



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

**TUESDAY MARCH 26, 2019 6:00p.m.
CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

CALL TO ORDER

Mayor Jose Gurrola

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

Jose Gurrola	Mayor
Jazmin Robles	Mayor Pro Tem
Gabriela Martinez	Councilmember
Olivia Trujillo	Councilmember
Mark S. Franetovich	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
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 Martinez ___ CM Trujillo ___ CM Franetovich ___ MPT Robles ___ 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. CONSENT AGENDA ITEM(S)

- A.** Approval of Demand Register(s) of March 09, 2019 – March 22, 2019.
- B.** Approval of Payroll Register(s) of March 22, 2019.
- C.** Approval of the Minutes of the Regular Meeting(s) of March 12, 2019.
- D.** Approval of a Proclamation proclaiming April 08, 2019 – April 12, 2019 as National Boys & Girls Club Week.
- E.** Approval of Letters of Support for ACA 1 (Aguiar-Curry) - Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval.
- F.** Approval of A Resolution of the City Council of the City of Arvin to Support the 2020 Census.
- G.** Approval of A Resolution of the City Council of the City of Arvin to Approve the 2018 Housing Element Annual Progress Report.
- H.** Approval of A Resolution of the City Council of the City of Arvin Consenting to the Submittal of Grant Applications and Application Documents to the California Department of Transportation for the Low Carbon Transit Operations (LCTOP) Program; and Authorizing Related Actions for the Following Project: Arvin Electric Bus Purchase: \$ 40,863
- I.** Approval of A Resolution of the City Council of the City of Arvin Initiating Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Taco Bell and Associated Parcel and Arvin Palace Into Landscaping and Lighting Maintenance District #1 and to Review the Improvements and Assessments for Fiscal Year 2019-2020, and to Set A Public Hearing for A Future Date.
- J.** Approval of A Resolution of the City Council of the City of Arvin Ordering the City Engineer to File A Report with Regard to the Landscape and Lighting Maintenance District No. 2 for the 2019-2010 Fiscal Year.

Staff recommends approval of the Consent Agenda.

Motion _____ Second _____ Vote _____

Roll Call: CM Martinez ___ CM Trujillo ___ CM Franetovich ___ MPT Robles ___ Mayor Gurrola ___

4. PUBLIC HEARING(S)

- A.** A Public Hearing to Consider Adoption of An Ordinance of the City Council of the City of Arvin Adding Subsection Q of Section 17.080.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to Establish Standards and Criteria for Neighborhood Serving Commercial Uses in Conjunction with Existing and/or Proposed Single Family Residential Uses, and Adopting an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 1506(B)(3). (City Planner)

Staff recommends the City Council consider adopting the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive second reading of the Ordinance, and approve the adoption of the Ordinance.

Motion _____ Second _____ Vote _____

Roll Call: CM Martinez ___ CM Trujillo ___ CM Franetovich ___ MPT Robles ___ Mayor Gurrola ___

- B.** Consideration and Approval of An Urgency Ordinance of the City Council of the City of Arvin Adding Chapter 13.16 of Title13 of the Arvin Municipal Code and Approval of A Resolution Adopting A Council Policy for Small Wireless Facilities Per 47 CFR 1.6002(1) “SWF REGULATIONS”. (City Planner)

Staff recommends the City Council adopt the Urgency Ordinance adding Chapter 13.16 of the Title 13 of the Arvin Municipal Code governing small wireless facilities (“SWF’s”) within the City of Arvin, as well as a Resolution with implementing SWF regulations.

Motion _____ Second _____ Vote _____

Roll Call: CM Martinez ___ CM Trujillo ___ CM Franetovich ___ MPT Robles ___ Mayor Gurrola ___

5. DISCUSSION ITEM(S)

- A.** Establishing Arvin Housing Advisory Committee (City Planner)

6. STAFF REPORTS

- A.** Monthly Financial Report – February 2019 (Finance Director)
- B.** Annual Report – 2018 Crime Stats (Arvin Police Department)

7. COUNCIL MEMBER COMMENTS

8. 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 72 hours prior to the meeting. Dated March 22, 2019.

A handwritten signature in blue ink, appearing to read "Cecilia Vela", written over a horizontal line.

Cecilia Vela, City Clerk

Edit List of Invoices - Summary

3.A.a

DEMAND LIST 03.12.19

Date: 03/12/2019

Time: 4:16 pm

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City of Arvin

Ref. No.	Vendor Name	Invoice No.	Posting Date	PO Number	Invoice Date	Invoice Description	Invoice Amount
48899	ACC BUSINESS	190423121	03/12/2019		02/27/2019	INTERNET ACCESS A#1205939	1,919.72
						Vendor Total:	<u>1,919.72</u>
48900	ALLSTATE	A#91936	03/12/2019		02/28/2019	POST TAX INS. FEB. 2019	217.43
						Vendor Total:	<u>217.43</u>
48901	BROADLUX, INC	BR911732-55	03/12/2019		03/01/2019	O&M FUEL SVC. APRIL 2019	252.50
						Vendor Total:	<u>252.50</u>
48902	CALED	200001610	03/12/2019		02/20/2019	CONF. CULINARY CRAWL 3.28.19	35.00
						Vendor Total:	<u>35.00</u>
48903	CENTRAL CALIF. ASSOC. PUBLIC		03/12/2019		03/08/2019	COA UNION DUES 3.8.19	749.49
						Vendor Total:	<u>749.49</u>
48904	DEWALT CORPORATION	1086860	03/12/2019		03/01/2019	ENGINEERING SVC. FEB. 2019	3,575.00
						Vendor Total:	<u>3,575.00</u>
48908	DIAMOND IT PREPAID USE 28-397	23826	03/12/2019		02/28/2019	UPGRADE MITEL MIVOICE BUSIN	0.00
48909	DIAMOND IT PREPAID USE 28-397	23823	03/12/2019		02/28/2019	PREPAID IT SERVICE FEB. 2019	0.00
48910	DIAMOND IT PREPAID USE 28-397	23824	03/12/2019		02/28/2019	PREPAID IT SERVICE FEB. 2019	0.00
						Vendor Total:	<u>0.00</u>
48905	DIAMOND TECHNOLOGIES, INC	23628	03/12/2019		02/28/2019	PC/SERVER MONITORING FEB. 2019	1,850.00
48906	DIAMOND TECHNOLOGIES, INC	23629	03/12/2019		02/28/2019	AGREEMENT OFFICE 365 CREDIT	-94.00
48907	DIAMOND TECHNOLOGIES, INC	23688	03/12/2019		02/28/2019	PC/SERVER MONITORING MAR. 2019	1,900.00
						Vendor Total:	<u>3,656.00</u>
48911	GALLS, LLC	012092410	03/12/2019		02/28/2019	SAFETY EQUIPMENT-POLICE DEF	113.13
						Vendor Total:	<u>113.13</u>
48912	JIM'S TOWING SERVICES	1321513	03/12/2019		03/04/2019	TOWING SVC. 2011 FORD	250.00
						Vendor Total:	<u>250.00</u>
48913	JTS TRUCKING REPAIR	232758	03/12/2019		03/08/2019	MAINTENANCE FLEET#205	308.92
48914	JTS TRUCKING REPAIR	232757	03/12/2019		03/08/2019	MAINTENANCE FLEET#209	111.43
						Vendor Total:	<u>420.35</u>
48897	MARIA LOPEZ		03/12/2019		03/12/2019	REIMBURSEMENT DEPOSIT VET'S	540.00
						Vendor Total:	<u>540.00</u>
48915	MOUNTAINSIDE DISPOSAL		03/12/2019		03/12/2019	PROPERTY TAXES 2.6.19	24,564.77
48916	MOUNTAINSIDE DISPOSAL		03/12/2019		03/12/2019	PROPERTY TAXES 3.7.19	20,743.95

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

Edit List of Invoices - Summary

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Date: 03/12/2019

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Ref. No.	Vendor Name	Invoice No.	Posting Date	PO Number	Invoice Date	Invoice Description	Invoice Amount	
						Vendor Total:	45,308.72	
48917	MUNISERVICES, LLC	INV06-005251	03/12/2019		02/28/2019	STARS 3RD QTR. 2018 REPORTS	500.00	
						Vendor Total:	500.00	
48918	OFFICE DEPOT	279710034001	03/12/2019		02/27/2019	OFFICE SUPPLIES-POLICE DEPT.	101.07	
						Vendor Total:	101.07	
48919	PG & E	A#8440977428-2	03/12/2019		03/04/2019	A#8440977428-2 3.4.19	336.77	
						Vendor Total:	336.77	
48896	RAYA, JOCELYNE	REIMBURSEMENT RECEIPT#31443	03/12/2019		03/12/2019	REIMBURSEMENT DEPOSIT VET'S	306.96	
						Vendor Total:	306.96	
48898	RON VEINER	294	03/12/2019		03/08/2019	PHOTOS FOR WEBSITE	300.00	
						Vendor Total:	300.00	
48922	SO. CAL. GAS CO.	A#100 518 4100 4	03/12/2019		03/07/2019	SVC. 12.26.18-2.26.19	244.02	
						Vendor Total:	244.02	
48921	SPECTRUM BUSINESS	064070101022619	03/12/2019		02/26/2019	SVC. MARCH 2019	274.28	
						Vendor Total:	274.28	
48920	SUN RIDGE SYSTEMS	5506	03/12/2019		03/08/2019	RIMS ANNUAL SUPPORT SVC.	13,941.00	
						Vendor Total:	13,941.00	
48923	TAG-AMS, INC	2748013	03/12/2019		03/06/2019	ANNUAL RENEWAL FEE	175.00	
						Vendor Total:	175.00	
48924	THE PUN GROUP LLP	111931	03/12/2019		12/31/2018	COA YEAR END AUDIT JUNE 2018	8,860.00	
						Vendor Total:	8,860.00	
48925	VANTAGE POINT TRANSFER AGENTS	457K LOAN/CONTRIBUTIONS 3.8.19	03/12/2019		03/08/2019	457K LOAN/CONTRIBUTIONS 3.8.19	257.95	
						Vendor Total:	257.95	
48926	VERIZON WIRELESS A#642023305-1	9825115636	03/12/2019		02/28/2019	WIRELESS SVC. TRANSIT	120.18	
						Vendor Total:	120.18	
							Grand Total:	82,548.57
							Less Credit Memos:	-94.00
							Net Total:	82,454.57
							Less Hand Check Total:	0.00
							Outstanding Invoice Total:	82,454.57
Total Invoices: 31								

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

Edit List of Invoices - Summary

DEMAND LIST 03.13.19

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Date: 03/13/2019

Time: 12:18 pm

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City of Arvin

Ref. No.	Vendor Name	Invoice No.	Posting Date	PO Number	Invoice Date	Invoice Description	Invoice Amount
48927	CEN-CAL CONSTRUCTION	002	03/13/2019		03/08/2019	WWTP PAVEMENT REHAB. RETEN	7,278.55
Vendor Total:							7,278.55

Total Invoices: 1

Grand Total:	7,278.55
Less Credit Memos:	0.00
Net Total:	7,278.55
Less Hand Check Total:	0.00
Outstanding Invoice Total:	7,278.55

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

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Date: 03/20/2019

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City of Arvin

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Discount
	Email Address	Inv. Date	1099?		Net Amount
	AFLAC	03/19/2019	BOFA	AFLAC SVC. 3.8.19	
	ATTN: RPS	03/19/2019	N		305.82
48935	COLUMBUS	03/19/2019	N	N	0.00
01-025	GA 31999	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/11/2019	AFLAC SVC. 3.8.19		305.82

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-000-0217	AFLAC		305.82	0.00
Distribution Total			305.82	0.00

Vendor Total: 305.82

	AIRGAS WEST	03/19/2019	BOFA	RENT CYL IND.LARGE ACETYLEN	
	AIRGAS USA, LLC	03/19/2019	N	OXYGEN SVC. 03.2019	66.59
48936	PASADENA	03/19/2019	N	N	0.00
01-405	CA 91109-7423	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	02/28/2019	9960417688		66.59

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5094	SHOP SUPPLIES		66.59	0.00
Distribution Total			66.59	0.00

Vendor Total: 66.59

	ARVIN CHAMBER OF COMMERCE	03/19/2019	BOFA	BASIC BUSINESS ANNUAL	
	P.O BOX 645	03/19/2019	N	MEMBERSHIP 2019	100.00
48937	ARVIN	03/19/2019	N	N	0.00
01-703	CA 93203-1035	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/19/2019	MEMBERSHIP 2019		100.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5062	DUES AND SUBSCRIPTIONS		100.00	0.00
Distribution Total			100.00	0.00

Vendor Total: 100.00

	AT&T	03/19/2019	BOFA	CALNET 3 A#9391060015	
	P.O. BOX 9011	03/19/2019	N		188.06
48938	CAROL STREAM	03/19/2019	N	N	0.00
26-909	IL 60197	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/01/2019	12695418		188.06

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		18.81	0.00
100-007-5056	TELEPHONE		37.61	0.00
100-014-5056	TELEPHONE		84.63	0.00
400-023-5056	TELEPHONE		18.81	0.00
100-009-5056	TELEPHONE		9.40	0.00
100-019-5056	TELEPHONE		9.40	0.00
100-002-5056	TELEPHONE		9.40	0.00
Distribution Total			188.06	0.00

	AT&T	03/19/2019	BOFA	CALNET 3 A#9391059040	
	P.O. BOX 9011	03/19/2019	N		271.20
48939	CAROL STREAM	03/19/2019	N	N	0.00
26-909	IL 60197	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/01/2019	12695187		271.20

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

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City of Arvin

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		27.12	0.00
100-007-5056	TELEPHONE		54.24	0.00
100-014-5056	TELEPHONE		122.04	0.00
400-023-5056	TELEPHONE		27.12	0.00
100-009-5056	TELEPHONE		13.56	0.00
100-019-5056	TELEPHONE		13.56	0.00
100-002-5056	TELEPHONE		13.56	0.00
Distribution Total			271.20	0.00

Vendor Total: 459.26

48928	BANK OF AMERICA - CC	03/19/2019	BAACH	CC TRANSACTIONS 2.25.19	
	PO BOX 15731	03/19/2019	N		5,961.32
48-500	WILMINGTON	03/19/2019	N	N	0.00
	DE 19886-5731	03/19/2019	0.00	N 6366919 03/14/2019	0.00
	<Emailing Stub Disabled>	03/19/2019	CC TRANSACTIONS 2.25.1		5,961.32

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5058	TRAVEL & CONFERENCES	CHEVRON-FUEL USAGECITY MANAGER	44.47	0.00
100-001-5058	TRAVEL & CONFERENCES	THE LEAGUE OF CA. CITY MANGER	-575.00	0.00
100-007-5021	TRAINING	ONLINE ED. COMM.DEV.DEPT.	239.25	0.00
100-007-5021	TRAINING	ONLINE ED. COMM.DEV.DEPT.	239.25	0.00
100-001-5016	OFFICE SUPPLIES	2COCOM MOVAVI	89.90	0.00
100-001-5058	TRAVEL & CONFERENCES	INFORMATION FORECAST	1,190.00	0.00
100-007-5058	TRAVEL & CONFERENCES	MARRIOT-HOTEL STAY CITY COUNCI	643.35	0.00
100-011-5058	TRAVEL & CONFERENCES	CSJ-HAYES MANSION	319.31	0.00
200-020-5012	MAINTENANCE - VEHICLE	RYANS AUTO GLASS M&I DEPT	250.00	0.00
200-020-5012	MAINTENANCE - VEHICLE	RYANS AUTO GLASS M&I DEP	250.00	0.00
302-072-5052	CAPITAL EXPENSE	WHITE FOREST NURSERY	2,595.21	0.00
302-072-5052	CAPITAL EXPENSE	WHITE FOREST NURSERY	183.04	0.00
100-001-5062	DUES AND SUBSCRIPTIONS	CA.SOCIETY OF MUNI.	110.00	0.00
100-001-5077	OUTSIDE SERVICES	SPARKLETTS	39.25	0.00
100-007-5077	OUTSIDE SERVICES	SPARKLETTS	39.25	0.00
400-023-5077	OUTSIDE SERVICES	SPARKLETTS	55.02	0.00
100-019-5077	OUTSIDE SERVICES	SPARKLETTS	12.53	0.00
100-014-5016	OFFICE SUPPLIES	SPARKLETTS	86.49	0.00
100-001-5062	DUES AND SUBSCRIPTIONS	GOV. FINANCE OFFICER SUB. DUES	150.00	0.00
Distribution Total			5,961.32	0.00

Vendor Total: 5,961.32

48929	BANK OF AMERICA - SVC CHGS	03/19/2019	BAACH	BOFA SVC. CHARGES MARCH 20	
	P.O. BOX 60073	03/19/2019	N		508.02
02-047	CITY OF INDUSTRY	03/19/2019	N	N	0.00
	CA 91716-0073	03/19/2019	0.00	N 3152019 03/15/2019	0.00
	<Emailing Stub Disabled>	03/19/2019	BOFA SVC. CHARGES MAF		508.02

Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5050	BANK SERVICE CHARGES		508.02	0.00
Distribution Total			508.02	0.00

Vendor Total: 508.02

H - Hand Check

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

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City of Arvin

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Sep. Ck.?	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	1099?	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		
48965	BLUE SHIELD OF CALIFORNIA	03/20/2019	BOFA	MEDICAL INSURANCE APRIL 2019	15,820.79
	PO BOX 749415	03/20/2019	N		0.00
02-490	LOS ANGELES	03/20/2019	N	N	0.00
	CA 90074-9415	03/20/2019	N	0	0.00
	<Emailing Stub Disabled>	03/14/2019	190730028572		15,820.79

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		3,843.32	0.00
100-013-5015	MEDICAL INSURANCE		901.70	0.00
100-014-5015	MEDICAL INSURANCE		4,341.11	0.00
200-020-5015	MEDICAL INSURANCE		3,142.96	0.00
230-032-5015	MEDICAL INSURANCE		641.78	0.00
400-023-5015	MEDICAL INSURANCE		1,553.92	0.00
100-000-0227	GEMCARE HMO DEDUCTION		1,396.00	0.00
Distribution Total			15,820.79	0.00

Vendor Total: 15,820.79

48940	CLARK PEST CONTROL	03/19/2019	BOFA	PEST CONTROL 3.13.19	72.00
	ACCOUNTING OFFICE	03/19/2019	N		0.00
03-480	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93303	03/19/2019	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	A#01-01070089 3.13.19		72.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5077	OUTSIDE SERVICES		72.00	0.00
Distribution Total			72.00	0.00

48941	CLARK PEST CONTROL	03/19/2019	BOFA	PEST CONTROL 3.13.19	72.00
	ACCOUNTING OFFICE	03/19/2019	N		0.00
03-480	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93303	03/19/2019	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	#01-01029035 3.13.19		72.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5077	OUTSIDE SERVICES		72.00	0.00
Distribution Total			72.00	0.00

48942	CLARK PEST CONTROL	03/19/2019	BOFA	PEST CONTROL 3.13.19	150.00
	ACCOUNTING OFFICE	03/19/2019	N		0.00
03-480	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93303	03/19/2019	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	A#01-00963793 3.13.19		150.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5006	MAINTENANCE - JAIL		150.00	0.00
Distribution Total			150.00	0.00

Vendor Total: 294.00

48	COMPLETE HARDWARE STORE	03/19/2019	BOFA	SUPPLIES VET'S HALL	20.99
	101 BEAR MOUNTAIN BLVD.	03/19/2019	N		0.00
48-463	ARVIN	03/19/2019	N	N	0.00
	CA 93203	03/19/2019	N	0	0.00
	<Emailing Stub Disabled>	03/07/2019	239453		20.99

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-002-5008	MAINTENANCE - OTHER		20.99	0.00

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Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		

Distribution Total					20.99	0.00
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48944	COMPLETE HARDWARE STORE	03/19/2019	BOFA	SUPPLIES-COM.DEV.DEPT.		151.53
	101 BEAR MOUNTAIN BLVD.	03/19/2019	N			0.00
48-463	ARVIN	03/19/2019	N	N		0.00
	CA 93203	03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	02/19/2019	237240			151.53

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5008	MAINTENANCE - OTHER		151.53	0.00
Distribution Total			151.53	0.00

Vendor Total: 172.52

48934	TERESA CONTRERAS	03/19/2019	BOFA	AIRBRAKES 3.23.19		101.68
28-226		03/19/2019	N			0.00
		03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	AIRBRAKES 3.23.19			101.68

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		101.68	0.00
Distribution Total			101.68	0.00

Vendor Total: 101.68

48945	COPOWER	03/19/2019	BOFA	CHIRO SVC. MARCH 2019		182.78
27-067	DEPT. 34604	03/19/2019	N			0.00
	SAN FRANCISCO	03/19/2019	0.00	N	0	0.00
	CA 94139	03/19/2019	809562			182.78
	<Emailing Stub Disabled>	03/19/2019				182.78

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		24.12	0.00
100-013-5015	MEDICAL INSURANCE		4.16	0.00
100-014-5015	MEDICAL INSURANCE		53.02	0.00
100-030-5015	MEDICAL INSURANCE		4.16	0.00
200-020-5015	MEDICAL INSURANCE		24.12	0.00
400-023-5015	MEDICAL INSURANCE		49.08	0.00
100-014-5015	MEDICAL INSURANCE		24.12	0.00
Distribution Total			182.78	0.00

48964	COPOWER	03/20/2019	BOFA	CHIRO SVC. APRIL 2019		204.02
27-067	DEPT. 34604	03/20/2019	N			0.00
	SAN FRANCISCO	03/20/2019	0.00	N	0	0.00
	CA 94139	03/20/2019	816560			204.02
	<Emailing Stub Disabled>	03/08/2019				204.02

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		24.12	0.00
100-013-5015	MEDICAL INSURANCE		10.50	0.00
100-014-5015	MEDICAL INSURANCE		53.02	0.00
100-030-5015	MEDICAL INSURANCE		4.16	0.00
200-020-5015	MEDICAL INSURANCE		24.12	0.00
400-023-5015	MEDICAL INSURANCE		49.08	0.00
100-001-5015	MEDICAL INSURANCE		20.00	0.00
100-013-5015	MEDICAL INSURANCE		19.02	0.00

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		

Distribution Total					204.02	0.00
					Vendor Total:	386.80

48946	CORELOGIC SOLUTIONS, LLC	03/19/2019	BOFA	METROSCAN SVC. FEB 2019		137.50
	P.O. BOX 847239	03/19/2019	N			0.00
28-169	DALLAS	03/19/2019	N	N		0.00
	TX 75284-7239	03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	81948854			137.50

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5062	DUES AND SUBSCRIPTIONS		137.50	0.00
Distribution Total			137.50	0.00

Vendor Total: 137.50

48930	RITA CORRAL	03/19/2019	BOFA	AIRBRAKES 3.23.19		101.68
		03/19/2019	N			0.00
03-593		03/19/2019	N	N		0.00
		03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	AIRBRAKES 3.23.19			101.68

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		101.68	0.00
Distribution Total			101.68	0.00

Vendor Total: 101.68

48947	DIAMOND TECHNOLOGIES, INC	03/19/2019	BOFA	DELL POWEREDGE SERVER		1,404.92
	PO BOX 660831	03/19/2019	N			0.00
28-397	DALLAS	03/19/2019	N	N		0.00
	TX 75266-0831	03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/07/2019	24404805			1,404.92

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5100	IT SYSTEMS SUPPORT		1,404.92	0.00
Distribution Total			1,404.92	0.00

Vendor Total: 1,404.92

48932	HERNANDEZ, CARLOS	03/19/2019	BOFA	AIRBRAKES 3.23.19		101.68
		03/19/2019	N			0.00
28-085		03/19/2019	N	N		0.00
		03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	AIRBRAKES 3.23.19			101.68

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		101.68	0.00
Distribution Total			101.68	0.00

Vendor Total: 101.68

48933	HERNANDEZ, LEONEL	03/19/2019	BOFA	AIRBRAKES 3.23.19		101.68
		03/19/2019	N			0.00
28-080		03/19/2019	N	N		0.00
		03/19/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/19/2019	AIRBRAKES 3.23.19			101.68

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		101.68	0.00
Distribution Total			101.68	0.00

Vendor Total: 101.68

48948	JAS PACIFIC	03/19/2019	BOFA	PLANCHECK SVC. FEB. 2019	
26-950	P.O BOX 2002	03/19/2019	N		2,643.75
	UPLAND	03/19/2019	N	N	0.00
	CA 91786	03/19/2019	0.00	N	0.00
	<Emailing Stub Disabled>	03/05/2019	PC5291		2,643.75

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5095	Plan Check Services		2,643.75	0.00
Distribution Total			2,643.75	0.00

48949	JAS PACIFIC	03/19/2019	BOFA	BUILDING INSPECTOR SVC. FEB.	
26-950	P.O BOX 2002	03/19/2019	N		3,600.00
	UPLAND	03/19/2019	N	N	0.00
	CA 91786	03/19/2019	0.00	N	0.00
	<Emailing Stub Disabled>	03/05/2019	BI13211		3,600.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5024	PLANNING SERVICES		3,600.00	0.00
Distribution Total			3,600.00	0.00

48950	JAS PACIFIC	03/19/2019	BOFA	PLANNER SVC. FEB. 2019	
26-950	P.O BOX 2002	03/19/2019	N		16,871.13
	UPLAND	03/19/2019	N	N	0.00
	CA 91786	03/19/2019	0.00	N	0.00
	<Emailing Stub Disabled>	03/05/2019	BI13212		16,871.13

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5024	PLANNING SERVICES		16,871.13	0.00
Distribution Total			16,871.13	0.00

Vendor Total: 23,114.88

48951	JIM BURKE FORD	03/19/2019	BOFA	MAINTENANCE FLEET#285	
10-380	P.O BOX 2088	03/19/2019	N		61.32
	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93303-2088	04/18/2019	0.00	N	0.00
	<Emailing Stub Disabled>	03/04/2019	176215		61.32

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		61.32	0.00
Distribution Total			61.32	0.00

48952	JIM BURKE FORD	03/19/2019	BOFA	MAINTENANCE FLEET#287	
10-380	P.O BOX 2088	03/19/2019	N		378.56
	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93303-2088	04/18/2019	0.00	N	0.00
	<Emailing Stub Disabled>	03/19/2019	176255		378.56

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		378.56	0.00
Distribution Total			378.56	0.00

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		

Vendor Total: 439.88

48953	JTS TRUCKING REPAIR	03/19/2019	BOFA	MAINTENANCE FLEET#205	90.00
	PO BOX 40970	03/19/2019	N		
48-540	BAKESFIELD	03/19/2019	N	N	0.00
	CA 93384	03/19/2019	0.00	Y	0
	<Emailing Stub Disabled>	03/13/2019	233097		90.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		90.00	0.00
Distribution Total			90.00	0.00

48954	JTS TRUCKING REPAIR	03/19/2019	BOFA	MAINTENANCE FLEET#203	450.00
	PO BOX 40970	03/19/2019	N		
48-540	BAKESFIELD	03/19/2019	N	N	0.00
	CA 93384	03/19/2019	0.00	Y	0
	<Emailing Stub Disabled>	03/13/2019	233096		450.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		450.00	0.00
Distribution Total			450.00	0.00

48955	JTS TRUCKING REPAIR	03/19/2019	BOFA	MAINTENANCE FLEET#207	231.47
	PO BOX 40970	03/19/2019	N		
48-540	BAKESFIELD	03/19/2019	N	N	0.00
	CA 93384	03/19/2019	0.00	Y	0
	<Emailing Stub Disabled>	03/13/2019	233094		231.47

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		231.47	0.00
Distribution Total			231.47	0.00

Vendor Total: 771.47

48956	KAISER PERMANENTE	03/19/2019	BOFA	MEDICAL INS. APRIL 2019	28,013.00
	FILE 5915	03/19/2019	N		
28-063	LOS ANGELES	03/19/2019	N	N	0.00
	CA 90074-5915	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/19/2019	CUST ID:000300785-0000 4		28,013.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		2,350.27	0.00
100-013-5015	MEDICAL INSURANCE		1,259.77	0.00
100-014-5015	MEDICAL INSURANCE		3,483.49	0.00
100-030-5015	MEDICAL INSURANCE		1,140.86	0.00
200-020-5015	MEDICAL INSURANCE		4,087.77	0.00
400-023-5015	MEDICAL INSURANCE		8,177.78	0.00
100-000-0228	KAISER HMO DEDUCTION		2,345.00	0.00
100-013-5015	MEDICAL INSURANCE		3,183.06	0.00
100-014-5015	MEDICAL INSURANCE		1,985.00	0.00
Distribution Total			28,013.00	0.00

Vendor Total: 28,013.00

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.		Net Amount
48957	KERN RIVER POWER EQUIPMEN	03/19/2019	BOFA	SUPPLIES MOWERS	19.74
11-320	108 N. CHESTER AVE.	03/19/2019	N		0.00
	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93308	03/19/2019	0.00	0	0.00
	<Emailing Stub Disabled>	03/06/2019	89144		19.74

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5008	MAINTENANCE - OTHER		19.74	0.00
Distribution Total			19.74	0.00

48958	KERN RIVER POWER EQUIPMEN	03/19/2019	BOFA	GRASSHOPPER #4	53.85
11-320	108 N. CHESTER AVE.	03/19/2019	N		0.00
	BAKERSFIELD	03/19/2019	N	N	0.00
	CA 93308	03/19/2019	0.00	0	0.00
	<Emailing Stub Disabled>	03/19/2019	89401		53.85

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5008	MAINTENANCE - OTHER		53.85	0.00
Distribution Total			53.85	0.00

Vendor Total: 73.59

48928-249	O'REILLY AUTOMOTIVE, INC	03/19/2019	BOFA	MAINTENANCE FLEET-HOTBOX	7.56
	PO BOX 9464	03/19/2019	N		0.00
	SPRINGFIELD	03/19/2019	N	N	0.00
	MO 65801-9464	03/19/2019	0.00	0	0.00
	<Emailing Stub Disabled>	03/19/2019	4451-401666		7.56

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5012	MAINTENANCE - VEHICLE		7.56	0.00
Distribution Total			7.56	0.00

Vendor Total: 7.56

48963	PG & E	03/19/2019	BOFA	SVC. 02.08.19-03.11.19	1.32
16-004	BOX 997300	03/19/2019	N		0.00
	SACRAMENTO	03/19/2019	N	N	0.00
	CA 95899-7300	03/19/2019	0.00	0	0.00
	<Emailing Stub Disabled>	03/19/2019	A#8831924329-6 3.12.19		1.32

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
420-016-5060	UTILITIES EXPENSE		1.32	0.00
Distribution Total			1.32	0.00

Vendor Total: 1.32

48931	CYNTHIA ROBLES	03/19/2019	BOFA	AIRBRAKES 3.23.19	101.68
28-022		03/19/2019	N		0.00
		03/19/2019	N	N	0.00
		03/19/2019	0.00	0	0.00
	<Emailing Stub Disabled>	03/19/2019	AIRBRAKES 3.23.19		101.68

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		101.68	0.00
Distribution Total			101.68	0.00

Vendor Total: 101.68

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.		Net Amount
	STAPLES BUSINESS ADVANTAGE	03/19/2019	BOFA	OFFICE SUPPLIES-COMM.DEV.DI	
	STAPLES BUSINESS CREDIT	03/19/2019	N		27.05
48960	ATLANTA	03/19/2019	N	N	0.00
19-812	GA 30348-5638	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	02/11/2019	7213168534-0-2		27.05

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5016	OFFICE SUPPLIES		27.05	0.00
Distribution Total			27.05	0.00

