

REGULAR MEETING MINUTES

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

MAY 09, 2023

CALL TO ORDER @ 6:00PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: All present.

1. APPROVAL OF AGENDA AS TO FORM.

Motion to approve the Agenda with removal of Staff Reports Agenda Item 6A.

Motion CM Horton Second MPT Borreli 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. CONSENT AGENDA ITEM(S)

- A.** Approval of Demand Register(s) of April 21, 2023 – May 04, 2023.
- B.** Approval of Payroll Register(s) of April 28, 2023.
- C.** Approval of the Minutes of the Regular Meeting(s) of April 25, 2023.
- D.** Approval of A Proclamation Proclaiming May 2023 as Community Action Month.

Staff recommends approval of the Consent Agenda.

Motion to approve Consent Agenda Items 3A – 3D.

Motion MPT Borreli Second CM Murillo Vote 5-0

C.M.

4. PUBLIC HEARING ITEM(S)

- A.** A Public Hearing to Consider Adoption 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 adopting the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive second reading of the Ordinance, and approve the adoption of the Ordinance.

Hearing opened.

Public Testimony: Five (5) members of the community spoke in opposition of the Ordinance and one (1) member of the community spoke in favor of the Ordinance.

Hearing closed.

Motion to deny the adoption of the Ordinance.

Motion Mayor Trujillo

Second CM Murillo

Vote 5-0

5. SUCCESSOR AGENCY ITEM(S)

- A.** Consideration and Approval of A Resolution of the Board of Directors of the Successor Agency to the Dissolved Arvin Community Redevelopment Agency Declaring Certain Successor Agency-Owned Real Properties to be Exempt Surplus Land and Certain Other Successor Agency-Owned Properties to be Surplus Land and Directing the Executive Director to Follow the Procedures Set Forth in the Surplus Land Act for the Sale of Such Properties. (City Manager)

Staff recommends approval of the Resolution.

Motion to approve the Resolution.

Motion Mayor Trujillo

Second MPT Borreli

Vote 5-0

Resolution No. 2023-19

6. STAFF REPORTS

- A.** American Rescue Plan Act (ARPA) Spending Update – April 2023 (City Manager)

Above Staff Reports Agenda Item 6A was removed from the Agenda.

7. COUNCIL MEMBER COMMENTS

8. CLOSED SESSION ITEM(S)

A. CONFERENCE WITH LEGAL COUNSEL--POTENTIAL LITIGATION

(Government Code §54956.9(b).)

Significant exposure to litigation pursuant to §54956.9(b): six cases

B. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code

§54957(a).)

Consultation with: City Manager and/or City Attorney. (one item)

C. Conference with Legal Counsel: Liability Claims (Pursuant to Cal. Govt. Code

§ 54956.95)

Claimant: Minako Toyama

Against: City of Arvin

D. Conference with Legal Counsel: Liability Claims (Pursuant to Cal. Govt. Code

§ 54956.95)

Claimant: Juan R. Rico – AIMs File No. FR101259; RMA Claim No. 21665.

Against: City of Arvin

E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government

Code §54956.8):

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

F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to

Government Code §54957(b)(1)

Position: City Attorney

CLOSED SESSION REPORT BY CITY ATTORNEY:

8A. (1) Case removed from closed session.

(2) Council gave direction to City Staff re: continuance.

(3) Update was provided to the City Council. No reportable action taken.

(4) The City Council provided direction to City Staff to provide investigative report at next meeting.

(5) The City Council provided direction to City Staff to provide investigative final findings at next meeting.

(6) The City Council provided direction to City Staff concerning code enforcement action.

8B. Update was provided to the City Council. No reportable action taken.

8C. The claim was denied.

8D. The claim is conditionally approved subject to the claimant providing receipt for phone as no dollar amount was demanded in the claim.

8E. Update was provided to the City Council. No reportable action taken.

8F. The City Council provided direction to City Staff.

AM

9. ADJOURNED @ 8:40PM

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cecilia Vela", written in black ink. The signature is positioned above a horizontal line.

Cecilia Vela, City Clerk