



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

TUESDAY MAY 12, 2020 6:00pm

(Regular Session will commence no earlier than 6:00pm. Closed Session will commence soon after Regular Session however, it is not open to the public.)

**CITY HALL COUNCIL CHAMBERS
200 CAMPUS DRIVE, ARVIN**

This meeting is compliant with the Governor’s Executive Order N-25-20 issued on March 4, 2020 and N-29-20 issued on March 18, 2020, allowing for a deviation of teleconference rules required by the Brown Act. The purpose of this is to provide a safe environment for staff and the public to conduct city business, while allowing for public participation. The meeting will be held by teleconference only. **The public may participate by calling:**

1-866-899-4679

Access Code 940-472-245#.

To join the meeting from your computer, tablet or smartphone click on the following link:

<https://global.gotomeeting.com/join/940472245>

The meeting agendas are available at: <https://www.arvin.org/government/clerk/meeting-agendas-minutes/documents-page/>

The city will accept comments on any items on the agenda, inclusive of closed session items, in writing, and in advance of the meeting, **up until Monday, April 13, 2020 at 3:00pm.** Comments may be mailed to City of Arvin, City Clerk’s Office, PO Box 548, Arvin, CA 93203 or emailed to cvela@arvin.org. In the subject line, please provide “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM”. All public comments will be provided to the City Council and may be read into the record or compiled as part of the record.

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

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. CLOSED SESSION REPORT FROM REGULAR CITY COUNCIL MEETING OF APRIL 28, 2020. (City Attorney)

4. CONSENT AGENDA ITEM(S)

A. Approval of Demand Register(s) of April 24, 2020 – May 07, 2020.

B. Approval of Payroll Register(s) of May 01, 2020.

C. Approval of the Minutes of the Regular Meeting(s) of April 28, 2020.

D. Approval of A Resolution of the City Council of the City of Arvin Adopting List of Projects for Fiscal Year 2020-2021 Funded by SB1: The Road Repair and Accountability Act of 2017; and Authorizing Related Actions.

E. Approval of A Resolution Approving the Purchase of An Access Easement at 409 Combs Avenue for the Completion of Sidewalk Improvements as a Part of the ATP Cycle 1 Project.

Staff recommends approval of the Consent Agenda.

Motion _____ Second _____ Vote _____

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

5. PUBLIC HEARING ITEM(S)

A. A Public Hearing to Consider Adoption of An Ordinance of the City Council of the City of Arvin Adding Chapter 17.65, of Title 17 Hemp to the City of Arvin Municipal Code (Director of Administrative Services)

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. A Public Hearing to Consider Adoption of An Urgency Ordinance of the City Council of the City of Arvin Repealing Chapter 8.12 and 8.20, of Title 8 of the Arvin Municipal Code and Replacing Them With Chapter 8.12, of Title 8 Nuisances.**

Staff recommends to open the hearing, allow for public testimony, close the hearing and approve the adoption of the Urgency Ordinance.

Motion _____ Second _____ Vote _____

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

- C. A Public Hearing to Consider Adoption of An Uncodified Urgency Ordinance of the City Council of the City of Arvin Related to Facial Coverings and/or Personal Protective Equipment, and Compliance with State and County Emergency Orders, in Response to the COVID-19 Pandemic.**

Staff recommends to open the hearing, allow for public testimony, close the hearing and approve the adoption of the Urgency Ordinance.

Motion _____ Second _____ Vote _____

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

6. ACTION ITEM(S)

- A. Discussion and Action on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic.**

Staff recommends to discuss and take action as appropriate.

Motion _____ Second _____ Vote _____

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

7. BUDGET WORKSHOP FY 2020-2021 (Finance Director)

8. STAFF REPORTS

- A. City of Arvin Floodplain Information (City Engineer)**

9. COUNCIL MEMBER COMMENTS

10. CLOSED SESSION ITEM(S)

- A.** Threats to Public Services or Facilities (Pursuant to Government Code section 54957(a).)
Consultation with: City Attorney and/or City Emergency or Critical Function Personnel.
- B.** CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
One case (City of Arvin v. Clean Fuel Connection, Inc.)
- C.** CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
One case (Community Recycling and Resource Recovery Center, Inc.)