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
	STAPLES BUSINESS ADVANTAGE	03/19/2019	BOFA	OFFICE SUPPLIES-COMM.DEV.DI	
	STAPLES BUSINESS CREDIT	03/19/2019	N		101.73
48961	ATLANTA	03/19/2019	N	N	0.00
19-812	GA 30348-5638	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	02/12/2019	713361577-0-1		101.73

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5016	OFFICE SUPPLIES		101.73	0.00
Distribution Total			101.73	0.00

Vendor Total: 128.78

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
	TYAK TIRES INC.	03/19/2019	BOFA	MAINTENANCE FLEET-KABOTA T	
	211 SUMNER	03/19/2019	N		45.74
489	BAKERSFIELD	03/19/2019	N	N	0.00
49-085	CA 93305	03/19/2019	0.00	N	0
	<Emailing Stub Disabled>	03/11/2019	189868		45.74

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5012	MAINTENANCE - VEHICLE		45.74	0.00
Distribution Total			45.74	0.00

Vendor Total: 45.74

Grand Total: 78,722.16
 Less Credit Memos: 0.00
 Net Total: 78,722.16
 Less Hand Check Total: 6,469.34
 Outstanding Invoice Total: 72,252.82

Total Invoices: 38

Recap by Fund

Fund #	Fund Name	Amount To Pay	Amount To Relieve
100	GENERAL FUND	56,185.86	0.00
200	STATE GAS TAX	7,832.27	0.00
230	C.O.P.S. - AB 3229	641.78	0.00
302	Urban Greening/Pathways Greene	2,778.25	0.00
400	TRANSPORTATION DEVELOPMENT	11,282.68	0.00
400	SANITATION	1.32	0.00
Grand Total:		78,722.16	0.00

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- \$508.40

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date	Invoice No.		
	TERESA CONTRERAS	03/20/2019	BOFA	AIR BRAKES 3.23.19	75.00
48966		03/20/2019	N		0.00
28-226		03/20/2019	N	N	0.00
		03/20/2019	0.00	N	0
	<Emailing Stub Disabled>	03/20/2019		AIR BRAKES 3.23.19	75.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		75.00	0.00
Distribution Total			75.00	0.00

Vendor Total: 75.00

	RITA CORRAL	03/20/2019	BOFA	AIR BRAKES 3.23.19	75.00
48967		03/20/2019	N		0.00
03-593		03/20/2019	N	N	0.00
		03/20/2019	0.00	N	0
	<Emailing Stub Disabled>	03/20/2019		AIR BRAKES 3.23.19	75.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		75.00	0.00
Distribution Total			75.00	0.00

Vendor Total: 75.00

	HERNANDEZ, CARLOS	03/20/2019	BOFA	AIR BRAKES 3.23.19	75.00
48968		03/20/2019	N		0.00
28-085		03/20/2019	N	N	0.00
		03/20/2019	0.00	N	0
	<Emailing Stub Disabled>	03/20/2019		AIR BRAKES 3.23.19	75.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		75.00	0.00
Distribution Total			75.00	0.00

Vendor Total: 75.00

	HERNANDEZ, LEONEL	03/20/2019	BOFA	AIR BRAKES 3.23.19	75.00
48969		03/20/2019	N		0.00
28-080		03/20/2019	N	N	0.00
		03/20/2019	0.00	N	0
	<Emailing Stub Disabled>	03/20/2019		AIR BRAKES 3.23.19	75.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		75.00	0.00
Distribution Total			75.00	0.00

Vendor Total: 75.00

	CYNTHIA ROBLES	03/20/2019	BOFA	AIR BRAKES 3.23.19	75.00
48970		03/20/2019	N		0.00
28-000		03/20/2019	N	N	0.00
		03/20/2019	0.00	N	0
	<Emailing Stub Disabled>	03/20/2019		AIR BRAKES 3.23.19	75.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5021	TRAINING		75.00	0.00
Distribution Total			75.00	0.00

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

Edit List of Invoices - Detail w/GL

3.A.a

DEMAND LIST 03.20.19

Date: 03/20/2019

Time: 10:57 am

Page 2

City of Arvin

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Req. No.	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.		Net Amount
Vendor Total:					75.00
Grand Total:					375.00
Less Credit Memos:					0.00
Net Total:					375.00
Less Hand Check Total:					0.00
Outstanding Invoice Total:					375.00

Total Invoices: 5

Recap by Fund

Fund #	Fund Name	Amount To Pay	Amount To Relieve
400	TRANSPORTATION DEVELOPMENT	375.00	0.00
Grand Total:		375.00	0.00

Attachment: Demand Register March 09, 2019 - March 22, 2019 (Demand Register(s) of March 09, 2019 - March 22, 2019)

EARNINGS REPORT

PAYROLL 03-22-19

Emp. Code Desc.: All Employer Codes
 From 03/22/2019 to 03/22/20
 City of Arvin

Date: 3/22/2019
 Time: 13:47:12

Employee Name	Employee ID	15X	1X	1XFTO	25X	2X	3X	ADJ	ADLCO	C
		ADMLV	ALLOW	BERV	BNFT1	COMP	CTO	CTYWK	DEGRE	1
		DIFFL	FH	FTO	HLPER	HOL	HP1X	INSUR	JURY	
		LONG	MILIT	MISC	PBD	PBD3	PBDCO	PERE	PERS	
		PHALW	POST	PTO	REG	RETOT	RETRO	SCKCO	SEVR	
		SHOEA	SICK	SRO	STDBY	TRAIN	TUPGR	UACL	UAPEP	
		UNADV	URCL	URPEP	VAC	VACCO	VACTO	WRKCO	STLMT	
		ADPAY	SSWEP	PDADL						
Grand Total:	Employee Count: 52	0.00	12,001.73	0.00	0.00	374.70	0.00	0.00	0.00	
		0.00	0.00	981.72	715.45	0.00	987.36	928.00	300.02	118,878
		199.50	0.00	96.92	0.00	0.00	0.00	1,494.16	0.00	
		1,931.92	1,670.40	0.00	37.85	247.86	0.00	0.00	0.00	
		300.00	637.47	0.00	83,317.47	0.00	512.86	0.00	0.00	
		0.00	3,080.20	0.00	0.00	8.94	126.25	0.00	0.00	
		90.78	0.00	0.00	1,303.90	0.00	0.00	3,119.24	0.00	
		0.00	347.40	4,066.40						

COST REPORT

PAYROLL 03-22-19

Emp. Code Desc.: All Employer Codes
 From 03/22/2019 to 03/22/20
 City of Arvin

Date: 3/22/2019
 Time: 13:44:59

Employee Name	Employee ID	PER3E	FUTA	MC	MC1	PER1E	PER2D	PER2E	PER2M	C
		PER3S	PER5E	PER6E	PER9E	PERCP	PERS	PERS1	PERS2	
			PERS4	PERS5	PERS6	PERS8	PERS9	SS	SS1	
Grand Total:	Employee Count: 52	0.00	0.00	1,431.85	397.09	0.00	772.18	0.00	996.12	0
		1,032.59	119.59	0.00	0.00	736.29	0.00	0.00	2,231.70	20,971
		1,942.68	0.00	0.00	2,015.02	1,357.02	0.00	6,005.66	1,933.63	

Attachment: Payroll Register of March 22, 2019 (Payroll Register(s) of March 22, 2019)

REGULAR MEETING MINUTES

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

MARCH 12, 2019

CALL TO ORDER @ 6:00PM

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL: All others present; CM Martinez arrived during Public Comments, Agenda Item #2.

1. Approval of Agenda as To Form.

Motion to approve the agenda.

Motion Mayor Gurrola Second CM Franetovich Vote 4-0

2. PUBLIC COMMENTS

(This is the opportunity for the public to address the City Council on any matter on the agenda or any item of interest to the public that is within the subject matter jurisdiction of the City Council.)

3. PRESENTATION(S)

- A.** Presentation of Certificates of Appreciation Honoring Arvin High School Girls' Soccer Team.
- B.** Presentation Honoring Former Councilmember Jess Ortiz.

4. CONSENT AGENDA ITEM(S)

- A.** Approval of Demand Register(s) of February 23, 2019 – March 08, 2019.
- B.** Approval of Payroll Register(s) of March 08, 2019.
- C.** Approval of the Minutes of the Regular Meeting(s) of February 26, 2019.
- D.** Approval of a Proclamation proclaiming April 2019 as DMV/Donate Life California Month.

Attachment: Minutes of the Meeting of March 12, 2019 (Minutes of the Meeting of March 12, 2019)

- E. Approval of A Resolution of the City Council of the City of Arvin Affirming the Kern Council of Governments Governing Board Policy to Finish State Route 46: The Fourth and Final 5.3 Mile Segment of the 33-Mile Safety Widening Project with Pedestrian Improvements on State Route 46 (Herein Segment 4b) Through the Disadvantaged Community of Lost Hills, Connecting I-5 to the Existing 4 Lane Segment.

Resolution No. 2019-13

- F. Approval of A Resolution of the City Council of the City of Arvin for the Approval and Recordation of Final Map for Tract 5816 Phase 10B and Approval of Subdivision Improvement Agreement with LeOra, LLC.

**Resolution No. 2019-14
Agreement No. 2019-07**

- G. Approval of Letters of Support (Salas):
 - AB 17 - Voter Protection Act
 - AB 239 - California Community Colleges Registered Nursing Programs
 - AB 299 - Ballot Accountability

- H. Approval of A Resolution of the City Council of the City of Arvin Initiating A General Plan Amendment to Add A Water Element.

Resolution No. 2019-15

Staff recommends approval of the Consent Agenda.

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

Motion MPT Robles Second CM Trujillo Vote 5-0

5. PUBLIC HEARING(S)

- A. A Public Hearing to Consider Introduction of An Ordinance of the City Council of the City of Arvin Adding Subsection Q of Section 17.080.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to Establish Standards and Criteria for Neighborhood Serving Commercial Uses in Conjunction with Existing and/or Proposed Single Family Residential Uses, and Adopting an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 1506(B)(3). (City Planner)

Staff recommends the City Council consider introducing the Ordinance to be read by title only, open the hearing, allow for public testimony, close the hearing, waive first reading of the Ordinance, and approve the introduction of the Ordinance.

**Hearing opened.
No testimony.**

Hearing closed.

Motion to waive first reading and approve the introduction of the Ordinance.

Motion CM Martinez Second CM Trujillo Vote 5-0

6. CITY COUNCIL, SUCCESSOR AGENCY, AND ARVIN PUBLIC FINANCING AUTHORITY ITEM(S)

- A. Consideration and Approval of A Joint Resolution of the City Council of the City of Arvin, the Successor Agency to the Arvin Community Redevelopment Agency, and the Board of Directors of the Arvin Public Financing Authority Approving the Adoption of A Debt Management Policy. (Finance Director)

Staff recommends approval of the Resolution, which would allow the City to comply with state law requiring adoption of a debt policy prior to issuing debt.

Motion to approve the Resolution.

Motion CM/AM Trujillo Second CM/AM Martinez Vote 5-0

Resolution No. 2019-16 (City Council & Successor Agency)
Resolution No. APFA 2019-01 (Arvin Public Financing Authority)

- B. Consideration and Approval of A Resolution of the Successor Agency to the Arvin Community Redevelopment Agency Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Former Arvin Community Redevelopment Agency, Approving the Execution and Delivery of an Indenture of Trust Relating Thereto, Requesting Approval by the Countywide Oversight Board for the County of Kern of the Issuance of the Refunding Bonds, Requesting Certain Determinations by the Countywide Oversight Board for the County of Kern, and Providing for Other Matters Properly Relating Thereto. (Finance Director)

Staff recommends approval of the Resolution approving the issuance of Refunding Bonds by the Successor Agency.

Motion to approve the Resolution.

Motion Chair Gurrola Second AM Martinez Vote 5-0

Resolution No. 2019-17

7. STAFF REPORTS

- A. Veolia Water - Annual Wastewater System Report FY '18 – '19 (Dale Ducharme, Veolia Water)
- B. Monthly Financial Report – January 2019 (Finance Director)

Attachment: Minutes of the Meeting of March 12, 2019 (Minutes of the Meeting of March 12, 2019)

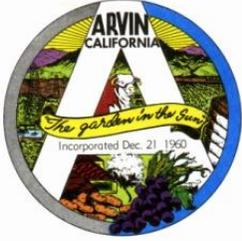
8. COUNCIL MEMBER COMMENTS

9. ADJOURNED @ 7:15PM

Respectfully submitted,

Cecilia Vela, City Clerk

DRAFT



Proclamation

NATIONAL BOYS & GIRLS CLUB WEEK APRIL 8-12, 2019

WHEREAS, the young people of Arvin are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them reach their full potential; and

WHEREAS, there are five Boys & Girls Clubs in Arvin providing services to almost 600 young people daily; and

WHEREAS, Boys & Girls Clubs are places where great futures start. They are at the forefront of efforts in academic success, healthy lifestyles, and good character and citizenship; and

WHEREAS, Boys & Girls Clubs in our city help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, Boys & Girls Clubs in Arvin will celebrate National Boys & Girls Club Week 2019 along with some 4,000 Clubs and more than two million young people nationwide.

NOW, THEREFORE, We, the City Council of the City of Arvin do hereby proclaim **APRIL 8, 2019 THROUGH APRIL 12, 2019, AS BOYS & GIRLS CLUB WEEK IN ARVIN;**

And call on all citizens to join with me in recognizing and commending the Boys & Girls Clubs of Kern County for providing comprehensive, effective services to the young people in our community.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the City of Arvin to be affixed this 26th day of March 2019.

Jose Gurrola, Mayor
City of Arvin



CITY OF ARVIN

MAYOR
Jose Gurrola

MAYOR PRO TEM
Jazmin Robles

COUNCIL MEMBERS
Gabriela Martinez
Olivia Trujillo
Mark Franetovich

CITY MANAGER
Jerry Breckinridge

March 26, 2019

The Honorable Cecilia Aguiar-Curry
California State Assembly
State Capitol Building, Room 5144
Sacramento, CA 95814

RE: **ACA 1 (Aguiar-Curry). Local government financing: Affordable housing and public infrastructure: voter approval.**
Notice of SUPPORT

Dear Assembly Member Aguiar-Curry,

The City of Arvin is pleased to support your bill, ACA 1, which would lower the voter threshold requirements for special taxes by a local government for the purpose of providing funding for affordable housing and public infrastructure projects from 2/3rds approval to 55% approval.

As you know, local governments have widespread and urgent infrastructure needs and the high cost of housing in the state is well-documented. Local communities need additional flexibility to promote the development of affordable housing close to jobs and to continue to provide critical infrastructure for a better quality of life.

ACA 1 provides the voters an opportunity to consider treating investments in local infrastructure and affordable housing in a similar manner as schools. California voters have demonstrated through their past approval of major state school, housing, and water bonds, that they understand the importance of investing in their future.

Thank you for your leadership and let's pass ACA 1 to provide voters with an opportunity to weigh in on local investments on infrastructure and affordable housing – issues that are so critical to the state's future, prosperity and quality of life.

For these reasons, the City of Arvin supports ACA 1 (Aguiar-Curry).

Sincerely,

Jose Gurrola
Mayor
City of Arvin

cc: Assemblyman Rudy Salas
Senator Melissa Hurtado
Meg Desmond, League of California Cities, cityletters@cacities.org

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

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

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN TO SUPPORT THE 2020 CENSUS

WHEREAS, the U.S. Census Bureau is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, the next enumeration will be April 1, 2020 and will be the first to rely heavily on online responses; and

WHEREAS, the primary and perpetual challenge facing the U.S. Census Bureau is the undercount of certain population groups; and

WHEREAS, that challenge is amplified in California, given the size of the state and the diversity of communities; and

WHEREAS, California has a large percentage of individuals that are considered traditionally hard to count; and

WHEREAS, these diverse communities and demographic populations are at risk of being missed in the 2020 Census; and

WHEREAS, California receives nearly \$77 billion in federal funding that relies, in part, on census data; and

WHEREAS, a complete and accurate count of California's population is essential; and

WHEREAS, the data collected by the decennial Census determines the number of seats each state has in the U.S. House of Representatives and is used to distribute billions of dollars in federal funds to state and local governments; and

WHEREAS, the data is also used in the redistricting of state legislatures, county boards of supervisors and city councils; and

WHEREAS, the decennial census is a massive undertaking that requires cross-sector collaboration and partnership in order to achieve a complete and accurate count; and

WHEREAS, California's leaders have dedicated a historic amount of funding and resources to ensure every Californian is counted once, only once and in the right place; and

WHEREAS, this includes coordination between tribal, city, county, state governments, community-based organizations, education, and many more; and

WHEREAS, U.S. Census Bureau is facing several challenges with Census 2020, including constrained fiscal environment, rapidly changing use of technology, declining response

rates, increasingly diverse and mobile population, thus support from partners and stakeholders is critical; and

WHEREAS, California is kicking-off its outreach and engagement efforts in April 2019 for the 2020 Census; and

WHEREAS, the City of Arvin, in partnership with other local governments, the State, businesses, schools, and community organizations, is committed to robust outreach and communication strategies, focusing on reaching the hardest-to-count individuals;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arvin recognizes the importance of the 2020 U.S. Census and supports helping to ensure a complete, fair, and accurate count of all Californians.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Regular Meeting thereof held on the 26th day of March, 2019 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.

ACTION ALERT!!
SUPPORT

**Send a City Resolution to Recognize the
 Importance of the 2020 U.S. Census
 “Be Counted California”**

Background:

California cities can play an active role in helping to make the 2020 U.S. Census fair and accurate, especially for historically undercounted populations: racial and ethnic minorities, young children and renters. The 2010 census undercounted 95,000 (or 0.26 percent of) California residents. Though the overall count was an improvement from the previous undercounts (2.74 percent in 1990 and 1.52 percent in 2000), the rate of undercounted populations remains consistently high, and that has many cities concerned about getting an accurate account in the upcoming census. One of the main implications of a miscount is the loss of annual federal and state funding for local government as well as philanthropic funding for social programs and services. In addition, one or more Congressional seats given to California could be lost.

Obtaining an accurate and complete count poses challenges due to several factors. The housing affordability crisis has forced more Californians to move into hard-to-count unconventional housing and overcrowded dwellings or to become homeless. For the first time, the Census is a digital census and more than 75 percent of California households will be receiving an invitation to complete their census form online, even though many households lack broadband or digital literacy.

The California Census Office is hosting a kick-off event on April 2, 2019 at the State Capitol in Sacramento to jump-start the public awareness of the 2020 Census and they have requested for the League to encourage its members to adopt a resolution recognizing the importance of the 2020 U.S. Census.

ACTION:

Adopt a city proclamation or resolution supporting the 2020 U.S. Census.
Sample resolution attached.

Quick Facts

Why is the 2020 Census important?

- Every Californian counts
- It's about fair representation
- It's about fair share of funding
- It's your civic duty
- It's about redistricting
- You are the expert – your responses help
- Your data are confidential

How is the Census data used?

- To advocate more resources for community members.
- To ensure public safety and plan new schools and hospitals.
- To decide where to open companies and businesses, which create jobs.
- By law, the U.S. Census Bureau cannot share the data with immigration or law enforcement agencies or allow it to determine eligibility for government benefits.

Tips for Building Complete Count Partnerships

California has made a historic commitment to the 2020 Census by investing over \$100 million to help ensure a complete count. With more than \$70 million directly allocated for county, tribal and community based organizations, the state is taking special care to reach hard-to-count communities. And philanthropic organizations, such as the California Endowment and the Irvine Foundation, made a \$20 million commitment in 2017–18 to support local and regional census work by allocating funding and sustaining coordinated efforts like the Census Policy Advocacy Network. Aside from forming local census complete count committees, cities should consider partnering with federal and state agencies, tribal governments, counties and community-based organizations and tap into existing initiatives.

Resources to Help Identify Your Hard-to-Count Populations

- [2020 Census Maps: California's Hard-to-Count Communities](#). The Public Policy Institute of California projects the likelihood of nonresponse rates for individual hard-to-count groups.
- [2010 Census Participation Rates](#). This U.S. Census Bureau map shows participation rates in the 2010 and 2000 censuses.
- [California Hard-to-Count Index Map](#). This map provides demographic information in addition to the Hard-to-Count Index.

For more information, visit www.census.gov/2020resources or <https://census.ca.gov/resources>.



**CITY OF ARVIN
Staff Report**

Meeting Date: March 26, 2019

TO: City Council

FROM: Jake Raper, City Planner
Jerry Breckinridge, City Manager

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN TO APPROVE
THE 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDATION:

To approve the 2018 Housing Element Annual Progress Report.

RATIONAL FOR RECOMMENDATION:

Government Code Section 65400 requires that every California City provide the State with an Annual Progress Report and update on the status and implementation of its Housing Element. The attached report serves as the City's Annual Progress Reports for calendar years 2018.

BACKGROUND:

In April 2016, the City Council adopted the 2013-2023 Arvin Housing Element, but the Housing Element required changes to respond to comments from the State Department of Housing and Community Development (HCD) in order to receive certification. In March 2018, the City Council adopted the 2013-2023 Arvin Housing Element Amendment and in April 2018, the City received HCD's certification letter.

The purpose of the Housing Element is to identify and provide for existing and projected affordable housing needs. The Housing Element includes numerous housing programs that preserve the existing affordable housing stock, remove governmental constraints, provide adequate sites for a variety and diversity of housing, and promote equal housing opportunities.

The full on-line Annual Progress Report the following: Table A, Housing Development Applications Submitted; Table A2, Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units; Table B, Regional Housing Needs Allocation Progress - Permitted Units Issued By Affordability; Table C, Sites identified or Rezoned to Accommodate Shortfall Housing Need; Table D, Program Implementation Status pursuant to Government Code section 65583; Table E, Commercial Development Bonus Approved pursuant to Government Code section 65915.7 (does not apply); Table F, Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)(2) (does not apply); and, a Summary Table.

Due to the size of the tables, Exhibit A includes the Summary of total number of housing permits issued in 2018 by affordability levels and Table D the housing program implementation status.

FINANCIAL IMPACT:

There is no fiscal impact.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN TO APPROVE THE 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT

WHEREAS, The purpose of the Housing Element is to identify and provide for existing and projected affordable housing needs; and

WHEREAS, The Housing Element includes numerous housing programs that preserve the existing affordable housing stock, remove governmental constraints, provide adequate sites for a variety and diversity of housing, and promote equal housing opportunities; and

WHEREAS, Government Code Section 65400 requires that every California City provide the State with an Annual Progress Report and update on the status and implementation of its Housing Element; and

WHEREAS, the Housing Element Progress Report includes the following tables: Housing Development Applications Submitted; Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units; Regional Housing Needs Allocation Progress - Permitted Units Issued By Affordability; Sites identified or Rezoned to Accommodate Shortfall Housing Need; Program Implementation Status pursuant to Government Code section 65583; Commercial Development Bonus Approved pursuant to Government Code section 65915.7; Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1, subdivision (c)(2) and, a Summary Table; and

NOW, THEREFORE, BE IT RESOLVED THAT: The City Council of the City of Arvin does hereby approve the 2018 Housing Element Annual Progress Reports (Exhibit A).

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Regular Meeting thereof held on the 26th day of March, 2019 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.

Jurisdiction	Arvin	
Reporting Year	2018	(Jan. 1 - Dec. 31)

Entitled Units Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	107
Above Moderate		0
Total Units		107

Note: units serving extremely low-income households are included in the very low-income permitted units totals

Submitted Applications Summary	
Total Housing Applications Submitted:	107
Number of Proposed Units in All Applications Received:	107
Total Housing Units Approved:	107
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction	Arvin
Reporting Year	2018 (Jan. 1 - Dec. 31)

Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
1. Housing Information Outreach Program	Promote property owner awareness and interest in available housing programs through the City website and print media in public buildings	Annually 2017-2023	Implementation of this program is contingent upon the City receiving Community Development Block Grant (CDBG) and/or Home Investment Partnership (HOME) funds from the State. The City did not receive these funds in 2018, but will apply for the funds in 2019.
2. Home Maintenance Counseling Program	The City will conduct one counseling workshop a year on home maintenance to answer question on code compliance, home health and safety. The City will arrange for provisions of translation materials and interpretation at its community workshops as appropriate.	Annually 2017-2023	The City did not receive CDBG and/or HOME funds in 2018, but will apply for the funds in 2019. Once the Arvin Housing Advisory Committee (AHAC) is established (see Housing Program 4) in 2019, it will conduct annual community meeting related to housing maintenance counseling programs.
3. Neighborhood "Clean-Up"/"Fix-Up" Campaigns	The City will conduct "neighborhood clean-up/fix-up day" twice a year and announce the event on the City's website and flyers published in the local newspaper and posted at City Hall and other public facilities. Flyers and notices of this event will be in English and Spanish and will be distributed to the school district to involve students in this clean-up campaign.	Annually 2017-2023	Mountainside Disposal Company conducted two clean-up workshops in the City.
4. Arvin Housing Advisory Committee	Establish the Arvin Housing Element Advisory Committee within six month from adoption of the Housing Element Amendment	Within six months from the adoption of Housing Element Amendment	The Housing Element Amendment was adopted in March 2018 and certified by the State in April 2018. The Arvin City Council is in the process of forming an AHAC (March 2019).
5. Code Enforcement Program	1) Hire full-time Code Enforcement officer; 2) Identify and address approx. 150-200 code violations cases per year.	Hire a full-time Code Enforcement officer in 2017 and continue the program to 2023 (if CDBG funds are available)	Code Enforcement Program in 2018 is based upon compliant bases due to reduction of hours and loss of code enforcement officer.
6. Residential Rental Unit Inspection and Maintenance Program	Adopt a Residential Rental Unit Inspection and Maintenance Program.	Establish the program in 2018 and continue the program to 2023 (if CDBG funds are available)	This housing program was not implemented due to the lack of funding.
7. Funding Single-Family Owner Occupied Rehabilitation and Multi-Family Rehabilitation Program	Secure HUD funds through the State and initiate the Single-Family Owner Occupied Rehabilitation and Multi-Family Rehabilitation Programs. The number rehabilitation loans to be approved will depend on the CDBG and/or HOME allocation amount and the maximum loan improvement amount per program.	Establish the program in 2018 and continue the program to 2023 (if CDBG and/or HOME funds are available)	The City did not receive CDBG or HOME funds in 2018, but will apply for the funds in 2019.
8. Maintain and Update Inventory of At-Risk Housing Projects	a) Develop a preservation strategy for at-risk projects. b) Maintain and update an at-risk project inventory and aid at-risk project owners.	Annually 2017-2023	Preservation strategy will be developed in 2019 and a list of at-risk housing projects in the City will be updated annually during the 2019-2023 period.
9. Preserving Mobilehome Parks	1) Notify mobilehome park residents and associations of the MPRROP and provide information material on the City's website; 2) Mail flyers to mobilehome park owners regarding regional, State and Federal resources and funds.	Annually 2017-2023, as NOFAs are available.	Program was not implemented in 2018 due to loss of staffing.
10. Section 8 Rental Assistance	Continue participating in the HACK Section 8 program	Annually 2017-2023	The City will provide Section 8 Assistance information on its website and informational material in English and Spanish at City Hall and at the public library in 2019. The AHAC, once formed in 2019, will also review and recommend other methods of providing Section 8 Housing information..
11. Development of Extremely Low-Income Housing	1) Facilitate the construction of 198 extremely-low income housing units during the 2016-2023 Planning Period; 2) Prepare a development guide/marketing package and provide it on the City's website and mail it to local and regional for-profit and non-profit housing developers.	Prepare development guide/marketing package in 2018	No extremely-low income housing units were constructed in 2018. Once the AHAC is formed in 2019, the Housing Information Outreach Program will be reviewed by the committee and recommendations forward to the City Planning Commission and City Council.
12. Energy Conservation Library	Increase energy efficiency of new homes and to reduce housing operating costs.	Annually 2017-2023	City continues to collect updated information on energy conservation and efficiency from Hero Program (www.infor@heroprogram.com) and from the Kern Energy Watch (www.kernenergywatch.com). Information is available to the public at the City Hall counter and local library. Continued updating of information will be limited due to loss of staffing in 2018.
13. Update and Amend the General Plan and Zoning Ordinance: (a) Sphere of Influence	1) Adoption of the MSR by LAFCo and expansion of Arvin's SOI to accommodate future economic and housing development; 2) Assess potential impacts of expanding the SOI and economic development on Arvin's affordable housing stock; 3) Update General Plan and Zoning Map to reflect SOI expansion.	Expansion of SOI anticipated within five years of adoption of the Housing Element and update of the General Plan and Zoning Map occurring one year after SOI expansion	City of Arvin has prepared an Sphere of Influence Application to be considered by Kern County LAFCo in April 2019. The City has identified a Preferred SOI and an Alternative SOI. The preferred SOI would allow for an expansion to the City's SOI from approximately 3,164 acres to approximately 6,655 acres, an increase of 3,491 acres. In the event that the board of LAFCo does not find the preferred SOI to be warranted at this time, the city is proposing an alternative SOI that would allow for an expansion to the City's SOI from approximately 3,164 acres to approximately 5,159 acres, an increase of 1,995 acres. Edmonson Tract, a disadvantage community, was added to the proposed SOI.
13 (b) Density Bonus	Amend the current density bonus ordinance	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The amendment of the Density Bonus Ordinance was initiated in 2018 with the adoption/certification of the Housing Element Amendment. The Density Bonus Ordinance Amendment 2019-456 was adopted in February 2019.
13 (c) Transitional and Supportive Housing	Amend the zoning ordinance to comply with State law on transitional and supportive housing	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The amendment of the Transitional and Supportive Housing Ordinance was initiated in 2018 with the adoption/certification of the Housing Element Amendment. The Transitional and Supportive Housing Ordinance Amendment 2019-456 was adopted in February 2019.
13 (d) Family	Amend the Municipal Code to redefine "Family".	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The amendment of the definition of Family in the Municipal Code was initiated in 2018 with the adoption/certification of the Housing Element Amendment. The Ordinance Amendment 2019-456 was adopted in February 2019.
13 (e) Minimum Units Per Acre and Units Per Site	Amend the development standards in the R-3 and R-4 zoning ordinances.	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The amendment of Municipal Code Sections 5 through 11 establishing a process for approval of multi-family housing by Administrative Permit was initiated in 2018 with the adoption/certification of the Housing Element Amendment. The Ordinance Amendment 2019-456 was adopted in February 2019.
13 (f) Remove Minimum Unit Size	Amend the development standard of R-2-7.5 zoning ordinance.	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The amendment of Municipal Code Section 17.10.080 (R-2-7.5 zone) was initiated in 2018 with the adoption/certification of the Housing Element Amendment. The Ordinance Amendment 2019-456 was adopted in February 2019.

