



**SPECIAL MEETING AGENDA
OF THE
ARVIN CITY COUNCIL / SUCCESSOR AGENCY TO THE
ARVIN COMMUNITY REDEVELOPMENT AGENCY / ARVIN HOUSING
AUTHORITY / ARVIN PUBLIC FINANCING AUTHORITY**

**MONDAY DECEMBER 10, 2018 5:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Mayor Jose Gurrola

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Jose Gurrola	Mayor
Jess Ortiz	Mayor Pro Tem
Jazmin Robles	Councilmember
Erika Madrigal	Councilmember
Gabriela Martinez	Councilmember

STAFF

Richard G. Breckinridge	City Manager/Interim Chief of Police
Shannon L. Chaffin	City Attorney – Aleshire & Wynder
Jeff Jones	Finance Director
Adam Ojeda	City Engineer – DeWalt Corporation
Cecilia Vela	City Clerk

PUBLIC COMMENTS:

The meetings of the City Council and all municipal entities, commissions, and boards (“the City”) are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda, or on any non-listed matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

AGENDA STAFF REPORTS AND HANDOUTS:

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 200 Campus Drive, Arvin, CA 93203 during regular business hours.

CONDUCT IN THE CITY COUNCIL CHAMBERS:

Rules of Decorum for the Public

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the City, be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

Removal from the Council Chambers

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or to refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

AMERICANS with DISABILITIES ACT:

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, (661) 854-3134. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

1. Approval of Agenda as To Form.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Madrigal ____ CM Martinez ____ MPT Ortiz ____ Mayor Gurrola ____

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. SUCCESSOR AGENCY ITEM(S)

A. Consideration and Approval of the Recognized Obligation Payment Schedule (ROPS) 19-20 for the Period of July 01, 2019 to June 30, 2020 and Authorize Staff to Submit Report to the Kern County Oversight Board for Approval. (Finance Director)

Staff recommends approval of the ROPS 19-20 for the Period of July 01, 2019 to June 30, 2020 and Authorize Staff to Submit Report to the Kern County Oversight Board for Approval.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Madrigal ____ CM Martinez ____ MPT Ortiz ____ Mayor Gurrola ____

4. ACTION ITEM(S)

A. Consideration and Approval of A Resolution of the City Council of the City of Arvin Accepting City Clerk’s Certification of Canvass of Results, Declaring the Results of the General Municipal Election for the Election of Three Councilmembers (Full-Term), and Utility Users Tax Measure “L” and Commercial Cannabis Tax Measure “M” Held in the City of Arvin on the 06th Day of November, 2018. (City Clerk)

Staff recommends approval of the Resolution.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Madrigal ____ CM Martinez ____ MPT Ortiz ____ Mayor Gurrola ____

B. Consideration and Approval of A Resolution of the City Council of the City of Arvin Setting Forth the Meeting Dates and City Holidays for Calendar Year 2019. (City Clerk)

Staff recommends approval of the Resolution.

Motion _____ Second _____ Vote _____

Roll Call: CM Robles ____ CM Martinez ____ CM Trujillo ____ CM Franetovich ____ Mayor Gurrola ____

5. STAFF REPORTS

- A. Impact Fee Report FY 2017-2018 Per Government Code §66000 et seq
(Finance Director)

6. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin City Council Chambers Bulletin Board not less than 24 hours prior to the meeting. Dated December 06, 2018.



Cecilia Vela, City Clerk



CITY OF ARVIN Staff Report

Meeting Date: December 10, 2018

TO: City Council

FROM: Jeff Jones, Finance Director
Jerry Breckinridge, City Manager

SUBJECT: APPROVAL OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 19-20 FOR THE PERIOD OF JULY 01, 2019 TO JUNE 30, 2020 AND AUTHORIZE STAFF TO SUBMIT REPORT TO THE KERN COUNTY OVERSIGHT BOARD FOR APPROVAL

BACKGROUND:

As part of the RDA wind down process, each successor agency is responsible for drafting a Recognized Obligations Payment Schedule (ROPS) delineating the enforceable obligations of the former RDA and their source of payment every year. ROPS are subject to the approval of the local oversight board.

In the past, the ROPS were presented every six months. The State of California has changed the reporting period to be an annual report. In compliance with this requirement, Staff has prepared ROPS 19-20 for the Period July 01, 2019 to June 30, 2020 which is due to the Department of Finance (DOF) by February 1, 2019. Attached is the ROPS that Staff is recommending for submittal. This list includes all obligations that have been identified and the amounts requested for payment in this cycle. Items are listed under the RPTTF column for Admin or Non Admin obligations. "RPTTF" stands for Redevelopment Property Tax Trust Fund. These are the revenues collected through the property taxes. These funds must be used first to meet debt obligations and any remaining obligations may be funded with the RPTTF.

The rows highlighted in red on the "Obligation Payment Schedule" are items that have been denied in previous ROPS requests. Staff has kept them on the ROPS schedule in order to keep them active and give the City an opportunity to revisit these requests in future submissions. The main item identified for payment during this cycle will be the funds to meet bond obligations for a principal and interest payment in March and September. In addition to the bond principal and interest payments, a modest amount for general maintenance expenditures for the properties currently owned by the Successor Agency. The allowable amount for Administrative Costs is estimated to be \$150,000 and will be included on this schedule.

The total available RPTTF through property taxes may be less than the amounts being requested

on the ROPS. When this occurs the obligations that cannot be funded in this cycle will be carried over into the next ROPS cycle.

Once the ROPS is approved by the Successor Agency, it will be submitted to the Kern County Oversight Board for approval and then to the DOF, Kern County Auditor Controller and the State Controller's Office for review and approval.

RECOMMENDATION:

Staff recommends that the Successor Agency Board approve the ROPS 19-20 for the period of July 01, 2019 to June 30, 2020 and authorize staff to submit this also to the Kern County Oversight Board for approval.

FISCAL IMPACT:

None. There is cost recovery for staff time which City staff spends on Successor Agency business. Such cost recovery is paid via an administrative allowance that the City requests on the ROPS.

Recognized Obligation Payment Schedule (ROPS 19-20) - Summary
Filed for the July 1, 2019 through June 30, 2020 Period

Successor Agency: Arvin
County: Kern

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	19-20A Total (July - December)	19-20B Total (January - June)	ROPS 19-20 Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 644,752	\$ 10,000	\$ 654,752
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	644,752	10,000	654,752
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 517,688	\$ 287,199	\$ 804,887
F RPTTF	442,688	212,199	654,887
G Administrative RPTTF	75,000	75,000	150,000
H Current Period Enforceable Obligations (A+E):	\$ 1,162,440	\$ 297,199	\$ 1,459,639

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title
/s/ _____
Signature Date

Arvin Recognized Obligation Payment Schedule (ROPS 19-20) - ROPS Detail

July 1, 2019 through June 30, 2020

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N					Q	R					W
													19-20A (July - December)						19-20B (January - June)					
													Fund Sources						Fund Sources					
													19-20A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF		Admin RPTTF	19-20B Total	Bond Proceeds	Reserve Balance	Other Funds	
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 19-20 Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	19-20A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	19-20B Total		
1	2005 Tax Allocation Bonds	Bonds Issued On or Before 10/6/2005	9/1/2035	Wells Fargo Bank, Trustee	Bonds issued to fund RDA Projects	City of Arvin	\$ 7,710,000	N	\$ 1,459,639	\$ 0	\$ 0	\$ 644,752	\$ 442,688	\$ 75,000	\$ 1,162,440	\$ 0	\$ 0	\$ 10,000	\$ 212,199	\$ 75,000	\$ 297,199			
2	2008 Tax Allocation Bonds	Bonds Issued On or Before 8/27/2008	9/1/2038	Wells Fargo Bank, Trustee	Bonds issued to fund RDA Projects	City of Arvin	4,545,000	N	401,037	\$ 0	\$ 0	\$ 230,075	\$ 152,613	\$ 0	\$ 230,075	\$ 0	\$ 0	\$ 0	\$ 110,962	\$ 0	\$ 110,962			
11	Advance from City	City/County Loan (Prior 06/28/11), Other	8/17/1999	9/1/2038	City of Arvin	Advance to RDA to Fund Initial Activity	City of Arvin	3,165,000	N	253,850	\$ 0	\$ 0	\$ 99,698	\$ 152,613	\$ 0	\$ 152,613	\$ 0	\$ 0	\$ 0	\$ 101,237	\$ 0	\$ 101,237		
12	Note Payable to City	City/County Loan (Prior 06/28/11), Other	9/1/2003	9/1/2038	City of Arvin	Advance to RDA - Bond Pay Off and Construction	City of Arvin		N	\$ 99,698	\$ 0	\$ 0	\$ 99,698	\$ 0	\$ 99,698	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
17	Administrative Services	Admin Costs	7/1/2014	6/30/2018	City of Arvin	Administrative Service	City of Arvin		N	\$ 535,054	\$ 0	\$ 0	\$ 535,054	\$ 0	\$ 535,054	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
46	Maintenance of SA properties to prevent blight	Property Maintenance	7/1/2019	6/30/2020	City of Arvin	Force Account Labor for maintenance	City of Arvin		N	\$ 150,000	\$ 0	\$ 0	\$ 150,000	\$ 0	\$ 150,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
47									N	\$ 20,000	\$ 0	\$ 0	\$ 20,000	\$ 0	\$ 20,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
48									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
49									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
50									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
51									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
52									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
53									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
54									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
55									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
56									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
57									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
58									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
59									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
60									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
61									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
62									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
63									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
64									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
65									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
66									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
67									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
68									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
69									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
70									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
71									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
72									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
73									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
74									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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76									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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78									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
79									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
80									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
81									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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83									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
84									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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95									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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97									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
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101									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
102									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
103									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
104									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
105									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
106									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
107									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0		
108									N	\$ -	\$ 0	\$ 0	\$ -	\$ 0	\$ -	\$ 0	\$ 0	\$ 0						

Arvin Recognized Obligation Payment Schedule (ROPS 19-20) - Report of Cash Balances
July 1, 2016 through June 30, 2017
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#).