11. 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 May 07, 2020.



Cecilia Vela, City Clerk

Edit List of Invoices - Detail w/GL

4.A.1

Date: 04/30/2020

Time: 1:24 pm

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City of Arvin

Ref. No.	Vendor Name	Post Date	PO Number	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date		1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount
51124	STATE OF CALIFORNIA	04/30/2020		BOFA	UNIT 203 ADD LIENHOLDER	
03-034		04/30/2020		N	ELECTRIC BUS	15.00
		04/30/2020		Y	N	0.00
		04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	UNIT 203 ADD LIENHOLDER			15.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		15.00	0.00
Distribution Total			15.00	0.00

51125	STATE OF CALIFORNIA	04/30/2020		BOFA	UNIT 205 ADD LIENHOLDER	
03-034		04/30/2020		N	ELECTRIC BUS	15.00
		04/30/2020		Y	N	0.00
		04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	UNIT 205 ADD LIENHOLDER			15.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		15.00	0.00
Distribution Total			15.00	0.00

51126	STATE OF CALIFORNIA	04/30/2020		BOFA	UNIT 207 ADD LIENHOLDER	
03-034		04/30/2020		N	ELECTRIC BUS	15.00
		04/30/2020		Y	N	0.00
		04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	UNIT 207 ADD LIENHOLDER			15.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		15.00	0.00
Distribution Total			15.00	0.00

Vendor Total: 45.00

Grand Total: 45.00

Less Credit Memos: 0.00

Net Total: 45.00

Less Hand Check Total: 0.00

Outstanding Invoice Total: 45.00

Total Invoices: 3

Attachment: Demand Register(s) April 24, 2020 - May 07, 2020 (Demand Register(s) of April 24, 2020 - May 07, 2020.)

Edit List of Invoices - Detail w/GL

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Date: 04/30/2020

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City of Arvin

Ref. No.	Vendor Name	Post Date	PO Number	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	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.			
51127	ALESHIRE & WYNDER, LLP	03/31/2020		BOFA	LEGAL SERVICES MAR2020	28,569.50
28-209	18881 VON KARMAN AVE, STE 1700	04/30/2020		N		
	IRVINE	03/31/2020		N	N	0.00
	CA 92612	03/31/2020	0.00	Y	0	0.00
	<Emailing Stub Disabled>	03/31/2020	LEGAL SERVICES MAR2020			28,569.50

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5018	LEGAL EXPENSE - GENERAL	GEN LEGAL	6,372.00	0.00
100-001-5018	LEGAL EXPENSE - GENERAL	COVID-19	10,631.50	0.00
100-007-5018	LEGAL EXPENSE - GENERAL	CD LEGAL	1,636.50	0.00
100-007-5018	LEGAL EXPENSE - GENERAL	HEMP	2,993.00	0.00
100-014-5018	LEGAL EXPENSE - GENERAL	PD	3,325.00	0.00
420-016-5018	LEGAL EXPENSE - GENERAL	SEWER	1,835.50	0.00
240-025-4007	ASSESSMENT INCOME	LLMD-1	582.75	0.00
242-027-4007	ASSESSMENT INCOME	LLMD-2	582.75	0.00
408-074-5018	LEGAL EXPENSE - GENERAL	FTA LO-NO	610.50	0.00
Distribution Total			28,569.50	0.00

Vendor Total: 28,569.50

51128	ARVIN CHAMBER OF COMMERCE	04/30/2020		BOFA	REIMBURSE DEPOSIT & FEES FOR	
01-703	P.O BOX 645	04/30/2020		N	REC.# 34428 & 34627 EVENT CXLD	950.00
	ARVIN	04/30/2020		N	N	0.00
	CA 93203-1035	04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	REC.# 34428 & 34627			950.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-012-0202	DEPOSITS PAYABLE		200.00	0.00
100-012-4072	RENT INCOME		750.00	0.00
Distribution Total			950.00	0.00

Vendor Total: 950.00

51129	BLUE SHIELD OF CALIFORNIA	04/13/2020		BOFA	MEDICAL 05.01.20 - 05.31.20	
02-490	PO BOX 749415	04/30/2020		N		17,472.67
	LOS ANGELES	04/13/2020		N	N	0.00
	CA 90074-9415	04/13/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/13/2020	201040160571			17,472.67