13 (g) Rezone Land to Accommodate the Shortfall of Affordable Housing from the 2008-2013 Housing Element	Amend zoning for APN 190-030-48 from R-3 to R-4	Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18.	The City Council adopted Zone Change 2018-01, which rezones APN 190-030-48, located at the southwest corner of Tejon Highway and the easterly extension of Varsity Avenue, from R-3 to R-4. Ordinance 445 was adopted April 2018.
13 (h) General Plan Consistency	1) Amend the Safety and Conservation Elements of the General Plan to include policies regarding fire and flood hazard management, and the Land Use Element to address disadvantaged communities; 2) Prepare the General Plan Progress Report	1) Concurrent with the adoption of the 2013-2023 Housing Element Amendment in 2017/18; 2) Annually 2017-2023	Update of the Land Use Element addressing unincorporated islands or fringe communities was initiated in 2018 and Resolution 2019-09 was adopted in February 2019. Update of the Safety Element addressing flood and high fire hazards was initiated in 2018 and Resolution No. 2019-03 was adopted in January 2019.
14. Adequate Infrastructure for Affordable Housing	Amend the Housing Element to include a policy to provide water and sewer service priority to affordable housing projects.	Concurrent with the adoption of the 2013-2023 Housing Element Amendment.	Adoption of Resolution No. 2018-23 in March 2018, which added Housing Element Policy 1.8: Ensure that adequate infrastructure service is provided to meet the City's housing needs and that priority is given to facilitate affordable housing development.
15. Local Plan and Standard Review	Facilitate the production of affordable for-sale and rental housing.	Annually 2017-2023	On-going review and implementation of application processes and code amendments to update and insure compliance with State regulations
16. Facilitating Large Parcels	Facilitate development along Sycamore Road between Meyer Street and Stockton Avenue.	2018/2019 and on-going for the development of market-rate apartments and mixed-use development.	On-going support and commitment encouraging affordable multiple-family housing development projects as may be proposed.
17. Promote Variety of Housing	Provide the development guide/marketing package on the City's website and mail the marketing package to local and regional for-profit and non-profit housing developers	Information on the City website in 2017, and marketing package mailed annually	City Web Site has been updated with the City's General Plan Elements, Application Fees, Impact Fees, and Municipal Code.
18. Adequate Sites Monitoring Program	1) Maintain an up-to-date inventory of adequate housing sites for each income category on the City's website 2) Perform an annual evaluation to determine whether sites are being utilized for residential development and monitor the effectiveness of programs and incentives	Annually evaluation during the 2017-2023 period with additional sites and/or incentives within six months of the evaluation, if needed. The annual evaluation will be conducted in February/March of each year, prior to the submittal of the annual Housing Element Progress Report to HCD at the end of March.	In 2018, the City surveyed the sites identified in the Housing Element as vacant land and properties for consolidation and recycling. Results of the vacant land survey are on file at City Planning.
19. Reasonable Accommodation	Provide information on the reasonable accommodation ordinance on the City's website and at City Hall and at the Building and Planning counter.	On-going	Literature reasonable accommodation is available at City Hall.
20. Farmworking Housing	Develop information packages on developing farmworker housing and procedures to priority processing farmworker housing projects.	Starting in 2018 with an assessment of farmworker housing needs, if CDBG funds are available.	The City did not receive CDBG funds in 2018, but will apply for the funds in 2019. Once the AHAC is formed, it will assist in the review farmworker housing needs and make recommendations.
21. Outreach for Persons with Developmental Disabilities	Develop an outreach program providing information on housing options for persons with developmental disabilities through a variety of traditional and electronic media, as well as through face-to-face interaction.	2017/2018	The City did not receive CDBG funds in 2018 to implement the program, but will apply for the funds in 2019.
22. Equal Housing Opportunity Program	1) Continue to refer fair housing inquiries to GBLA and provide fair housing information at City Hall, on the City's website, and at other public buildings; 2) Host a community meeting in the in the City during the development of the State AFH; 3) Support the recommendations of the San Joaquin Valley Fair Housing and Equity Assessment.	Annually 2017-2023	The City continues to refer fair housing inquiries to GBLA. Implementation of Housing Program 22 objectives 2 and 3 to start in 2019.
23. Housing No Net Loss Program	Develop an evaluation procedure to implement Government Code Section 65863.	Annually 2017-2023	Update of the Land Use Element policies requiring replacement of land developed for other uses and the amendment of the Zoning Ordinance for R-3 and R-4 Districts (Section 17.12.25A) were initiated in 2018 with the adoption/certification of the Housing Element Amendment. In February 2019, Resolution 2019-09 updating the Land Use Element was adopted and Ordinance Amendment 2019-456 was adopted. Ordinance Amendment 2019-456 -- "Permitted: Other uses may be permitted as authorized by the Municipal Code where equal to, or greater, land area is provided to replace and/or provide a residential development of at least 16 units per acre concurrent to or prior to development of the other use."

1		2		3		4		5					6		7		8		9		10	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project (Auto-calculated Can Be Overwritten)	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Notes*			
Summary Row: Start Data Entry Below														107	107	107						
		641 Meyer St		BP17-0260	SFD	O	2/9/2018							1	1		No					
		1411 El Camino Real		BP18-0010	SFD	O	1/12/2018							1	1		No					
		1409 El Camino Real		BP18-0011	SFD	O	1/12/2018							1	1		No					
		1407 El Camino Real		BP18-0012	SFD	O	1/12/2018							1	1		No					
		1403 El Camino Real		BP18-0013	SFD	O	1/12/2018							1	1		No					
		1401 El Camino Real		BP18-0014	SFD	O	1/12/2018							1	1		No					
		1416 Miranda Pl		BP18-0029	SFD	O	2/15/2018							1	1		No					
		1414 Miranda Pl		BP18-0030	SFD	O	2/15/2018							1	1		No					
		1412 Miranda Pl		BP18-0031	SFD	O	2/20/2018							1	1		No					
		1410 Miranda Pl		BP18-0032	SFD	O	2/20/2018							1	1		No					
		1408 Miranda Pl		BP18-0033	SFD	O	2/20/2018							1	1		No					
		1406 Miranda Pl		BP18-0034	SFD	O	2/20/2018							1	1		No					
		1404 Miranda Pl		BP18-0035	SFD	O	2/20/2018							1	1		No					
		1402 Miranda Pl		BP18-0036	SFD	O	2/20/2018							1	1		No					
		1400 Miranda Pl		BP18-0037	SFD	O	2/20/2018							1	1		No					
		1413 El Camino Real		BP18-0044	SFD	O	2/21/2018							1	1		No					
		1411 El Camino Real		BP18-0045	SFD	O	2/21/2018							1	1		No					
		1409 El Camino Real		BP18-0046	SFD	O	2/21/2018							1	1		No					
		1407 El Camino Real		BP18-0047	SFD	O	2/21/2018							1	1		No					
		1403 El Camino Real		BP18-0048	SFD	O	2/21/2018							1	1		No					
		1401 El Camino Real		BP18-0049	SFD	O	2/21/2018							1	1		No					
		2104 Luna Place		BP18-0056	SFD	O	2/26/2018							1	1		No					
		1401 Miranda Pl		BP18-0057	SFD	O	2/26/2018							1	1		No					
		1403 Miranda Pl		BP18-0058	SFD	O	2/26/2018							1	1		No					
		1405 Miranda Pl		BP18-0059	SFD	O	2/26/2018							1	1		No					
		1409 Miranda Pl		BP18-0060	SFD	O	2/26/2018							1	1		No					
		1411 Miranda Pl		BP18-0061	SFD	O	2/26/2018							1	1		No					
		1413 Miranda Pl		BP18-0062	SFD	O	2/26/2018							1	1		No					
		1415 Miranda Pl		BP18-0063	SFD	O	2/26/2018							1	1		No					
		1417 Miranda Pl		BP18-0064	SFD	O	2/26/2018							1	1		No					
		1204 Celestial Way		BP18-0065	SFD	O	2/28/2018							1	1		No					
		1200 Celestial Way		BP18-0066	SFD	O	2/28/2018							1	1		No					
		2709 Rayo De La Luna Dr		BP18-0067	SFD	O	2/28/2018							1	1		No					
		2705 Rayo De La Luna Dr		BP18-0068	SFD	O	2/28/2018							1	1		No					
		2701 Rayo De La Luna Dr		BP18-0069	SFD	O	2/28/2018							1	1		No					
		1301 Celestial Way		BP18-0070	SFD	O	2/28/2018							1	1		No					
		1229 Celestial Way		BP18-0071	SFD	O	2/28/2018							1	1		No					
		1225 Celestial Way		BP18-0072	SFD	O	2/28/2018							1	1		No					
		1221 Celestial Way		BP18-0073	SFD	O	2/28/2018							1	1		No					
		1217 Celestial Way		BP18-0074	SFD	O	2/28/2018							1	1		No					
		1213 Celestial Way		BP18-0075	SFD	O	2/28/2018							1	1		No					
		1209 Celestial Way		BP18-0076	SFD	O	2/28/2018							1	1		No					
		1205 Celestial Way		BP18-0077	SFD	O	2/28/2018							1	1		No					
		1201 Celestial Way		BP18-0078	SFD	O	2/28/2018							1	1		No					
		1400 Sevilla Avenue		BP18-0079	SFD	O	3/1/2018							1	1		No					
		1402 Sevilla Avenue		BP18-0080	SFD	O	3/1/2018							1	1		No					
		1404 Sevilla Avenue		BP18-0081	SFD	O	3/1/2018							1	1		No					
		1406 Sevilla Avenue		BP18-0082	SFD	O	3/1/2018							1	1		No					



**CITY OF ARVIN
Staff Report**

Meeting Date: March 26, 2019

TO: City Council

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

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN CONSENTING TO THE SUBMITTAL OF GRANT APPLICATIONS AND APPLICATION DOCUMENTS TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE LOW CARBON TRANSIT OPERATIONS (LCTOP) PROGRAM; AND AUTHORIZING RELATED ACTIONS FOR THE FOLLOWING PROJECT: ARVIN ELECTRIC BUS PURCHASE: \$ 40,863

BACKGROUND:

The City of Arvin would like to submit to the 2018-2019 Low Carbon Transit Operations grant program. The grant request is to fund a match grant for the purchase of the electric buses. This is the City's second grant request to LCTOP to provide rollover funds for the purchase of the electric buses and infrastructure. Arvin's 99313 allocation is \$ 40,120, and Kern COG is contributing their 99314 allocation of \$ 743 for a total LCTOP grant request of \$ 40,863.

The goal is to reduce greenhouse gas emissions by encouraging the use of mass transit as opposed to single vehicle use and to provide clean fuel transportation.

FINANCIAL IMPACT:

No impact.

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN
CONSENTING TO THE SUBMITTAL OF GRANT APPLICATIONS AND
APPLICATION DOCUMENTS TO THE CALIFORNIA DEPARTMENT
OF TRANSPORTATION FOR THE LOW CARBON TRANSIT
OPERATIONS (LCTOP) PROGRAM; AND AUTHORIZING RELATED
ACTIONS FOR THE FOLLOWING PROJECT: ARVIN ELECTRIC BUS
PURCHASE: \$ 40,863**

WHEREAS, the City of Arvin is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, the City of Arvin is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and,

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and,

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and,

WHEREAS, the Department has developed guidelines for administering and distributing LCTOP funds to eligible project sponsors (local agencies); and,

WHEREAS, the City of Arvin wishes to delegate authorization to execute these documents and any amendments thereto to Jerry Breckinridge, City Manager.

WHEREAS, the City of Arvin wishes to implement the LCTOP project listed above,

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Arvin hereby finds, determines, resolves and orders as follows:

Section 1: The City Manager, Jerry Breckinridge, or his designee, is hereby authorized and empowered to execute in the name of the City of Arvin all grant documents including, but not limited to, applications, agreements, amendments and request for payments, necessary to secure LCTOP grant funds and implement the approved grant projects from the Caltrans Department of Transportation (Caltrans), subject to approval as to legal form by the City Attorney.

Section 2: That the City of Arvin agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

Section 3: That it hereby authorizes the submittal of the following project nominations and allocation requests to the Department in FY 2018-2019 LCTOP funds:

1) Arvin Electric Bus and Bus Infrastructure Project: \$ 40,863

Benefit to a Priority Population: Arvin is a disadvantaged community whose residents will benefit by reduce greenhouse gases as a result of transition from diesel buses to electric buses.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Regular Meeting thereof held on the 26th day of March, 2019 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 OF ARVIN Staff Report

Meeting Date: March 26, 2019

TO: City Council

FROM: Adam Ojeda, City Engineer
Jerry Breckinridge, City Manager

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF TACO BELL AND ASSOCIATED PARCELS AND ARVIN PALACE INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT #1 AND TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2019-2020, AND TO SET A PUBLIC HEARING FOR A FUTURE DATE

BACKGROUND:

The Landscaping and Lighting Act of 1972 (“Act”) provides and establishes procedures for annexing properties to an existing Landscaping and Lighting Assessment District. The City Council previously authorized the formation of Landscaping and Lighting Maintenance District (LLMD) #1 which includes Tracts 5460 (phases 1-4), 5791, 5813, 5816 (phases 1-9 and 12), 5839, 5854, 5865, 5894 (phases 1-3), 6029, 6052 (phase 1-2), 6174, 6292, 6372, Arvin Family Apartments, La Amistad Apartments, and Hood Street Family Apartments in various locations within Arvin. Since then, the district has funded ongoing street light operations, landscape maintenance and miscellaneous upkeep and repairs to the public street improvements for the primary benefit of the lot owners and residents.

Within the past two years two commercial developments have applied for approval from the Planning Commission to operate. As a condition of their approval, the Planning Commission required that each development agree to either join a new or existing LLMD. As such, it has been determined that it is in the best interest of the City and for the owners of Taco Bell located at 330 Bear Mountain Boulevard as well as the Arvin Palace located at 125 East Bear Mountain Boulevard to join LLMD #1. A general description of all proposed annexed lands can be seen in Exhibit A which is attached to the resolution for this item.

The Taco Bell Development includes three legal parcels with APNs of 190-130-15, 190-130-14, and 190-130-27. The Arvin Palace Development is situated on a single parcel with APN 193-140-02. The annexation of each development will be based on each individual parcel. The

owners of each parcel have thus provided letters formally requesting their annexation into the LLMD.

The proceedings for the annexation of the aforementioned parcels are authorized by and will be conducted pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code. In order for the annexation process to commence, the City Council must adopt a resolution that initiates the proceeding and authorizes the preparation of an engineer's report that will ultimately recommend new assessments (annual adjustments), if necessary, for existing and annexed district lots to take effect for Fiscal Year 2019-2020. Said report must be filed with the City Clerk and shall be available for the public to review prior to the public hearing date and time to be set at a subsequent City Council Meeting.

FINANCIAL IMPACT:

Should the proposed parcels be annexed into LLMD #1, the assessment on each parcel will be the same as all others within the district. The Engineer's report which will include reassessments is still to be developed and the exact impact is unknown at this time. However, it is anticipated that each parcel will be assessed at about \$70 each for a total of \$280 of net revenue to be added to the LLMD once the annexation process is completed.

For all existing lands within the district, the funds from the Maintenance District will be collected by the Kern County Assessor's Office and disbursed to the City as a special assessment. When collected, these assessments will go into a fund that shall be used to pay for the maintenance and operation of the lighting, landscaping, walls, drainage, and administration of the District. As provided for by the Landscaping and Lighting Act of 1972, a reassessment may provide for additional funds to be collected based on the Consumer Price Index of Los Angeles / Anaheim / Riverside for 2018. Said reassessment may be for an amount of up to a 4% increase from the previous fiscal year assessment.

RECOMMENDATION:

Staff recommends the Council approved the attached Resolution which provides for the following actions:

1. Clearly identifies the intention of the City Council to initiate proceedings to annex new lands into the district.
2. Directs the City Engineer to prepare a report that identifies the lands to be annexed, and provides for the assessment of those lands as well as adjustments to the assessments to lands previously included in the district.
3. Directs staff to plan for and set a day and time for a public hearing from affected property owners.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF TACO BELL AND ASSOCIATED PARCELS AND ARVIN PALACE INTO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT #1 AND TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2019-2020, AND TO SET A PUBLIC HEARING FOR A FUTURE DATE

WHEREAS, the Landscaping and Lighting Act of 1972 (“Act”) provides and establishes procedures for annexing properties to an existing Landscaping and Lighting Assessment District; and

WHEREAS the City Council previously authorized the formation of Landscaping and Lighting Maintenance District (LLMD) #1 which includes Tracts 5460 (phases 1-4), 5791, 5813, 5816 (phases 1-9 and 12), 5839, 5854, 5865, 5894 (phases 1-3), 6029, 6052 (phase 1-2), 6174, 6292, 6372, Arvin Family Apartments, La Amistad Apartments, and Hood Street Family Apartments in various locations within Arvin; and

WHEREAS, since then, the district has funded ongoing street light operations, landscape maintenance and miscellaneous upkeep and repairs to the public street improvements for the primary benefit of the lot owners and residents; and

WHEREAS, within the past two years two commercial developments have applied for approval from the Planning Commission to operate; and

WHEREAS, as a condition of their approval, the Planning Commission required that each development agree to either join a new or existing LLMD; and

WHEREAS, as such, it has been determined that it is in the best interest of the City and for the owners of Taco Bell located at 330 Bear Mountain Boulevard as well as the Arvin Palace located at 125 East Bear Mountain Boulevard to join LLMD #1; and

WHEREAS, a general description of all proposed annexed lands can be seen in Exhibit A; and

WHEREAS, the Taco Bell Development includes three legal parcels with APNs of 190-130-15, 190-130-14, and 190-130-27. The Arvin Palace Development is situated on a single parcel with APN 193-140-02. The annexation of each development will be based on each individual parcel. The owners of each parcel have thus provided letters formally requesting their annexation into the LLMD; and

WHEREAS, the proceedings for the annexation of the aforementioned parcels to the District are authorized by and will be conducted pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code; and

WHEREAS, in order for the annexation process to commence, the City Council must adopt a resolution that initiates the proceeds and authorizes the preparation of an engineer's report that will ultimately recommend new assessments for existing and annexed district lots to take effect for Fiscal Year 2019-2020.; and

WHEREAS, said report must be filed with the City Clerk and shall be available for the public to review prior to the public hearing date and time to be set at a subsequent City Council Meeting;

NOW, THEREFORE, the City Council of the City of Arvin, hereby does resolve as follows:

1. The City Council proposes to annex Taco Bell and associated parcels and Arvin Palace into Landscaping and Lighting Maintenance District #1 formed by the City Council for the City of Arvin pursuant to the Landscaping and Lighting Act of 1972 (Section 22500 and following, Streets and Highways Code). The properties proposed to be annexed are generally identified on Exhibit "A".
2. The properties proposed to be annexed and to be specifically charged for the improvements shall include all of the land identified as Taco Bell and associated parcels and Arvin Palace, and shall be designated "LANDSCAPING & LIGHTING MAINTENANCE DISTRICT No. 1, 2019 ANNEXATION."
3. The Improvements which are provided for the properties within LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT #1 and which shall be provided for the property within LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT #1, 2019 ANNEXATION by and through the assessments levied annually thereon shall include the following:
 - (a) the installation or construction of public lighting, facilities, including, but not limited to, street lights;
 - (b) the installation or planting of landscaping, including, but not limited to, street trees, parkways, and median islands;
 - (c) the installation or construction of park or recreational facilities;
 - (d) the installation or construction of any facilities which are appurtenant to any

improvements listed in (a) through (c) or which are necessary or convenient for the maintenance or servicing thereof including, but not limited to, irrigation, drainage, walls and fences, and electrical facilities; and

- (e) the maintenance and servicing of any of the foregoing.
4. The City Engineer of the City of Arvin is hereby designated the engineer for the annexation proceedings. The City Council hereby directs the engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972 for the annexation proceedings, as required by Chapter 2 of Part 2 of Division 15 of the Landscaping and Lighting Act of 1972.
 5. The City Engineer is hereby directed to review, and modify the assessments levied against parcels previously within the district boundaries in accordance with Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972 for the annexation proceedings, as required by Chapter 2 of Part 2 of Division 15 of the Landscaping and Lighting Act of 1972.
 6. The City Engineer is hereby directed to set a date and time for a public hearing prior to occur prior to Council consideration of a resolution to annex any proposed parcels.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Regular Meeting thereof held on the 26th day of March, 2019 by the following vote:

ATTEST

CECILIA VELA, City Clerk

CITY OF ARVIN

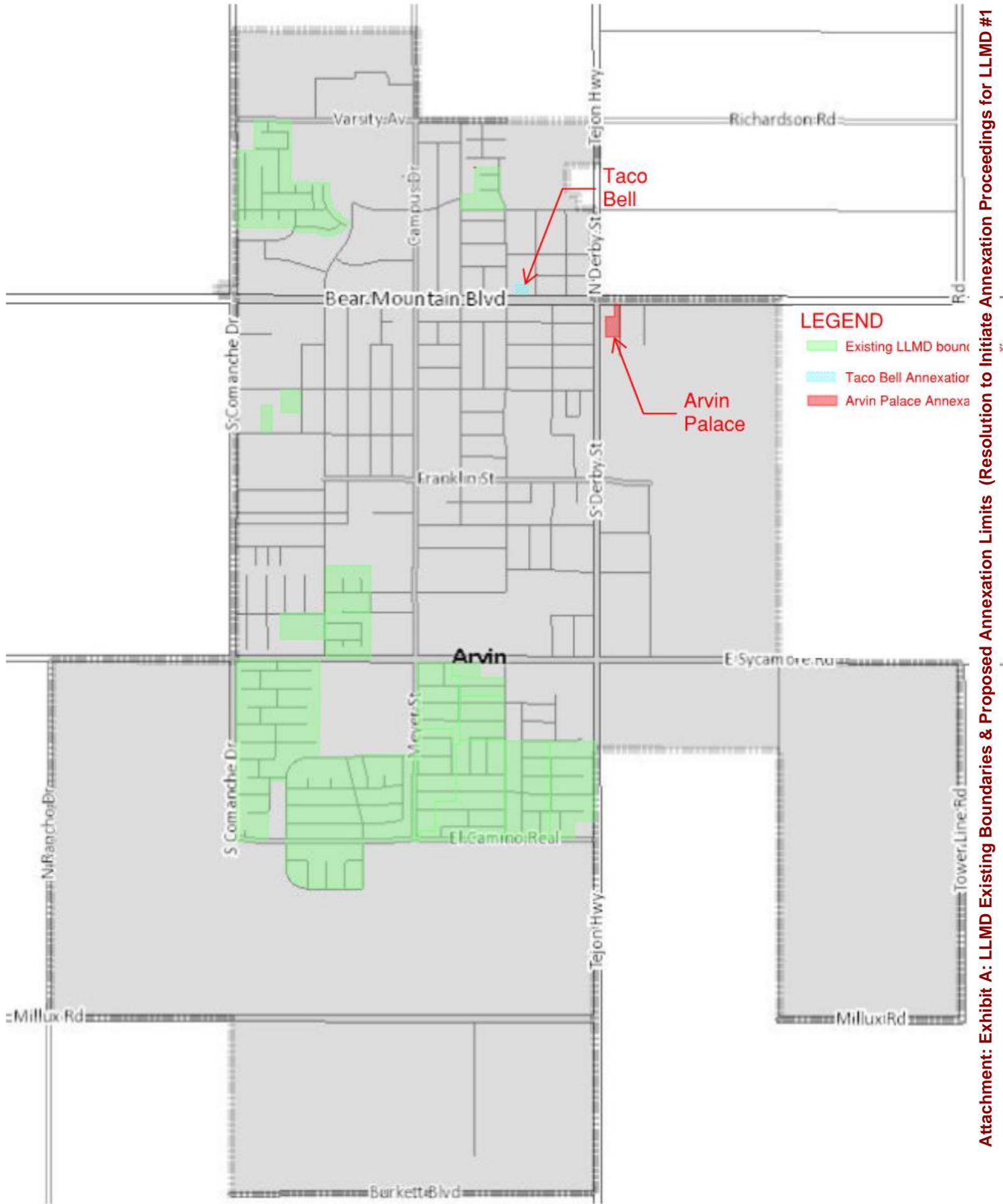
By: _____
JOSE GURROLA, Mayor

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.

EXHIBIT A: LLM D #1 EXISTING BOUNDARIES AND PROPOSED ANNEXATION LIMITS



Attachment: Exhibit A: LLM D Existing Boundaries & Proposed Annexation Limits (Resolution to Initiate Annexation Proceedings for LLM D #1



CITY OF ARVIN
Staff Report

Meeting Date: March 26, 2019

TO: City Council

FROM: Adam Ojeda, City Engineer
Jerry Breckinridge, City Manager

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN ORDERING THE CITY ENGINEER TO FILE A REPORT WITH REGARD TO THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 2 FOR THE 2019-2020 FISCAL YEAR

BACKGROUND:

The City of Arvin maintains various landscape, lighting and drainage improvements within the boundaries of Landscape and Lighting Maintenance District #2. Pursuant with the Landscaping and Lighting Act of 1972, a report of the improvements and the proposed special assessments must be prepared annually for review by the Council and the public so that annual assessments can be made. The first step in the process is for the City Council to initiate proceedings and to direct the City Engineer to prepare an updated report.

At this time, there are no substantial changes to the limits of the district, and no annexations are proposed.

FINANCIAL IMPACT:

The funds from the Maintenance District will be collected by the Kern County Assessor's Office and disbursed to the City as a special assessment. When collected, these assessments will go into a fund that shall be used to pay for the maintenance and operation of the lighting, landscaping, walls, drainage, and administration of the District. As provided for by the Landscaping and Lighting Act of 1972, a reassessment may provide for additional funds to be collected based on the Consumer Price Index of Los Angeles / Anaheim / Riverside for 2018. Said reassessment may be for an amount of up to a 4% increase from the previous fiscal year assessment.

RECOMMENDATION:

Staff recommends approval of the Resolution.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN ORDERING THE CITY ENGINEER TO FILE A REPORT WITH REGARD TO THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 2 FOR THE 2019-2020 FISCAL YEAR

WHEREAS, the City of Arvin is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the review of annual assessment of existing Districts; and

WHEREAS, Landscape and Lighting Maintenance District No. 1 has been formed pursuant to the Landscaping and Lighting Act of 1972, and has been brought into compliance with Proposition 218; and

WHEREAS, the City Council of the City of Arvin desires that assessments be levied and collected in said assessment districts for the 2019-2020 fiscal year in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council wishes to secure an engineer's report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California.

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

Section 1. There are no proposed new improvements or any substantial changes in existing improvements for Landscape and Lighting Maintenance District No. 1. The City Engineer is hereby ordered to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California for fiscal year 2018-2019 Landscape and Lighting Maintenance District No. 1 assessments.

Section 2. This Resolution shall take effect immediately.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a Regular Meeting thereof held on the 26th day of March, 2019 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 OF ARVIN Staff Report

Meeting Date: March 26, 2019

TO: City Council

FROM: Jake Raper, City Planner
Jerry Breckinridge, City Manager

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN, ADDING SUBSECTION Q OF SECTION 17.08.020 (PERMITTED USES) OF CHAPTER 17.08 (ONE-FAMILY DWELLING ZONE) OF TITLE 17 (ZONING), OF THE ARVIN MUNICIPAL CODE TO ESTABLISH STANDARDS AND CRITERIA FOR NEIGHBORHOOD SERVING COMMERCIAL USES IN CONJUNCTION WITH EXISTING AND/OR PROPOSED SINGLE FAMILY RESIDENTIAL USES, AND ADOPTING AN EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15061(B)(3).

RECOMMENDATION

Staff recommends that the City Council consider adopting the Ordinance to be read by title only, open the public hearing, allow for public testimony, close the hearing, waive the second reading, and approve the adoption and second reading of the Ordinance, which:

- Adds Subsection Q. Neighborhood Serving Commercial Uses, Title 17 Zoning, Chapter 17.08 R-1 One-Family Dwelling Zone, Section 17.08.020 Permitted Uses; and
- Adopts an Exemption Pursuant to The California Environmental Quality Act.

BACKGROUND

The Planning Commission at a special meeting on February 21, 2019 conducted a public hearing and at the conclusion of the hearing adopted Resolution No. APC 2019-03 which recommended the City Council adopt the proposed amendment and adopted and adopt exemption per California Environmental Quality Act (CEQA) finding under CEQA Guidelines Section 15061(b)(3). A public hearing and first reading of this Ordinance was held by the Arvin City Council at their meeting of March 12, 2019.

On September 19, 2017, the City Council adopted Resolution No. 2017-92 authorized the City Manager request to bring forward various code amendments to Title 17 Zoning; whenever the public necessity, convenience, general welfare, or good zoning practices justify such action. The proposed amendment to Chapter 17.08 proposes to permit neighborhood commercial serving uses within the R-1 zone district by right subject to specific development criteria and spatial separation of similar uses. It is proposed that the neighborhood commercial serving uses be either approved by Staff or Planning Commission under Section 17.60 Site Development Permits and subject to development improvements subject to 17.70 Site Development Improvements.

The purpose and goal of permitting neighborhood commercial serving uses in conjunction with single family development are:

1. To establish small scale mixed uses that are compatible to the neighborhood;
2. Restricted to corner lots;
3. Utilize existing city service capacity (i.e. sewer, water, roadway, fire);
4. Establish separation of neighborhood commercial uses by 1000 feet;
5. Encourage that the neighborhood commercial uses are within walking and biking distance of the existing residents (or are planned to have enough) to support non-residential uses;
6. City may permit non-listed neighborhood commercial uses by conditional use permit if they meet the goals, locational, dimensional and design standards of the zone; and
7. Require bicycle parking to be visible, accessible, easy to use, convenient, and plentiful. (Racks need to support the whole bike (not just one wheel) and enable the user to lock the frame and wheels of the bike with a cable or U-shaped lock.)

Public hearing notice was published on March 1, 2019 in accordance with Government Code. A summary Notice of Intent to Adopt the Ordinance was published on March 16, 2019.

CEQA REVIEW

Staff have performed a preliminary environmental assessment of this project and pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3) has determined with certainty that there is no possibility that the activities in question may have a significant effect on the environment because of the following reasons:

- This Ordinance establishes the opportunity for neighborhood serving commercial uses within residential neighborhoods; and
- This Ordinance will not have a significant effect or physical change to the environment, because it establishes standards and criteria and no physical projects are contemplated and are anticipated to be within the built environment.

EXHIBITS AND ATTACHMENTS

Ordinance of the City Council of the City of Arvin, Adding Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of the Arvin Municipal Code to Establish Standards and Criteria for Neighborhood Serving Commercial Uses in conjunction with Existing and/or Proposed Single Family Residential Uses And Adopting an Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(B)(3).

Summary Notice of Intent to Adopt the Ordinance

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN, ADDING SUBSECTION Q OF SECTION 17.08.020 (PERMITTED USES) OF CHAPTER 17.08 (ONE-FAMILY DWELLING ZONE) OF TITLE 17 (ZONING), OF THE ARVIN MUNICIPAL CODE TO ESTABLISH STANDARDS AND CRITERIA FOR NEIGHBORHOOD SERVING COMMERCIAL USES IN CONJUNCTION WITH EXISTING AND/OR PROPOSED SINGLE FAMILY RESIDENTIAL USES, AND ADOPTING AN EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15061(B)(3).

WHEREAS, the City Council desires to amend Title 17 of the Arvin Municipal Code desires to establish neighborhood commercial uses within single family residential neighborhoods to promote walkable neighborhoods; and

WHEREAS, on February 21, 2019, at after a duly noticed public hearing, the Planning Commission considered the Proposed Amendments, including presentations from City staff, oral testimony, and written testimony; and

WHEREAS, after the above-mentioned public hearing, the Planning Commission adopted Resolution No. APC 2019-03, which recommended that the City Council adopt this Ordinance; and

WHEREAS, on March 12, 2019, the City Council conducted a duly noticed public hearing regarding this Ordinance, where it received presentations from City staff, oral and written testimony from members of the public, and then voted to introduce this Ordinance; and

WHEREAS, after the above-mentioned City Council public hearing, the City Council conducted a duly noticed public hearing regarding this Ordinance on March 26, 2019, where the public was again provided an opportunity to provide testimony regarding the Ordinance, etc.; and

WHEREAS, the City Council now desires to amend Title 17, “Zoning,” of the Arvin Municipal Code to permit neighborhood commercial servicing uses in single family residential zone by adding Subsection Q. Neighborhood Commercial Serving Uses of Section 17.08.020 Permitted Uses; and

NOW, THEREFORE, the City Council of the City of Arvin does hereby ordain as follows:

Section 1. The Recitals set forth above are true and correct and incorporated herein.

