

REGULAR MEETING MINUTES

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

MAY 23, 2023

CALL TO ORDER @ 6:02PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: All present; CM Reyes absent during all open session items and present during all closed session items.

1. APPROVAL OF AGENDA AS TO FORM.

Motion to approve the Agenda.

Motion CM Horton Second CM Murillo Vote 4-0

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 May 05, 2023 – May 18, 2023.
- B. Approval of Payroll Register(s) of May 12, 2023.
- C. Approval of the Minutes of the Regular Meeting(s) of May 09, 2023.
- D. Approval to Participate in the Used Oil Payment Program Managed by the County of Kern for the Fiscal Year of 2023-2024.
- E. Approval and Adoption of the Special Investigator Scope of Work and Employment Agreement.

Agreement No. 2023-10

Staff recommends approval of the Consent Agenda.

Consent Agenda Item 3E was pulled for discussion.

Motion to approve Consent Agenda Items 3A, 3B, 3C, and 3D.

Motion CM Horton Second MPT Borrelli Vote 4-0

Motion to approve Consent Agenda Item 3E.

Motion CM Horton Second CM Murillo Vote 4-0

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4. PUBLIC HEARING ITEM(S)

A. A Public Hearing to Consider:

- 1) Adoption of A Resolution of the City Council of the City of Arvin for Tentative Approval of General Plan Amendment 2023-01 – 4th Street and Campus Drive by Approving the Change of Land Use Designation on 8.6 +/- Acres from Public Facilities to Medium Density Residential; and
- 2) Introduction and First reading of An Ordinance of the City of Arvin, California, Amending the Official Zoning Map, Heretofore Adopted by Section 17.06.020 of the Arvin Municipal Code, Being the Zoning Ordinance of the City of Arvin, for Zone Change 2023-01 – 4th Street and Campus Drive. The Ordinance proposes a Zone Change from Professional Office (C-O) and Mixed-Use Overlay (MUO) to R-3 Limited Multiple Family for the Project, Uncodified Ordinance; and
- 3) Adoption of A Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-01 and Zone Change 2023-01 for the 4th Street and Campus Drive Project. (City Planner)

Staff recommends the City Council:

- 1) Approve the Resolution of the City Council of the City of Arvin for Tentative Approval of General Plan Amendment 2023-01 – 4th Street and Campus Drive by Approving the Change of Land Use Designation on 8.6 +/- Acres from Public Facilities to Medium Density Residential; and
- 2) Approve the introduction of 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; and
- 3) Approve the Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-01 and Zone Change 2023-01 for the 4th Street and Campus Drive Project.

- 1) **Motion to approve the Resolution of the City Council of the City of Arvin for Tentative Approval of General Plan Amendment 2023-01 – 4th Street and Campus Drive by Approving the Change of Land Use Designation on 8.6 +/- Acres from Public Facilities to Medium Density Residential.**

Motion CM Horton Second Mayor Trujillo Vote 4-0

Resolution No. 2023-20

- 2) **Hearing opened.
No public testimony.
Hearing closed.**

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Motion to waive first reading of the Ordinance to be read by title only and approve the introduction of the Ordinance.

Motion CM Horton Second MPT Borreli Vote 4-0

3) Motion to approve the Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-01 and Zone Change 2023-01 for the 4th Street and Campus Drive Project.

Motion MPT Borreli Second Mayor Trujillo Vote 4-0

Resolution No. 2023-21

B. A Public Hearing to Consider:

- 1) Adoption of A Resolution of the City Council of the City of Arvin for Tentative Approval General Plan Amendment 2023-02 – Comanche Drive and Varsity Avenue by Approving the Change of Land Use Designation on 2.84 +/- Acres from Low Density Residential to High Density Residential; and
- 2) Introduction and First Reading of An Ordinance of the City of Arvin, California, Amending the Official Zoning Map, Heretofore Adopted by Section 17.06.020 of the Arvin Municipal Code, Being the Zoning Ordinance of the City of Arvin, for Zone Change 2023-02 – Comanche Drive and Varsity Avenue. The Ordinance proposes a Zone Change from R-1 Single Family Dwelling – PUD Planned Urban Development to R-4 Multiple Family Residential, Uncodified Ordinance; and
- 3) Adoption of A Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-02 and Zone Change 2023-02 for the Comanche Drive and Varsity Avenue Project.

Staff recommends the City Council:

- 1) Approve the Resolution of the City Council of the City of Arvin for Tentative Approval General Plan Amendment 2023-02 – Comanche Drive and Varsity Avenue by Approving the Change of Land Use Designation on 2.84 +/- Acres from Low Density Residential to High Density Residential; and
- 2) Approve the introduction of 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; and

C.N.

- 3) Approve the Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-02 and Zone Change 2023-02 for the Comanche Drive and Varsity Avenue Project.

- 1) **Motion to approve the Resolution of the City Council of the City of Arvin for Tentative Approval General Plan Amendment 2023-02 – Comanche Drive and Varsity Avenue by Approving the Change of Land Use Designation on 2.84 +/- Acres from Low Density Residential to High Density Residential.**

Motion Mayor Trujillo Second CM Murillo Vote 2-2 (Motion defeated. CM Horton and MPT Borreli voted No.)

- 2) **Hearing opened.**

Public Testimony: Three (3) members of the public spoke in opposition of the Ordinance.

Motion to approve the introduction of 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 Mayor Trujillo Second CM Murillo Vote 2-2 (Motion defeated. CM Horton and MPT Borreli voted No.)

- 3) **Approve the Resolution of the City Council of the City of Arvin Approving the Associated Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Program for General Plan Amendment 2023-02 and Zone Change 2023-02 for the Comanche Drive and Varsity Avenue Project.**

Motion Mayor Trujillo No second motion.
Motion defeated due to lack of a second motion.

5. DISCUSSION ITEM(S)

- A. Mobile Food Trucks (Mayor Trujillo)

6. STAFF REPORTS

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

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): five cases

C.N.

- B. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code §54957(a).)**
Consultation with: City Manager and/or City Attorney. (one item)
- C. 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
- D. CONFERENCE WITH LABOR NEGOTIATORS (Government Code §54957.6):**
Agency Negotiator: City Manager
Employee Organizations: Arvin Police Officers Association (APOA) and Central California Association of Public Employees SEIU Local 521.
- E. PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code §54957)**
Title: Chief of Police
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code §54957(b)(1))**
Position: City Manager
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Pursuant to Government Code §54957(b)(1))**
Position: City Attorney

CLOSED SESSION REPORT BY CITY ATTORNEY

- 8A. Report/update was provided to the City Council on all five (5) potential cases; no reportable action taken.**
- 8B. Report/update was provided to the City Council; no reportable action taken.**
- 8C. Report/update was provided to the City Council; no reportable action taken.**
- 8D. Report/update was provided to the City Council; Council gave direction to City Manager concerning APOA; no reportable action taken concerning SEIU.**
- 8E. Report/update was provided to the City Council; no reportable action taken.**
- 8F. The City Council provided direction to the City Manager.**
- 8G. The performance evaluation was completed.**

9. ADJOURNED @ 9:06PM

Respectfully submitted,



Cecilia Vela, City Clerk