

REGULAR MEETING MINUTES

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

JULY 11, 2023

CALL TO ORDER @ 6:00PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: Mayor Trujillo absent; All others present.

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. PRESENTATION(S)

A. Arvin Police Canine Introduction

Alex Ghazalpour, Acting Chief of Police

4. CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of June 24, 2023 – July 07, 2023.

B. Approval of Payroll Register(s) of June 23, 2023.

C. Approval of the Minutes of the Regular Meeting(s) of June 27, 2023 and Special Meeting(s) of June 27, 2023.

D. Approval of A Resolution of the City Council of the City of Arvin Approving the Engineer's Report for Landscaping and Lighting Maintenance District No.

1.

Resolution No. 2023-37

C.V.

- E. Approval of A Resolution of the City Council of the City of Arvin Declaring Intention to Levy and Collect Assessments Within Landscaping and Lighting Maintenance District No. 1 Commencing Fiscal Year 2022-2023 Pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and Appointing A Time and Place for Hearing Objections Thereto.

Resolution No. 2023-38

- F. Approval of A Resolution of the City Council of the City of Arvin Approving the Engineer’s Report for Landscaping and Lighting Maintenance District No. 2.

Resolution No. 2023-39

- G. Approval of A Resolution of the City Council of the City of Arvin Declaring Intention to Levy and Collect Assessments Within Landscaping and Lighting Maintenance District No. 2 Commencing Fiscal Year 2022-2023 Pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and Appointing A Time and Place for Hearing Objections Thereto.

Resolution No. 2023-40

- H. Approval of A Memorandum of Understanding Between the City of Arvin, Kern Community College District, the Cesar Chavez Foundation, the Dolores Huerta Foundation, and Grid Alternatives for the Keeping It Green in the San Joaquin Project Transformative Climate Communities (TCC) Collaborative Stakeholder Structure.

Agreement No. 2023-14

Staff recommends approval of the Consent Agenda.

Motion to approve Consent Agenda Items 4A – 4H.

Motion CM Horton Second CM Murillo Vote 4-0

5. PUBLIC HEARING ITEM(S)

- A. A Public Hearing to Consider Approving A Resolution of the City Council of the City of Arvin Adopting the Mitigated Negative Declaration and Mitigation Monitoring Reporting and Applicable Programs for GPA 2023-03 and CA 2023-03 for the 2023 Land Use Element Update and Various Additions and Amendments to Title 17 Zoning. (City Planner)

Staff recommends the City Council open the hearing, allow for public testimony, close the hearing, and approve the Resolution.

Hearing opened.

No public testimony received.

Hearing closed.

C.W.

Motion to approve the Resolution.

Motion CM Horton

Second CM Reyes

Vote 4-0

Resolution No. 2023-41

- B.** A Public Hearing to Consider Introduction and First Reading of An Ordinance of the City Council of the City of Arvin Adopting Code Amendments, CA No. 2023-03, to Title 17 Zoning to Amend Chapter 17.05 Uses Permitted Subject to Administrative Approval; Add Chapter 17.055 Multiple Family Residential Design Review Ministerial Permit; Amend Chapter 17.10 R-2 Two-Family Dwelling Zone; Amend Chapter 17.12 R-3 Limited Multiple-Family Dwelling Zone; Amend Chapter 17.14 R-4 Multiple-Family Zone; Amend Chapter 17.60 Site Development Permits; Add Chapter 17.72 Multiple-Family Residential Design Review; and Accept CEQA Determination of A Mitigated Negative Declaration of the California Environmental Quality Act (CEQA). (City Planner)

Staff recommends the City Council 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.

Hearing opened.

No public testimony received.

Hearing closed.

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

Motion CM Horton

Second MPT Borreli

Vote 4-0

- C.** A Public Hearing to Consider and Approve A Resolution of the City Council of the City of Arvin Adopting the Land Use Element 2023 Update, An Element to the General Plan, Exhibit A and Accept CEQA Determination of A Mitigated Negative Declaration of the California Environmental Quality Act (CEQA). (City Planner)

Staff recommends the City Council open the hearing, allow for public testimony, close the hearing, and approve the Resolution.

Hearing opened.

No public testimony received.

Hearing closed.

Motion to approve the Resolution.

Motion CM Horton

Second MPT Borreli

Vote 4-0

Resolution No. 2023-42

C.N.