Section 2. The City Council finds and determines that the amendment and addition to Title 17, as contemplated by this Ordinance, constitute a project under the California Environmental Quality Act (“CEQA”). The City Council, based upon its own independent judgment and substantial evidence in the record of proceedings related to this project has determined, pursuant to CEQA Guidelines. This determination and recommendation is based upon the CEQA Guidelines, Section 15061(b)(3) the activity is covered under the General Rule that CEQA applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA and is, therefore, exempt from CEQA, for the following reasons:

- a. This Ordinance relates to the establishment of criteria and standards for potential neighborhood commercial serving uses in single family residential zones;
- b. This Ordinance will not have a significant effect or physical change to the environment, because it relates to the creation of standards and criteria in evaluating future potential neighborhood commercial serving uses in single family residential zones which do not involve any commitment to a specific project which may result in a potentially significant physical impact upon the environment.
- c. Subsection Q of Section 17.08.020 (Permitted Uses) of Chapter 17.08 (One-Family Dwelling Zone) of Title 17 (Zoning), of The Arvin Municipal Code added to read in its entirety as follows :

Q. Neighborhood Serving Commercial Uses within Single Family Residential

Neighborhood Serving Commercial Uses are intended to introduce complimentary uses in conjunction with existing and/or proposed single family residential uses in locations where the neighborhood supports such a use and serves the neighborhood. The following standards are designed to allow Neighborhood Serving Commercial Uses to be integrated closely with existing and proposed single family residential uses on a small scale. Allowing neighborhood serving commercial uses to be integrated into neighborhoods at appropriate locations and at the same scale as the existing and proposed residential uses is intended to make more efficient use of existing infrastructure capacity and improve walking and biking accessibility to these services by nearby residents.

1. A neighborhood serving commercial use must implement and meet the following criteria: Support a compact walkable neighborhood with nearby services;
 - a. Separation of neighborhood serving commercial uses by a minimum of 1,000 feet;
 - b. Be a development of small scale neighborhood commercial uses to compliment neighborhoods and provide service destinations and jobs close to existing housing;
 - c. Must be compatible with neighborhood commercial uses and existing and/or proposed residential development; and
 - d. Utilize existing infrastructure and service capacity.

2. A neighborhood serving commercial use must implement and meet the following criteria:
 - a. Support a compact walkable neighborhood with nearby services;
 - b. Separation of neighborhood serving commercial uses by a minimum of 1,000 feet;
 - c. Be a development of small scale neighborhood commercial uses to compliment neighborhoods and provide service destinations and jobs close to existing housing;
 - d. Must be compatible with neighborhood commercial uses and existing and/or proposed residential development; and
 - e. Utilize existing infrastructure and service capacity.

3. Uses Permitted: The following uses are permitted as a neighborhood serving commercial use subject to Chapter 17.60 Site Development Permit, implements and meet the criteria established above, subject to the implementation of the requirements of Chapter 17.70 Site Development Standards, and also meeting the standards as listed in this section:
 - a. Other neighborhood serving commercial not listed below may be permitted by Conditional Use Permit where it can be demonstrated that the proposed use meets the criteria identified above and all requirements of this section.
 - i. Neighborhood Convenience Retail in conjunction with existing or proposed Single Family Residential uses as listed below:
 - ii. Food sales (i.e. groceries, bakeries, candy shops, delicatessens);
 - iii. Consumer Repair Services (i.e. watch, jewelry, musical instrument);
 - iv. General Retail Sales-Convenience; (i.e. convenience market (No off- or on-sale of alcoholic beverages), neighborhood takeout food preparation; and
 - v. Live-work units.

4. Design Standards for Permitted Non-Residential Uses. Uses permitted above shall conform to the following design guidelines:
 - a. Architectural Standards: All new development (residential and non-residential) shall be of a design that compliments residences and/or introduces and improves on the design located on the same block and shall follow these design standards;
 - i. Building materials shall be of siding, brick, stone or other materials that are similar in composition and otherwise in common with other buildings located in the area.
 - ii. Colors shall compliment other buildings in the area.
 - iii. The primary entrance shall be from the front sidewalk, front corner entrances may satisfy this requirement. Secondary entrances may be allowed in the rear where there is rear parking.
 - iv. To support the privacy of existing residences, windows on the portion of a side wall directly opposite an existing residence shall be limited to obscure glass or similar material approved or windows that are above sightline in both buildings.

- v. New buildings shall be compatible with the existing residential uses on the block and must use at least three design elements found in other buildings within the neighborhood on facades facing public streets.
 - b. Signage: Shall be of a scale and of materials that are compatible with the existing residential uses while allowing the business to be identified from the sidewalk and street.
 - i. Maximum sign area allowed shall be the one half of the building width in square feet: building width/2 = X sq. ft
 - ii. May not be translucent or lighted from within. They may be lighted with exterior lights during hours of operation
 - iii. Window signs may not be larger than 1 square foot.
 - iv. Lighted window signs may only be lit during hours of operation.
 - v. Lighted signs may not flash, blink or otherwise move.
 - c. Exterior Lighting: Shall be compatible with residences located on the same block and;
 - i. Exterior lighting must be hooded or shielded. There should be no disability glare and no direct light source should be visible from ground level or above across the source property line if it is adjacent to residential or vacant property.
- 5. Building, Lot, Location and other Standards: Uses permitted above shall conform to the following guidelines:
 - a. Location and Access:
 - i. Permitted non-residential uses shall be located in a neighborhood where no similar services are provided within 1000 feet;
 - ii. Must be located on a corner lot of sufficient size to meet the requirements of Chapter 17.70 Site Development Standards;
 - iii. Must provide a minimum of 500 square feet of open space for the existing and/or proposed single family residential unit.
 - iv. Conditionally approved non-residential uses not listed in Sub-Subsection B above, must be found to be compatible with and to impose no adverse impact upon adjacent residential uses and meet all of the requirements of this Subsection.
 - b. Parking: The following vehicle parking standards shall be met:
 - i. On-street parking may be credited toward the minimum parking requirements.
 - ii. All off-street parking must be provided in the rear or side yards and screened by an opaque wall or landscaping at least three (3) feet in height. No parking is allowed in the front or side yard setback.
 - iii. No commercial vehicle may be parked on the street or on the premises overnight except in an enclosed garage.
 - c. Bicycle Parking: Shall be provided near the front entrance and covered where possible.

Section 4. This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading except by Title, at a Regular meeting thereof held on 12th day of March, 2019 and adopted the Ordinance after second reading at a regular meeting held on the 26th day of March, 2019, 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 Ordinance passed and adopted by the City Council of the City of Arvin on the date and by the vote indicated herein.

**NOTICE BY THE ARVIN CITY COUNCIL
OF ITS INTENT TO ADOPT AN ORDINANCE**

NOTICE IS HEREBY GIVEN that on March 26, 2019 at 6:00 pm, or as soon after as the matter may be heard, the City Council of the City of Arvin intends to adopt an Ordinance, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN ADDING SUBSECTION Q OF SECTION 17.080.020 (PERMITTED USES) OF CHAPTER 17.08 (ONE-FAMILY DWELLING ZONE) OF TITLE 17 (ZONING), OF THE ARVIN MUNICIPAL CODE TO ESTABLISH STANDARDS AND CRITERIA FOR NEIGHBORHOOD SERVING COMMERCIAL USES IN CONJUNCTION WITH EXISTING AND/OR PROPOSED SINGLE FAMILY RESIDENTIAL USES, AND ADOPTING AN EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 1506(B)(3).

SUMMARY

The proposed Ordinance amends Arvin Municipal Code Chapter 17.08 to establish standards and development criteria where permitting neighborhood commercial serving uses within the single-family residential neighborhoods. Among others, the proposed ordinance would establish small scale mixed uses that are compatible to the neighborhood; be restricted to corner lots; must utilize existing City service capacity (i.e. sewer, water, roadway, fire); establish separation of neighborhood commercial uses by 1000 feet; and encourage walking and biking from nearby existing residential uses. The updates to the ordinance will be city-wide, but as a practical matter will only apply to areas that are zoned single-family residential.

A copy of the full text of the Ordinance is available for review in the Office of the City Clerk, City of Arvin, 200 Campus Drive, Arvin, CA 93203. A copy is also available on the City's website at Arvin.org. Anyone having questions may contact the City Clerk at (661) 854-3134.

/s/ _____
Cecilia Vela, City Clerk
City of Arvin

PUBLISHED: Bakersfield Californian, March 16, 2019



CITY OF ARVIN Staff Report

Meeting Date: March 26, 2019

TO: Arvin City Council

FROM: Jake Raper, City Planner
Jerry Breckinridge, City Manager

SUBJECT: Consideration and Adoption of an Urgency Ordinance of the City Council of the City of Arvin, California Adding Chapter 13.16 of the Title 13 of the Arvin Municipal Code Governing Small Wireless Facilities (“SWF’s”); Adoption of a Resolution Adopting a Council Policy for Small Wireless Facilities Per 47 CFR 1.6002(1) “SWF Regulations”

RECOMMENDATION

It is recommended the Arvin City Council adopt the Urgency Ordinance adding Chapter 13.16 of the Title 13 of the Arvin Municipal Code governing small wireless facilities (“SWF’s”) within the City of Arvin, as well as a Resolution with implementing SWF regulations. Unless the Ordinance is adopted by April 14th, the City will lose local control over its utility poles, streetlights, etc., with regard to SWFs.

BACKGROUND:

In prior decades, wireless antennas and equipment were primarily installed on large towers or “macro-cells”. These deployments are subject to conditional use permit approval under the Zoning Code and are currently prohibited in residential zones.

In recent years, however, carriers increasingly seek to place wireless facilities in the City’s public right of way (“PROW”) on utility poles, streetlights and new poles. The demand for such wireless installations, particularly small wireless facilities (or “SWFs”), is expected to grow exponentially over the next several years given the expansion of home streaming video, social media, drones, self-driving cars and the Internet of Things (IoT) serving homes and businesses. To accommodate this expansion, the telecommunications industry is starting to look for small cell 5G (fifth generation) technology. 5G technology is distinguished from the present 4G service by use of low power transmitters with coverage radius of approximately 400 feet. 5G thus requires close spacing of antennas and more of them. PROW street light poles and other poles are, therefore, suited for 5G SWFs.

The City’s existing Municipal Code contains outdated standards for dealing with SWFs. This is particularly true in light of significant changes in law implemented by the Federal Communications Commission (“FCC”). On September 27, 2018, the FCC released a Declaratory Ruling and Third Report and Order (the “FCC Order”) significantly limiting state and local management of SWFs in the PROW (and, in a limited way, SWFs on private property). In short, the FCC Order does the following:

- Defines SWFs as up to 50 feet in height, including antennas, or mounted on structures no more than 10% taller than other adjacent structures; or that do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater; each antenna is no more than 3 cubic feet in volume, and the total associated wireless equipment on one structure is no more than 28 cubic feet in volume.
- Caps all fees that local governments can charge to the actual and reasonable cost of providing service. This limitation applies to fees for SWFs located on private property as well.
- Imposes shot clocks (a decision on a SWF application) of 60 days for SWFs added to existing structures (regardless of whether the structure already supports a wireless service) and 90 days for SWFs proposing a new structure. The shortened shot clocks also apply to applications for SWFs on private property.
- Preempts all aesthetic requirements for SWFs in the PROW unless they are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance. (Effective April 14, 2019.)

This report introduces an urgency ordinance to provide the regulatory framework and standards for permitting the installation of SWFs within the City’s PROW. Staff has been working with the City Attorney’s office to draft such urgency ordinance. The proposed urgency ordinance and corresponding design standards have been prepared in response to the FCC Order. The proposed urgency ordinance also addresses “eligible facilities requests”—a category of “by-right” installations that were established by the FCC several years ago, but never acknowledged in the City’s current version of its Municipal Code.

DISCUSSION:

The Federal Telecommunications Act is intended to ensure that the public has sufficient access to telecommunication services. Based on this Federal law, a local government shall not prohibit or have the effect of prohibiting the provision of personal wireless services. Further, no State or local government may dictate, or even consider, wireless entitlements based on “the environmental (health) effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” A zoning authority’s mere consideration of health effects, including potential effects on property values due to potential radio frequency emissions, may not serve as “substantial evidence” for purposes of denying a wireless facility. The City’s role in the siting and design of WCFs is generally limited to aesthetics.

Wireless telecommunications providers are treated as telephone companies under their State franchise conferred in California Public Utilities Code Section 7901, and thus are entitled to use the PROW to deploy their equipment. However, even with their right to occupy the PROW, under Section 7901 providers may *not* “unreasonably subject the public use to inconvenience or discomfort; to unreasonably trouble, annoy, molest, embarrass, inconvenience; to unreasonably hinder, impede, or obstruct the public use.” These limitations on Section 7901 have been interpreted broadly enough to include concerns related to the appearance of a facility,” and thus Section 7901 allows cities to condition a wireless permit on (i) aesthetic concerns, (ii) restricting

the location of proposed facilities due to public safety reasons or other local concerns or even deny applications in appropriate circumstances, and (iii) to exercise reasonable control over the time, place and manner of “when, where, and how telecommunications service providers gain entry to the public rights-of-way,” including the need for encroachment permits. (See, Pub. Util. Code § 7901.)

The new FCC Order significantly changes Federal law to shorten time frames and other requirements on local review of SWFs in the PROW. Now, if a city does not render a decision on a SWF application within a specified time period (60 days for installations on existing structures, and 90 days for new structures), *the failure to meet the deadline for action will be presumed to violate federal law.*

On aesthetics, spacing restrictions and undergrounding requirements, the FCC declares that such requirements will not be preempted if they are reasonable, no more burdensome than those applied to other types of infrastructure deployments, and objective and published in advance. In essence, this new standard for aesthetic conditions means that cities can impose aesthetic requirements to the extent they are “technically feasible” for the provider. This is a significant departure from the “least intrusive means” analysis that developed in the Ninth Circuit over the last few decades. The FCC Order purports to overturn the “least intrusive means” standard entirely, with the new standards taking effect on April 15, 2019.¹

Aesthetic standards implementing the FCC Order must be reasonable, objective, *and published ahead of time.* If a city does not have “published” its design standards, then it does not appear that any standards can be enforced. It is therefore important that the City update its ordinance with new standards and procedures by April 14, 2019 or shortly thereafter. Staff therefore recommends the Council adopt an ordinance setting out the permitting procedures for SWFs in the PROW. The proposed ordinance seeks to balance the community’s need for wireless services, the industry’s need to deploy quickly, and the City’s obligation to maintain safety and protect the aesthetic qualities of our neighborhoods. As drafted, the proposed ordinance would:

- Add a new Chapter 13.16 of Title 13 to the Arvin Municipal Code, Wireless Facilities in the Public Right of Way. For all wireless facility installations in the PROW, the ordinance provides, among other regulations, the permit and review procedures as well as the operation and maintenance standards. The ordinance treats wireless installations in the PROW similar to other installations in the ROW by requiring an encroachment permit. Once the encroachment permit is issued, the carrier may still need to obtain traffic control plans, construction permits and if necessary, a license to attach to City infrastructure.
- The substantially shorter “shot clocks” established by the FCC Order render discretionary review by the planning commission (or any other hearing body) much more difficult, if not logistically impossible. To this end, the proposed ordinance presents an entirely new administrative review process for SWF applications, with the Director of Planning taking the lead of administratively reviewing SWF applications.

¹ While the legal validity of both of these FCC orders is being litigated, the effectiveness of the orders has not been stayed. Further, another FCC order that was released in August 2018 prohibits cities from imposing a moratorium on wireless installations, which means that there can be no pause in accepting or processing applications to allow a city to study and address potential issues.

- The new ordinance recognizes, and establishes procedures and standards for, “eligible facility requests” pursuant to Federal law. These are ministerial modifications and collocations that must be approved by-right, which provisions were not included in the current the Municipal Code, despite being required by law since 2012.
- Given the short time that the City has to act on these applications under Federal law, having two days to process appeals, staff recommends that the appeals be heard by an independent hearing officer, who can hold hearings on short notice within the short time frame. Doing so also provides an independent level of oversight over the decisions before they become final and subject to challenge in court.
- The ordinance contains a comprehensive list of permit conditions that will apply to wireless encroachment permits, including insurance requirements, indemnity, performance bond for removal upon abandonment, and maintenance and inspection requirements. The permits are in effect for a term of 10 years, which stems from a State law that allows the City to limit the permits to 10 years; compared to utility poles, for example, which are erected in perpetuity.
- The importance of public awareness and involvement for wireless facilities can be high. The ordinance thus requires applicants to provide mailed notices to owners, occupants and multi-family building property managers within 300 feet of proposed SWFs and major facilities before they are approved.
- Finally, the ordinance allow the flexibility needed in the face of rapidly changing wireless laws and technology. Rather than publish SWF design standards in the ordinance, staff proposes that such standards should be adopted as administrative regulations that may be readily and quickly adapted given the frequency and magnitude of changes in law and technology surrounding wireless installations.

To accompany the new ordinance, staff has also prepared a separate City Council Policy that will provide the industry direction on the City’s aesthetic, location and design requirements. For example, the proposed design standards recommend that when there is a choice in location, carriers should choose to site on a pole or street light that is between structures and not immediately adjacent to a structure, that paint and design should blend with surrounding structures, that signage should be limited, and that lighting be prohibited unless required by the Federal Aviation Administration. This draft document is provided as an attachment to this report and once approved by the Council, will be promptly published by staff on the City’s website as required by the FCC Order. The Proposed Policy is attached to this report for City Council consideration or approval; staff recommends that the City Council adopt the design standards with the ordinance.

ENVIRONMENTAL:

The ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act (“CEQA”) Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. Most of the terms and scope of city discretion are guided by existing State and Federal law. The ordinance creates an administrative process to process requests for wireless facilities in the PROW and the City’s discretion with these applications is limited. The ordinance does not authorize any specific development or

installation on any specific piece of property within the City's boundaries. Alternatively, the ordinance is exempt from CEQA because the City Council's adoption of the ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would further be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land), as these facilities are allowed under Federal and State law, are by their nature smaller when placed in the PROW and subject to various siting and design preferences to prevent aesthetic impact to the extent feasible.

FISCAL IMPACT:

No fiscal impacts are associated with the ordinance. However, installation of wireless facilities would be subject to fees and yield potential lease revenue. Staff will bring to City Council a proposed Master License Agreement for use of City infrastructure in the ROW and a fee resolution for any fees associated with these applications at a later date.

ATTACHMENTS:

1. An Urgency Ordinance Of The City Council Of The City Of Arvin, California, Adding Chapter 13.16 Of Title 13 Of The Arvin Municipal Code (including Exhibit "A" thereto: Wireless Telecommunications Facilities In The Public Right-Of-Way.)
2. A Resolution Of The City Council Of The City Of Arvin Adopting A Council Policy For Small Wireless Facilities Per 47 CFR 1.6002(1) "SWF Regulations" (Including Exhibit "A" thereto: Council Policy for Small Wireless Facilities Per 47 CFR 1.6002(1) "SWF Regulations".)
3. Notice of Intent to Adopt an Urgency Ordinance.

URGENCY ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF ARVIN, CALIFORNIA, ADDING CHAPTER 13.16 OF TITLE 13 OF
THE ARVIN MUNICIPAL CODE**

WHEREAS, the City Council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.

WHEREAS, significant changes in Federal and State law that affect local authority over wireless communications facilities ("WCFs") have occurred, including but not limited to the following:

- i. On November 18, 2009, the Federal Communications Commission ("FCC") adopted a declaratory ruling (the "2009 Shot Clock"), which established presumptively reasonable timeframes for State and local governments to act on applications for WCFs.
- ii. On February 22, 2012, Congress adopted Section 6409(a) of the Middle Class Tax Relief and Job Creation Act ("Section 6409(a)"), which mandated that State and local governments approve certain modifications and collocations to existing WCFs, known as eligible facilities requests.
- iii. On October 17, 2014, the FCC adopted a report and order that, among other things, implemented new limitations on how State and local governments review applications covered by Section 6409(a), established an automatic approval for such applications when the local reviewing authority fails to act within 60 days, and also further restricted generally applicable procedural rules under the 2009 Shot Clock.
- iv. On October 9, 2015, California adopted Assembly Bill No. 57 (Quirk), which deemed approved any WCF applications when the local reviewing authority fails to act within the 2009 Shot Clock timeframes.
- v. On August 2, 2018, the FCC adopted a declaratory ruling that formally prohibited express and de facto moratoria for all telecommunications services and facilities under 47 U.S.C. § 253(a).
- vi. On September 26, 2018, the FCC adopted a declaratory ruling and report and order that, among other things, creates a new regulatory classification for small wireless facilities ("SWFs"), requires State and local governments to process applications for small wireless facilities within 60 days or 90 days, establishes a national standard for an effective prohibition and provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition.

WHEREAS, in addition to the changes described above, new Federal laws and regulations that drastically alter local authority over WCFs are currently pending, including without limitation, the following:

- i. On March 30, 2017, the FCC issued a Notice of Proposed Rulemaking (WT Docket No. 17-79, WC Docket No. 17-84) and has acted on some of the noticed issues referenced above, but may adopt forthcoming rulings and/or orders that further limit local authority over wireless facilities deployment.
- ii. On June 28, 2018, United States Senator John Thune introduced and referred to the Senate Committee on Commerce, Science and Transportation the "STREAMLINE Small Cell Deployment Act" (S. 3157) that, among other things, would apply specifically to small cell WCFs and require local governments to review applications based on objective standards, shorten the 2009 Shot Clock timeframes, require all proceedings to occur within the 2009 Shot Clock timeframes, and provide a "deemed granted" remedy for failure to act within the applicable 2009 Shot Clock.

WHEREAS, given the rapid and significant changes in Federal and State law, the actual and effective prohibition on moratoria to amend local policies in response to such changes and the significant adverse consequences for noncompliance with Federal and State law, the City Council desires to add Chapter 13.16 of the Arvin Municipal Code, entitled "Chapter 13.16 - Wireless Telecommunications Facilities In The Public Right-Of-Way" (the "Ordinance") to allow greater flexibility and responsiveness to the new Federal and State laws while still preserving the City's traditional authority to the maximum extent practicable.

WHEREAS, on March 26, 2019 the City Council held a duly noticed public hearing on the Amendment, reviewed and considered the staff report, other written reports, public testimony and other information contained in the record; and

WHEREAS, the City Council now desires to adopt the Ordinance.

NOW, THEREFORE, the City Council of the City of Arvin does ordain as follows:

SECTION 1. The facts set forth in the recitals in this Ordinance are true and correct and incorporated by reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in the Ordinance.

SECTION 2. The City Council finds the Ordinance is consistent with the City's General Plan, Arvin Municipal Code, and applicable Federal and State law.

SECTION 3. The City Council finds the Ordinance will not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 4. The City Council finds and determines Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. The Ordinance is further exempt from CEQA because the City Council's adoption of the Ordinance is covered by

the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

SECTION 5. The Ordinance is hereby adopted by the addition of Chapter 13.16, “Wireless Telecommunications Facilities In The Public Right-Of-Way” in Title 13 of the Arvin Municipal Code to read in its entirety as shown in Exhibit “A” attached hereto and incorporated herein by this reference as if set forth in full.

SECTION 6. If the provisions in this Ordinance conflict in whole or in part with any other City regulation or ordinance adopted prior to the effective date of this section, the provisions in this Ordinance will control.

SECTION 7. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

SECTION 8. This Ordinance is hereby declared to be an urgency measure and shall become effective immediately upon adoption by at least a four-fifths (4/5) vote of the City Council pursuant to Government Code section 36937(b).

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause it to be published, in accordance with Government Code, Section 36933, or as otherwise required by law.

SECTION 10. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption.

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I HEREBY CERTIFY that the foregoing Ordinance was adopted on an urgency basis by the City Council of the City of Arvin after waiving reading, except by Title, at a regular meeting thereof held on the 26th day of March 2019, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

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

Exhibit A: Wireless Telecommunications Facilities In The Public Right-Of-Way

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

EXHIBIT A

WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

The City Council of the City of Arvin, based on its own independent judgment, amends the Arvin Municipal Code to add Chapter 13.16 to Title 13 as follows:

CHAPTER 13.16 - WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

13.16.010 Purpose.

The purpose and intent of this chapter is to provide a uniform and comprehensive set of regulations and standards for the permitting, development, siting, installation, design, operation and maintenance of wireless telecommunications facilities in the city's public right-of-way. These regulations are intended to prescribe clear and reasonable criteria to assess and process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. This chapter provides standards necessary (1) for the preservation of the public right-of-way ("PROW") in the city for the maximum benefit and use of the public, (2) to promote and protect public health and safety, community welfare, visual resources and the aesthetic quality of the city consistent with the goals, objectives and policies of the general plan, and (3) to provide for the orderly, managed and efficient development of wireless telecommunications facilities in accordance with the state and federal laws, rules and regulations, including those regulations of the Federal Communications Commission ("FCC") and California Public Utilities Commission ("CPUC"), and (4) to ensure that the use and enjoyment of the PROW is not inconvenienced by the use of the PROW for the placement of wireless facilities. The city recognizes the importance of wireless facilities to provide high-quality communications service to the residents and businesses within the city, and the city also recognizes its obligation to comply with applicable Federal and State laws. This chapter shall be constructed and applied in consistency with the provisions of state and federal laws, and the rules and regulations of FCC and CPUC. In the event of any inconsistency between any such laws, rules and regulations and this chapter, the laws, rules and regulations shall control.

13.16.020 Definitions.

"Accessory equipment" means any and all on-site equipment, including, without limitation, back-up generators and power supply units, cabinets, coaxial and fiber optic cables, connections, equipment buildings, shelters, radio transceivers, transmitters, pedestals, splice boxes, fencing and shielding, surface location markers, meters, regular power supply units, fans, air conditioning units, cables and wiring, to which an antenna is attached in order to facilitate the provision of wireless telecommunication services.

"Antenna" means that specific device for transmitting and/or receiving radio frequency or other signals for purposes of wireless telecommunications services. "Antenna" is specific to the antenna portion of a wireless telecommunications facility.

Antenna array" shall mean two or more antennas having active elements extending in one or more directions, and directional antennas mounted upon and rotated through a vertical mast or tower

interconnecting the beam and antenna support, all of which elements are deemed to be part of the antenna.

“Base station” shall have the meaning as set forth in Title 47 Code of Federal Regulations (C.F.R.) Section 1.40001(b)(1), or any successor provision. This means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network (regardless of the technological configuration, and encompassing DAS and small cells). “Base station” does not encompass a tower or any equipment associated with a tower. Base station includes, without limitation:

1. Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
2. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small cells).
3. Any structure other than a tower that, at the time the relevant application is filed with the city under this chapter, supports or houses equipment described in paragraphs 1 and 2 of this definition that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.
4. “Base station” does not include any structure that, at the time the relevant application is filed under this chapter, does not support or house equipment described in paragraphs 1 and 2 of this definition. Other structures that do not host wireless telecommunications facilities are not “base stations.”

As an illustration and not a limitation, the FCC’s definition of “base station” refers to any structure that actually supports wireless equipment even though it was not originally intended for that purpose. Examples include, but are not limited to, wireless facilities mounted on buildings, utility poles, light standards or traffic signals. A structure without wireless equipment replaced with a new structure designed to bear the additional weight from wireless equipment constitutes a base station.

“Cellular” means an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.

“City” means the City of Arvin .

“Code” means the Arvin Municipal Code.

“Collocation” bears the following meanings:

1. For the purposes of any eligible facilities request, the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(2), as may be amended, which defines that term as “[t]he mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.” As an illustration and not a limitation, the FCC’s definition means to add transmission

equipment to an existing facility and does not necessarily refer to two or more different facility operators in the same location; and

2. For all other purposes, the same as defined in 47 CFR 1.6002(g)(1) and (2), as may be amended, which defines that term as (1) Mounting or installing an antenna facility on a pre-existing structure, and/or (2) Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

“Collocation facility” means the eligible support structure on, or immediately adjacent to, which a collocation is proposed, or a wireless telecommunications facility that includes collocation facilities. (*See*, Gov. Code, § 65850.6(d).)

“COW” means a “cell on wheels,” which is a portable, self-contained wireless telecommunications facility that can be moved to a location and set up to provide wireless telecommunication services, which facility is temporarily rolled in, or temporarily installed, at a location. Under this chapter, the maximum time a facility can be installed to be considered a COW is five (5) days. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

“Distributed antenna system” or “DAS” means a network of spatially separated antennas (nodes) connected to a common source (a hub) via a transport medium (often fiber optics) that provide wireless telecommunications service within a specific geographic area or building. DAS includes the transport medium, the hub, and any other equipment to which the DAS network or its antennas or nodes are connected to provide wireless telecommunication services.

“Eligible facilities request” means any request for modification to an existing eligible support structure that does not substantially change the physical dimensions of such structure, involving:

1. Collocation of new transmission equipment;
2. Removal of transmission equipment;
3. Replacement of transmission equipment (replacement does not include completely replacing the underlying support structure); or
4. Hardening through structural enhancement where such hardening is necessary to accomplish the eligible facilities request, but does not include replacement of the underlying support structure.

“Eligible facilities request” does not include modifications or replacements when an eligible support structure was constructed or deployed without proper local review, was not required to undergo local review, or involves equipment that was not properly approved. “Eligible facilities request” does include collocation facilities satisfying all the requirements for a non-discretionary collocation facility pursuant to Government Code Section 65850.6.

“Eligible support structure” means any support structure located in the PROW that is existing at the time the relevant application is filed with the city under this chapter.

“Existing” means a support structure, wireless telecommunications facility, or accessory equipment that has been reviewed and approved under the city’s applicable zoning or siting process, or under another applicable state or local regulatory review process, and lawfully constructed prior to the time the relevant

application is filed under this chapter. However, a support structure, wireless telecommunications facility, or accessory equipment that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is “existing” for purposes of this chapter. “Existing” does not apply to any structure that (1) was illegally constructed without all proper local agency approvals, or (2) was constructed in noncompliance with such approvals. “Existing” does not apply where an existing support structure is proposed to be replaced in furtherance of the proposed wireless telecommunications facility.

“Facility(ies)” means wireless telecommunications facility(ies).

“FCC” means the Federal Communications Commission.

“Ground-mounted” means mounted to a pole, tower or other freestanding structure which is specifically constructed for the purpose of supporting an antenna or wireless telecommunications facility and placed directly on the ground at grade level.

“Lattice tower” means an open framework structure used to support one or more antennas, typically with three or four support legs.

“Located within (or in) the public right-of-way” includes any facility which in whole or in part, itself or as part of another structure, rests upon, in, over or under the PROW.

“Modification” means a change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, or exterior material. “Modification” does not include repair, replacement or maintenance if those actions do not involve whatsoever any expansion, alteration, enlargement, intensification, reduction, or augmentation of an existing wireless telecommunications facility.

“Monopole” means a structure composed of a pole or tower used to support antennas or related equipment. A monopole also includes a monopine, monopalm and similar monopoles camouflaged to resemble faux trees or other faux objects attached on a monopole (e.g. water tower).

“Mounted” means attached or supported.

“OTARD antennas” means antennas covered by the “over-the-air reception devices” rule in 47 C.F.R. sections 1.4000 et seq. as may be amended or replaced from time to time.

“Permittee” means any person or entity granted a WTFP pursuant to this chapter.

“Personal wireless services” shall have the same meaning as set forth in 47 United States Code Section 332(c)(7)(C)(i).

“City Planner ” means the planner within the Planning Division, or his or her designee.

“Pole” means a single shaft of steel, concrete or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by provisions of this code.

“City Engineer” means the City Engineer , or his or her designee.

