

REGULAR MEETING MINUTES

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

MARCH 28, 2023

CALL TO ORDER @ 6:06PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: All present.

1. APPROVAL OF AGENDA AS TO FORM.

Motion to approve the Agenda.

Motion MPT Borrelli Second CM Murillo 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. 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.

Resolution No. 2023-11

C.N.

- E. Approval of A Resolution of the City Council of the City of Arvin to Approve the 2022 Housing Element Annual Progress Report.

Resolution No. 2023-12

- F. Approval of Modification to City Clerk Job Description and Corresponding Salary Range.

Above Consent Agenda Item 4F tabled to the following Council meeting.

- G. Approval of Job Description and Corresponding Salary Range for Office Technician Position for the City Clerk's Office.

Above Consent Agenda Item 4G tabled to the following Council meeting.

- 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.

Agreement No. 2023-06

- 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.

Agreement No. 2023-07

Staff recommends approval of the Consent Agenda.

Motion to approve Consent Agenda Items 4A, 4B, 4C, 4D, 4E, 4H, 4I, 4J, and 4K.

Motion CM Horton Second CM Reyes Vote 5-0

Motion to table Consent Agenda Item 4F to the following Council meeting.

Motion CM Horton Second CM Reyes Vote 5-0

Motion to table Consent Agenda Item 4G to the following Council meeting.

Motion CM Horton Second CM Reyes Vote 5-0

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)

C.V.

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.

Public testimony: Members of the public inquired regarding the location of the proposed dispensaries; how the tax revenues would be utilized; and regarding auditing operations.

Hearing closed.

Motion to waive first reading and approve the introduction of the Ordinance.

Motion CM Horton

Second CM Reyes

Vote 5-0

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 to approve the Resolution and select Gilberto Reyna for Appointment by the San Joaquin Valley Special City Selection Committee to the District Governing Board.

Motion MPT Borreli

Second Mayor Trujillo

Vote 5-0

Resolution No. 2023-13

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

CLOSED SESSION REPORT BY CITY ATTORNEY:

- 9A) No reportable action. This item will stay on the agenda for the next meeting.
- 9B) No reportable action taken for six cases; The Council provided direction to the City Manager to execute Arthurs CalPERS Settlement Agreement; The Council provided direction to the City Manager concerning formation of Ad Hoc Committee for one matter to further review the issues; Remove final potential litigation claim.
- 9C) The Council provided direction to the City Manager to gather more information concerning the potential claim.
- 9D) (1) Re: Teva, Allergan, Et – The Council provided direction to the City Manager to execute participation forms; (2) Re: Palmoares v. City of Arvin, et al. - Update was provided to the Council; (3) Re: Vaughan/Posadas v. Arvin – The Council provided direction to the City Manager to execute documents necessary to complete settlement of the case.
- 9E) The Council provided direction to the City Manager.
- 9F) The Council provided direction to the City Manager concerning both negotiations.
- 9G) This item was tabled to the following Council meeting.

C.W.

10. ADJOURNED @ 9:47PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cecilia Vela', written over a horizontal line.

Cecilia Vela, City Clerk