A	B	C	D	E	F	G	H
		Fund Sources					
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
	ROPS 16-17 Cash Balances (07/01/16 - 06/30/17)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, Grants, Interest, etc.	Non-Admin and Admin	Comments
1	Beginning Available Cash Balance (Actual 07/01/16) RPTTF amount should exclude "A" period distribution amount			755,375	19,362	58,201	From 6/30/16 ROPS report
2	Revenue/Income (Actual 06/30/17) RPTTF amount should tie to the ROPS 16-17 total distribution from the County Auditor-Controller				100,836	805,426	98,224 sale of property 2,612 allocated interest
3	Expenditures for ROPS 16-17 Enforceable Obligations (Actual 06/30/17)					693,353	
4	Retention of Available Cash Balance (Actual 06/30/17) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)				120,198	170,274	Amount will be used towards paying down loan \$569,076 to City for bond payments on ROPS 15/16 A - line #38 (approved by DOF)
5	ROPS 16-17 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 16-17 PPA form submitted to the CAC	No entry required					
6	Ending Actual Available Cash Balance (06/30/17) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$ 0	\$ 0	\$ 755,375	\$ 0	\$ 0	

Arvin Recognized Obligation Payment Schedule (ROPS 19-20) - Notes July 1, 2019 through June 30, 2020

Item #	Notes/Comments

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN ACCEPTING CITY CLERK'S CERTIFICATION OF CANVASS OF RESULTS, DECLARING THE RESULTS OF THE STATEWIDE GENERAL ELECTION FOR THE ELECTION OF THREE COUNCILMEMBERS (FULL-TERM), AND UTILITY USERS TAX MEASURE "L" AND COMMERCIAL CANNABIS TAX MEASURE "M" HELD IN THE CITY OF ARVIN ON THE 06TH DAY OF NOVEMBER, 2018.

WHEREAS, the Clerk of the County of Kern has completed its Canvass of Results of the general municipal election conducted on November 6, 2018; and

WHEREAS, pursuant to Sections 10262 and 10263 of the California Elections Code, the City Council must declare the results of the election at its next regularly-scheduled meeting after receipt of the canvass results.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARVIN, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND DECLARE AS FOLLOWS:

SECTION 1. That pursuant to applicable law, a General Municipal election was held in the City of Arvin on the 6th day of November, 2018, for the purpose of electing three Councilmembers for full-term and voting on Utility Users Tax Measure L and Commercial Cannabis Tax Measure M; and

SECTION 2. Pursuant to direction of the City Council, the County Clerk of the County of Kern has conducted a Canvass of Results, entitled "Certificate of County Clerk as to Result of the Canvass of the Statewide General Election Held November 06, 2018" ("County Canvas of Results"). The County Canvas of Results references the number of votes cast, posted by the County Clerk and on file with the County of Kern as the "Statement of Votes Cast Statewide General Election November 6, 2018" (Statement of Votes Cast"). The County Canvas of Results and Statement of Votes Cast have been examined and accepted by the City Clerk and contain the whole numbers of votes cast as well as votes by precinct. A copy of the County Canvas of Results, together with the associated cover letter and relevant excerpts related to the results for the City of Arvin in the Statement of Votes Cast (pages ____, and ____) are attached as Exhibit "A."

SECTION 3. The City Council does hereby accept the City Clerk's Certificate of Canvass of Results of the General Municipal Election as certified by the City Clerk, attached hereto and made a part hereof as Exhibit "B", and does declare said election results to be as follows:

Council member: **Jazmin Robles**

Council member: **Olivia Trujillo**

Council member: **Mark S. Franetovich**
Measure L Utility Users Tax: **No**
Measure M Commercial Cannabis Tax: **Yes**

SECTION 4. The City Council does hereby declare the persons elected to the Offices of Councilmembers (full-term) shall serve a full four-year term and shall serve until their successors are elected and qualified in 2022; and

SECTION 5. The City Council does hereby declare a majority of the voters on Measure L relating to a utility users tax did not vote in favor of it and that measure failed.

SECTION 6. The City Council does hereby declare a majority of the voters on Measure M relating to a commercial cannabis tax did vote in favor of it and that measure was carried, and shall be deemed adopted and ratified and Ordinance No. 453 shall be deemed adopted by the voters.

SECTION 7. The City Clerk shall certify the adoption of this Resolution.

Exhibit "A" - Certificate of County Clerk as to Result of the Canvass of the Statewide General Election Held November 6, 2018 (including cover letter dated December 4, 2018, and Statement Of Votes Cast Statewide General Election November 06, 2018, pages ____ and ____)

Exhibit "B" - City Clerk's Certificate of Canvass of Results of the General Municipal Election

EXHIBIT "A"

**CERTIFICATE OF COUNTY CLERK AS TO RESULT OF THE CANVASS
OF THE STATEWIDE GENERAL ELECTION
HELD NOVEMBER 06, 2018**



KERN COUNTY AUDITOR-CONTROLLER-COUNTY CLERK-ELECTIONS
1115 Truxtun Avenue, 1st and 2nd Floor • Bakersfield, CA 93301-4639

December 4, 2018

Cecilia Vela, City Clerk
City of Arvin
P.O. Box 548
Arvin, CA 93203

Dear City Clerk:

Enclosed herewith is the County Clerk's Certificate of the Results of the Statewide General Election held in the City of Arvin November 6, 2018. To obtain a copy of the Statement of Vote for your City, please visit our website at www.kernvote.com.

Sincerely,

A handwritten signature in black ink that reads "Mary B. Bedard".

Mary B. Bedard, CPA
Auditor-Controller-County Clerk

MBB/as

Attachments

Attachment: Certificate of Results of Nov 6, 2018 Election (Accepting & Declaring the Results of the Nov. 6, 2018 Election)

CERTIFICATE OF COUNTY CLERK AS TO RESULT OF THE CANVASS
 OF THE STATEWIDE GENERAL ELECTION
 HELD NOVEMBER 6, 2018

STATE OF CALIFORNIA }
 COUNTY OF KERN } ss

I, MARY B. BEDARD, Auditor-Controller-County Clerk, County of Kern, State of California, HEREBY CERTIFY that I have canvassed the returns of the votes cast at the STATEWIDE GENERAL ELECTION held on November 6, 2018 and that the whole number of votes cast for and against each candidate and the whole number of votes cast for and against each measure, as posted and on file, are full, true and correct.

IN WITNESS HEREOF I do hereby set my hand and the Official Seal of the County of Kern this 4th day of December 2018.



Mary B Bedard

MARY B. BEDARD
 Auditor-Controller-County Clerk
 County of Kern
 State of California

SUPERVISOR, 4TH DISTRICT - SHORT TERM (Vote for 1)

Precincts Reported: 129 of 129 (100.00%)

		Total	
Times Cast		25,927 / 53,244	48.69%
Candidate	Party	Total	
DAVID COUCH		10,638	43.44%
GRACE VALLEJO		9,302	37.99%
JOSE GONZALEZ		4,548	18.57%
Write-in		1	0.00%
Total Votes		24,488	
		Total	

CITY OF ARVIN COUNCILMEMBER (Vote for 3)

Precincts Reported: 5 of 5 (100.00%)

		Total	
Times Cast		1,956 / 4,597	42.55%
Candidate	Party	Total	
JAZMIN ROBLES		886	20.77%
OLIVIA TRUJILLO		724	16.98%
MARK S. FRANETOVICH		625	14.65%
DANIEL "NANO" BORRELI, JR.		606	14.21%
ABDO ALGABYALI		514	12.05%
JESS ORTIZ		382	8.96%
JUVENAL BENITEZ		296	6.94%
MATT LOOK		232	5.44%
Write-in		0	0.00%
Total Votes		4,265	
		Total	

CITY OF BAKERSFIELD WARD 1 (Vote for 1)

Precincts Reported: 36 of 36 (100.00%)

		Total	
Times Cast		6,698 / 18,783	35.66%
Candidate	Party	Total	
P. "WILLIE" RIVERA		2,365	39.11%
GILBERTO DE LA TORRE		2,202	36.41%
MARVIN DEAN		1,480	24.47%
Write-in		0	0.00%
Total Votes		6,047	
		Total	

CITY OF ARVIN TAX MEASURE L - MAJORITY (Vote for 1)

Precincts Reported: 5 of 5 (100.00%)

		Total	
Times Cast		1,956 / 4,597	42.55%
Candidate	Party	Total	
No		1,310	71.20%
Yes		530	28.80%
Total Votes		1,840	
		Total	

CITY OF ARVIN CANNABIS MEASURE M - MAJORITY (Vote for 1)

Precincts Reported: 5 of 5 (100.00%)

		Total	
Times Cast		1,956 / 4,597	42.55%
Candidate	Party	Total	
Yes		1,037	56.60%
No		795	43.40%
Total Votes		1,832	
		Total	

CITY OF BAKERSFIELD TAX MEASURE N - MAJORITY (Vote for 1)

Precincts Reported: 262 of 262 (100.00%)