“Public right-of-way” or “PROW” means a strip of land acquired by reservation, dedication, prescription, condemnation, or easement that allows for the passage of people and goods. The PROW includes, but is not necessarily limited to, streets, curbs, gutters, sidewalks, roadway medians, and parking strips. The PROW does not include lands owned, controlled or operated by the city for uses unrelated to streets or the passage of people and goods, such as, without limitation, parks, city hall and community center lands, city yards, and lands supporting reservoirs, water towers, police or fire facilities and non-publicly accessible utilities.

“Replacement” refers only to replacement of transmission equipment, wireless telecommunications facilities or eligible support structures where the replacement structure will be of like-for-like (except wood poles) kind to resemble the appearance and dimensions of the structure or equipment replaced, including size, height, color, landscaping, materials and style.

1. In the context of determining whether an application qualifies as an eligible facilities request, the term “replacement” relates only to the replacement of transmission equipment and does not include replacing the support structure on which the equipment is located.
5. In the context of determining whether a SWF application qualifies as being placed upon a new eligible support structure or qualifies as a collocation, an application proposing the “replacement” of the underlying support structure qualifies as a new pole proposal.

“RF” means radio frequency.

“Small cell” means a low-powered antenna (node) that has a range of 10 meters to two kilometers. The nodes of a “small cell” may or may not be connected by fiber. “Small,” for purposes of “small cell,” refers to the area covered, not the size of the facility. “Small cell” includes, but is not limited to, devices generally known as microcells, picocells and femtocells.

“Small cell network” means a network of small cells.

“Spectrum Act” means Section 6409(a) of the Middle Class Tax Relief Act and Job Creation Act of 2012, 47 U.S.C. §1455(a).

“Substantial change” has the same meaning as “substantial change” as defined by the FCC at 47 C.F.R. 1.40001(b)(7). Notwithstanding the definition above, if an existing pole-mounted cabinet is proposed to be replaced with an underground cabinet at a facility where there are no pre-existing ground cabinets associated with the structure, such modification may be deemed a non-substantial change, in the discretion of the City Engineer and based upon his/her reasonable consideration of the cabinet’s proximity to residential view sheds, interference to public views and/or degradation of concealment elements. If undergrounding the cabinet is technologically infeasible such that it is materially inhibitive to the project, the City Engineer may allow for a ground mounted cabinet. A modification or collocation results in a “substantial change” to the physical dimensions of an eligible support structure if it does any of the following:

1. It increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

2. It involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
3. It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets. However, for towers and base stations located in the public rights-of-way, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
4. It entails any excavation or deployment outside the current site. For purposes of this Subsection, excavation outside the current site occurs where excavation more than twelve feet from the eligible support structure is proposed;
5. It defeats the concealment or stealthing elements of the eligible support structure; or
6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs 1 through 4 of this definition.
7. For all proposed collocations and modifications, a substantial change occurs when:
 - a. The proposed collocation or modification involves more than the standard number of new equipment cabinets for the technology involved, but not to exceed four equipment cabinets;
 - a. The proposed collocation or modification would defeat the concealment elements of the support structure; or
 - b. The proposed collocation or modification violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval that is inconsistent with the thresholds for a substantial change described in this Section.

The thresholds and conditions for a “substantial change” described in this Section are disjunctive such that the violation of any individual threshold or condition results in a substantial change. The height and width thresholds for a substantial change described in this Section are cumulative for each individual support structure. The cumulative limit is measured from the physical dimensions of the original structure for base stations, and for all other facilities sites in the PROW from the smallest physical dimensions that existed on or after February 22, 2012, inclusive of originally approved-appurtenances and any modifications that were approved prior to that date.

“Support structure” means a tower, pole, base station or other structure used to support a wireless telecommunications facility.

“SWF” means a “small wireless facility” as defined by the FCC in 47 C.F.R. 1.6002(l) as may be amended, which are personal wireless services facilities that meet all the following conditions that, solely for convenience, have been set forth below:

1. The facilities:
 - a. Is mounted on an existing or proposed structure 50 feet or less in height, including antennas, as defined in Title 47 C.F.R. Section 1.1320(d); or
 - c. Is mounted on an existing or proposed structure no more than 10 percent taller than other adjacent structures, or
 - d. Does not extend an existing structure on which it is located to a height of more than 50 feet or by more than 10 percent, whichever is greater;
2. Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three cubic feet in volume;
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;
4. The facility does not require antenna structure registration under 47 C.F.R. Part 17;
5. The facility is not located on Tribal lands, as defined under Title 36 C.F.R. Section 800.16(x); and
6. The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in Title 47 C.F.R. Section 1.1307(b).

“SWF Regulations” means those regulations adopted by the city council implementing the provisions of this chapter applicable to SWFs and further regulations and standards applicable to SWFs.

“Telecommunications tower” or “tower” bears the meaning ascribed to wireless towers by the FCC in 47 C.F.R. § 1.40001(b)(9), including without limitation a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This definition does not include utility poles.

“Transmission equipment” means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

“Utility pole” means any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission. A telecommunications tower is not a utility pole.

“Wireless telecommunications facility” means equipment and network components such as antennas, accessory equipment, support structures, and emergency power systems that are integral to providing wireless telecommunications services. Exceptions: The term “wireless telecommunications facility” does not apply to the following:

1. Government-owned and operated telecommunications facilities.
2. Emergency medical care provider-owned and operated telecommunications facilities.
3. Mobile services providing public information coverage of news events of a temporary nature.
4. Any wireless telecommunications facilities exempted from this code by federal law or state law.

“Wireless telecommunications services” means the provision of services using a wireless telecommunications facility or a collocation facility, and shall include, but not limited to, the following services: personal wireless services as defined in the federal Telecommunications Act of 1996 at 47 U.S.C. § 332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

“WTFP” means a “wireless telecommunications facility permit” required by this chapter, which may be categorized as either a Major WTFP or an Administrative WTFP.

13.16.030 - Applicability.

- A. This chapter applies to the siting, construction or modification of any and all wireless telecommunications facilities proposed to be located in the public right-of-way as follows:
- B. Pre-existing Facilities in the ROW. Nothing in this chapter shall validate any existing illegal or unpermitted wireless facilities. All existing wireless facilities shall comply with and receive a wireless encroachment permit, when applicable, to be considered legal and conforming.
- C. This chapter does not apply to the following:
 1. Amateur radio facilities;
 2. OTARD antennas;
 3. Facilities owned and operated by the city for its use or for public safety purposes;
 4. Any entity legally entitled to an exemption pursuant to state or federal law or governing franchise agreement, excepting that to the extent such the terms of state or federal law, or franchise agreement, are preemptive of the terms of this chapter, then the terms of this chapter shall be severable to the extent of such preemption and all remaining regulations shall remain in full force and effect.
 5. Installation of a COW or a similar structure for a temporary period in connection with an emergency or event at the discretion of the City Engineer, but no longer than required for

the emergency or event, provided that installation does not involve excavation, movement, or removal of existing facilities.

- D. Public use. Except as otherwise provided by state or federal law, any use of the PROW authorized pursuant to this chapter will be subordinate to the city's use and use by the public.

13.16.040 - Wireless telecommunications facility permit requirements.

- A. Administration. Unless a matter is referred to the City Planner as provided below, The City Engineer is responsible for administering this chapter. As part of the administration of this chapter, the City Engineer may:

1. Interpret the provisions of this chapter;
2. Develop and implement standards governing the placement and modification of wireless telecommunications facilities consistent with the requirements of this chapter, including regulations governing collocation and resolution of conflicting applications for placement of wireless facilities;
3. Develop and implement acceptable design, location and development standards for wireless telecommunications facilities in the PROW, taking into account the zoning districts bounding the PROW;
4. Develop forms and procedures for submission of applications for placement or modification of wireless facilities, and proposed changes to any support structure consistent with this chapter;
5. Collect, as a condition of the completeness of any application, any fee established by this chapter;
6. Establish deadlines for submission of information related to an application, and extend or shorten deadlines where appropriate and consistent with federal laws and regulations;
7. Issue any notices of incompleteness, requests for information, or conduct or commission such studies as may be required to determine whether a permit should be issued;
8. Require, as part of, and as a condition of completeness of any application, that an applicant for a wireless encroachment permit send notice to members of the public that may be affected by the placement or modification of the wireless facility and proposed changes to any support structure;
9. Subject to appeal as provided herein, determine whether to approve, approve subject to conditions, or deny an application; and
10. Take such other steps as may be required to timely act upon applications for placement of wireless telecommunications facilities, including issuing written decisions and entering into agreements to mutually extend the time for action on an application.

- B. Administrative Wireless Telecommunications Facilities Permits (“Administrative WTFP”).

1. An Administrative WTFP, subject to the City Engineer's approval, may be issued for wireless telecommunications facilities, collocations, modifications or replacements to an eligible support structure that meet the following criteria:
 - a. The proposal is determined to be for a SWF; or
 - b. The proposal is determined to be an eligible facilities request; or
 - c. Both.
 2. In the event that the City Engineer determines that any application submitted for an Administrative WTFP does not meet the administrative permit criteria of this chapter, the City Engineer shall convert the application to a Major WTFP and refer it to the City Planner for planning commission hearing.
 3. Except in the case of an eligible facilities request, the City Engineer may refer, in his/her discretion, any application for an Administrative WTFP to the City Planner, who shall have discretion to further refer the application to planning commission for hearing. If the City Planner determines not to present the Administrative WTFP application to the planning commission for hearing, the application shall be relegated back to the City Engineer for processing. This exercise of discretion shall not apply to an eligible facilities request.
- C. Major Wireless Telecommunications Facilities Permit ("Major WTFP"). All other new wireless telecommunications facilities or replacements, collocations, or modifications to a wireless telecommunications facility that are *not* qualified for an Administrative WTFP shall require a Major WTFP subject to planning commission hearing and approval unless otherwise provided for in this chapter.
- D. Special Provisions for SWFs; SWF Regulations. Notwithstanding any other provision of this chapter as provided herein, all SWFs are subject to a permit as specified in the SWF Regulations, which is adopted and may be amended by city council resolution. All SWFs, shall comply with the SWF Regulations, as they may be amended from time to time.
1. The SWF Regulations are intended to be constructed in consistency with, and addition to, the terms and provisions of this chapter. To the extent general provisions of this chapter are lawfully applicable to SWFs, such terms shall apply unless in contradiction to more specific terms set forth in the SWF Regulations, in which case the more specific terms of the SWF Regulations shall control.
- E. Other Permits Required. In addition to any permit that may be required under this chapter, the applicant must obtain all other required prior permits or other approvals from other city departments, or state or federal agencies. Any permit granted under this chapter is subject to the conditions and/or requirements of other required prior permits or other approvals from other city departments, state or federal agencies. Building and encroachment permits, and all city standards and requirements therefor, are applicable.

- F. Eligible Applicants. Only applicants who have been granted the right to enter the PROW pursuant to state or federal law, or who have entered into a franchise agreement with the city permitting them to use the PROW, shall be eligible for a WTFP pursuant to this chapter.

13.16.050 - Application for wireless telecommunications facility permits.

- A. Generally. Unless the SWF Regulations specifically provide otherwise, the applicant shall submit a paper copy and an electronic copy of any application, amendments, or supplements to a WTFP application, or responses to requests for information regarding an WTFP, in accordance with the provisions of this section. SWF applications shall be governed by any additional terms set forth in the SWF Regulations, and in the event of an inconsistency between the provisions of this Section and the terms of the SWF Regulations, the Regulations shall control.
1. All applications for WTFPs shall be initially submitted to the City Engineer . In addition to the information required of an applicant for an encroachment permit or any other permit required by this code, each applicant shall fully and completely submit to the city a written application on a form prepared by the City Engineer and published on the city's website.
 2. Application Submittal Appointment. All WTFP applications must be submitted to the City Engineer at a pre-scheduled application submission appointment. City staff will endeavor to provide applicants with an appointment within five business days after receipt of a written request. A WTFP application will only be reviewed upon submission of a complete application therefor.
 3. If the wireless telecommunications facility will also require the installation of fiber, cable or coaxial cable, such cable installations shall be included within the application form and processed in conjunction with the proposal for vertical support structure(s). Applicants shall simultaneously request fiber installation or other cable installation when seeking to install antennas in the PROW. Standalone applications for the installation of fiber, cable or coaxial cable, or accessory equipment designed to serve an antenna must include all features of the wireless telecommunications facility proposed.
- B. Application Contents—Administrative WTFPs. The content of the application form for facilities subject to an Administrative WTFP shall be determined by the City Engineer, but at a minimum shall include the following:
1. The name of the applicant, its telephone number and contact information, and if the applicant is a wireless infrastructure provider, the name and contact information for the wireless service provider that will be using the wireless facility.
 2. The name of the owner of the structure, if different from the applicant, and a signed and notarized owner's authorization for use of the structure.
 3. A complete description of the proposed wireless telecommunications facility and any and all work that will be required to install or modify it, including, but not limited to, detail regarding proposed excavations, if any; detailed to scale site plans showing the location of the wireless telecommunications facility, and dimensioned drawings with specifications for each element of the wireless facility, clearly describing the site and all

structures and facilities at the site before and after installation or modification; and a dimensioned map identifying and describing the distance to the nearest residential dwelling unit and any historical structure within 500 feet of the facility. Before and after 360 degree photo simulations must be provided.

4. Documentation sufficient to show that the proposed facility will comply with generally-applicable health and safety provisions of the Municipal Code and the FCC's radio frequency emissions standards.
 5. A copy of the lease or other agreement, if any, between the applicant and the owner of the property to which the proposed facility will be attached.
 6. If the application is for a SWF, the application shall state as such and shall explain why the proposed facility meets the definition of a SWF.
 7. If the application is for an eligible facilities request, the application shall state as such and must contain information sufficient to show that the application qualifies as an eligible facilities request, which information must demonstrate that the eligible support structure was not constructed or deployed without proper local review, was not required to undergo local review, or involves equipment that was not properly approved. This shall include copies of all applicable local permits in-effect and as-built drawings of the current site. Before and after 360 degree photo simulations must be provided, as well as documentation sufficient to show that the proposed facility will comply with generally-applicable health and safety provisions of the Municipal Code and the FCC's radio frequency emissions standards.
 8. For SWFs, the application must contain all additional application information, if any, required by the SWF Regulations.
 9. The Administrative WTFP applicant shall submit a mailing list and envelopes, stamped and addressed, for all properties and record owners of properties within 300 feet of the project location. Insufficient postage and/or illegible addressing shall be a basis to deem the application incomplete.
 10. If the applicant contends that denial of the application would prohibit or effectively prohibit the provision of service in violation of federal law, or otherwise violate applicable law, the application must provide all information on which the applicant relies on in support of that claim. Applicants are not permitted to supplement this showing if doing so would prevent the City from complying with any deadline for action on an application.
- C. Application Contents—Major WTFPs. The City Engineer shall develop an application form and make it available to applicants upon request and post the application form on the city's website. The application form for a Major WTFP shall require the following information, in addition to all other information determined necessary by the City Engineer:
1. The name, address and telephone number of the applicant, owner and the operator of the proposed wireless telecommunication facility.

2. If the applicant does not, or will not, own the support structure, the applicant shall provide a duly-executed letter of authorization from the owner of the structure. If the owner of the support structure is the applicant, but such owner/applicant will not directly provide wireless telecommunications services, the owner/applicant shall provide a duly-executed letter of authorization from the person(s) or entity(ies) that will provide those services.
3. A full written description of the proposed wireless telecommunications facility and its purpose.
4. Detailed to scale engineering plans of the proposed wireless telecommunications facility and related report prepared by a professional engineer registered in the state documenting the following:
 - a. Height/elevation, diameter, layout and design of the facility, including technical engineering specifications, economic and other pertinent factors governing selection of the proposed design, together with evidence that demonstrates that the proposed facility has been designed to be the least intrusive equipment within the particular technology available to the carrier for deployment.
 - b. A photograph and model name and number of each piece of the facility or proposed antenna array and accessory equipment included.
 - c. Power output and operating frequency for the proposed antenna array (including any antennas existing as of the date of the application serving the carrier identified in the application).
 - d. Total anticipated capacity of the wireless telecommunications facility for the subject carrier, indicating the number and types of antennas and power and frequency ranges, which can be accommodated.
 - e. Sufficient evidence of the structural integrity of the support structure as required by the city.
5. A written description identifying the geographic service area to be served by the proposed WTFP, plus geographic or propagation maps showing applicant's service area objectives.
6. A justification study which includes the rationale for selecting the proposed wireless telecommunication facility design, support structure and location. A detailed explanation of the applicant's coverage objectives that the proposal would serve, and how the proposed use is the least intrusive means for the applicant to cover such objectives. This shall include:
 - a. A meaningful comparative analysis that includes the factual reasons why the proposed location and design deviates is the least noncompliant or intrusive location and design necessary to reasonably achieve the applicant's reasonable objectives of covering an established significant gap (as established under state and federal law).

- b. Said study shall include all eligible support structures and/or alternative sites evaluated for the proposed WTFP, and why said alternatives are not reasonably available, technically feasible options that most closely conform to the local values. The alternative site analysis must include the consideration of at least two eligible support structures; or, if no eligible support facilities are analyzed as alternatives, why no eligible support facilities are reasonably available or technically feasible.
 - c. If a portion of the proposed facility lies within a jurisdiction other than the city's jurisdiction, the applicant must demonstrate that alternative options for locating the project fully within one jurisdiction or the other is not a viable option. Applicant must demonstrate that it has obtained all approvals from the adjacent jurisdiction for the installation of the extra-jurisdictional portion of the project.
7. Site plan(s) to scale, specifying and depicting the exact proposed location of the proposed wireless telecommunications facility, location of accessory equipment in relation to the support structure, access or utility easements, existing utilities, adjacent land uses, and showing compliance with all design and safety requirements set forth in this chapter.
8. A completed environmental assessment application, or in the alternative any and all documentation identifying the proposed WTFP as exempt from environmental review (under the California Environmental Quality Act, Public Resources Code 21000–21189, the National Environmental Policy Act, 42 U.S.C. §4321 *et seq.*, or related environmental laws). Notwithstanding any determination of environmental exemption issued by another governmental entity, the city reserves its right to exercise its rights as a responsible agency to review *de novo* the environmental impacts of any WTFP application.
9. An accurate visual impact analysis showing the maximum silhouette, view-shed analysis, color and finish palette and proposed screening for the wireless telecommunications facility, including scaled photo simulations from at least three different angles.
10. Completion of the radio frequency (RF) emissions exposure guidelines checklist contained in Appendix A to the FCC's "Local Government Official's Guide to Transmitting Antenna RF Emission Safety" to determine whether the facility will be "categorically excluded" as that term is used by the FCC.
11. For a facility that is not categorically excluded under the FCC regulations for RF emissions, the applicant shall submit an RF exposure compliance report prepared and certified by an RF engineer acceptable to the city that certifies that the proposed facility, as well as any facilities that contribute to the cumulative exposure in the subject area, will comply with applicable federal RF exposure standards and exposure limits. The RF report must include the actual frequency and power levels (in watts effective radio power "ERP") for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the

controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.

12. Copies of any documents that the applicant is required to file pursuant to Federal Aviation Administration regulations for the proposed wireless telecommunications facility.
 13. A noise study prepared by a qualified acoustic engineer documenting that the level of noise to be emitted by the proposed wireless telecommunications facility will comply with this code, including Chapter 8.28 (Noise) of this code.
 14. A traffic control plan when the proposed installation is on any street in a non-residential zone. The city shall have the discretion to require a traffic control plan when the applicant seeks to use large equipment (e.g. crane).
 15. A scaled conceptual landscape plan showing existing trees and vegetation and all proposed landscaping, concealment, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the wireless telecommunication facility.
 16. Certification that applicant is a telephone corporation or a statement providing the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.
 17. Evidence that the proposed wireless facility qualifies as a “personal wireless services facility” as defined in United States Code, Title 47, Section 332(c)(7)(C)(ii).
 18. Address labels for use by the city in noticing all property owners within 500 feet of the proposed wireless telecommunication facility and, if applicable, all public hearing information required by the municipal code for public noticing requirements.
 19. Any other information and/or studies reasonably determined to be necessary by the public works or City Planner (s) may be required.
- D. Fees and Deposits Submitted with Application(s). For all WTFPs, application fee(s) shall be required to be submitted with any application, as established by city council resolution and in accordance with California Government Code Section 50030. Notwithstanding the foregoing, no application fee shall be refundable, in whole or in part, to an applicant for a WTFP unless paid as a refundable deposit.
- E. Independent Expert. The City Engineer and/or City Planner , as applicable, is authorized to retain on behalf of the city one or more independent, qualified consultant(s) to review any WTFP application. The review is intended to be a review of technical aspects of the proposed wireless telecommunications facility and shall include, but not limited to, application completeness or accuracy, structural engineering analysis, or compliance with FCC radio frequency emissions standards.
- F. Costs. Reasonable costs of city staff, consultant and attorney time (including that of the city attorney) pertaining to the review, processing, noticing and hearing procedures directly

attributable to a WTFP shall be reimbursable to the City. To this end, the City Engineer and/or City Planner, as applicable, may require applicants to enter a trust/deposit reimbursement agreement, in a form approved by the city attorney, or other established trust/deposit accounting mechanism for purposes of obtaining an applicant deposit from which the direct costs of City processing of an application may be drawn-down.

- G. **Effect of State or Federal Law on Application Process.** In the event a state or federal law prohibits the collection of any information or application conditions required by this Section, the City Engineer is authorized to omit, modify or add to that request from the city's application form in consultation with the city attorney. Requests for waivers from any application requirement of this Section shall be made in writing to the City Engineer or his or her designee. The City Engineer may grant a request for waiver if it is demonstrated that, notwithstanding the issuance of a waiver, the city will be provided all information necessary to understand the nature of the construction or other activity to be conducted pursuant to the WTFP sought. All waivers approved pursuant to this Subsection shall be (1) granted only on a case-by-case basis, and (2) narrowly-tailored to minimize deviation from the requirements of the municipal code.
- H. **Applications Deemed Withdrawn.** To promote efficient review and timely decisions, any application governed under this chapter will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the city on any application within thirty (30) calendar days after the application is deemed incomplete in a written notice to the applicant. The City Engineer or City Planner (as applicable) may, in his/her discretion, grant a written extension for up to an additional thirty (30) calendar days when the applicant submits a written request prior to the 90th day that shows good cause to grant the extension.
- I. **Waiver of Applications Superseded by Submission of New Project.** If an applicant submits a WTFP application, but substantially revises the proposed facility during the application process prior to any city hearing or decision on such application, the substantially revised application shall be deemed a new application for all processing purposes, including federal shot clocks, and the prior submittals deemed waived and superseded by the substantially revised application. For purposes of this subparagraph, "substantially revised" means that the project as initially-proposed has been alternately proposed for a location 250 feet or more from the original proposal or constitutes a substantial change in the dimensions or equipment that was proposed in the original WTFP application.
- J. **Rejection for Incompleteness.** WTFPs will be processed, and notices of incompleteness provided, in conformity with state, local, and federal law. If such an application is incomplete, it may be rejected by the City Engineer by notifying the applicant in writing and specifying the material omitted from the application.

13.16.060 - Review procedure.

- A. **Generally.** Wireless telecommunications facilities shall be installed and modified in a manner that minimizes risks to public safety and utilizes installation of new support structures or equipment cabinets in the PROW only after all existing and replacement structure options have been exhausted, and where feasible, places equipment underground, and otherwise maintains the integrity and character of the neighborhoods and corridors in which the facilities are located; ensures that installations are subject to periodic review to minimize the intrusion on the PROW; and ensures that the City bears no risk or liability as a result of the installations, and that such use

does not inconvenience the public, interfere with the primary uses of the ROW, or hinder the ability of the City or other government agencies to improve, modify, relocate, abandon, or vacate the PROW or any portion thereof, or to cause the improvement, modification, relocation, vacation, or abandonment of facilities in the PROW.

- B. Collocation Encouraged. Where the facility site is capable of accommodating a collocated facility upon the same site in a manner consistent with the permit conditions for the existing facility, the owner and operator of the existing facility shall allow collocation of third-party facilities, provided the parties can mutually agree upon reasonable terms and conditions.
- C. Findings Required for Approval.
1. Administrative WTFP Applications for SWFs. For WTFP applications proposing a SWF, the City Engineer or City Planner, as the case may be, shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:
 - a. The facility qualifies as a SWF; and
 - b. The facility meets all standards, requirements and further findings as may be specified in the SWF Regulations; and
 - c. The facility is not detrimental to the public health, safety, and welfare; and
 - d. The facility meets applicable requirements and standards of State and Federal law.
 2. Administrative WTFP Applications for Eligible Facility Requests. For WTFP applications proposing an eligible facilities request, the City Engineer shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:
 - a. That the application qualifies as an eligible facilities request; and
 - b. That the proposed facility will comply with all generally-applicable laws.
 3. Major WTFP Applications. No Major WTFP shall be granted unless all of the following findings are made by the applicable decision-maker:
 - a. If applicable, all notices required for the proposed WTFP have been given, including the inclusion, or placement on-site, of photo simulations for the proposed facility.
 - b. The proposed wireless telecommunications facility has been designed and located in compliance with all applicable provisions of this chapter.
 - c. If applicable, the applicant has demonstrated its inability to locate on an eligible support structure.

- d. The applicant has provided sufficient evidence supporting the applicant's claim that it has the right to enter the public right-of-way pursuant to state or federal law, or the applicant has entered into a franchise agreement with the city permitting them to use the public right-of-way.
- e. The applicant has demonstrated the proposed installation is designed such that the proposed installation represents the least intrusive means possible, supported by factual evidence and a meaningful comparative analysis to show that all alternative locations and designs identified in the application review process were technically infeasible or not reasonably available.

D. Notice; Decisions. The provisions in this Section describe the procedures for the approval process, any required notice and public hearings for a WTFP application.

1. Administrative WTFPs: Notice of a WTFP application for a SWF shall be mailed to owners and occupants of real property surrounding the proposed SWF site in the manner specified in the SWF Regulations. Applications qualifying for eligible facilities requests shall not require notice.
2. Major WTFP Applications. Any Major WTFP application shall require notice and a public hearing. Notice of such hearing shall be provided in accordance with Government Code Section 65091. Public notices shall include color photo simulations from three different angles depicting the wireless telecommunication facility as proposed to be considered by the planning commission. If the application proposes the use of an existing or replacement eligible support structure, such simulations shall be posted upon the proposed support structure for a period of at least thirty (30) days prior to the date of approval; such posted simulations shall remain in-place until final decision on the application is reached.
3. Written Decision Required for All WTFP Determinations. Unless otherwise specified for SWF's in the SWF Regulations, all final decisions made pursuant to this chapter, including those for administratively-processed permits and eligible facilities requests, shall be in writing and based on substantial evidence in the written administrative record. Within five days after any decision to grant, approve, deny or conditionally grant a WTFP application, the City Engineer or City Planner, as applicable, shall provide written notice including the following:
 - a. A general explanation of the decision, including the findings required for the decision, if any, and how those findings were supported or not supported by substantial evidence;
 - b. A general description of the property involved;
 - c. Information about applicable rights to appeal the decision and explanation of how that right may be exercised; and
 - d. To be given by first class mail to:
 - (i) The project applicant and property owner,

- (ii) Any person who submitted written comments concerning the WTFP,
 - (iii) Any person who has filed a written request with the city to receive such notice, and
 - (iv) Any homeowner association on file with the city that has jurisdiction over the WTFP site.
4. Once a WTFP is approved, no changes shall be made to the approved plans without review and approval in accordance with this chapter.
- E. Appeals.
- 1. Administrative WTFP Appeals. Any person claiming to be adversely affected by an administrative decision pursuant to this chapter may appeal such decision. The appeal will be considered by a hearing officer appointed by the city manager. The hearing officer may decide the issues de novo and whose written decision will be the final decision of the city. An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless facility. Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, appeals of the administrative decision premised on the environmental effects of radio frequency emissions will not be considered.
 - a. Where the administrative decision grants an application based on a finding that denial would result in a prohibition or effective prohibition under applicable federal law, the decision shall be automatically appealed to the hearing officer. All appeals must be filed within two (2) business days of the written administrative decision, unless the City Engineer extends the time therefore. An extension may not be granted where extension would result in approval of the application by operation of law.
 - b. Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law. For SWFs, the appeal shall be conducted in accordance with any procedures adopted in the SWF Regulations.
 - 2. Appeals on Major WTFPs shall proceed as provided in accordance with the appeal provisions in Title 17 Zoning, Chapter 17.54 Variances, of the Municipal Code, Section _Modifications and Zone Changes, Section 17.54.130 Decisions-Granting or Denial - Notice (Appeals). The appellate authority may hear the appeal de novo.
- F. Notice of Shot Clock Expiration. The city acknowledges there are federal and state shot clocks which may be applicable to a proposed wireless telecommunications facility. That is, federal and state law provide time periods in which the city must approve or deny a proposed wireless telecommunications facility. As such, the applicant is required to provide the city written notice of the expiration of any shot clock, which the applicant shall ensure is received by the city (e.g. overnight mail) no later than 20 days prior to the expiration.

13.16.070 – Design and development standards.

- A. SWF Design and Development Standards. SWFs are subject to those design and development standards and conditions of approval set forth in the SWF Regulations. The city's grant of a WTFP for a SWF does not waive, and shall not be construed to waive, any standing by the city to challenge any FCC orders or rules related to small cell facilities, or any modification to those FCC orders or rules.
- B. Eligible Facilities Request Design and Development Standards. Approved eligible facilities requests for which the findings set forth in Section 13.16.060 have been made are subject to the following conditions, unless modified by the approving authority:
1. WTFP subject to conditions of underlying permit. Any WTFP granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit and all such conditions that were applicable to the facility prior to approval of the subject eligible facility request.
 2. No permit term extension. The city's grant or grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the city's grant or grant by operation of law of a eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall have the same term as the underlying permit or other regulatory approval for the subject tower or base station.
 3. No waiver of standing. The city's grant or grant by operation of law of an eligible facilities request does not waive, and shall not be construed to waive, any standing by the city to challenge Section 6409(a) of the Spectrum Act, any FCC rules that interpret Section 6409(a) of the Spectrum Act, or any modification to Section 6409(a) of the Spectrum Act.
- C. Major WTFP Design and Development Standards. All wireless telecommunications facilities subject to a Major WTFP that are located within the PROW shall be designed and maintained as to minimize visual, noise and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the following standards:
1. General Guidelines.
 - a. The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is as visually screened as possible, to prevent the facility from dominating the surrounding area and to minimize significant view impacts from surrounding properties and public views, all in a manner that achieves compatibility with the community and in compliance with this code.
 - b. Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to

minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.

- c. Wireless telecommunications facilities shall be located consistent with Section 13.16.080 (Location Restrictions) unless an exception is granted.
2. Traffic Safety. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety.
3. Blending Methods. All facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area, infrastructure and structures.
4. Equipment. The applicant shall use the least visible equipment for the provision of wireless telecommunications services that is technically feasible. Antenna elements shall be flush mounted, to the extent feasible, with all cables and wires clipped-up or otherwise out of public view. All antenna mounts shall be designed so as not to preclude possible future collocation by the same or other operators or carriers. Unless otherwise provided in this Section, antennas shall be situated as close to the ground as technically feasible.
5. Support Structures.
 - a. Pole-Mounted Only. Only pole-mounted antennas (excepting wooden poles per subparagraph 5.b below) shall be permitted in the public right-of-way. Mountings to all other forms of support structure in the public right-of-way are prohibited unless an exception pursuant to Section 13.16.080 is granted.
 - b. Utility Poles. Wireless telecommunications facilities shall not be located on wooden poles unless an exception pursuant to Section 13.16.080 is granted. The maximum height of any antenna shall not exceed 48 inches above the height of an existing utility pole, nor shall any portion of the antenna or equipment mounted on a pole be less than 24 feet above any drivable road surface. All installations on utility poles shall fully comply with the California Public Utilities Commission general orders, including, but not limited to, General Order 95, as may be revised or superseded.
 - c. Light Poles. The maximum height of any antenna shall not exceed four feet above the existing height of a light pole. Any portion of the antenna or equipment mounted on a pole shall be no less than 16½ feet above any drivable road surface.
 - d. Replacement Poles. If an applicant proposes to replace a pole that is an eligible support structure to accommodate the proposed facility, the replacement pole shall be designed to resemble the appearance and dimensions of existing poles near the proposed location, including size, height, color, materials and style to the maximum extent feasible.