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		4,716.87	0.00
100-007-5015	MEDICAL INSURANCE		637.94	0.00
100-013-5015	MEDICAL INSURANCE		632.05	0.00
100-014-5015	MEDICAL INSURANCE		3,910.71	0.00
200-020-5015	MEDICAL INSURANCE		3,873.89	0.00
230-032-5015	MEDICAL INSURANCE		340.26	0.00
400-023-5015	MEDICAL INSURANCE		1,713.95	0.00
100-000-0227	GEMCARE HMO DEDUCTION		1,647.00	0.00
Distribution Total			17,472.67	0.00

Vendor Total: 17,472.67

51130	BROADLUX, INC	04/01/2020		BOFA	O & M SERVICES APR2020	
28-414	POST OFFICE BOX 7303	04/30/2020		N		252.50
	LAGUNA NIGUEL	04/01/2020		N	N	0.00
	CA 92607	04/01/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/01/2020	BR911732-68			252.50

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City of Arvin

Ref. No.	Vendor Name	Post Date	PO Number	Bank	Invoice Description Line 2	Gross Amount
Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5080	FUEL EXPENSE		252.50	0.00
Distribution Total			252.50	0.00

Vendor Total: 252.50

51131	C & T AUTOMOTIVE, INC	03/26/2020		BOFA	UNIT 268 REPLACE COOLING FAN	
	12312 MAIN STREET	04/30/2020		N		165.00
03-757	LAMONT	03/26/2020		N	N	0.00
	CA 93241	03/26/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/26/2020	900028072			165.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		165.00	0.00
Distribution Total			165.00	0.00

51132	C & T AUTOMOTIVE, INC	04/03/2020		BOFA	UNIT 289 OIL SERVICE	
	12312 MAIN STREET	04/30/2020		N		79.62
03-757	LAMONT	04/03/2020		N	N	0.00
	CA 93241	04/03/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/03/2020	900028112			79.62

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-003-5012	MAINTENANCE - VEHICLE		79.62	0.00
Distribution Total			79.62	0.00

Vendor Total: 244.62

51133	CALIFORNIA RURAL LEGAL	04/30/2020		BOFA	REIMBURSE DEPOSIT & FEES FOR	
	141 NORTH 'A' STREET	04/30/2020		N	RECEIPT#34639 EVENT CANCELLED	175.00
03-041	ARVIN	04/30/2020		N	N	0.00
	CA 93203	04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	RECEIPT#34639			175.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-002-0202	DEPOSITS PAYABLE		150.00	0.00
100-002-4072	RENT INCOME		25.00	0.00
Distribution Total			175.00	0.00

Vendor Total: 175.00

51134	CLEAN CUT LANDSCAPE MANAGEME	03/31/2020		BOFA	MAINT SVC LLMD NO2 MAR2020	
	8406 N. ARMSTRONG AVE	04/30/2020		N		645.00
48-477	CLOVIS	03/31/2020		N	N	0.00
	CA 93619	03/31/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/31/2020	2434			645.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
242-027-5077	OUTSIDE SERVICES		645.00	0.00
Distribution Total			645.00	0.00

51135	CLEAN CUT LANDSCAPE MANAGEME	03/31/2020		BOFA	MAINT SVC LLMD NO1 MAR2020	
	8406 N. ARMSTRONG AVE	04/30/2020		N		2,680.00
48-477	CLOVIS	03/31/2020		N	N	0.00
	CA 93619	03/31/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/31/2020	2433			2,680.00

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Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
240-025-5077	OUTSIDE SERVICES		2,680.00	0.00
Distribution Total			2,680.00	0.00

Vendor Total: 3,325.00

51136	COMMUNICATION ENTERPRISES	04/01/2020		BOFA	LTR 450 DISPATCH M&I APR2020	
	2315 "Q" ST	04/30/2020		N		165.00
03-580	BAKERSFIELD	04/01/2020		N	N	0.00
	CA 93301	04/01/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/01/2020	1102546			165.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5036	COMMUNICATIONS		165.00	0.00
Distribution Total			165.00	0.00