		Total	
Times Cast		95,914 / 178,439	53.75%
Candidate	Party	Total	
Yes		45,835	50.05%
No		45,738	49.95%
Total Votes		91,573	
		Total	

CITY OF BAKERSFIELD CANNABIS MEASURE O - MAJORITY (Vote for 1)

Precincts Reported: 262 of 262 (100.00%)

		Total	
Times Cast		95,914 / 178,439	53.75%
Candidate	Party	Total	
No		47,656	52.35%
Yes		43,383	47.65%
Total Votes		91,039	
		Total	

EXHIBIT “B”

**CITY CLERK’S CERTIFICATE OF CANVASS OF RESULTS
OF THE GENERAL MUNICIPAL ELECTION**

I, Cecilia Vela, City Clerk of the City of Arvin, do hereby certify to the City Council for the City of Arvin, the Certificate of County Clerk as to Result of the Canvass of the Statewide General Election Held November 6, 2018 (including Statement Of Votes Cast Statewide General Election November 6, 2018, pages _____ and _____), and find that the whole number of votes cast in the City of Arvin, the number of votes given at each precinct and the number of votes given in the City to persons voted for, the respective office for which the persons were candidates in the City and in each precinct were as follows:

WHOLE NUMBER OF VOTES CAST IN THE CITY: XXXX

FOR COUNCIL MEMBER (Total Votes)

Jazmin Robles:	886
Olivia Trujillo:	724
Mark S. Franetovich:	625
Daniel “Nano” Borreli, Jr.:	606
Abdo Algabyali:	514
Jess Ortiz:	382
Juvenal Benitez:	296
Matt Look:	232

FOR COUNCILMEMBER (By Precinct)

	Robles	Trujillo	Franetovich	Borreli	Algabyali	Ortiz	Benitez	Look
0050180	###	###	###	###	###	###	###	###
0050190	###	###	###	###	###	###	###	###
0050200	###	###	###	###	###	###	###	###
0050211	###	###	###	###	###	###	###	###
TOTAL	886	724	625	606	514	382	296	232

FOR TAX MEASURE L (Total Votes)

YES: 530

NO: 1310

FOR TAX MEASURE L (By Precinct)

	YES	NO
0000180	###	###
0000190	###	###
0000200	###	###
0000210	###	###
7000185	###	###
7000217	###	###
TOTAL	530	1310

FOR TAX MEASURE M (Total Votes)

YES: 1037

NO: 795

FOR TAX MEASURE M (By Precinct)

	YES	NO
0000180	###	###
0000190	###	###
0000200	###	###
0000210	###	###
7000185	###	###
7000217	###	###
TOTAL	1037	795

Dated: _____

CECILIA VELA, City Clerk

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Special Meeting thereof held on the 10th day of December, 2018 by the following vote:

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 Resolution passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.

ORDINANCE NO. 453

AN ORDINANCE OF THE PEOPLE OF THE CITY OF ARVIN, CALIFORNIA APPROVING A TAX ON COMMERCIAL CANNABIS ACTIVITIES BY ADDING CHAPTER 3.19 (COMMERCIAL CANNABIS TAX) TO TITLE 3 (REVENUE AND FINANCE) OF THE ARVIN MUNICIPAL CODE

WHEREAS, pursuant to Ordinance No. 447 adopted on June 19, 2018, Chapter 17.64 (“Commercial Cannabis Activity”) was added to the Arvin Municipal Code (“AMC”); and

WHEREAS, AMC Chapter 17.64 establishes a comprehensive regulatory program applicable to commercial cannabis land uses, including businesses engaged in the cultivation, manufacture, distribution, delivery and sale of cannabis throughout the City of Arvin (the “City”); and

WHEREAS, pursuant to AMC Chapter 17.64, certain businesses may operate in the City subject to issuance of a City regulatory permit, conditional use permit, and other specified entitlements, and to compliance with the operating requirements applicable to such businesses as set forth in said Chapter 17.64; and

WHEREAS, if other cannabis business activities are permitted in the City by AMC Chapter 17.64 or a future Arvin City Council (“City Council”) ordinance, or by the voters of the City through a future ballot measure, then the City Council desires that a commercial cannabis tax be in place and imposed on all such future cannabis business activities; and

WHEREAS, pursuant to subdivision (b) of Section 2 of Article XIII C of the California Constitution and Section 53720 *et seq.* of the Government Code, the City Council is authorized to impose a general tax upon submission of such general tax to the voters of the City and approval by a majority of the voters voting on the issue, at an election consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, in 1996 the California voters approved Proposition 215, the Compassionate Use Act, codified as Health and Safety Code Section 11362.5, to exempt certain patients and their primary caregivers from criminal liability under state law for the possession and cultivation of cannabis for medical purposes; and

WHEREAS, in 2003 the California legislature enacted Senate Bill 420, the Medical Marijuana Program Act, codified as Health and Safety Code Section 11362.7 *et seq.*, and as later amended, to clarify the scope of the Compassionate Use Act of 1996 relating to the possession and cultivation of cannabis for medical purposes, and to authorize local governing bodies to adopt and enforce laws consistent with its provisions; and

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WHEREAS, in 2015, the California legislature enacted AB 243, AB 266, and SB 643, collectively referred to as the Medical Marijuana Regulation and Safety Act, later renamed the Medical Cannabis Regulation and Safety Act (“MCRSA”), to establish a framework for regulating medical cannabis; and

WHEREAS, at the November 8, 2016 statewide general election, a statewide ballot measure to legalize, regulate and tax nonmedical cannabis, the Control, Regulate and Tax Adult Use of Marijuana Act (“AUMA”), was approved by California voters as Proposition 64, which established a comprehensive regulatory and licensing scheme for commercial adult-use cannabis operations, and which legalized limited adult-use personal cannabis cultivation and use, thereby allowing for the legal cultivation, sale, manufacture, use and possession of non-medicinal cannabis under California state law; and

WHEREAS, on June 27, 2017, Governor Brown signed Senate Bill 94, the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”), which merged the regulatory schemes of MCRSA and AUMA; and

WHEREAS, presently the City has no local tax on cannabis commercial operations or activities; and

WHEREAS, MAUCRSA and AUMA do not preempt local taxation of cannabis businesses; and

WHEREAS, although presently the City permits only certain commercial cannabis land uses, it may in the future permit other types of commercial cannabis land uses; and

WHEREAS, while the City Council does not desire nor does it intend by this ordinance to allow any other commercial cannabis land uses in the City other than the currently allowed uses, the City Council does desire to seek voter approval for a broad cannabis tax that is applicable to both presently-allowed commercial cannabis uses and any potential commercial cannabis uses that may be allowed in the future; and

WHEREAS, the City Council desires that a tax be submitted to the voters for approval so that every commercial cannabis operation shall pay a commercial cannabis tax to the City, regardless of whether such operation has a valid permit pursuant to the AMC; and

WHEREAS, the City Council desires that revenue generated from said commercial cannabis taxes can be spent for unrestricted general revenue purposes; and

WHEREAS, the City Council further finds that tax revenue from cannabis operations can provide funds for additional City services to protect the general health and welfare of the citizens of the City.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ARVIN, CALIFORNIA DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. ADDITION OF CHAPTER 3.19 (COMMERCIAL CANNABIS TAX).

Chapter 3.19 (Commercial Cannabis Tax) is hereby added to Title III (Revenue and Finance) of the Arvin Municipal Code to read in full as follows:

“CHAPTER 3.19 COMMERCIAL CANNABIS TAX

Section 3.19.010 Definitions.

Section 3.19.020 Tax.

Section 3.19.030 Operation of Tax.

Section 3.19.040 Returns and Remittances.

Section 3.19.050 Failure to Pay Tax.

Section 3.19.060 Refunds.

Section 3.19.070 Enforcement.

Section 3.19.080 Debts; Deficiencies; Determinations; Hearings.

Section 3.19.090 Unrestricted Use of Revenues.

Section 3.19.100 City Council Authority to Amend.

Section 3.19.010 Definitions.

The following definitions apply to this chapter unless the context clearly denotes otherwise. Terms not defined herein shall be given the meanings assigned thereto in Chapter 17.64 of this Code.

- A. “Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means

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the separated resin, whether crude or purified, obtained from cannabis. “Cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. “Cannabis” does not mean “industrial hemp” as defined by Section 11018.5 of the Health and Safety Code.

- B. “Cannabis product(s)” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.
- C. “Cultivation” means any activity involving the propagation, planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- D. “Delivery” means the commercial transfer of cannabis or cannabis products to a customer at the customer’s home or other location remote from the premises of the commercial cannabis business making the delivery, and includes the use by a retailer of any technology platform. “Delivery” does not mean or include storefront sales.
- E. “Distribution” means the procurement, sale, and transport of cannabis and cannabis products between persons and/or operations.
- F. “Finance Director” shall mean the Director of Finance of the City and her/his designee, or such other officer as may be designated by the City Council to administer this chapter.
- G. “Manufacturing” means the activities conducted by a manufacturer, including the propagation, production, preparation, compounding, blending, extracting, infusing, or otherwise making or preparing a cannabis product or cannabis products.
- H. “Manufacturer” means a person that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis or otherwise at a fixed location that packages or repackages cannabis or cannabis products or labels or re-labels its container.
- I. “Marijuana” has the same definition as provided in this chapter for the term “cannabis.”
- J. “Mixed-Light Cultivation” means the cultivation of cannabis in a greenhouse, hoop-house, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting at a rate below or equal to twenty-five watts per square foot.
- K. “Operation” means a person that conducts, transacts, or engages in commercial activity

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relating to cannabis or cannabis products (whether or not such activity is appropriately permitted or allowed at the time of enactment of this chapter or at any time thereafter under Chapter 17.64 or other provisions of this Code), including but not limited to the retail sale (including storefront sales and sales by delivery), cultivation, manufacturing, testing, and distribution of cannabis and cannabis products, and all attendant or related activities including transportation, packaging, labeling, and storage. Operation includes commercial cannabis activity or commercial cannabis operation as defined in Chapter 17.64 of this Code.