- D. A Public Hearing to Consider Approving A Resolution of the City Council of the City of Arvin Accepting the Draft 2023-2031 General Plan Housing Element, Exhibit A, Authorizing Staff to Forward the Housing Element to the State of California Department of Housing and Community Development for Review (GPA 2023-04); Accept CEQA Determination of A Notice of Exemption of the California Environmental Quality Act (CEQA); and Continue the Public Hearing to October 24, 2023. (City Planner)

Staff recommends the City Council open the hearing, allow for public testimony, and continue the hearing to the Regular City Council Meeting of October 24, 2023.

Hearing opened.

No public testimony received.

Hearing closed.

Motion to approve the Resolution and continue the hearing to the Regular City Council Meeting of October 24, 2023.

Motion CM Horton

Second CM Reyes

Vote 4-0

Resolution No. 2023-43

6. ACTION ITEM(S)

- A. Consideration and Acceptance of Annual Financial Audit for the Period Ending June 30, 2022 and Related Single Audit. (City Manager)

Staff recommends to accept and file the following reports:

1. Independent Auditors' Report and Basic Financial Statements for the Year Ended June 30, 2022.
2. Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for the Year Ended June 30, 2022. (Federal Single Audit)
3. Auditors' Communication on Engagement dated June 12, 2022

Motion to accept and file the following reports:

1. **Independent Auditors' Report and Basic Financial Statements for the Year Ended June 30, 2022.**
2. **Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for the Year Ended June 30, 2022. (Federal Single Audit)**
3. **Auditors' Communication on Engagement dated June 12, 2022**

Motion CM Horton

Second MPT Borreli

Vote 4-0

CM

- B. Approval of A Resolution of the City Council of the City of Arvin Authorizing City Manager To Defer Payment of Fees, Defer Improvements, Enter into Deferral Agreements, Expedite Construction of Development That May Result in Increased Sales Tax and Employment, and Final Interpretation of Conditions Provided that the Condition Is Not Waived Nor the Intent of the Condition Not Implemented In the Opinion of City Manager, Waiver of Fees Under Various Circumstances To Facilitate Economic Development. (City Manager)

Staff recommends approval of the Resolution.

Motion to table above Action Item 6B to a future Council meeting to allow time for further staff review.

Motion CM Horton Second CM Reyes Vote 4-0

- C. Approval of A Resolution of the City Council of the City of Arvin Adopting General Plan Amendments to the City of Arvin General Plan Land Use Element – GPA 2023-01 and GPA 2023-03. (City Planner)

Staff recommends approval of the Resolution.

Motion to approve the Resolution.

Motion CM Horton Second CM Reyes Vote 3-1 (CM Murillo voted No.)

Resolution No. 2023-44

7. CITY MANAGER’S REPORT

8. COUNCIL MEMBER COMMENTS

9. CLOSED SESSION ITEM(S)

- A. 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.
- B. CONFERENCE WITH LEGAL COUNSEL--POTENTIAL LITIGATION (Government Code §54956.9(b).)
Significant exposure to litigation pursuant to §54956.9(b): six cases
- C. THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code §54957(a).)
Consultation with: City Manager and/or City Attorney. (one item)

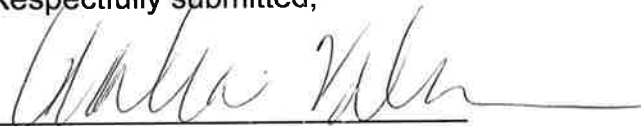
C.N.

CLOSED SESSION REPORT BY CITY ATTORNEY:

- 9A. No reportable action. This item shall remain on the agenda.**
- 9B. Case 1: Council updated as to potential settlement agreement; no reportable action taken;**
Case 2: Council updated as to status; no reportable action taken;
Case 3: Council updated that investigation should be complete within two weeks; No reportable action;
Case 4: Council updated that investigation should be complete within two weeks; No reportable action;
Case 5: Council updated on property abatement issues; No reportable action;
Case 6: Council updated on potential Brown Act violations; No reportable action taken.
- 9C. Council gave direction to City Attorney concerning potential use of eminent domain concerning property utilized for wastewater treatment water disposal.**

10. ADJOURNED @ 8:17PM

Respectfully submitted,



Cecilia Vela, City Clerk