- e. Equipment mounted on a support structure shall not exceed four (4) cubic feet in dimension.
 - f. No new guy wires shall be allowed unless required by other laws or regulations.
 - g. An exception pursuant to Section 13.16.080 shall be required to erect any new support structure (non-eligible support structure) that is not the replacement of an existing eligible support structure.
 - h. As applicable to all new support structures (non-eligible support structures), regardless of location, the following requirements shall apply:
 - (i) Such new support structure shall be designed to resemble existing support structures of the same type in the right-of-way near that location, including size, height, color, materials and style, with the exception of any existing structural designs that are scheduled to be removed and not replaced.
 - (ii) Such new support structures that are not replacement structures shall be located at least 90 feet from any eligible support structure to the extent feasible.
 - (iii) Such new support structures shall not adversely impact public view corridors and shall be located to the extent feasible in an area where there is existing natural or other feature that obscures the view of the new support structure. The applicant shall further employ concealment techniques to blend the new support structure with said features including but not limited to the addition of vegetation if feasible.
 - (iv) A justification analysis shall be submitted for all new support structures that are not replacements to demonstrate why an eligible support facility cannot be utilized and demonstrating the new structure is the least intrusive means possible, including a demonstration that the new structure is designed to be the minimum functional height and width required to support the proposed wireless telecommunications facility.
 - i. All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the support structure and shall be camouflaged or hidden to the fullest extent feasible. For all support structures wherein interior installation is infeasible, conduit and cables attached to the exterior shall be mounted flush thereto and painted to match the structure.
6. Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.
7. Wind Loads. Each facility shall be properly engineered to withstand wind loads as required by this code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.

8. **Obstructions.** Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public's use of the right-of-way, or cause safety hazards to pedestrians and motorists.
9. **Public Facilities.** A facility shall not be located within any portion of the public right-of-way interfering with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health or safety facility.
10. **Screening.** All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least 18 inches from the curb and gutter flow line.
11. **Accessory Equipment.** Not including the electric meter, all accessory equipment shall be located underground, except as provided below:
 - a. Unless city staff determines that there is no room in the public right-of-way for undergrounding, or that undergrounding is not feasible, an exception pursuant to Section 13.16.080 shall be required in order to place accessory equipment above-ground and concealed with natural or manmade features to the maximum extent possible.
 - b. When above-ground is the only feasible location for a particular type of accessory equipment and will be ground-mounted, such accessory equipment shall be enclosed within a structure, and shall not exceed a height of five feet and a total footprint of 15 square feet, and shall be fully screened and/or camouflaged, including the use of landscaping, architectural treatment, or acceptable alternate screening. Required electrical meter cabinets shall be screened and/or camouflaged. Also, while pole-mounted equipment is generally the least favored installation, should pole-mounted equipment be sought, it shall be installed as required in this chapter.
 - c. In locations where homes are only along one side of a street, above-ground accessory equipment shall not be installed directly in front of a residence. Such above-ground accessory equipment shall be installed along the side of the street with no homes.
12. **Landscaping.** Where appropriate, each facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. Additional landscaping shall be planted, irrigated and maintained by applicant where such landscaping is deemed necessary by the city to provide screening or to conceal the facility.
13. **Signage.** No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the city.
14. **Lighting.**
 - a. No facility may be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Beacon lights are not

- permitted unless required by the Federal Aviation Administration or other government agency.
- b. Legally required lightning arresters and beacons shall be included when calculating the height of facilities such as towers, lattice towers and monopoles.
 - c. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods.
 - d. Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and lights, and must install such lights so as to avoid illumination impacts to adjacent properties to the maximum extent feasible. The city may, in its discretion, exempt an applicant from the foregoing requirement when the applicant demonstrates a substantial public safety need.
 - e. The applicant shall submit a lighting study which shall be prepared by a qualified lighting professional to evaluate potential impacts to adjacent properties. Should no lighting be proposed, no lighting study shall be required.
15. Noise.
- a. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.
 - b. At no time shall equipment noise from any facility exceed the noise levels permitted by Chapter 8.28 of this code.
16. Security. Each facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight or attractive nuisances. The City Engineer or the approving city body, as applicable, may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, a facility has the potential to become an attractive nuisance. Additionally, no lethal devices or elements shall be installed as a security device.
17. Modification. Consistent with current state and federal laws and if permissible under the same, at the time of modification of a wireless telecommunications facility, existing equipment shall, to the extent feasible, be replaced with equipment that reduces visual, noise and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.
18. The installation and construction approved by a wireless telecommunications facility permit shall begin within one year after its approval or it will expire without further action by the city.

19. Conditions of Approval. All Major WTFPs shall be subject to such conditions of approval as reasonably imposed by the City Engineer or the approving city body, as applicable, as well as any modification of the conditions of approval deemed necessary by the City Engineer or the approving city body.

13.16.080 - Location restrictions; exceptions for non-compliant major wireless telecommunications facilities.

- A. Locations Requiring an Exception. Major WTFPs are strongly disfavored in certain areas and on certain support structures. Therefore the following locations are permitted only when an exception has been granted pursuant to Subsection B hereof:
1. Public right-of-way within those zones as identified in the general plan as residential zones;
 2. Public right-of-way within those zones as identified in the general plan as historic districts, or within 100 feet of designated historic buildings;
- B. Required Findings for an Exception on Major WTFPs. For any Major WTFP requiring an “exception” under this chapter, no such exception shall be granted unless the applicant demonstrates with clear and convincing evidence all the following:
1. The proposed wireless facility qualifies as a "personal wireless services facility" as defined in United States Code, Title 47, Section 332(c)(7)(C)(ii);
 1. The applicant has provided the city with a clearly defined significant gap (as established under state and federal law) and a clearly defined potential site search area.
 - a. In the event the applicant seeks to install a wireless telecommunications facility to address service coverage concerns, full-color signal propagation maps with objective units of signal strength measurement that show the applicant's current service coverage levels from all adjacent wireless telecommunications facilities without the proposed facility, predicted service coverage levels from all adjacent facilities serving applicant with the proposed facility, and predicted service coverage levels from the proposed facility without all adjacent facilities.
 - b. In the event the applicant seeks to address service capacity concerns, a written explanation and propagation maps identifying the existing facilities with service capacity issues together with competent evidence to demonstrate the inability of those facilities to meet capacity demands.
 2. The applicant has provided the city with a meaningful comparative analysis that includes the factual reasons why any alternative location(s) or design(s) suggested by the city or otherwise identified in the administrative record, including but not limited to potential alternatives identified at any public meeting or hearing, are not technically feasible or reasonably available; and
 3. The applicant has provided the city with a meaningful comparative analysis that includes the factual reasons why the proposed location and design deviates is the least noncompliant location and design necessary to reasonably achieve the applicant's

reasonable objectives of covering an established significant gap (as established under state and federal law).

4. The applicant has demonstrated that strict compliance with any provision in this chapter for a Major WTFP would effectively prohibit the provision of personal wireless services.
- C. Scope. The planning commission or City Engineer, as applicable, shall limit an exemption for a Major WTFP to the extent to which the applicant demonstrates such exemption is necessary to reasonably achieve its objectives of covering an established significant gap (as established under state and federal law). The planning commission or City Engineer, as applicable, may adopt conditions of approval as reasonably necessary to promote the purposes in this chapter and protect the public health, safety and welfare.

13.16.090 - Operation and maintenance standards.

All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards:

- A. The permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations and other rules, including, without limitation, those applying to use of the PROW. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved WTFP are maintained in a manner that is not detrimental or injurious to the public health, safety, and general welfare and that the aesthetic appearance is continuously preserved, and substantially the same as shown in the approved plans at all times relevant to the WTFP.
- B. Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the permittee, owner, operator or any designated maintenance agent at its sole cost within 48 hours:
 1. After discovery of the need by the permittee, owner, operator or any designated maintenance agent; or
 2. After permittee, owner, operator or any designated maintenance agent receives notification from the city.
- C. Insurance. The permittee shall obtain and maintain throughout the term of the permit a type and amount of insurance as specified by city's risk management. The relevant policy(ies) shall name the city, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insured. The permittee shall use its best efforts to provide thirty (30) days prior notice to the City Engineer of to the cancellation or material modification of any applicable insurance policy.
- D. Indemnities. The permittee and, if applicable, the owner of the property upon which the wireless facility is installed shall defend, indemnify and hold harmless the city, its agents, officers, officials, and employees (i) from any and all damages, liabilities, injuries, losses, costs, and expenses, and from any and all claims, demands, law suits, writs of mandamus, and other actions or proceedings brought against the city or its agents, officers, officials, or employees to challenge, attack, seek to modify, set aside, void or annul the city's approval of the permit, and (ii) from any and all damages, liabilities, injuries, losses, costs, and expenses, and any and all

claims, demands, law suits, or causes of action and other actions or proceedings of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the permittee or, if applicable, the private property owner or any of each one's agents, employees, licensees, contractors, subcontractors, or independent contractors. In the event the city becomes aware of any such actions or claims the city shall promptly notify the permittee and, if applicable, the private property owner and shall reasonably cooperate in the defense. The city shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the city's defense, and the property owner and/or Permittee (as applicable) shall reimburse the city for any costs and expenses directly and necessarily incurred by the city in the course

- E. **Performance Bond.** Prior to issuance of a wireless encroachment permit, the permittee shall file with the city, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or another form of security for the removal of the facility in the event that the use is abandoned or the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to 100% of the cost of removal of the facility as specified in the application for the WTFP or as that amount may be modified by the City Engineer in in the permit based on the characteristics of the installation. The permittee shall reimburse the city for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the city council. Reimbursement shall be paid when the security is posted and during each administrative review.
- F. **Adverse Impacts on Adjacent Properties.** Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, and removal of the facility. All facilities, including each piece of equipment, shall be located and placed in a manner so as to not interfere with the use of the PROW, impede the flow of vehicular or pedestrian traffic, impair the primary use and purpose of poles/signs/traffic signals or other infrastructure, interfere with outdoor dining areas or emergency facilities, or otherwise obstruct the accessibility of the PROW.
- G. **Contact Information.** Each permittee of a wireless telecommunications facility shall provide the City Engineer with the name, address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the maintenance of the facility ("contact information"). Contact information shall be updated within seven days of any change.
- H. **All facilities, including, but not limited to, telecommunication towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:**
 - 1. Subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to city streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems (water, sewer, storm drains, gas, oil, electrical, etc.) that result from any activities performed in connection with the installation and/or maintenance of a wireless facility in the PROW.
 - 2. General dirt and grease;

3. Chipped, faded, peeling, and cracked paint;
 4. Rust and corrosion;
 5. Cracks, dents, and discoloration;
 6. Missing, discolored or damaged artificial foliage or other camouflage;
 7. Graffiti, bills, stickers, advertisements, litter and debris. All graffiti on facilities must be removed at the sole expense of the permittee within forty eight (48) hours after notification from the City.
 8. Broken and misshapen structural parts; and
 9. Any damage from any cause.
- I. All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in neat, safe and good condition at all times, and the permittee, owner and operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the City Engineer.
- J. The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.
- K. Each facility shall be operated and maintained to comply at all conditions of approval. The permittee, when directed by the city, must perform an inspection of the facility and submit a report to the City Engineer on the condition of the facility to include any identified concerns and corrective action taken. Additionally, as the city performs maintenance on city-owned infrastructure, additional maintenance concerns may be identified. These will be reported to the permittee. The city shall give the permittee thirty (30) days to correct the identified maintenance concerns after which the city reserves the right to take any action it deems necessary, which could include revocation of the permit. The burden is on the Permittee to demonstrate that it complies with the requirements herein. Prior to issuance of a permit under this Chapter, the owner of the facility shall sign an affidavit attesting to understanding the City's requirement for performance of annual inspections and reporting.
- L. All facilities permitted pursuant to this chapter shall comply with the American with Disabilities Act.
- M. The permittee is responsible for obtaining power to the facility and for the cost of electrical usage.
- N. Failure to comply with the city's adopted noise standard after written notice and reasonable opportunity to cure have been given shall be grounds for the city to revoke the permit.
- O. Interference.
1. The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of

that structure, improvement, or property. No structure, improvement, or property owned by the city shall be moved to accommodate a permitted activity or encroachment, unless the city determines that such movement will not adversely affect the city or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the city's structure, improvement, or property. Prior to commencement of any work pursuant to a wireless encroachment permit, the permittee shall provide the city with documentation establishing to the city's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement, or property within the PROW or city utility easement to be affected by permittee's facilities.

2. The facility shall not damage or interfere in any way with city property, the city's operations or the operations of prior-existing, third party installations. The city will reasonably cooperate with the permittee and/or carrier to carry out such activities as are necessary to correct the interference.
 - a. **Signal Interference.** The permittee shall correct any such interference within 24 hours of written notification of the interference. Upon the expiration of the 24-hour cure period and until the cause of the interference is eliminated, the permittee shall cease operation of any facility causing such interference until such interference is cured.
 - b. **Physical Interference.** The city shall give the permittee thirty (30) days to correct the interference after which the city reserves the right to take any action it deems necessary, which could include revocation of the permit.
 3. The City at all times reserves the right to take any action it deems necessary, in its sole discretion, to repair, maintain, alter, or improve the sites. Such actions may temporarily interfere with the operation of the facility. The City will in all cases, other than emergencies, give the applicant 30 days written notification of such planned, non-emergency actions.
- P. **RF Exposure Compliance.** All facilities must comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards. After transmitter and antenna system optimization, but prior to unattended operations of the facility, the permittee or its representative must conduct on-site post-installation RF emissions testing to demonstrate actual compliance with the FCC Office of Engineering and Technology Bulletin 65 RF emissions safety rules for general population/uncontrolled RF exposure in all sectors. For this testing, the transmitter shall be operating at maximum operating power, and the testing shall occur outwards to a distance where the RF emissions no longer exceed the uncontrolled/general population limit.
1. Testing of any equipment shall take place on weekdays only, and only between the hours of 8:30 a.m. and 4:30 p.m., except that testing is prohibited on holidays that fall on a weekday. In addition, testing is prohibited on weekend days.
- Q. **Records.** The permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in

connection with this approval. In the event that the permittee does not maintain such records as required in this condition or fails to produce true and complete copies of such records within a reasonable time after a written request from the city, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against the permittee.

- R. **Attorney's Fees.** In the event the city determines that it is necessary to take legal action to enforce any of these conditions, or to revoke a permit, and such legal action is taken, the permittee shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the city, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the city should otherwise agree with permittee to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.

13.16.100 - No dangerous condition or obstructions allowed.

No person shall install, use or maintain any wireless telecommunications facility that in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location.

13.16.110 - Nonexclusive grant; no possessory interests.

- A. No permit or approval granted under this chapter shall confer any exclusive right, privilege, license or franchise to occupy or use the public right-of-way of the city for any purpose whatsoever. Further, no approval shall be construed as a warranty of title.
- B. No possessory interest is created by a WTFP. However, to the extent that a possessory interest is deemed created by a governmental entity with taxation authority, the permittee acknowledge that the city has given to the applicant notice pursuant to California Revenue and Taxation Code Section 107.6 that the use or occupancy of any public property pursuant to a WTFP may create a possessory interest which may be subject to the payment of property taxes levied upon such interest. Wireless telecommunications facility operators shall be solely liable for, and shall pay and discharge prior to delinquency, any and all possessory interest taxes or other taxes, fees, and assessments levied against their right to possession, occupancy, or use of any public property pursuant to any right of possession, occupancy, or use created by the WTFP.
- C. The permission granted by a WTFP shall not in any event constitute an easement on or an encumbrance against the PROW. No right, title, or interest (including franchise interest) in the PROW, or any part thereof, shall vest or accrue in permittee by reason of a wireless encroachment permit or the issuance of any other permit or exercise of any privilege given thereby.

13.16.120 - Permit expiration; abandonment of applications.

- A. Permit Term. Unless Government Code Section 65964, as may be amended, authorizes the city to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten (10) years, unless pursuant to another provision of this code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, such permit shall automatically expire.
- B. A permittee may apply for a new permit within 180 days prior to expiration. Said application and proposal shall comply with the city's current code requirements for wireless telecommunications facilities.
- C. Timing of Installation. The installation and construction authorized by a WTFP shall begin within one (1) year after its approval, or it will expire without further action by the city. The installation and construction authorized by a WTFP shall conclude, including any necessary post-installation repairs and/or restoration to the PROW, within thirty (30) days following the day construction commenced.
- D. Commencement of Operations. The operation of the approved facility shall commence no later than ninety (90) days after the completion of installation, or the WTFP will expire without further action by the city. The permittee shall provide the City Engineer notice that operations have commenced by the same date.

13.16.130 - Cessation of use or abandonment.

- A. A wireless telecommunications facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for 90 or more consecutive days unless the permittee has obtained prior written approval from the director which shall not be unreasonably denied. If there are two or more users of a single facility, then this provision shall not become effective until all users cease using the facility.
- B. The operator of a facility shall notify the City Engineer in writing of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) within ten days of ceasing or abandoning use. Notwithstanding any other provision herein, the operator of the facility shall provide written notice to the City Engineer of any discontinuation of operations of 30 days or more.
- C. Failure to inform the City Engineer of cessation or discontinuation of operations of any existing facility as required by this Section shall constitute a violation of any approvals and be grounds for:
 1. Litigation;
 2. Revocation or modification of the permit;
 3. Acting on any bond or other assurance required by this article or conditions of approval of the permit;
 4. Removal of the facilities by the city in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or

5. Any other remedies permitted under this code or by law.

13.16.140 - Removal and restoration—Permit expiration, revocation or abandonment.

- A. Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the WTFP or abandonment of the facility, the permittee, owner or operator shall remove its wireless telecommunications facility and restore the site to the condition it was in prior to the granting of the WTFP, except for retaining the landscaping improvements and any other improvements at the discretion of the city. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the city. Expired, terminated or revoked wireless telecommunications facility equipment shall be removed from the site at no cost or expense to the City.
- B. Failure of the permittee, owner or operator to promptly remove its facility and restore the property within 90 days after expiration, earlier termination or revocation of the WTFP, or abandonment of the facility, shall be a violation of this code. Upon a showing of good cause, an extension may be granted by the City Engineer where circumstances are beyond the control of the permittee after expiration. Further failure to abide by the timeline provided in this Section shall be grounds for:
 1. Prosecution;
 2. Acting on any security instrument required by this chapter or conditions of approval of permit;
 3. Removal of the facilities by the city in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or
 4. Any other remedies permitted under this code or by law.
- C. **Summary Removal.** In the event any city director or city engineer determines that the condition or placement of a wireless telecommunications facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), such director or city engineer may cause the facility to be removed summarily and immediately without advance notice or a hearing. Written notice of the removal shall include the basis for the removal and shall be served upon the permittee and person who owns the facility within five business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick-up the property within 60 days, the facility shall be treated as abandoned property.
- D. **Removal of Facilities by City.** In the event the city removes a wireless telecommunications facility in accordance with nuisance abatement procedures or summary removal, any such removal shall be without any liability to the city for any damage to such facility that may result from reasonable efforts of removal. In addition to the procedures for recovering costs of nuisance abatement, the city may collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with this code. Unless otherwise provided herein, the city has no obligation to store such facility.

Neither the permittee, owner nor operator shall have any claim if the city destroys any such facility not timely removed by the permittee, owner or operator after notice, or removal by the city due to exigent circumstances.

13.16.150 - Effect on other ordinances.

Compliance with the provisions of this chapter shall not relieve a person from complying with any other applicable provision of this code. In the event of a conflict between any provision of this chapter and other sections of this code, this chapter shall control.

13.16.160 - State or federal law.

The implementation of this chapter and decisions on applications for placement of wireless telecommunications facilities in the PROW shall, at a minimum, ensure that the requirements of this chapter are satisfied, unless it is determined that the applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this Chapter may be waived, but only to the minimum extent required to avoid the prohibition or violation.

13.16.170 – Legal nonconforming wireless telecommunications facilities in the right-of-way.

- A. Legal nonconforming wireless telecommunications facilities are those facilities that existed but did not conform to this chapter on the date this chapter became effective.
- B. Legal nonconforming wireless telecommunications facilities shall, within ten years from the date this chapter became effective, be brought into conformity with all requirements of this article; provided, however, that should the owner desire to expand or modify the facility, intensify the use, or make some other change in a conditional use, the owner shall comply with all applicable provisions of this code at such time, to the extent the city can require such compliance under federal and state law.
- C. An aggrieved person may file an appeal to the city council of any decision of the City Engineer or other deciding body made pursuant to this Section. In the event of an appeal alleging that the ten-year amortization period is not reasonable as applied to a particular property, the city council may consider the amount of investment or original cost, present actual or depreciated value, dates of construction, amortization for tax purposes, salvage value, remaining useful life, the length and remaining term of the lease under which it is maintained (if any), and the harm to the public if the structure remains standing beyond the prescribed amortization period, and set an amortization period accordingly for the specific property.

[END]

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN
ADOPTING A COUNCIL POLICY FOR SMALL WIRELESS FACILITIES PER
47 CFR 1.6002(1) "SWF REGULATIONS"**

WHEREAS, the City Council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.

WHEREAS, significant changes in Federal and State law that affect local authority over wireless communications facilities ("WCFs") have occurred, including but not limited to the following:

- i. On November 18, 2009, the Federal Communications Commission ("FCC") adopted a declaratory ruling (the "2009 Shot Clock"), which established presumptively reasonable timeframes for State and local governments to act on applications for WCFs.
- ii. On February 22, 2012, Congress adopted Section 6409(a) of the Middle Class Tax Relief and Job Creation Act ("Section 6409(a)"), which mandated that State and local governments approve certain modifications and collocations to existing WCFs, known as eligible facilities requests.
- iii. On October 17, 2014, the FCC adopted a report and order that, among other things, implemented new limitations on how State and local governments review applications covered by Section 6409(a), established an automatic approval for such applications when the local reviewing authority fails to act within 60 days, and also further restricted generally applicable procedural rules under the 2009 Shot Clock.
- iv. On October 9, 2015, California adopted Assembly Bill No. 57 (Quirk), which deemed approved any WCF applications when the local reviewing authority fails to act within the 2009 Shot Clock timeframes.
- v. On August 2, 2018, the FCC adopted a declaratory ruling that formally prohibited express and de facto moratoria for all telecommunications services and facilities under 47 U.S.C. § 253(a).
- vi. On September 26, 2018, the FCC adopted a declaratory ruling and report and order that, among other things, creates a new regulatory classification for small wireless facilities ("SWFs"), requires State and local governments to process applications for small wireless facilities within 60 days or 90 days, establishes a national standard for an effective prohibition and provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition.

WHEREAS, in addition to the changes described above, new Federal laws and regulations that drastically alter local authority over WCFs are currently pending, including without limitation, the following:

- i. On March 30, 2017, the FCC issued a Notice of Proposed Rulemaking (WT Docket No. 17-79, WC Docket No. 17-84) and has acted on some of the noticed issues referenced above, but may adopt forthcoming rulings and/or orders that further limit local authority over wireless facilities deployment.
- ii. On June 28, 2018, United States Senator John Thune introduced and referred to the Senate Committee on Commerce, Science and Transportation the "STREAMLINE Small Cell Deployment Act" (S. 3157) that, among other things, would apply specifically to small cell WCFs and require local governments to review applications based on objective standards, shorten the 2009 Shot Clock timeframes, require all proceedings to occur within the 2009 Shot Clock timeframes, and provide a "deemed granted" remedy for failure to act within the applicable 2009 Shot Clock.

WHEREAS, given the rapid and significant changes in Federal and State law, the actual and effective prohibition on moratoria to amend local policies in response to such changes and the significant adverse consequences for noncompliance with Federal and State law, on March 26, 2019, the City Council concurrently considered and adopted an ordinance adding Chapter 13.16 of the Arvin Municipal Code, entitled "Chapter 13.16 - Wireless Telecommunications Facilities In The Public Right-Of-Way" (the "Ordinance") to Title 13 to allow greater flexibility and responsiveness to the new Federal and State laws while still preserving the City's traditional authority to the maximum extent practicable; and

WHEREAS, the Ordinance contemplates implementation by certain regulations; and

WHEREAS, the City Council desire to adopt SWF Regulations as contemplated by the Ordinance.

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

SECTION 1. The facts set forth in the recitals in this Resolution are true and correct and incorporated by reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in the Resolution.

SECTION 2. The City Council finds the Resolution and proposed regulations are consistent with the City's General Plan, Arvin Municipal Code, and applicable Federal and State law.

SECTION 3. The City Council finds the Resolution and proposed regulations will not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 4. The City Council finds and determines adoptions of this Resolution or the proposed regulations are not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The regulations do not authorize any specific development or installation on any specific piece of property within the City's boundaries. The regulations are further exempt from CEQA because the City Council's adoption of the regulations is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302

(replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

SECTION 5. The Council Policy for Small Wireless Facilities Per 47 CFR 1.6002(1) "SWF Regulations" is approved and adopted to read in its entirety as shown in Exhibit "A" as attached hereto and incorporated herein by this reference as if set forth in full.

SECTION 6. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or adopted SWF Regulations, or any part thereof, is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this of the Resolution or SWF Regulations or any part thereof. The City Council hereby declare that it would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

SECTION 7. This resolution shall take effect and be in full force and effect concurrently with the effective date of the Ordinance.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Arvin at a regular meeting thereof held on the 26th day of March, 2019 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

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

EXHIBIT "A" Council Policy for Small Wireless Facilities Per 47 CFR 1.6002(1) "SWF Regulations"

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.

EXHIBIT A

COUNCIL POLICY
SMALL WIRELESS FACILITIES PER 47 CFR 1.6002(1)
“SWF REGULATIONS”

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City Council Policy

SECTION 1. GENERAL PROVISIONS

SECTION 1.1 PURPOSE AND INTENT

This Policy is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules, regulations or other legal requirements for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC' s regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or California state law; (6) impose any unfair, unreasonable, discriminatory or anticompetitive fees that exceed the reasonable cost to provide the services for which the fee is charged; or (7) otherwise authorize the City to preempt any applicable federal or California law.

SECTION 1.2 GENERAL DEFINITIONS

- (a) **Undefined Terms.** Undefined phrases, terms or words in this Policy will have the meanings assigned to them in Chapter 13.16 of the Arvin Municipal Code, as may be amended or superseded, and, if not defined therein, will have their ordinary meanings. If any definition assigned to any phrase, term or word in this Policy conflicts with any federal or state-mandated definition, the federal or state-mandated definition will control.
- (b) **Defined Terms.**
- (1) **“approval authority”** means the City official responsible for reviewing applications for small cell permits and vested with the authority to approve, conditionally approve or deny such applications as provided in this Policy. The approval authority for applications in connection with small wireless facilities within the public rights-of-way shall be the City Manager or designee.
 - (2) **“arterial road”** means a road designed primarily to carry large volumes of both passenger car and truck traffic throughout the City. Access control is typically provided with limits on driveway locations and the spacing of intersections. Arterials are intended to carry traffic across a community as well as to provide limited access to major development. Typical right-of-way widths are 110 feet to 146 feet and these roads may either be four-lane divided roads with turn pockets or two-lane undivided roads with no turn pockets.. The term “arterial road” as used in this Policy includes principal arterials and minor arterials as defined in the City of Arvin General Plan, Circulation Element.
 - (3) **“collector road”** means a road designed primarily as a connection between local roads and arterials. Collectors also provide access to adjacent land uses These are generally two-lane undivided roads with a right-of-way width of 90 feet. The term

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“collector road” as used in this Policy includes 2-lane collectors as defined in the City of Arvin General Plan, Circulation Element.

- (4) **“concealed” or “concealment”** means camouflaging techniques that integrate the transmission equipment into the surrounding natural and/or built environment such that the average, untrained observer cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Camouflaging concealment techniques include, but are not limited to: (1) facade or rooftop mounted pop-out screen boxes; (2) antennas mounted within a radome above a streetlight; (3) equipment cabinets in the public rights-of-way painted or wrapped to match the background; and (4) an isolated or standalone faux-tree. Undergrounding of equipment may be required dependent upon the proposed location and potential interference with pedestrian and/or traffic conflict or visibility.
- (5) **“decorative pole”** means any pole that includes decorative or ornamental features, design elements and/or materials intended to enhance the appearance of the pole or the public rights-of-way in which the pole is located. All poles shall be metal – wood poles are not permitted.
- (6) **“FCC Shot Clock”** means the presumptively reasonable time frame within which the City generally must act on a given wireless application, as defined by the FCC and as may be amended from time to time.
- (7) **“ministerial permit”** means any City-issued non-discretionary permit required to commence or complete any construction or other activity subject to the City's jurisdiction. Ministerial permits may include, without limitation, a building permit, construction permit, electrical permit, encroachment permit, excavation permit and/or traffic control permit.
- (8) **“personal wireless services”** means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded, which defines the term as commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services.
- (9) **“personal wireless service facilities”** means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded, which defines the term as facilities that provide personal wireless services.
- (10) **“RF”** means radio frequency or electromagnetic waves generally between 30 kHz and 300 GHz in the electromagnetic spectrum range.
- (11) **“Section 6409”** means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. § 1455(a), as may be amended.
- (12) **“Small cell”** bears the same meaning as “small wireless facility” or “SWF” as used in Chapter 13.16 of the Municipal Code.

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SECTION 2. SMALL WIRELESS FACILITIES

SECTION 2.1 APPLICABILITY; REQUIRED PERMITS AND APPROVALS

- (a) **Applicable Wireless Facilities.** Except as expressly provided otherwise in this Policy, the provisions in this Policy shall be applicable to all existing small wireless facilities (SWFs) and all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate or otherwise deploy small wireless facilities within the City's jurisdictional and territorial boundaries within the public rights-of-way (PROW).

SECTION 2.2 SMALL CELL PERMIT APPLICATION REQUIREMENTS; PRE-APPLICATION PUBLIC NOTICING REQUIREMENTS

- (a) **Small Cell Permit Application Contents.** All applications for a SWF WTFP must include all the information and materials required in this subsection (a), unless exempted by the approval authority.
- (1) **Application Form.** The applicant shall submit a complete, duly executed SWF WTFP application on the then-current form prepared pursuant to Chapter 13.16 of the Municipal Code.
 - (2) **Application Fee.** The applicant shall submit the applicable SWF WTFP application fee established by City Council resolution. Batched applications must include the applicable application fee for each SWF in the batch.
 - (3) **Construction Drawings.** The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California registered engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. The construction drawings must: (i) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions; (ii) identify all structures within 250 feet from the proposed project site and call out such structures' overall height above ground level; (iii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection; and (iv) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.
 - (4) **Site Survey.** For any SWF proposed to be located within the PROW, the applicant shall submit a survey prepared, signed and stamped by a California

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licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within 250 feet from the proposed project site, which includes without limitation all: (i) traffic lanes; (ii) all private properties and property lines; (iii) above and below-grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans, mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.