51137	COMMUNICATION ENTERPRISES	04/01/2020		BOFA	LTR450 DISPTCH TRANSIT APR2020	
	2315 "Q" ST	04/30/2020		N		135.00
03-580	BAKERSFIELD	04/01/2020		N	N	0.00
	CA 93301	04/01/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/01/2020	1102545			135.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5036	COMMUNICATIONS		135.00	0.00
Distribution Total			135.00	0.00

Vendor Total: 300.00

51138	CORELOGIC SOLUTIONS, LLC	03/31/2020		BOFA	KERN CA DATA ONLINE MAR2020	
	P.O. BOX 847239	04/30/2020		N		137.50
28-169	DALLAS	03/31/2020		N	N	0.00
	TX 75284-7239	03/31/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/31/2020	82017069			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

51139	FEDEX	04/17/2020		BOFA	SVC 03.17.20 - 04.16.20	
	P.O. BOX 7221	04/30/2020		N		76.65
06-012	PASADENA	04/17/2020		N	N	0.00
	CA 91109-7321	04/17/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/17/2020	6-988-59402			76.65

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5026	POSTAGE		76.65	0.00
Distribution Total			76.65	0.00

Vendor Total: 76.65

51140	GOLDEN EMPIRE FLEET SERVICE	12/17/2019		BOFA	UNIT 100 PRIUS CHECK SMOKE	
	P.O. BOX 2192	04/30/2020		N		93.14
07-592	BAKERSFIELD	12/17/2019		N	N	0.00
	CA 93303-2192	12/17/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	12/17/2019	58137			93.14

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Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date		1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		93.14	0.00
Distribution Total			93.14	0.00

51141	GOLDEN EMPIRE FLEET SERVICE	02/13/2020		BOFA	UNIT 207 REPLACE HOOD SHOCKS	
	P.O. BOX 2192	04/30/2020		N		524.20
07-592	BAKERSFIELD	02/13/2020		N	N	0.00
	CA 93303-2192	02/13/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	02/13/2020	58702			524.20

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		524.20	0.00
Distribution Total			524.20	0.00

51142	GOLDEN EMPIRE FLEET SERVICE	02/13/2020		BOFA	UNIT 207 REPAIR HEADLIGHTS	
	P.O. BOX 2192	04/30/2020		N		436.23
07-592	BAKERSFIELD	02/13/2020		N	N	0.00
	CA 93303-2192	02/13/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	02/13/2020	58581			436.23

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		436.23	0.00
Distribution Total			436.23	0.00

51143	GOLDEN EMPIRE FLEET SERVICE	02/13/2020		BOFA	UNIT E203 REPAIR FOG LGHT BRKT	
	P.O. BOX 2192	04/30/2020		N		361.14
07-592	BAKERSFIELD	02/13/2020		N	N	0.00
	CA 93303-2192	02/13/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	02/13/2020	58586			361.14

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		361.14	0.00
Distribution Total			361.14	0.00

51144	GOLDEN EMPIRE FLEET SERVICE	01/30/2020		BOFA	STOCK - WINTER WNDSHLD WASHEF	
	P.O. BOX 2192	04/30/2020		N	QTY 6 EACH	26.04
07-592	BAKERSFIELD	01/30/2020		N	N	0.00
	CA 93303-2192	01/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	01/30/2020	58605			26.04

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		26.04	0.00
Distribution Total			26.04	0.00

51145	GOLDEN EMPIRE FLEET SERVICE	01/03/2020		BOFA	UNIT 209 REPLACE DIPSTICK	
	P.O. BOX 2192	04/30/2020		N		365.25
07-592	BAKERSFIELD	01/03/2020		N	N	0.00
	CA 93303-2192	01/03/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	01/03/2020	58227			365.25

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5012	MAINTENANCE - VEHICLE		365.25	0.00
Distribution Total			365.25	0.00