- L. “Permit” means any permit or entitlement issued pursuant to this Code pertaining to or authorizing commercial cannabis uses or activities.
- M. “Person” means any natural person, individual, firm, corporation, partnership, joint venture, limited liability company, estate, trust, business trust, receiver, syndicate, nonprofit organization, club, or any association or combination of natural persons or group, whether acting by themselves, or through any servant, agent or employee, and includes the plural as well as the singular.
- N. “Premises” means a structure or structures or portion thereof and/or any land that is owned, leased, or otherwise held under the control of an operation where commercial cannabis activity will be or is conducted.
- O. “Proceeds” means: (1) the total gross revenues and amount actually received or receivable by an operation from all sales; and (2) the total amount of compensation actually received or receivable by an operation for the performance of any act or service, whatever nature it may be, from which a charge is made or credit allowed, whether such service is done separately or as part of or in connection with the sale of materials; goods, wares or merchandise; discounts, rents royalties, fees, commissions, dividends and other amounts realized from the services. Services, for purposes of this definition, includes but is not limited to manufacturing, testing, distribution, delivery, transportation, processing, storing, labeling, and other services rendered in connection with an operation. Proceeds includes all receipts, cash, credits and property of any kind or nature without any deduction therefrom on account of the cost of property sold, the cost of materials used, labor or services costs, interest paid or payable or losses or other expenses whatsoever. Notwithstanding the foregoing, the following shall be excluded from proceeds: (1) cash discounts where allowed and taken on sales; (2) any taxes required by law to be added to the purchaser and collected from the consumer or purchaser; (3) such part of the sales price of any property returned by the purchaser to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in proceeds; and (4) such other amounts as may be determined by the Finance Director not to constitute proceeds within the meaning of this definition. The Finance Director may promulgate administrative rules or regulations interpreting or applying this definition.
- P. “Quarterly” means the four calendar quarters which fall within a calendar year, i.e. January through March, April through June, July through September, October through

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December.

- Q. “Retail” means that part of an operation engaged in the retail sale of cannabis or cannabis products to a customer, whether by storefront sales or by delivery. A retailer may be a storefront or non-storefront (delivery only) retailer.
- R. “Space utilized as cultivation area” means any space or ground, floor or other surface area (whether horizontal or vertical) which is used during the cannabis germination, seedling, vegetative, pre-flowering, flowering and/or harvesting phases, including without limitation any space used for activities such as growing, planting, seeding, germinating, lighting, warming, cooling, aerating, fertilizing, watering, irrigating, topping, pinching, cropping, trimming, curing or drying cannabis, or any such space used for storing any plants, products, supplies or equipment related to any such activities, no matter where such storage may take place or such storage space may be located. Space utilized as cultivation area may be non-contiguous and shall include space used to cultivate cannabis on platforms and/or stack them in multiple layers on top of each other (i.e. vertical). Space utilized as cultivation area shall be calculated in square feet and measured using clearly identifiable and/or apparent boundaries, and shall include all space within the boundaries. Each discrete area shall be separated or demarcated by an identifiable or apparent boundary, including but not limited to interior walls, shelves, greenhouse walls, nursery walls, canopy walls, hoop house walls, garden benches, hedgegrows, fencing, garden beds, garden plots, or other plot-type planting. Space utilized as cultivation area includes space which is immediately available for the activities described herein even if not being used at the time of determination. Space utilized as cultivation area shall be determined by the Finance Director during the initial Term of the operation, and at least annually thereafter, in accordance with this definition. The Finance Director may promulgate administrative rules or regulations interpreting or applying this definition.
- S. “Tax” means and refers to the commercial cannabis tax provided for in this chapter, including the commercial cannabis cultivation tax and the commercial cannabis proceeds tax described in Section 3.19.020 hereof.
- T. “Term” means such term or period of time as may be designated by the Finance Director for reporting and/or payment of tax, provided, however, that if no express term is designated by the Finance Director, Term shall mean one calendar quarter. Notwithstanding the foregoing, the Term for payment of tax may be set on a monthly, quarterly, semi-annual or annual basis by the Finance Director. Taxes may be prorated for collection to the extent the Finance Director provides for a Term other than that specified herein, and to the extent an operation commences on a date other than the first day of a given Term.
- U. “Testing Laboratory” means an operation that offers or performs tests of cannabis or cannabis products. Testing means the activity of offering or performing tests of cannabis and cannabis products.

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Section 3.19.020 Tax.

- A. Commercial Cannabis Cultivation Tax. Subject to annual adjustment as provided below, every operation conducting, transacting or engaging in commercial cultivation of cannabis in the City shall pay a tax at one of the following maximum rates, as applicable:
- (i) For all space utilized as cultivation area where Mixed-Light Cultivation is used – up to four dollars (\$4) per square foot;
 - (ii) For all space utilized as cultivation area other than as specified in subparagraph (i) – up to six dollars (\$6) per square foot.

The tax rate pursuant to this subsection (A) is an annual tax rate. Notwithstanding the foregoing, to the extent the tax is paid and/or collected on a semi-annual, quarterly or monthly Term, the tax shall be prorated for the applicable Term. For example, for a quarterly term, the tax for the initial fiscal year pursuant to subparagraph (i) shall be one dollar (\$1) per square foot per quarter, and the tax for the initial fiscal year pursuant to subparagraph (ii) shall be one dollar and fifty cents (\$1.50) per square foot per quarter.

The tax pursuant to this subsection (A) shall be based on a fiscal year (July 1 to June 30) and shall be adjusted annually on July 1 of each year, commencing July 1, 2020, based on the Consumer Price Index (“CPI”) for all urban consumers in the Los Angeles-Long Beach-Anaheim areas as published by the United States Government Bureau of Labor Statistics, (based on the prior calendar year increase).

- B. Commercial Cannabis Proceeds Tax. Every operation conducting, transacting or engaging in commercial cannabis activity(ies) in the City other than cultivation pursuant to subsection (A), including but not limited to retail sale (including storefront sales and sales by delivery), distribution, manufacturing, or testing, shall pay a tax at one of the following maximum rates, as applicable:
- (i) For testing – up to two percent (2%) of Proceeds.
 - (ii) For manufacturing, up to the following tiered rate, based on a quarterly term:
 - a. Six percent (6%) of Proceeds up to and including \$625,000;
 - b. Three point seven five percent (3.75%) of Proceeds over \$625,000 and up to and including \$2,500,000;
 - c. Two point eight percent (2.8%) of Proceeds over \$2,500,000.
 - (iii) For distribution – up to two percent (2%) of Proceeds.
 - (iv) For retail sales – up to three point seven five percent (3.75%) of Proceeds.
 - (v) For all operations subject to this subsection (B) other than as specified in

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subparagraphs (i) - (iv) – up to four percent (4%) of Proceeds.

The tax rates pursuant to this subsection (B) are quarterly tax rates. To the extent of any adjustment of Term from a quarterly term, said rates shall adjust to reflect the same percentage over the new term (e.g., for testing, up to 2% per year for an annual term). The rate specified in subparagraph (ii) shall be adjusted to multiply the Proceeds dollar amount thresholds to reflect any adjustment from a quarterly term, while the percentage rates shall remain the same (for example, for an annual Term, multiply the dollar amounts by 4, or divide them by 3 for a monthly Term). Adjustments pursuant to this subsection (B) shall not constitute an increased tax or change in methodology for purposes of Article XIII C of the California Constitution.

- C. Operations which engage in commercial cannabis activities specified in both subsection (A) and subsection (B) shall pay all applicable taxes for each such activity under both subsections.

Section 3.19.030 Operation of Tax.

- A. Each person, upon or prior to commencing an operation in the City, shall notify the Finance Director of the commencement of the operation.
- B. Failure to pay the tax shall be subject to penalties, interest charges, and determinations of tax due as set forth in this chapter, or as the City Council may establish, and the City may use any or all other enforcement remedies provided for in this Code, or pursuant to state law.
- C. The City Council, by resolution or ordinance, may impose the tax at a lower rate than the maximum authorized by this chapter, and may establish such tax exemptions, exceptions incentives, or other reductions, and may charge such penalties and interest or make determinations of tax due for failure to pay the tax in a timely manner, as allowed by this Code or California law. No action by the Council under this section shall prevent it from later increasing the tax or removing any exemption, incentive, or reduction, and thereby restoring the maximum tax rates specified in this chapter. No adjustment shall decrease any maximum tax rate authorized to be imposed by this chapter. The tax shall automatically be set at the maximum rates specified in this chapter upon enactment hereof and shall continue at said rate, unless and until a different rate is set or imposed by the City Council.
- D. The City Council, by Ordinance or resolution, may exempt a commercial cannabis operation from the tax for a period of time by a development agreement approved pursuant to Government Code Sections 65864- 65869.5 or similar provision.
- E. Payment or collection of the tax shall not be construed as authorizing the conduct or continuance of any illegal business under federal, state or local

law, or of a legal business in an illegal manner. Nothing in this chapter shall be construed to authorize an operation.