- (5) **Photo Simulations.** The applicant shall submit site photographs and photo simulations that show the existing location and proposed SWF in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point.
- (6) **Project Narrative and Justification.** The applicant shall submit a written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a SWF as defined by the FCC in 47 C.F.R. 1.6002(l). A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met—bare conclusions not factually supported do not constitute a complete written analysis. As part of the written statement the applicant must also include (i) whether and why the proposed support is a structure as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for a SWF permit as provided in Section 2.4.
- (7) **RF Compliance Report.** The applicant shall submit an RF exposure compliance report that certifies that the proposed SWF, as well as any collocated wireless facilities, will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer acceptable to the City. The RF report must include the actual frequency and power levels (in watts ERP) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.
- (8) **Public Notice.** Prior to a SWF application being deemed complete, applicants shall submit proof of mailing of public notice to all owners and occupants of real property, and the resident manager for any multi-family dwelling unit that includes ten (10) or more units, within 300 feet of the proposed SWF. The mailing list- names, addresses, city, state and zip code shall be submitted as part of the proof of publication. The notice must contain: (1) a general project description and dimensioned, full color photo simulations; (2) the applicant's

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identification and contact information as provided on the application submitted to the City; (3) contact information for the approval authority; (4) a statement that the approval authority will act on the application without a public hearing but will accept written public comments that evaluate the application for compliance with the standards in this Policy; (5) a statement that the FCC requires the City to act on small cell permit applications, which includes any administrative appeals, in 60 days for attachments to existing structures and 90 days for new structures, unless the applicant voluntarily agrees to toll the timeframe for review; and (6) a deadline for submission of written public comments to the approval authority, which deadline shall not be less than thirty (30) days after mailing of said notice.

- (9) **Regulatory Authorization.** The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the SWF proposed in the application.
- (10) **Site Agreement.** For any SWF proposed to be installed on any structure owned or controlled by the City and located within the public rights-of-way, the applicant must enter into a site agreement prepared on a form prepared by the City and approved by the City Attorney that states the terms and conditions for such non-exclusive use by the applicant. No changes shall be permitted to the City's form site agreement except as may be indicated on the form itself. Any unpermitted changes to the City's form site agreement shall be deemed a basis to deem the application incomplete.
- (11) **Acoustic Analysis.** The applicant shall submit an acoustic analysis prepared and certified by an engineer for the proposed SWF and all associated equipment including all environmental control units, sump pumps, temporary backup power generators and permanent backup power generators demonstrating compliance with the City's noise regulations. The acoustic analysis must also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of an acoustic analysis, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits.
- (12) **Wind Load Analysis.** The applicant shall submit a wind load analysis with an evaluation of high wind load capacity and shall include the impact of modification of an existing facility.
- (13) [Reserved]
- (14) **Environmental Data.** A completed environmental assessment application, or in the alternative any and all documentation identifying the proposed WTFP as exempt from environmental review (under the California Environmental Quality Act, Public Resources Code 21000–21189, the National Environmental Policy Act, 42 U.S.C. §4321 *et seq.*, or related environmental laws). Notwithstanding any determination of environmental exemption issued by another governmental entity, the city reserves its

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right to exercise its rights as a responsible agency to review *de novo* the environmental impacts of any WTFP application.

- (15) **FAA Documentation.** Copies of any documents that the applicant is required to file pursuant to Federal Aviation Administration regulations for the proposed wireless telecommunications facility.
 - (16) **Traffic Control Plan (TCP).** A traffic control plan when the proposed installation is on any street in a non-residential zone. The city shall have the discretion to require a traffic control plan when the applicant seeks to use large equipment (e.g. crane).
 - (17) **Landscape Plan.** A scaled conceptual landscape plan showing existing trees and vegetation and all proposed landscaping, concealment, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the SWF and its accessory equipment.
 - (18) **CPCN.** Certification that applicant is a telephone corporation or a statement providing the basis for its claimed right to enter the PROW. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.
- (b) **Additional Requirements.** The City Council authorizes the approval authority to develop, publish and from time to time update or amend permit application requirements, forms, checklists, guidelines, informational handouts and other related materials that the approval authority finds necessary, appropriate or useful for processing any application governed under this Policy. All such requirements and materials must be in written form and publicly stated to provide all interested parties with prior notice (or posted upon the City's website).

SECTION 2.3 SMALL CELL PERMIT APPLICATION SUBMITTAL AND COMPLETENESS REVIEW

- (a) **Pre-Submittal Conferences.** For purposes of SWFs only, and notwithstanding any contrary provisions of Chapter 13.16, the City does not require pre-submittal appointments for the submission of SWF WTFPs. However, the City strongly encourages applicants to schedule and attend a pre-submittal conference with the approval authority for all proposed SWF projects, and particularly those that involve more than five SWFs. This voluntary pre-submittal conference does not cause the FCC Shot Clock to begin and is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to bring any draft applications or other materials so that City staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable. The approval authority shall use reasonable efforts to

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provide the applicant with an appointment within five working days after receiving a written request and any applicable fee or deposit to reimburse the City for its reasonable costs to provide the services rendered in the pre-submittal conference.

- (b) **Batched Applications.** Applicants may submit up to five individual applications for a SWF permit in a batch; provided, however, that small wireless facilities in a batch must be proposed with substantially the same equipment in the same configuration on the same support structure type. Each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each site in the batch. If any application in a batch is incomplete, the entire batch shall be deemed incomplete. If any application is withdrawn or deemed withdrawn from a batch, the entire batch shall be deemed withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.
- (c) **Additional Procedures.** The City Council authorizes the approval authority to establish other reasonable rules and regulations for duly filed applications. All such rules and regulations must be in written form and publicly stated to provide all interested parties with prior notice (or posted upon the City's website).

SECTION 2.4 ADDITIONAL FINDINGS FOR SWFs

- (a) **Required Findings.** In addition to those finding requirements set forth in Chapter 13.16 for SWF WTFP, the following findings are required for the approval or conditional approval of a SWF application:
 - (1) The proposed SWF would not be located on a prohibited support structure identified in this Policy;
 - (2) The proposed SWF would utilize the most preferred support structure and location within 250 feet from the originally proposed site in any direction, or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred support structure(s) or locations within 250 feet would be technically infeasible;
 - (3) All public notices required for the application have been given.
- (b) Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, no decision upon a SWF application shall be premised upon the environmental or health effects of RF emissions, nor shall public comments be considered to the extent they are premised upon the environmental or health effects of RF emissions.

SECTION 2.5 STANDARD CONDITIONS OF APPROVAL

- (a) **General Conditions.** In addition to all other conditions adopted by the approval authority and Chapter 13.16 for a SWF permit, all SWF WTFPs issued under this Policy shall be automatically subject to the conditions in this subsection (a).

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- (1) **Post-Installation Certification.** Within 60 calendar days after the permittee commences full, unattended operations of a SWF approved or deemed-approved, the permittee shall provide the approval authority with documentation reasonably acceptable to the approval authority that the SWF has been installed and/or constructed in strict compliance with the approved construction drawings and photo simulations. Such documentation shall include without limitation as-built drawings, GIS data and site photographs.
- (2) **Adverse Impacts on Other Properties.** In addition to those requirements in Chapter 13.16 the permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The approval authority may issue a stop work order for any activities that violates this condition in whole or in part.
- (3) **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff, agents, contractors or other designees may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee. Notwithstanding the prior sentence, the City's officers, officials, staff, agents, contractors or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designees while any such inspection or emergency access occurs.
- (4) **Future Undergrounding Programs.** If other public utilities or communications providers in the PROW underground their facilities in the segment of the PROW where the permittee's SWF is located, the permittee must underground its equipment except the antennas and any other equipment that must be placed above ground to function. Accessory equipment such as radios and computers that require an environmentally controlled underground vault to function shall not be exempt from this condition. SWFs installed on wood utility poles that will be removed pursuant to the undergrounding program may be reinstalled on a streetlight that complies with the City's standards and specifications. Such undergrounding shall occur at the permittee's sole cost and expense except as may be reimbursed through tariffs approved by the state public utilities commission for undergrounding costs.
- (5) **Electric Meter Upgrades.** If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric

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meter and enclosure, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground-mounted electric meter and enclosure. Prior to removing the electric meter, the permittee shall apply for any encroachment and/or other ministerial permit(s) required to perform the removal. Upon removal, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment.

- (6) **Rearrangement and Relocation.** The permittee acknowledges that the City, in its sole discretion and at any time, may: (i) change any street grade, width or location; (ii) add, remove or otherwise change any improvements in, on, under or along any street owned by the City or any other public agency, which includes without limitation any sewers, storm drains, conduits, pipes, vaults, boxes, cabinets, poles and utility systems for gas, water, electric or telecommunications; and/or (iii) perform any other work deemed necessary, useful or desirable by the City (collectively, “City work”). The City reserves the rights to do any and all City work without any admission on its part that the City would not have such rights without the express reservation in the SWF permit. If the Public Works Director determines that any City work will require the permittee's SWF located in the PROW to be rearranged and/or relocated, the permittee shall, at its sole cost and expense, do or cause to be done all things necessary to accomplish such rearrangement and/or relocation. If the permittee fails or refuses to either permanently or temporarily rearrange and/or relocate the permittee's SWF within a reasonable time after the Public Works Director's notice, the City may (but will not be obligated to) cause the rearrangement or relocation to be performed at the permittee's sole cost and expense. The City may exercise its rights to rearrange or relocate the permittee's SWF without prior notice to permittee when the Public Works Director determines that the City work is immediately necessary to protect public health or safety. The permittee shall reimburse the City for all costs and expenses in connection with such work within 10 days after a written demand for reimbursement and reasonable documentation to support such costs.

SECTION 2.6 SECTION 2.6. LOCATION REQUIREMENTS

- (a) **Preface to Location Requirements.** Applications that involve lesser-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 250 feet from the proposed site; or (2) any more preferred locations or structures within 250 feet from the proposed site would be technically infeasible to achieve the operator’s service objectives, as supported by clear and convincing evidence in the written record. The final subsection of this Section 2.6 identifies “prohibited” support structures on which the City shall not approve any small cell permit application for any competitor or potential competitor.
- (1) Allowable locations for SWFs are on existing or replacement infrastructure such as street lights and utility poles.
 - (2) When locating in an alley, the SWF shall be placed at a height above the roof line of adjacent buildings to avoid being placed adjacent to a window. When locating

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in a walk-street, the facility shall be placed below the roof line of the adjacent buildings.

- (3) When choosing locations, choose locations in between occupiable buildings rather than immediately adjacent to occupiable buildings, and not adjacent to a window.
 - (4) If the SWF is not able to be placed on existing infrastructure, the applicant shall provide a map of existing infrastructure in the service area and describe why each such site was not feasible.
- (b) **Locations in the Public Rights-of-Way.** The City prefers small wireless facilities in the public rights-of-way to be installed in locations, ordered from most preferred to least preferred, as follows:
- (1) Locations within commercial or industrial districts on or along arterial roads;
 - (2) Locations within commercial or industrial districts on or along collector roads;
 - (3) Locations within commercial or industrial districts on or along local roads;
 - (4) Locations within residential districts on or along arterial roads;
 - (5) Locations within residential districts on or along collector roads;
 - (6) Locations within residential districts on or along local roads;
 - (7) Any location in any district within 250 feet from any structure approved for a residential use.
- (c) **Support Structures in the Public Rights-of-Way.** The City prefers SWFs to be installed on support structures in the PROW, ordered from most preferred to least preferred, as follows:
- (1) Existing or replacement streetlight poles;
 - (2) Replacement wood utility poles;
 - (3) New, non-replacement streetlight poles;
 - (4) New, non-replacement poles for small wireless facilities.
- (d) **Prohibited Support Structures.** The City prohibits SWFs to be installed on the following support structures:
- (1) Strand-mounted wireless facilities are prohibited.
 - (2) Decorative poles;

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- (3) Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small cell permit application;
- (4) New, non-replacement wood poles.

SECTION 2.7 DESIGN STANDARDS

- (a) **Visual & Other General Standards.** SWFs shall be designed in the least visible means possible and to be compatible with support structure/surroundings.
 - (1) **Noise.** SWFs and all accessory equipment and transmission equipment must comply with all applicable noise control standards and regulations in Municipal Code Chapter 13.16, as may be amended or superseded, and shall not exceed, either on an individual or cumulative basis, the noise limit in the applicable district/zone.
 - (2) **Lights.** SWFs shall not include any lights that would be visible from publicly accessible areas, except as may be required under Federal Aviation Administration, FCC, other applicable regulations for health and safety. All equipment with lights (such as indicator or status lights) must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas. The provisions in this subsection (a)(2) shall not be interpreted or applied to prohibit installations on streetlights or luminaires installed on new or replacement poles as may be required under this Policy.
 - (3) **Landscape Features.** SWFs shall not displace any existing landscape features unless: (A) such displaced landscaping is replaced with native and/or drought-resistant plants, trees or other landscape features approved by the approval authority and (B) the applicant submits and adheres to a landscape maintenance plan. The landscape plan must include existing vegetation, and vegetation proposed to be removed or trimmed, and the landscape plan must identify proposed landscaping by species type, size and location. Landscape maintenance must be performed in accordance with Arvin Municipal Code, as may be amended or superseded.
 - (A) If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select, plant and maintain replacement landscaping in an appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree. The permittee shall, at all times, be responsible to maintain any replacement landscape features.
 - (B) To preserve existing landscaping in the public rights-of-way, all work performed in connection with SWFs shall not cause any street trees to be trimmed, damaged or displaced. If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and

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expense, to plant and maintain replacement trees at the site for the duration of the permit term.

- (4) **Site Security Measures.** SWFs may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft or vandalism. The approval authority shall not approve any barbed wire, razor ribbon, electrified fences or any similarly dangerous security measures. All exterior surfaces on SWFs shall be constructed from or coated with graffiti-resistant materials.
- (5) **Signage; Advertisements.** All SWFs shall contain a site identification sticker that accurately identifies the site owner/operator, the owner/operator's site name or identification number and a toll-free number to the owner/operator's network operations center. SWFs may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC, OSHA, Federal Aviation Administration or other United States governmental agencies for compliance with RF emissions regulations. Permittees shall:
 - (A) Remove or paint over unnecessary equipment manufacturer decals and fill-in any visibly depressed manufacturer logos on equipment.
 - (B) Utilize the smallest and lowest visibility stickers required by government or electric utility regulations.
 - (C) Use sticker colors that are muted.
 - (D) Signage shall be maintained in legible condition and the carrier will be required to replace any faded signage within thirty (30) days of receiving written notification from the City that it is in need of replacing.
- (6) **Compliance with Health and Safety Regulations.** All SWFs shall be designed, constructed, operated and maintained in compliance with all generally applicable health and safety regulations, which includes without limitation all applicable regulations for human exposure to RF emissions.
- (b) **Dimensions; Design.** Wireless facilities shall be as small, short and unobtrusive as possible.
 - (1) **Overall Height.** SWFs may not exceed either (A) the minimum separation from electrical lines required by applicable safety regulations, plus four feet or (B) four feet above the existing support structure. In addition, SWFs shall be located no higher than 10% or 10 feet, whichever is greater, than the height otherwise permitted in the immediately adjacent zoning district.

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- (2) **Concealment.** All antennas and associated mounting equipment, hardware, cables or other connectors must be completely concealed within an opaque antenna shroud or radome. The antenna shroud or radome must be painted a flat, non-reflective color to match the underlying support structure. The wireless facility and accessory equipment shall be camouflaged with use of one or more concealment elements to blend the facility with surrounding materials and colors of the adjacent street light or utility pole to which it is mounted. Concealment elements include:
- (A) Radio frequency transparent screening;
 - (B) Approved, specific colors;
 - (C) Use of non-reflective material(s);
 - (D) Minimizing the size of the site;
 - (E) Integrating the installation into existing or replacement utility infrastructure;
 - (F) Installing new infrastructure that matches existing infrastructure in the area surrounding the proposed site.
 - (G) Antennas, brackets (mounting), PVC or steel risers and cabling shall match the color of the adjacent structure.
 - (H) Paint shall be of durable quality.
 - (I) Materials shall be non-flammable and non-reflective..
 - (J) Each individual antenna may not exceed three cubic feet in volume and all antennas may not exceed six cubic feet in volume.
- (3) **Accessory Equipment.**
- (A) **Installation Preferences.** SWF accessory equipment shall be enclosed in replacement poles or placed underground where technically feasible, and if not feasible, shall be as small, short and unobtrusive as possible. Applications that involve lesser-preferred installation locations may be approved so long as the applicant demonstrates that no more preferred installation location would be technically infeasible as supported by clear and convincing evidence in the written record.
 - (B) **Undergrounded Accessory Equipment.** All undergrounded accessory equipment must be installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications. Underground vaults located beneath a sidewalk must be constructed with a slip-resistant cover. Vents for airflow shall be flush-to-grade when placed within the

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sidewalk and may not exceed two feet above grade when placed off the sidewalk. Applicants shall not be permitted to install an underground vault in a location that would cause any existing tree to be materially damaged or displaced. Underground vaults shall have either a lockable vault door or lid that shall be locked at all times or that is bolted to the frame as a way to prohibit unauthorized access by the public.

- (c) **Streetlights.** Applicants that propose to install SWFs on an existing streetlight must remove and replace the existing streetlight with, metal streetlight, one substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment. To mitigate any material changes in the street lighting patterns, the replacement pole must: (A) be located as close to the removed pole as possible; (B) be aligned with the other existing streetlights; and (C) include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole. All antennas must be installed above the pole within a single, canister style shroud or radome that tapers to the pole.
- (d) **Wood Utility Poles.** Applicants that propose to install SWFs on an existing wood utility pole must install all antennas above the pole unless the applicant demonstrates that mounting the antennas above the pole would be technically infeasible as supported by clear and convincing evidence in the written record. Side-mounted antennas on a stand-off bracket or extension arm must be concealed within a shroud. All cables, wires and other connectors must be concealed within the side-arm mount or extension arm. The maximum horizontal separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations.
- (e) **For Replacement Poles and Street Lights.** If an applicant proposes a replacement pole or street light to accommodate the SWF, the replacement shall be in the same location as the street light or pole being replaced; unless the replacement will not meet all applicable standards, then replacement may be located in an alternative location that complies with the requirements herein.
- (f) **New, Non-Replacement Poles.** Applicants that propose to install SWFs on a new, non-replacement pole must install a new streetlight substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome.
 - (1) The new pole must actually function for a purpose other than placement of a wireless facility (e.g. street light, utility pole, etc.).

City Council Policy

- (2) The design must match the dimensions and design of existing and similar types of poles and antennas in the surrounding areas.
- (g) **Encroachments over Private Property.** SWFs may not encroach onto or over any private or other property outside the PROW without the property owner's express written consent.
- (h) **Backup Power Sources.** Fossil-fuel based backup power sources shall not be permitted within the PROW; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials.
- (i) **Obstructions; Public Safety.** Small wireless facilities and any associated equipment or improvements shall not physically interfere with or impede access to any: (A) worker access to any above-ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors; (B) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop; (C) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency; (D) fire hydrant or water valve; (E) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way; or (F) access to any fire escape.
- (j) **Utility Connections.** All cables and connectors for telephone, data backhaul, primary electric and other similar utilities must be routed underground in conduits large enough to accommodate future collocated wireless facilities. Undergrounded cables and wires must transition directly into the pole base without any external doghouse. All cables, wires and connectors between the underground conduits and the antennas and other accessory equipment shall be routed through and concealed from view within: (A) internal risers or conduits if on a concrete, composite or similar pole; or (B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space. The approval authority shall not approve new overhead utility lines or service drops merely because compliance with the undergrounding requirements would increase the project cost.
- (k) **Spools and Coils.** To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.
- (l) **Electric Meters.**
- (1) SWFs shall use unmetered (flat rate) electric service, if allowed by the utility company, or use the narrowest, shrouded electric meter and disconnect available. Permittees shall ensure the meter and other enclosures are well maintained, including regular painting, and the use of a graffiti-resistant paint, and stack the

City Council Policy

disconnect switch above/below the meter, instead of attached to the side of the meter.

- (2) Electrical meters, vaults and fans shall be located underground where feasible.
- (m) **Building-Mounted Small Wireless Facilities.**
- (A) **Preferred Concealment Techniques.** All applicants must propose new non-tower SWFs that are completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials). Alternatively, if the applicant demonstrates with clear and convincing evidence that integration with existing features is technically infeasible, the applicant may propose completely concealed new structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, steeples and chimneys).
- (B) **Facade-Mounted Equipment.** When SWFs cannot be placed behind existing parapet walls or other existing screening elements, the approval authority may approve facade-mounted equipment in accordance with this Subsection. All facade-mounted equipment must be concealed behind screen walls and mounted flush to the facade. The approval authority may not approve "pop-out" screen boxes. Except in industrial zones, the approval authority may not approve any exposed facade-mounted antennas, including but not limited to exposed antennas painted to match the facade.
- (n) **Future Modifications.** Any modifications to existing facilities or collocations shall not defeat the concealment elements of the existing structure/facility.

**NOTICE BY THE ARVIN CITY COUNCIL
OF ITS INTENT TO ADOPT AN URGENCY ORDINANCE**

NOTICE IS HEREBY GIVEN that on March 26, 2019 at 6:00 pm, or as soon thereafter as the matter may be heard, the City Council of the City of Arvin intends to adopt an Urgency Ordinance, entitled:

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF ARVIN, CALIFORNIA, ADDING CHAPTER 13.16 OF
TITLE 13 OF THE ARVIN MUNICIPAL CODE**

SUMMARY

The proposed ordinance will allow and regulate wireless telecommunications facilities in the public right-of-way (PROW) and corresponding design standards and special procedures for small wireless facilities (SWF). The proposed ordinance and corresponding design standards and special procedures for SWFs are in response to recent legal standards imposed by the FCC (the “FCC Order”). The FCC Order was issued on September 27, 2018. In summary:

- For all wireless facility installations in the PROW, the ordinance establishes new permit and review procedures as well as the operation and maintenance standards. The ordinance treats wireless installations in the PROW similar to other installations in the PROW by requiring an encroachment permit. Once the encroachment permit is issued, the carrier may still need to obtain traffic control plans, construction permits and if necessary, a license to attach to PROW infrastructure.
- The proposed ordinance presents a new administrative review process for SWF applications, with the Director of Planning taking the lead of administratively reviewing SWF applications.
- Major wireless structures in the PROW shall continue to be subject to hearing and discretionary review.
- The new ordinance recognizes, and establishes procedures and standards for, “eligible facility requests” pursuant to Federal law. These are ministerial modifications and collocations that must be approved by-right pursuant to Section 6409 of the Federal Spectrum Act (47 CFR § 1.40001 - Wireless Facility Modifications).
- The ordinance contains a comprehensive list of permit conditions that will apply to wireless encroachment permits, including insurance requirements, indemnity, performance bond for removal upon abandonment, and maintenance and inspection requirements. The permits are in effect for a term of 10 years, which stems from a State law that allows the City to limit the permits to 10 years; compared to utility poles, for example, which are erected in perpetuity.
- The ordinance allows the flexibility and allows for SWF design standards to be adopted as administrative regulations that may be readily and quickly adapted given the frequency and magnitude of changes in law and technology surrounding wireless installations.

The City Council will also consider a separate City Council Policy that will provide the industry direction on the City's aesthetic, location and design requirements. Additional information regarding the proposed ordinance, including the grounds for its urgency, will be available for review as part of the agenda packet and presentation for this item to be considered by the City Council on March 26, 2019.

Staff has determined that the ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. Most of the terms and scope of City discretion are guided by existing State and Federal law. The ordinance creates an administrative process to process requests for wireless facilities in the PROW and the City's discretion with these applications is limited. The ordinance does not authorize any specific development or installation on any specific piece of property within the City's boundaries. Alternatively, the ordinance is exempt from CEQA because the City Council's adoption of the ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would further be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land), as these facilities are allowed under Federal and State law, are by their nature smaller when placed in the PROW and subject to various siting and design preferences to prevent aesthetic impact to the extent feasible.

A copy of the full text of the Ordinance is available for review in the Office of the City Clerk, City of Arvin, 200 Campus Drive, Arvin, CA 93203. A copy is also available on the City's website at Arvin.org. Anyone having questions may contact the City Clerk at (661) 854-3134.

/s/ _____
 Cecilia Vela, City Clerk
 City of Arvin

PUBLISHED: Bakersfield Californian, March 16, 2019



CITY COUNCIL STAFF REPORT

Meeting Date: March 26, 2019

TO:	Arvin City Council
FROM:	Jake Raper, City Planner – Contract JAS Consultant Jerry Breckinridge, City Manager
SUBJECT:	Discussion and Receive Direction - Establishing the Arvin Housing Advisory Committee, Purpose, Charge, Membership, Charge, Committee Organization, Powers of the Committee as Established in the 2013-2023 Housing Element.

RECOMMENDATION

Staff Recommends that the City Council provide direction to City Staff relating to the establishment of, appointment of the Arvin Housing Advisory Committee as proposed in the 2013-2023 Housing Element.

BACKGROUND

The City Council adopted the 2013-2023 Housing Element on March 27, 2018 by Resolution No. 2018-23. Section VI. 2013-2023 Housing Plan, Section C Housing Programs Program 4 Arvin Housing Advisory Committee established a future action by the City Council to establish the Arvin Housing Advisory Committee (AHAC). The purpose of the AHAC is to advise the City Council on housing matters. The AHAC is to actively participate in recommendations relating to grants, various housing programs, code enforcement, fair housing goals, and other pertinent housing opportunities for the city.

Staff is seeking direction from the City Council as to appointment of, term of, membership make up of, and other direction of the City Council. For example, the Council could decide that the appointment process, etc., for the AHAC could mirror that currently used by the Council for the Planning Commission, along with a mechanism that will also include stakeholders and community based organizations. Upon receipt of direction by the City Council, staff will schedule the item before the City Council for action for formation of the AHAC.

EXHIBITS AND ATTACHMENTS

Excerpt from 2013-2023 Housing Element – Section VI Housing Plan

Housing Element Adopted March 27, 2018 Resolution No. 2018-23

VI. 2013-2023 Housing Plan

In accordance with State Housing Element law, this section presents a statement of goals, policies and priorities. The statement is intended to convey to the community at large Arvin's plan to provide a variety of housing types for all economic segments of the community. In addition, the goals, policies and priorities also serve as a framework or foundation for the evolution, initiation and implementation of specific programs and actions to improve the existing housing stock, produce new housing, provide financial assistance and to mitigate the adverse impacts of economic and market constraints.

C. Housing Element Programs

This section of the Housing Element defines the actions the City will implement to achieve the identified housing policies during the 2013-2023 planning period. Arvin's housing programs address the following five major areas:

- Maintaining and preserving the existing affordable housing stock;
- Assisting in the provision of housing;
- Removing governmental constraints, as necessary;
- Providing adequate sites to achieve a variety and diversity of housing; and
- Promoting equal housing opportunity.

The housing plan for addressing unmet needs, removing constraints, and achieving quantitative objectives is described in this section according to the above five areas. The housing programs discussed in this section include existing programs as well as new programs that have been added to address the unmet housing needs.

4. Arvin Housing Element Advisory Committee

The City will establish an Arvin Housing Element Advisory Committee that will include stakeholders and community based organizations (i.e., California Coalition of Rural Housing, California Rural Legal Assistance, Leadership Counsel for Justice and Accountability, Lideres Campesinas, Committee for a Better Arvin, etc.) to advise the City on developing and implementing various Housing Element programs. The Housing Element Advisory Committee will actively participate in the City's efforts to prioritize and implement the following strategies:

- Research, identify, and apply for funds available through the CDBG and HOME Programs, Mobilehome Park Rehabilitation and Resident Ownership Program (MPRRP), United States

Department of Agriculture (USDA), Cap-and-Trade Program, and other funding sources that support affordable housing development and preservation, infrastructure investment, energy efficiency, homeownership, code enforcement, farmworker housing, etc.

- Implement the following Housing Programs:
 - Program 5 - Code Enforcement Program, with a full-time code enforcement officer;
 - Program 6 - Residential Unit Inspection and Maintenance Program;
 - Program 7 - Single-Family Owner Occupied and Multi-Family Rehabilitation Loan/Grant Program;
 - Program 8 - Inventory of “At-Risk” projects;
 - Program 9 - Preserving Mobilehome Parks;
 - Program 18 - Adequate Site Monitoring Program;
 - Program 22 - Equal Housing Opportunity Program to Affirmatively Furthering Fair Housing goals.
- Foster partnerships with non-profit affordable housing developers and experts within the community based organization’s membership.
- Engage the community by “getting the word out” on key community planning meetings, informing the public on available housing programs, and translating affordable housing-related materials and interpreting at community workshop in Spanish and Mixteco. The City is committed to arrange for provisions of translation materials and interpretation at its community workshops as appropriate.

Objective: Establish the Arvin Housing Element Advisory Committee within six month from adoption of the Housing Element Amendment.

Agency: City of Arvin CDD

Financing: General Fund

Time Frame: Once the Arvin Housing Element Advisory Committee is established within six-month of the amendment, the City and the Advisory Committee will meet at least twice a year during the 2017-2023 period, or more often as needed.

City of Arvin - General Fund Revenue Analysis

Fiscal Year 2018-19 as of 02/28/19. % of year = 66

Report updated 03/19/19. dollars in thousands (\$000)

Category	Budget	YTD	Budget %
Administrative Cost Recovery	297	196	66.0%
Business License etc.	56	40	71.4%
Franchise Fees	445	185	41.6%
Grants	34	23	67.6%
Planning Department Fees	578	193	33.4%
Police Department Fees	38	24	63.2%
Property Tax Fees	256	147	57.4%
Rental of Facilities	54	35	64.8%
*Sales Tax - General	750	665	88.7%
*Sales Tax - Measure L	1,783	1,211	67.9%
**Vehicle License Fees/taxes	1,963	982	50.0%
One-Time Revenue	-		0.0%
Total General Fund Revenue YTD	6,254	3,701	59.2%

* Estimated as of February 28, 2019.

