

**ORDINANCE NO. 2019-461**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN TO AMEND SECTION 2.24.010 OF CHAPTER 2.24 OF TITLE 2 OF THE ARVIN MUNICIPAL CODE REGARDING THE COMPOSITION OF PLANNING COMMISSION MEMBERS**

**WHEREAS**, the Arvin Planning Commission is comprised of members appointed by the City Council of the City of Arvin; and

**WHEREAS**, the current Arvin Municipal Code Section 2.24.010 requires that the Planning Commission shall consist of five (5) members who shall be qualified electors of the City; and

**WHEREAS**, the term “elector” generally means one qualified to vote in an election; and

**WHEREAS**, the decisions of the Planning Commission include issues both within the City limits and in the City’s sphere of influence; and

**WHEREAS**, the City Council of the City of Arvin has appointed, and desires to be able to appoint, members who reside within the City’s sphere of influence to also serve on the Planning Commission and to expand the pool of potential candidates as appointees to the Commission; and

**WHEREAS**, to accomplish this greater participation of members of the Planning Commission the City Council of the City of Arvin desires to amend Title 2, Chapter 2.24, Section 2.24.010 to allow appointed members of the Arvin Planning Commission to include those residing within its sphere of influence.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARVIN DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The Recitals set forth above are true and correct and incorporated herein by reference.

**SECTION 2.** Section 2.24.010 of Chapter 2.24 Of Title 2 of The Arvin Municipal Code is hereby amended to read in its entirety as follows:

**Section 2.24.010 Composition.**

The planning commission shall consist of five (5) members who shall be qualified electors of the city, including those who reside within the city’s sphere of influence.~~or within its sphere of influence.~~

**SECTION 3.** Any appointment by the City Council of elector residing within the City’s sphere of influence to the Planning Commission, as either a member or an alternate, since January 1, 2019, is hereby affirmed and re-appointed without interruption.

**SECTION 4.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 5.** The provisions of this Section shall be liberally construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of the public health, safety and convenience.

**SECTION 6.** The City Clerk shall certify to the adoption of this Ordinance and cause it to be published, in accordance with Government Code, section 36933.

**SECTION 7.** This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption.

**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 22<sup>nd</sup> day of October 2019, and adopted the Ordinance after the second reading at a regular meeting held on the 12<sup>th</sup> day of November 2019, by the following roll call vote:

AYES: CM Trujillo, CM Franetovich, MPT Robles, Mayor Gurrola

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: CM Martinez

ATTEST

  
\_\_\_\_\_  
CECILIA VELA, City Clerk

CITY OF ARVIN

By: 

\_\_\_\_\_  
JOSE GURROLA, 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.