- F. The tax provided for in this chapter is not a sales or use tax and shall not be calculated or assessed as such. The tax shall not be separately identified or otherwise specifically assessed or charged to any individual member, consumer or customer; rather, the tax is imposed upon the operation.
- G. The Finance Director shall promulgate rules, regulations, and procedures to implement and administer this chapter to ensure the efficient and timely collection of the tax, including without limitation, formulation and implementation of penalties and interest to be assessed for failure to pay the tax as provided.

Section 3.19.040 Returns and Remittances.

The tax shall be due and payable as follows:

- A. Each operation owing tax, within forty-five (45) days of the last business day of each Term (as established by the Finance Director), shall prepare and submit a tax return to the Finance Director pertaining to the preceding Term (i.e. the Term concluding 45 days prior, which is the subject of the tax return). The tax return shall include all information necessary to determine the Proceeds (for the commercial cannabis proceeds tax), the total space utilized as cultivation area (specifically identifying the location of all such areas) and total square footage of the operation (for the commercial cannabis proceeds tax), and the amount of tax due for the preceding Term. At the time the tax return is filed, the full amount of the tax owed for the preceding Term shall be remitted to the City. Where the Term is set on an annual basis, the Finance Director may require prorated payments or estimated tax payments on more frequent intervals during the Term, as such intervals may be established by the Finance Director and instructions provided to an operation.
- B. All tax returns shall be completed on forms provided by the Finance Director.
- C. Tax returns and payments for all outstanding tax owed to the City are immediately due to the Finance Director upon cessation of an operation for any reason and upon the sale of the operation.
- D. Whenever any payment, statement, report, request or other communication received by the Finance Director is received after the time prescribed by this section for the receipt thereof, but is in an envelope bearing a postmark showing that it was mailed on or prior to the date prescribed in this section for the receipt thereof, or whenever the Finance Director is furnished substantial proof that the payment, statement, report, request, or other communication was in fact deposited in the United States mail on or prior to the date prescribed for receipt thereof, the Finance Director may regard such payment, statement, report, request, or other communication as having been timely received. If the due day falls on a date that City Hall is closed, or on a Saturday, Sunday, or federal

holiday, the due date shall be the next business day on which the City Hall is open to the following the due date.

- E. Unless otherwise specified in other provisions of this chapter, the tax shall be deemed delinquent if not paid on or before the due date specified by this section.
- F. The Finance Director is not required to send a delinquency or other notice or bill to any person or operation subject to payment of tax, and failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this chapter.

Section 3.19.050 Failure to Pay Tax.

Any operation which fails or refuses to pay any tax on or before the due date shall incur and pay penalties and interest, in addition to the principal amount of unpaid tax, as follows:

- A. A penalty, not to exceed twenty-five percent (25%) of the amount of the unpaid tax, plus interest on the unpaid tax calculated from the due date of the tax at a rate of not more than twelve percent (12%) per year or one percent (1%) per month. Such penalties and interest may be set or imposed at a lower rate by resolution of the City Council, and such action shall not affect the authority of the City Council to thereafter adjust or restore the rates up to the maximum rates set forth herein without voter approval. Penalties and interest shall automatically be set at the maximum rates allowed herein unless and until otherwise set or imposed by the City Council.
- B. Whenever a check is submitted in payment of tax and the check is subsequently returned unpaid by the bank upon which the check is drawn, and the check is not redeemed prior to the due date, the taxpayer will be liable for the unpaid tax amount plus penalties and interest as provided for in this section plus any amount allowed under state law.
- C. The tax obligation shall commence on, and shall be calculated from, the operative date of this chapter, for operations existing as of the operative date of this chapter, or the date of commencement of the operation, for operations commencing after the operative date of this chapter.
- D. The Finance Director may waive all or some of the penalties and/or interest imposed upon any operation if:
 - 1. The operation provides evidence satisfactory to the Finance Director that failure to pay timely was due to circumstances beyond the control of the operation and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect, and the operation paid the delinquent tax and accrued interest owed the City prior to applying to the Finance Director for a waiver.
 - 2. The waiver provisions specified in this subsection shall be granted no more than once during any twenty-four (24) month period unless some other time is permitted by the

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City Council.

Section 3.19.060 Refunds.

- A. No refund shall be made of any tax collected pursuant to this chapter, except as provided in this section.
- B. No refund of any tax collected pursuant to this chapter shall be made because of the discontinuation, dissolution, or other termination of an operation.
- C. Any operation entitled to a refund of tax paid pursuant to this chapter may elect in writing to have such refund applied as a credit against such operation's tax for the next term.
- D. Whenever the amount of any tax, penalty, or interest has been overpaid, paid more than once, or has been erroneously or illegally collected or received by the City under this chapter, such amount may be refunded to the claimant who paid the tax, provided that a written claim for refund is filed with the City Clerk and Finance Director. Refund claims must be filed as set forth above within one year of the subject tax payment pursuant to Government Code Section 911.2. Each person or operation requesting a refund or making a claim shall file the claim as provided herein. The submission of a written claim, which shall be acted upon by the City Council, shall be a prerequisite to suit thereon. (See Section 935 of the California Government Code). The City Council shall act upon the refund claim within the time period set forth in Government Code Section 912.4. If the City Council fails or refuses to act on a refund claim within the time prescribed by Government Section 912.4, the claim shall be deemed to have been rejected by the City Council on the last day of the period within which the City Council was required to act upon the claim as provided in Government Code Section 912.4. The Finance Director or City Clerk or other officer charged with such duty shall give notice of the action in a form that substantially complies with that set forth in Government Code Section 913. To the extent allowed by law, nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim as provided by this section.
- E. The Finance Director shall have the right and authority to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant therefor refuses to allow such examination of claimant's books and business records after request by the Finance Director to do so.
- F. In the event that the tax was erroneously paid and the error is attributable to the City, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the City shall deduct and retain the amount set forth in this chapter from the amount to be refunded to cover expenses.
- G. The Finance Director shall initiate a refund of any tax which has been overpaid or

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erroneously collected whenever the overpayment or erroneous collection is uncovered by a City audit of tax receipts. In the event that the tax was erroneously paid and the error is attributable to the City, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the City shall retain the amount set forth in this chapter from the amount to be refunded to cover expenses.

Section 3.19.070 Enforcement.

- A. It shall be the duty of the Finance Director to enforce this chapter.
- B. For purposes of administration and enforcement of this chapter generally, the Finance Director, with the assistance of the City Attorney, may from time to time promulgate administrative rules and regulations.
- C. The Finance Director shall have the power to audit and examine all books and records of any person or operation relating to the Proceeds of an operation or the square footage or space utilized as cultivation area of the operation, including state and federal income tax returns, California sales tax returns, logs, receipts, bank records, or other documentation, for the purpose of ascertaining the amount of tax, if any, required to be paid pursuant to this chapter and/or verifying any statement or representation made by any person or operation in a tax return or otherwise pursuant to this chapter. If such person or operation, after written demand by the Finance Director, refuses to make available for audit, examination or verification any book or record specified in this subsection, the Finance Director may, after full consideration of all information within the Finance Director's knowledge concerning the operation and activities of the person or operation so refusing, make a determination of tax due in the manner provided in Section 3.19.080.
- D. The Finance Director shall have the power to enter upon the premises of an operation, upon reasonable notice to the operation, for the purpose of determining space utilized as cultivation area, to review items requested in subsection (C) or as otherwise needed for enforcement of this chapter.
- E. The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt any person or operation from any civil action for recovery of any unpaid taxes, penalties or interest owed by such person or operation. No civil action shall prevent a criminal prosecution for violation of any provision of this chapter or state law requiring the payment of all taxes.
- F. Any person or operation violating any provision of this chapter or any regulation or rule passed in accordance herewith, or knowingly or intentionally misrepresenting to any officer or employee of the City any material fact, either concerning the operation and administration of this chapter, or in procuring permits from the City as provided for in this chapter, shall be deemed guilty of a misdemeanor. Notwithstanding the foregoing, the city prosecutor, in his or her discretion, may elect to charge and prosecute any violation as an infraction in lieu of a misdemeanor or not to charge and prosecute at all.

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Section 3.19.080 Debts; Deficiencies; Determinations; Hearings.

- A. The amount of any tax, penalties, and interest pursuant to this chapter shall be deemed a debt to the City, and any person or operation that fails to make payment to the City of any required tax, penalty or interest pursuant to this chapter shall be liable in an action in the name of the City in any court of competent jurisdiction for the amount of the tax, and penalties and interest imposed on such operation.
- B. If the Finance Director is not satisfied that any statement filed pursuant to this chapter is correct, or that the amount of tax is correctly computed, the Finance Director may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When an operation ceases, a deficiency determination may be made at any time within three years thereafter as to any liability arising from such operation, whether or not a deficiency determination is issued prior to the date the tax would otherwise be due.
- C. Under any of the following circumstances, the Finance Director may make and give notice of a determination of the amount of tax owed pursuant to this chapter:
 1. If the operation has not filed any statement or return required under this chapter.
 2. If the operation has not paid any tax due under this chapter.
 3. If the operation has not, after demand by the Finance Director, filed a corrected statement or return, or furnished to the Finance Director adequate substantiation of the information contained in a statement or return already filed, or paid any additional amount of tax due.
 4. If the Finance Director determines that the nonpayment of any tax due under this chapter is due to fraud, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties and interest otherwise provided for in this chapter.
 5. The notice of determination shall separately set forth the amount of any tax known by the Finance Director to be due, or estimated to be due by the Finance Director, after consideration of all information within the Finance Director's knowledge concerning the business and activities of the operation assessed, under each applicable section of this chapter, and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of determination.
 6. The notice of determination shall be served upon the operation either by personal service upon the operation's agent for service of process or other responsible person

