

ORDINANCE NO. 2021-472

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN
AMENDING CHAPTER 2.28 (OFFICIAL BONDS) OF THE ARVIN
MUNICIPAL CODE TO CONFIRM USE OF INSURANCE POLICY OR
MASTER BOND IN LIEU OF OFFICIAL BONDS**

WHEREAS, state law and Chapters 2.06 and 2.28 of the Arvin Municipal Code require certain City officials and City staff members to furnish official bonds to secure the faithful performance of their duties; and

WHEREAS, Government Code Section 1463 authorizes the City to procure a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, as an alternative to the provision of an official bond; and

WHEREAS, Government Code Section 1481 authorizes the City, when deemed expedient by the City Council, to procure a master official bond or other form of master bond to provide coverage for more than one officer, employee, or agent who is otherwise required by the City to furnish an official bond

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Arvin as follows:

1. Recitals. The recitals and findings set forth above are true and correct and incorporated herein by this reference.

2. Code Amendment. Section 2.28.060 is hereby added to Chapter 2.28 of the Arvin Municipal Code and shall read in its entirety as follows:

2.28.060 - Insurance policy or master bond in lieu of official bonds.

The city may procure a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, or a master bond, as an alternative to the provision of one or more official bonds required by this chapter or the city manager's bond required by Section 2.06.040. The premium for such policy or policies, or master bond, shall be a proper charge against the city.

3. Severability. If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

4. Notice of Adoption: The City Clerk shall certify to the adoption of this Ordinance

and cause it to be published, in accordance with Government Code, Section 36933, or as otherwise authorized by law.

5. Effective Date: This Ordinance shall become effective thirty (30) days from the adoption of this Ordinance.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 08th day of December 2020, and adopted the Ordinance after the second reading at a regular meeting held on the 12th day of January 2021 by the following roll call vote:


AYES: CM Horton, CM Borreli, CM Robles, MPT Franetovich, Mayor Trujillo

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST




CECILIA VELA, City Clerk

CITY OF ARVIN

By: 

OLIVIA TRUJILLO, Mayor

APPROVED AS TO FORM:

By: 

SHANNON L. CHAFFIN, City Attorney
Aleshire & Wynder, LLP

I, _____, City Clerk of the City of Arvin, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.