** Vehicle License Fees received in December and April.

City of Arvin - General Fund Expense Analysis
 Fiscal Year 2018-19 as of 02/28/19. % of year = 66
 Dollars in thousands (000)

Category	Budget	YTD	Budget %
Salaries and Benefits	4,126	2,367	57.4%
Kern County Fire Contract	531	354	66.7%
General City Expenses	401	254	63.3%
*Professional Service Contracts	283	354	125.1%
Maintenance	225	136	60.4%
Legal	246	186	75.6%
Information Technology	128	90	70.3%
Utilities	226	153	67.7%
Total General Fund Expenses	6,166	3,894	63.2%

*Prof Serv Contracts: (395k year to date)

Planning/Engineering:		
JAS Pacific - Planning	156	
JAS Pacific - Build Inspect	44	
DeWalt - Engineering	87	
Other	16	
Planning/Engineering total		303
Administration:		
Audit	58	
Sphere of Influence Study	20	
City Manager Recruitment	7	
Administration total		85
Police		7

Attachment: Monthly Financial Report - February 2019 (Monthly Financial Report - February 2019)

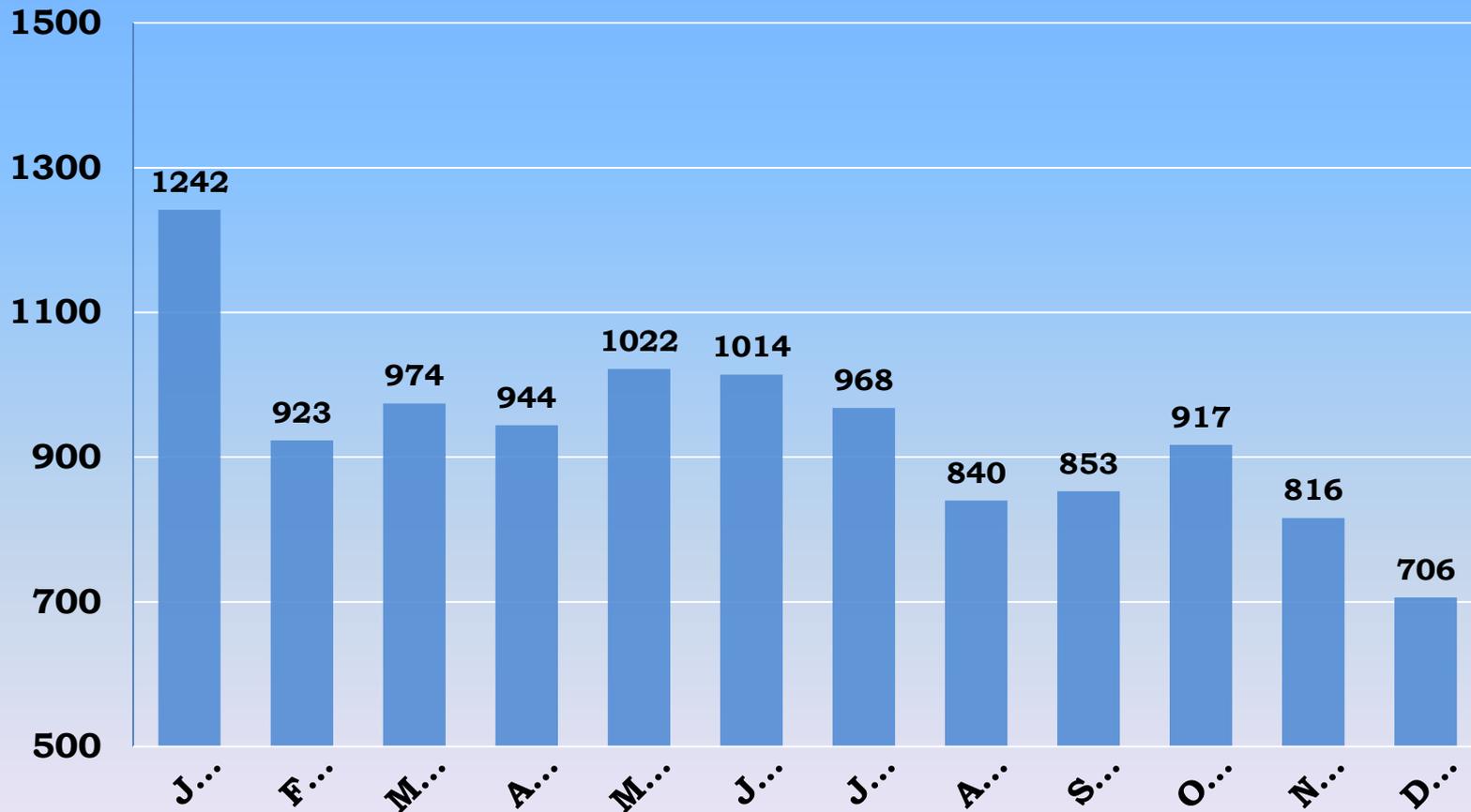


Arvin Police Department Annual Report 2018

**By
Richard “Jerry” Breckinridge
Interim Chief of Police/City Manager**

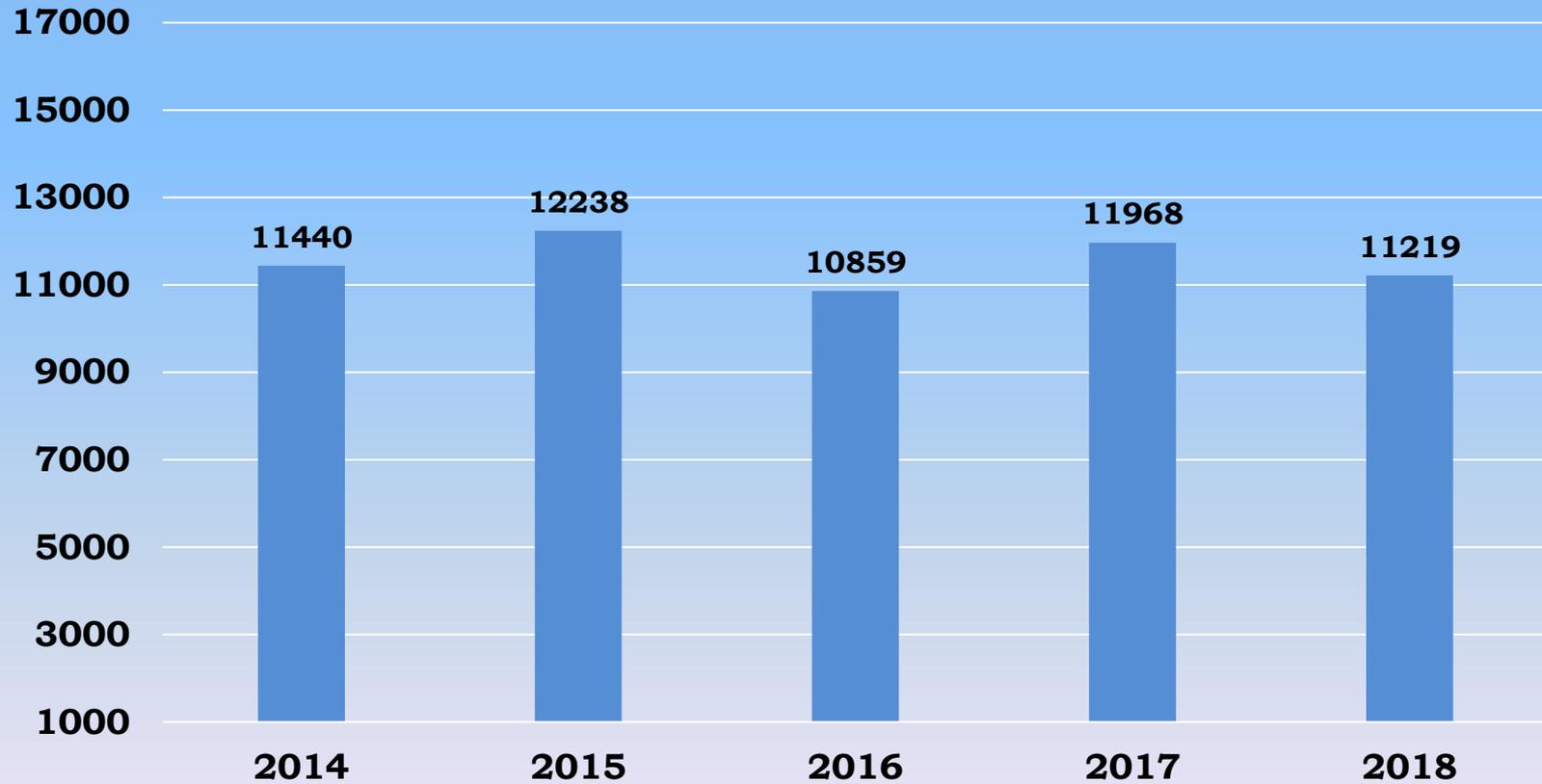


Arvin Police Department Monthly Call for Service 2018



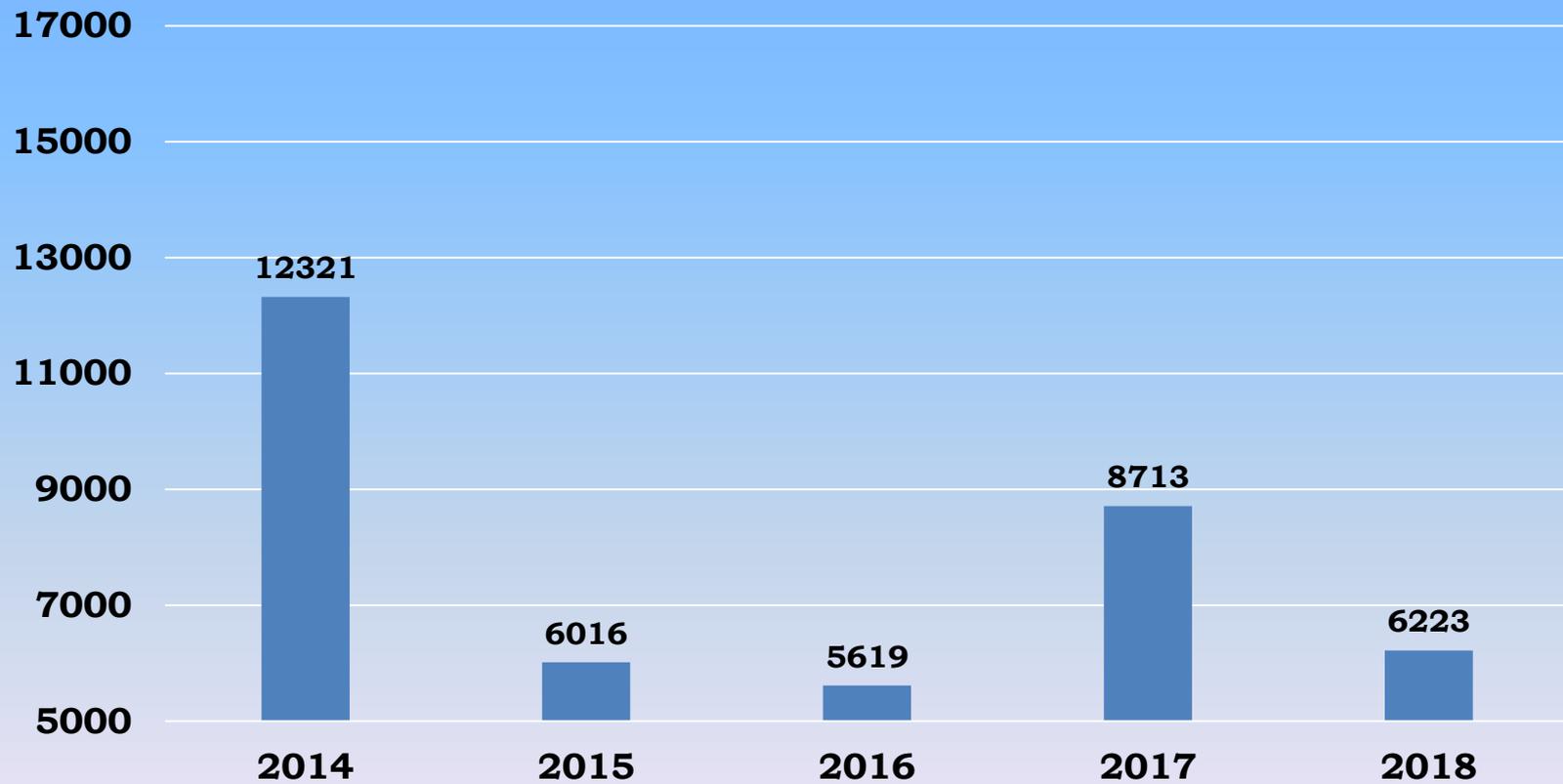


Arvin Police Department Calls for Service 2014 – 2018



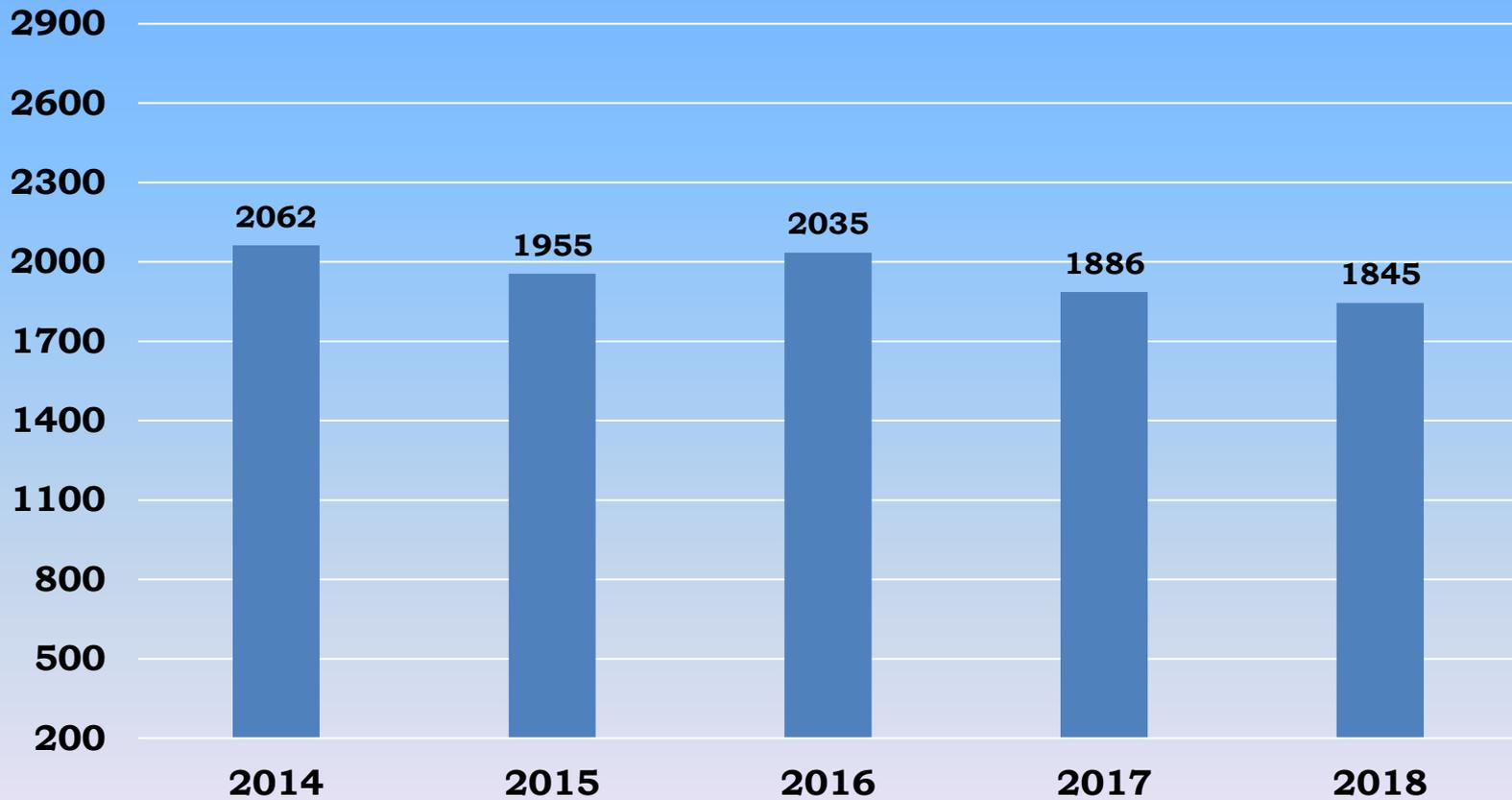


Arvin Police Department Officer Initiated Incidents 2014 - 2018



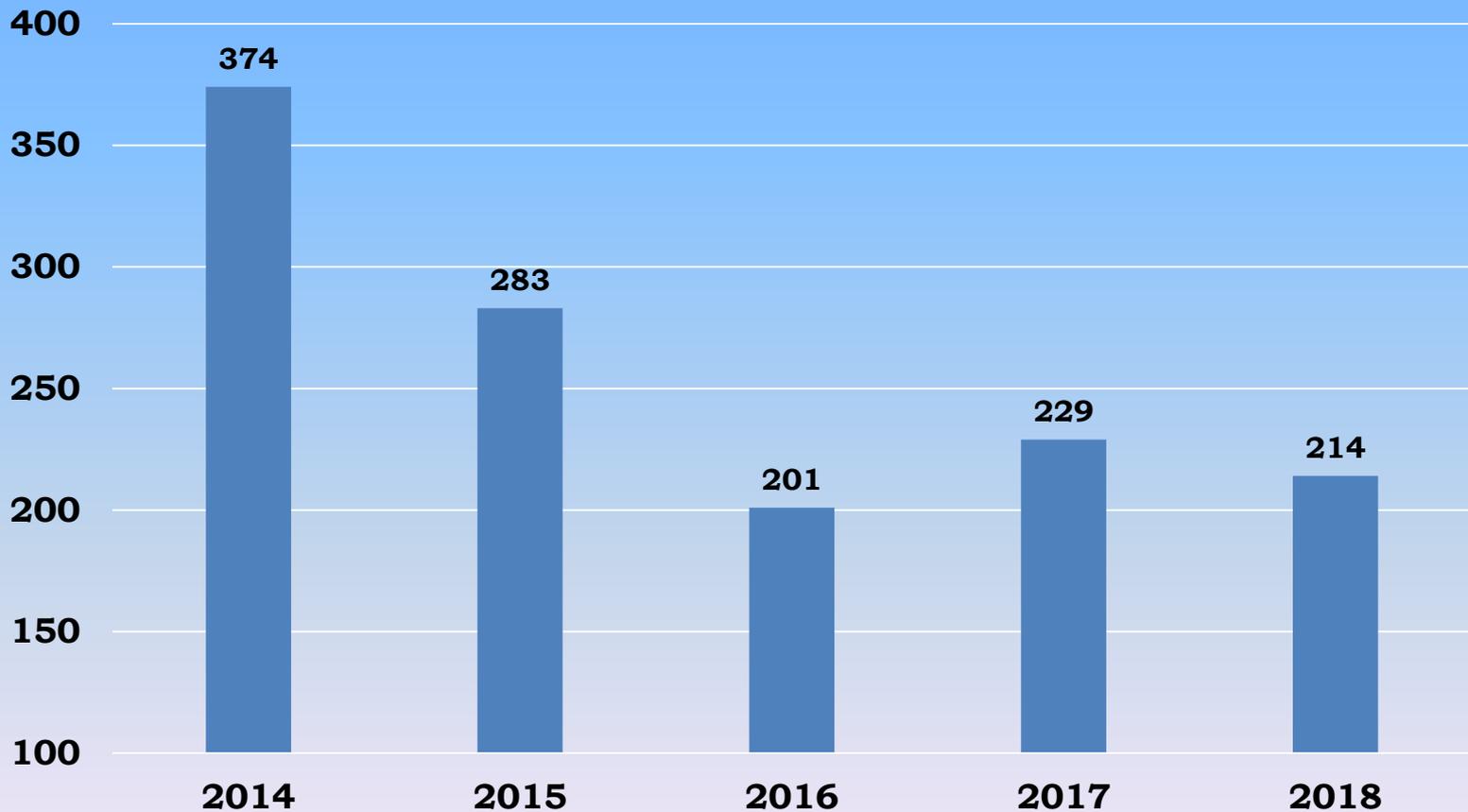


Arvin Police Department Total Officer Reports 2014 - 2018



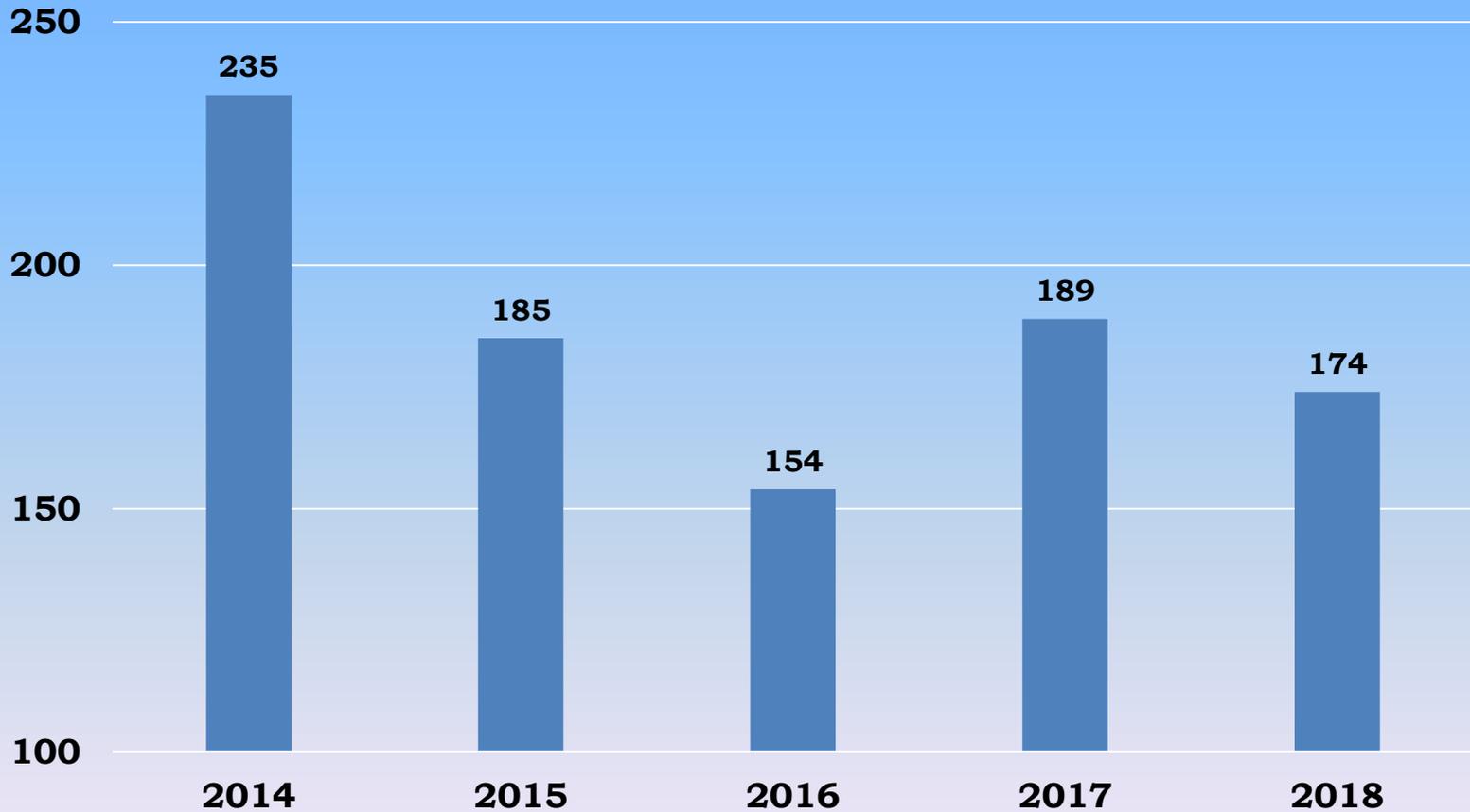


Arvin Police Department Total Misdemeanor Arrests 2014 - 2018



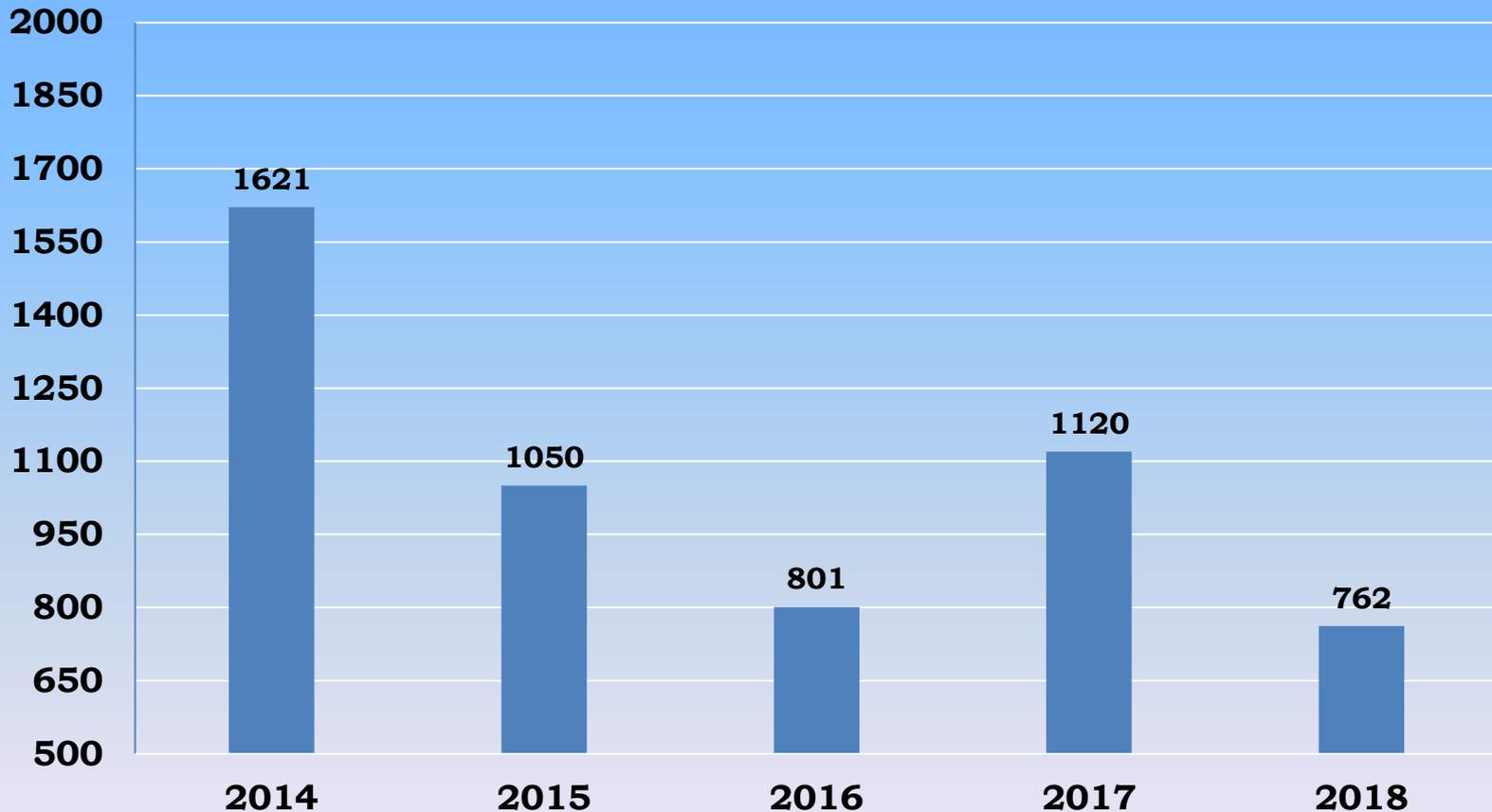


Arvin Police Department Total Felony Arrests 2014 - 2018





Arvin Police Department Total Citations 2014 - 2018





Arvin Police Department Dispatch Response Times 2016 - 2018



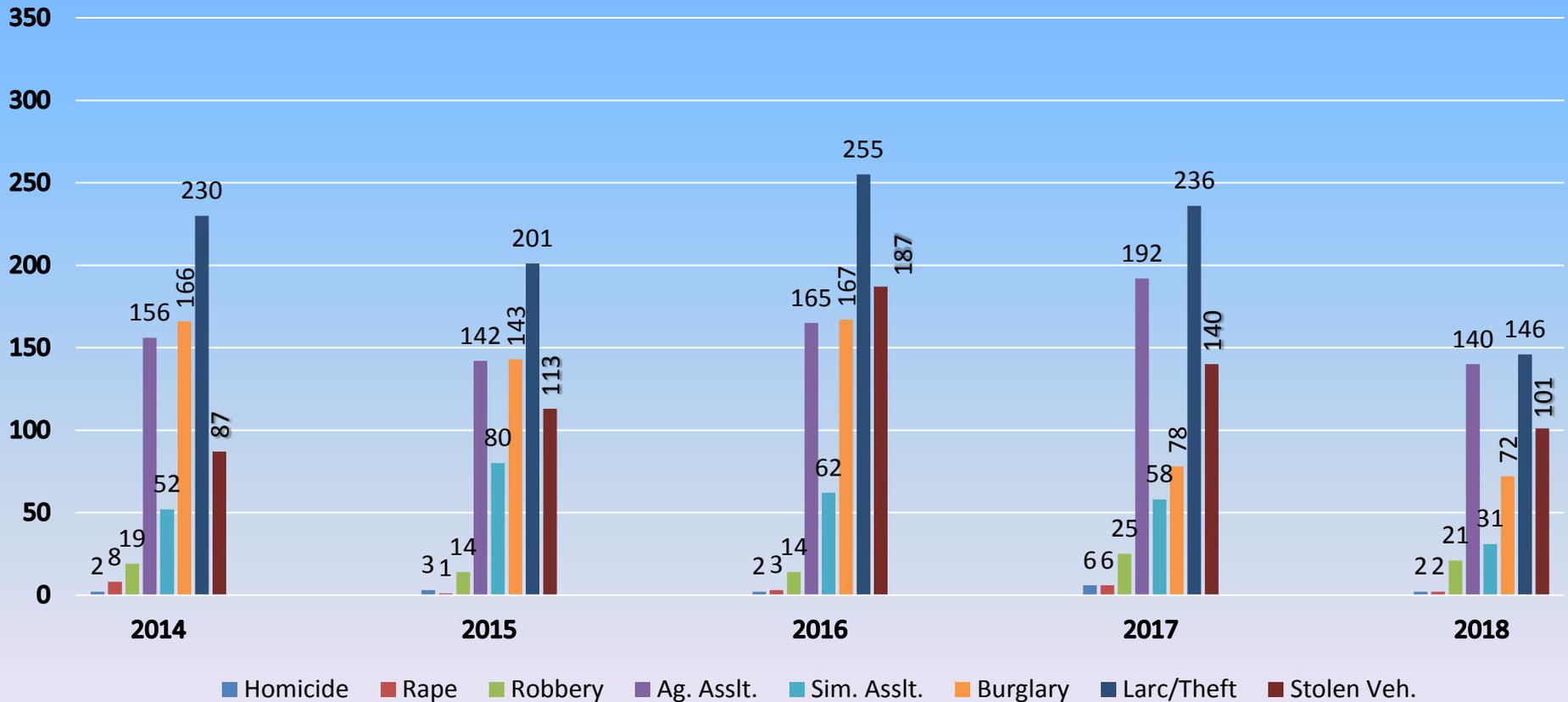
Month	Jan-18		Feb-18		Mar-18		Apr-18		May-18		Jun-18	
	Dispatch	Arrival										
Avg. Time	9:57	3:37	7:51	3:24	7:07	2:39	8:52	2:59	7:46	3:03	9:49	3:22
Month	Jul-18		Aug-18		Sep-18		Oct-18		Nov-18		Dec-18	
	Dispatch	Arrival										
Avg. Time	7:06	3:13	8:38	3:36	7:24	2:50	7:34	2:37	7:43	2:39	6:47	2:27

Month	Jan-17		Feb-17		Mar-17		Apr-17		May-17		Jun-17	
	Dispatch	Arrival										
Avg. Time	14:34	3:00	14:12	3:16	8:45	3:45	6:57	3:09	6:48	3:43	7:39	3:19
Month	Jul-17		Aug-17		Sep-17		Oct-17		Nov-17		Dec-17	
	Dispatch	Arrival										
Avg. Time	7:42	3:05	7:32	3:05	7:45	2:46	6:31	2:55	8:47	3:11	7:34	3:01

Month	Jan-16		Feb-16		Mar-16		Apr-16		May-16		Jun-16	
	Dispatch	Arrival										
Avg. Time	10:46	3:02	8:52	3:45	6:45	3:21	7:15	2:39	8:01	3:01	7:10	3:23
Month	Jul-16		Aug-16		Sep-16		Oct-16		Nov-16		Dec-16	
	Dispatch	Arrival										
Avg. Time	8:27	3:35	6:52	3:05	6:23	3:34	7:39	3:29	11:42	4:06	13:39	3:28



Arvin Police Department Crime Statistics 2014 - 2018





Arvin Police Department Crime Increase/Decrease 2014 – 2018