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- known to the City or designated by the operation, or by depositing the notice in the United States mail, postage prepaid, addressed to the operation at the address appearing on the face of the business tax certificate issued under this Code or to such other address as the operation shall register with the Finance Director for the purpose of receiving notices provided under this chapter; or, should the operation have no business tax certificate issued and no address registered with the Finance Director for such purpose, then to such operation's last known address. For purposes of this section, service by mail is complete at the time of deposit in the mail.
- D. Within ten (10) days after the date of service of a determination of the amount of tax owed by an operation or any other determination by the Finance Director as specified in subsection (D)(5) of this section, the operation may apply in writing to the Finance Director for a hearing on the determination. If application for a hearing before the City is not timely made, the tax assessed by the Finance Director shall become final. The procedures for conducting such a hearing shall be as required by law and as follows:
1. The hearing shall be conducted by an independent hearing officer appointed by the Finance Director. The compensation of the hearing officer shall not depend on any particular outcome of the appeal. The hearing officer shall have full authority and duty to preside over the hearing in the manner set forth herein and as required by law.
 2. Within thirty (30) days of the receipt of any application for a hearing pursuant to this section, the Finance Director shall cause the matter to be set for hearing before the independent hearing officer, unless a later date is agreed to by the Finance Director and the applicant.
 3. Notice of the hearing shall be given by the Finance Director to the applicant not later than five (5) days prior to the date of the hearing. For good cause, the hearing officer may continue the administrative hearing from time to time. At the hearing, the applicant may appear and offer evidence to show why the determination as made by the Finance Director should not be confirmed and fixed as the tax due, or to show why such other determination of the Finance Director pursuant to subsection (D)(5) should not be confirmed. In conducting the hearing, the hearing officer shall not be limited by the technical rules of evidence. Failure of the applicant to appear shall not affect the validity of the proceedings or order issued thereon.
 4. Upon conclusion of the hearing, or no later than ten (10) days after the conclusion of the hearing, the hearing officer shall determine and reassess the proper tax to be charged or make such other determination as provided in subsection (D)(5), and shall give written notice to the applicant in the manner prescribed in this chapter for giving notice of determination, and the hearing officer shall submit its decision and the record to the City Clerk. The decision of the hearing officer shall be final.
 5. The provisions of this section apply to any decision, deficiency determination, assessment, or other decision or ruling of the Finance Director, except decisions

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made pursuant to Section 3.19.060. Any person or operation aggrieved by any decision subject to this section shall comply with the hearing procedure of this section. Pursuant to Government Code Section 935(b), compliance with this section shall be a prerequisite to a suit thereon. To the extent allowed by law, nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers.

Section 3.19.090 Unrestricted Use of Revenues.

Revenues from the cannabis tax shall be expended by the City for unrestricted general revenue purposes.

Section 3.19.100. City Council Authority to Amend.

The City Council has the right and authority to amend this chapter, to further its purposes and intent (including but not limited to amendment for more efficient administration as determined by the City Council), in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution, pursuant to Elections Code Section 9217.

Section 3.19.100. Oversight Committee.

The city council shall establish an oversight committee comprised of city residents to assist the City through advisory review of the expenditures of revenues from the cannabis tax.”

SECTION 3. EFFECTIVE DATE.

If a majority of the voters of the City of Arvin voting at the General Municipal Election of November 6, 2018 vote in favor of this Ordinance, then this Ordinance shall become a valid and binding ordinance of the City of Arvin, and shall be considered as adopted upon the date that the vote is declared by the City Council of the City of Arvin, and this Ordinance shall go into effect ten (10) days after that date, pursuant to Election Code section 9217.

SECTION 4. CITY COUNCIL AUTHORITY TO AMEND

Pursuant to Section 9217 of the California Elections Code, the City Council expressly reserves, retains, has, and is granted the right and authority to amend the provisions of this Ordinance to further the purposes and intent of the Ordinance (including but not limited to amendment for more efficient administration as determined by the City Council) in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 6. EXECUTION.

The Mayor of the City of Arvin is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of Arvin by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Arvin, California voting on the 06th day of November, 2018.

Jose Gurrola, Mayor
City of Arvin

Attest:

Cecilia Vela, CMC, City Clerk
City of Arvin

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN SETTING FORTH THE MEETING DATES AND CITY HOLIDAYS FOR CALENDAR YEAR 2019.

WHEREAS, the City Council desires to establish its meeting dates and City holidays for the calendar year 2019; and

WHEREAS, the City Council desires to have greater flexibility and avoid cancellations of meetings without potentially conflicting with events such as National Night Out, election night, Thanksgiving, Christmas, New Years, etc., by establishing its regular meeting dates on the second and fourth Tuesdays of each month; and

WHEREAS, the City Council also desires to make more effective use of time by providing for a mechanism where closed session items, which are normally not attended by the public, can be called at an earlier time if required.

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

1. The regular meetings of the Arvin City Council shall take place on the following dates:

January 22	July 09
February 12	July 23
February 26	August 13
March 12	August 27
March 26	September 10
April 09	September 24
April 23	October 08
May 14	October 22
May 28	November 12
June 11	December 10
June 25	

Meetings are set to commence at 5:00 p.m., with any closed session items to be considered first.

2. The following regular meetings of the Arvin City Council are hereby cancelled:

January 08, 2019, November 26, 2019 and December 24, 2019 due to the holiday schedule.

3. The following shall be observed holidays in the City of Arvin:

Tues. Jan 01, 2019	New Year's Day
Mon. Jan 21, 2019	Martin Luther King, Jr. Day
Mon. Feb 18, 2019	President's Day
Mon. April 01, 2019	Cesar Chavez Day (observed)
Mon. May 27, 2019	Memorial Day
Thurs. July 04, 2019	Independence Day
Mon. Sept 02, 2019	Labor Day
Mon. Nov 11, 2019	Veteran's Day (observed)
Thurs. Nov 28, 2019	Thanksgiving Day
Fri. Nov 29, 2019	After Thanksgiving Day
Tues. Dec 24, 2019	Christmas Eve
Wed. Dec 25, 2019	Christmas Day
Tues. Dec 31, 2019	New Year's Eve
Wed. Jan 01, 2020	New Year's Day

4. The holidays for sworn officers are listed under the Memorandum of Understanding (M.O.U.) with the Arvin Police Officers Association.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Special Meeting thereof held on the 10th day of December, 2018 by the following vote:

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 Resolution passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.

**City Council****REVIEWED****REPORT (ID # 1212)**

Meeting: 12/10/18 12:00 AM
Department: Finance Department
Category: Report
Prepared By: Jeff Jones
Initiator: Jeff Jones
Sponsors:
DOC ID: 1212

Impact Fee Report FY 17-18 per Government Code §66000 et seq

Attached is a listing of all financial activity pertaining to the Urban Growth Management transactions by the City of Arvin during the fiscal year ending June 30, 2018. This document is prepared pursuant to California Government code sections 66000 through 66013.



CITY OF ARVIN

December 10, 2018

MAYOR
Jose Gurrrola

MAYOR PRO TEM
Jess Ortiz

COUNCIL MEMBERS
Jazmin Robles
Erika Madrigal
Gabriela Martinez

CITY MANAGER
Jerry Breckinridge

Honorable Mayor and City Council
City of Arvin
200 Campus Dr.
Arvin, CA 93203

RE: Annual Impact Fee Report for the Fiscal Year 2017-2018

The accompanying documents have been compiled into this report to reflect all financial activity pertaining to the Urban Growth Management impact fee transactions by the City of Arvin during the fiscal year ended June 30, 2018. This document is prepared pursuant to California Government code Section 66000 through 66013 and is intended to satisfy reporting requirements therein. This legislation requires local agencies to provide a financial report each year on all impact fees levied as a condition of development.

The report also provides updated information regarding the status of construction projects and reimbursements made, and the status of remaining eligible reimbursement as of June 30, 2018.

As of this report, the Police Department is the only unit that has expended all of its funds during the fiscal year. The construction of Jewett Square and Garden in the Sun Park will require funds to make payments on the loans that were entered into for sewer and street infrastructure.

This concludes my report on the Impact Fee Funds for the fiscal year 2017-2018.

