negotiating Party: Bridgepoint Real Estate Development
Under Negotiation: Terms of payment

Property: APN 190-270-01, 190-270-03, 190-270-05, 190-270-06 Arvin CA 93203
Agency Negotiator: City Manager
Negotiating Party: Arvin Walnut Properties and State Foods Markets
Under Negotiation: Terms and method of payment
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Pursuant to Government Code §54957(b)(1)
Position: City Attorney

10. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin City Council Chambers Bulletin Board not less than 72 hours prior to the meeting. Dated March 23, 2023.



Cecilia Vela, City Clerk