Sincerely,

Jeff Jones
Finance Director
City of Arvin

Phone (661) 854-3134
Fax (661) 854-0817

200 Campus Drive
P.O. Box 548
Arvin, California 93203

CITY OF ARVIN

IMPACT FEES REPORT

Fiscal Year 2017-2018



PRESENTED BY

JEFF JONES

FINANCE DIRECTOR FOR THE CITY OF ARVIN

MONDAY, DECEMBER 10, 2018

Phone (661) 854-3134
Fax (661) 854-0817

200 Campus Drive
P.O. Box 548
Arvin, California 93203
www.arvin.org

2017-2018 Development Fees

Type of Land Use	City of Arvin Impact Fees				Arvin Community Services District Fees	Arvin Union School District Fees
	Public Safety Impact Fee	Parks and Recreation Impact Fee	Sewer Systems Impact Fee	Traffic Impact Fee	Water (contact ACSD 661-854-2127)	School (contact AUSD 661-854-6500)
Residential						
single family dwelling	\$150/unit	\$2,500/unit	\$4,400/unit	\$3,943/unit	\$4,160/unit	7.37 sq/ft
duplex	\$100/unit	\$2,500/unit	\$4,400/unit	\$2,740/unit	contact ACSD	7.37 sq/ft
triplex	\$100/unit	\$2,500/unit	\$3,960/unit	\$2,740/unit	contact ACSD	7.37 sq/ft
4-plex or larger	\$100/unit	\$2,500/unit	\$3,960/unit	\$2,740/unit	contact ACSD	7.37 sq/ft
motels and hotels	\$350/acre		\$1,320/unit	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
convalescent hospitals	\$350/acre		\$1,320/bed	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
rest/nursing homes	\$350/acre		\$1,320/bed	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
Commercial						
small retail shops/offices	\$350/acre		\$4,400/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
laundries/dry cleaners	\$350/acre		\$2,112/machine	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
medical/dental offices	\$350/acre		\$11,000/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
supermarkets	\$350/acre		\$158,400/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
grocery stores	\$350/acre		\$16,280/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
restaurants(less than 35 seats)	\$350/acre		\$17,160/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
restaurants (35 seats or larger)	\$350/acre		\$25,080/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
bars/taverns/lounges	\$350/acre		\$15,840/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
car washes	\$350/acre		\$7,700/stall	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
service stations	\$350/acre		\$6,160/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
auto repair shops	\$350/acre		\$6,160/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
mortuaries and kennels	\$350/acre		\$6,600/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
recreational uses	\$350/acre		\$17,600/facility	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
Quasi-Public/Public						
churches	\$350/acre		\$4,840/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
schools	\$350/acre		\$136/student	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
Industry*						
food processing	\$350/acre		\$25,080/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
light manufacturing uses	\$350/acre		\$4,400/bldg.	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
Public/Private Users not listed						
Use with 14 Employees or Less	\$350/acre		\$4,400/use	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft
Use with 15 Employees or More	\$350/acre		\$4,400/use \$2,200 per Employee	\$7,874/1000 sq. ft.	contact ACSD	0.55 sq/ft

IMPACT FEES 2017-2018

City of Arvin

For the Period: 07/01/2017-06/30/2018

Fund: 100 - GENERAL FUND

Dept: 014 POLICE DEPARTMENT

Public Safety Impact Fee:

City officials have taken steps to make sure that developers in the city pay their share of the costs the city will have to bear for providing new infrastructure for the Police Department. This fee is intended for a variety of uses to meet the Police Department needs to assure the department becomes safer and more efficient as the population grows. Items purchased may include tasers, new radios, critical maintenance items and safety supplies.

Beginning Balance @ 7/01/2017: -

FND	Receipt	Type	Customer Name	Date	Permit	Police Impact Fee	Credit	Net Amount
100	29227	BUILD	RUBEN RODRIGUEZ	07/19/2017	BP 17-179	\$ 150.00		150.00
100	30099	BUILD	JHAJ & BRAR INVESTMENT INC	12/18/2017	BP 17-175	\$ 273.00		273.00
100	30312	BUILD	K HOVNANIAN CO., LLC - PHOENIX	01/18/2018	BP 17-272	\$ 150.00		150.00
100	30313	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	01/18/2018	BP 17-273	\$ 150.00		150.00
100	30314	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-274	\$ 150.00		150.00
100	30315	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-275	\$ 150.00		150.00
100	30316	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-276	\$ 150.00		150.00
100	30317	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-277	\$ 150.00		150.00
100	30318	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-278	\$ 150.00		150.00
100	30319	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-279	\$ 150.00		150.00
100	30320	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-280	\$ 150.00		150.00
100	30321	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-281	\$ 150.00		150.00
100	30322	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-282	\$ 150.00		150.00
100	30323	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-283	\$ 150.00		150.00
100	30324	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-284	\$ 150.00		150.00
100	30325	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-285	\$ 150.00		150.00
100	30326	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-286	\$ 150.00		150.00
100	30327	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-287	\$ 150.00		150.00
100	30646	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	03/20/2018	BP 18-065	\$ 150.00		150.00
100	30647	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-066	\$ 150.00		150.00
100	30648	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-067	\$ 150.00		150.00
100	30649	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-068	\$ 150.00		150.00
100	30650	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-069	\$ 150.00		150.00
100	30651	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-070	\$ 150.00		150.00
100	30652	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-071	\$ 150.00		150.00
100	30653	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-072	\$ 150.00		150.00
100	30654	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-073	\$ 150.00		150.00
100	30655	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-074	\$ 150.00		150.00
100	30656	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-075	\$ 150.00		150.00
100	30657	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-076	\$ 150.00		150.00
100	30658	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-077	\$ 150.00		150.00
100	30659	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-078	\$ 150.00		150.00
POLICE DEPARTMENT IMPACT FEE REVENUE						4,923.00	-	4,923.00

Fund: 100 - GENERAL FUND

POLICE DEPARTMENT IMPACT FEE EXPENSES

Fund	JE No.	JE Type	Expense Item	Date	GL #	GL Type	Expense Amount
100	218585	AP	SMOKE ALARMS- JAIL	07/14/2017	100-014-5006	MAINTENANCE-JAIL	109.33
100	218710	AP	PEST CONTROL SVC. JULY 2017	07/26/2017	100-014-5006	MAINTENANCE-JAIL	150.00
100	218730	AP	INSPECTION JAILSIDE	07/26/2017	100-014-5006	MAINTENANCE-JAIL	90.00
100	219604	AP	PEST CONTROL SVC JAILSIDE	09/13/2017	100-014-5006	MAINTENANCE-JAIL	150.00
100	225390	AP	PEST CONTROL SVC. -JAILSIDE	11/27/2017	100-014-5006	MAINTENANCE-JAIL	150.00
100	228617	AP	PEST CONTROL-JAILSIDE	01/26/2018	100-014-5006	MAINTENANCE-JAIL	150.00
100	229543	AP	PEST CONTROL SVC. JAILSIDE	02/13/2018	100-014-5006	MAINTENANCE-JAIL	150.00
100	233618	AP	PEST CONTROL-JAILSIDE	05/03/2018	100-014-5006	MAINTENANCE-JAIL	150.00
100	236499	AP	ROUTINE INSPECTION-POLICE DEPT	06/30/2018	100-014-5006	MAINTENANCE-JAIL	187.50
100							
100	227499	AP	SAFETY SUPPLIES -POLICE DEPT.	12/30/2017	100-014-5040	SAFETY EQUIPMENT	445.25
100	228713	AP	SAFETY EQUIPMENT POLICE DEPT.	01/26/2018	100-014-5040	SAFETY EQUIPMENT	71.81
100	230225	AP	SAFETY EQUIPMENT - POLICE DEPT	02/27/2018	100-014-5040	SAFETY EQUIPMENT	675.00
100	230259	AP	SAFETY EQUIPMENT	02/27/2018	100-014-5040	SAFETY EQUIPMENT	10.70
100	231769	AP	SAFETY EQUIPMENT	03/26/2018	100-014-5040	SAFETY EQUIPMENT	1,948.50
100							
100	228582	AP	AIMPOINT OPTICAL BATTERY	01/03/2018	100-014-5076	EQUIPMENT - SPECIAL	13.86
100	228595	AP	BATTERY REPLACEMENT-POLICE DEP	01/26/2018	100-014-5076	EQUIPMENT - SPECIAL	69.28
100	230428	AP	SAFETY EQUIPMENT-POLICE DEPT.	03/05/2018	100-014-5076	EQUIPMENT - SPECIAL	19.96
100							
100	219197	AP	LAB SUPPLIES	08/14/2017	100-014-5096	LAB SUPPLIES	
100	231087	AP	LAB SUPPLIES-POLICE DEPT.	03/19/2018	100-014-5096	LAB SUPPLIES	338.93
POLICE DEPARTMENT IMPACT FEE EXPENSES							4,880.12

Ending Balance @ 6/30/2018: 42.88

IMPACT FEES 2017-2018

City of Arvin

For the Period: 07/01/2017-06/30/2018

Fund: 293 - PARK IMPACT FEES
4061 PARK IMPACT PROP 1B REVENUE

Park and Recreation Impact Fee:

The Park Impact Fee has traditionally been used to expand the existing parks for park maintenance. As the City grows with new development, new parks will need to be built to accommodate the increasing population. Due to a settlement with the previous owners of tract 5816 in 2008, the City agreed to limit Impact Fees for development in that area. Expenses to this fund in Fiscal Year 2017-18 involved Garden In the Sun Park and the related Walnut Street extension. This fund can also pay for additional maintenance

Beginning Balance @ 7/01/2017: \$ 351,631.38

FND	Receipt	Type	Customer Name	Date	Permit	PARK IMPACT FEES
293	29227	BUILD	RUBEN RODRIGUEZ	07/19/2017	BP 17-179	2,500.00
293	29684	BUILD	LEORA, LLC	10/26/2017	BP 17-188,201,202,203,2	16,496.00
293	29685	BUILD	LEORA, LLC	10/26/2017	BP 17-171,172,173	6,186.00
293	29760	BUILD	LEORA, LLC	11/02/2017	BP 17-252	2,061.86
293	30275	BUILD	LEORRA,LLC	01/16/2018	BP 18-009	2,061.86
293	30276	BUILD	LEORRA, LLC	01/16/2018	BP 18-010	2,061.86
293	30277	BUILD	LEORRA, LLC	01/16/2018	BP 18-011	2,061.86
293	30278	BUILD	LEORRA, LLC	01/16/2018	BP 18-012	2,061.86
293	30280	BUILD	LEORRA, LLC	01/16/2018	BP 18-013	2,061.86
293	30314	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-274	416.87
293	30315	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-275	416.87
293	30317	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-277	416.87
293	30318	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-278	416.87
293	30320	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-279	416.87
293	30322	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-281	416.87
293	30324	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-284	416.87
293	30326	BUILD	K HOVNANIAN CO., LLC-PHOENIX G	01/18/2018	BP 17-286	416.87
293	30514	BUILD	LEORA, LLC	02/21/2018	BP 18-035	2,061.86
293	30515	BUILD	LEORA, LLC	02/21/2018	BP 18-036	2,061.86
293	30516	BUILD	LEORA, LLC	02/21/2018	BP 18-037	2,061.86
293	30572	BUILD	LEORA, LLC	03/01/2018	BP 18-056	2,061.86
293	30573	BUILD	LEORA, LLC	03/01/2018	BP 18-057	2,061.86
293	30574	BUILD	LEORA, LLC	03/01/2018	BP 18-058	2,061.86
293	30575	BUILD	LEORA, LLC	03/01/2018	BP 18-059	2,061.86
293	30576	BUILD	LEORA, LLC	03/01/2018	BP 18-060	2,061.86
293	30577	BUILD	LEORA, LLC	03/01/2018	BP 18-061	2,061.86
293	30578	BUILD	LEORA, LLC	03/01/2018	BP 18-062	2,061.86
293	30579	BUILD	LEORA, LLC	03/01/2018	BP 18-063	2,061.86
293	30580	BUILD	LEORA, LLC	03/01/2018	BP 18-064	2,061.86
293	30607	BUILD	LEORA, LLC	03/07/2018	BP 18-079	2,061.86
293	30608	BUILD	LEORA, LLC	03/07/2018	BP 18-080	2,061.86
293	30609	BUILD	LEORA, LLC	03/07/2018	BP 18-081	2,061.86
293	30610	BUILD	LEORA, LLC	03/07/2018	BP 18-082	2,061.86
293	30611	BUILD	LEORA, LLC	03/07/2018	BP 18-083	2,061.86
293	30612	BUILD	LEORA, LLC	03/07/2018	BP 18-084	2,061.86
293	30613	BUILD	LEORA, LLC	03/07/2018	BP 18-085	2,061.86
293	30647	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-066	416.87
293	30650	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-069	416.87
293	30652	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-071	416.87
293	30654	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-073	416.87
293	30657	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-076	416.87
293	30659	BUILD	K HOVNANIAN CO.,LLC-PHOENIX GR	03/20/2018	BP 18-078	416.87
293	30801	BUILD	LEORA, LLC	04/23/2018	BP 18-097	2,061.86
293	30802	BUILD	LEORA, LLC	04/23/2018	BP 18-098	2,061.86
293	30803	BUILD	LEORA, LLC	04/23/2018	BP 18-099	2,061.86
293	30804	BUILD	LEORA, LLC	04/23/2018	BP 18-100	2,061.86
293	30805	BUILD	LEORA, LLC	04/23/2018	BP 18-101	2,061.86
293	30806	BUILD	LEORA, LLC	04/23/2018	BP 18-102	2,061.86
293	30807	BUILD	LEORA, LLC	04/23/2018	BP 18-103	2,061.86
293	30808	BUILD	LEORA, LLC	04/23/2018	BP 18-104	2,061.86
293	30810	BUILD	LEORA, LLC	04/23/2018	BP 18-105	2,061.86
293	30811	BUILD	LEORA, LLC	04/23/2018	BP 18-106	2,061.86
293	30834	BUILD	LEORA, LLC	04/30/2018	BP 18-114	2,061.86
293	30971	BUILD	LEORA, LLC	05/21/2018	BP 18-128	2,061.86
293	30972	BUILD	LEORA, LLC	05/21/2018	BP 18-129	2,061.86
293	30973	BUILD	LEORA, LLC	05/21/2018	BP 18-130	2,061.86
293	30974	BUILD	LEORA, LLC	05/21/2018	BP 18-131	2,061.86
293	30975	BUILD	LEORA, LLC	05/21/2018	BP 18-132	2,061.86
293	30976	BUILD	LEORA, LLC	05/21/2018	BP 18-133	2,061.86
293	30977	BUILD	LEORA, LLC	05/21/2018	BP 18-134	2,061.86

IMPACT FEES 2017-2018

City of Arvin

For the Period: 07/01/2017-06/30/2018

293	30978	BUILD	LEORA, LLC	05/21/2018	BP 18-135	2,061.86	
293	31043	BUILD	LEORA, LLC	06/01/2018	BP 18-156	2,061.86	
293	31044	BUILD	LEORA, LLC	06/01/2018	BP 18-157	2,061.86	
293	31150	BUILD	LEORA, LLC	06/21/2018	BP 18-172	2,061.86	
293	31151	BUILD	LEORA, LLC	06/21/2018	BP 18-173	2,061.86	
293	31152	BUILD	LEORA, LLC	06/21/2018	BP 18-174	2,061.86	
293	31153	BUILD	LEORA, LLC	06/21/2018	BP 18-175	2,061.86	
293	31154	BUILD	LEORA, LLC	06/21/2018	BP 18-176	2,061.86	
293	31155	BUILD	LEORA, LLC	06/21/2018	BP 18-177	2,061.86	
293	31156	BUILD	LEORA, LLC	06/21/2018	BP 18-178	2,061.86	
293	31157	BUILD	LEORA, LLC	06/21/2018	BP 18-179	2,061.86	
TOTAL PARK IMPACT FEES REVENUE FY 17-18						142,358.62	

Expenses Incurred in Fiscal Year 2017-2018

- 1 Arvin Community Services District - Will Serve Letter/Service GITS Park etc. \$ (145,600.00)
- 2 Principal/Interest Walnut Street Extension note \$ (51,135.00)

TOTAL PARK IMPACT FEES EXPENSES FY 17-18	\$ (196,735.00)
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NET FUND BALANCE, PARK IMPACT FEE ACCOUNT AS OF JUNE 30, 2018	297,255.00
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Fund: 421 - SEWER CONNECTION FEES

4034 SEWER CONNECTION FEE

Sewer Systems Impact Fee:

The Sewer fee was created to help with building new lines and repairing aging structure of the City's sewer system, which was built in the early 1920s. As new development continues in this City, maintenance is required and these fees help offset the cost. Current expenditures are for servicing the sewer cost portion of the Walnut Street Extension which was completed during FY 17/18.

Due to a settlement with the previous owners of tract 5816 in 2008, the City agreed to limit Impact Fees for development in that area. Due to this agreement K Hovnanian had overpaid their impact fees and as such is owed a refund to be used as a credit in future development, which will decrease City revenues.

Beginning Balance @ 7/01/2017: 791,834.03

FND	Receipt	Type	Customer Name	Date	Permit	SEWER IMPACT FEES	Credit	Net Amount
421	29227	BUILD	RUBEN RODRIGUEZ	07/19/2017	BP 17-179	4,400.00		4,400.00
421	29334	BUILD	ABLE-ARVIN AM PM	08/21/2017	BP 16-334	8,271.36		8,271.36
421	30094	BUILD	JHAJ & BRAR INVESTMENT INC.	12/18/2017	BP 17-175	4,400.00		4,400.00
421	30099	BUILD	JHAJ & BRAR INVESTMENT INC	12/18/2017	BP 17-175	20,680.00		20,680.00
421	31113	BUILD	JOSE E MARIN	06/13/2018	BP 18-170	212.00		212.00
TOTAL SEWER SYSTEM IMPACT FEE REVENUE FY 17/18								37,963.36

Expense item in FY 17/18: Principal and Interest on Walnut Street Extension loan (Sewer fund portion)	(81,525.82)
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NET FUND BALANCE, SEWER CONNECTION FEES AS OF JUNE 30, 2018	748,271.57
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Fund: 291 - TRAFFIC IMPACT FEES

Dept: 091 TRAFFIC IMPACT FEES

Traffic Impact Fee:

Traffic impact fees are used to ensure that the costs of transportation infrastructure and services necessary to support new development are not borne disproportionately by existing residents, businesses, and/or property-owners.

Furthermore, impact fees offer cities a revenue stream that can be used to fund a variety of transportation improvements which can help to offset transportation impacts. By law, these fees cannot go to a city's general fund. It must be specifically allocated to traffic or transportation projects, such as roadway and intersection improvements, enhanced transit services, additional parking, new bicycle and pedestrian infrastructure or other transportation needs. These funds are being currently used for funding loan servicing costs related to the Walnut Street Extension near the Garden in The Sun Park which was completed in 2017.

Due to a settlement with the previous owners of tract 5816 in 2008, the City agreed to limit Impact Fees for development in that area. Due to this agreement K Hovnanian had overpaid their impact fees and as such is owed a refund to be used as a credit in future development, which will decrease City revenues.

Beginning Balance @ 7/01/2017: 920,335.06

FND	Receipt	Type	Customer Name	Date	Permit	TRAFFIC IMPACT FEES	Credit	Net Amount
291	29227	BUILD	RUBEN RODRIGUEZ	07/19/2017	BP 17-179	3,942.00	-	3,942.00
291	29334	BUILD	ABLE-ARVIN AM PM	08/21/2017	BP 16-334	33,070.80	-	33,070.80
291	30094	BUILD	JHAJ & BRAR INVESTMENT INC.	12/18/2017	BP 17-175	16,299.18		16,299.18
291	30301	BUILD	VIVINT SOLAR INC.	01/18/2018	BP 17-294	125.00		125.00
TOTAL TRAFFIC IMPACT FEE REVENUE FY 17/18								53,436.98

Expense item in FY 17/18: Principal and Interest on Walnut Street Extension loan (Traffic Impact fee fund portion)	(229,194.00)
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NET FUND BALANCE, TRAFFIC IMPACT FEES AS OF JUNE 30, 2018	744,578.04
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