Vendor Total: 1,806.00

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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. %	1099?	Hand Check Number/Date
	Email Address	Inv. Date	Invoice No.		Net Amount
51146	HAAKER EQUIPMENT COMPANY	03/30/2020	BOFA	STREET SWEEPER PARTS	872.80
27-074	2070 N. WHITELANE AVE.	04/30/2020	N		
	LA VERNE	03/30/2020	N	N	0.00
	CA 91750	03/30/2020	0.00	N	0
	<Emailing Stub Disabled>	03/30/2020	C60920		872.80

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5039	STREET SWEEPING		872.80	0.00
Distribution Total			872.80	0.00

Vendor Total: 872.80

51147	HOME DEPOT PRO INSTITUTIONAL	04/03/2020	BOFA	COA CLEANING SUPPLIES 04.03.20	
48-531	PO BOX 742440	04/30/2020	N		170.00
	LOS ANGELES	04/03/2020	N	N	0.00
	CA 90074-2440	04/03/2020	0.00	N	0
	<Emailing Stub Disabled>	04/03/2020	544700909		170.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-002-5008	MAINTENANCE - OTHER		34.00	0.00
100-012-5008	MAINTENANCE - OTHER		17.00	0.00
100-009-5008	MAINTENANCE - OTHER		17.00	0.00
100-007-5008	MAINTENANCE - OTHER		17.00	0.00
400-023-5008	MAINTENANCE - OTHER		17.00	0.00
100-014-5008	MAINTENANCE - OTHER		34.00	0.00
100-001-5008	MAINTENANCE - OTHER		17.00	0.00
100-005-5008	MAINTENANCE - OTHER		17.00	0.00
Distribution Total			170.00	0.00

Vendor Total: 170.00

51148	JAS PACIFIC	04/05/2020	BOFA	PLAN CHECK SVC MAR2020	
26-950	P.O BOX 2002	04/30/2020	N		2,700.00
	UPLAND	04/05/2020	N	N	0.00
	CA 91786	04/05/2020	0.00	N	0
	<Emailing Stub Disabled>	04/05/2020	PC 5613		2,700.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5095	Plan Check Services		2,700.00	0.00
Distribution Total			2,700.00	0.00

51149	JAS PACIFIC	04/05/2020	BOFA	BUILDING INSP SVCS MAR2020	
26-950	P.O BOX 2002	04/30/2020	N		3,600.00
	UPLAND	04/05/2020	N	N	0.00
	CA 91786	04/05/2020	0.00	N	0
	<Emailing Stub Disabled>	04/05/2020	BI 13612		3,600.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5034	PROFESSIONAL SERVICES		3,600.00	0.00
Distribution Total			3,600.00	0.00

Vendor Total: 6,300.00

51150	JIM BURKE FORD	04/07/2020	BOFA	UNIT 279 PARTS - PLATE-DO	
10-380	P.O BOX 2088	04/30/2020	N		30.50
	BAKERSFIELD	04/07/2020	N	N	0.00
	CA 93303-2088	05/07/2020	0.00	N	0
	<Emailing Stub Disabled>	04/07/2020	21149		30.50

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	Vendor Address	Pay. Date		Hold?	Invoice Description Line 2	Taxes Withheld
Vendor No.	City	Disc. Date	Req. No.	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		30.50	0.00
Distribution Total			30.50	0.00

51151	JIM BURKE FORD	04/07/2020		BOFA	UNIT 271 MASS AIR FLOW, REAR	
	P.O BOX 2088	04/30/2020		N	BRAKES	1,445.33
10-380	BAKERSFIELD	04/07/2020		N	N	0.00
	CA 93303-2088	05/07/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/07/2020	191467			1,445.33

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		1,445.33	0.00
Distribution Total			1,445.33	0.00

Vendor Total: 1,475.83

51152	JOHN N. OSHIMO	07/01/2019		BOFA	CITY OF ARVIN HOUSING ELEMENT	
	700 EL CENTRO STREET	04/30/2020		N	ANNUAL PROGRESS REPORT	2,310.00
48-840	SOUTH PASADENA	07/01/2019		N	N	0.00
	CA 91030	07/01/2019	0.00	Y	0	0.00
	<Emailing Stub Disabled>	07/01/2019	ARVIN-1-2019			2,310.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5034	PROFESSIONAL SERVICES		2,310.00	0.00
Distribution Total			2,310.00	0.00

Vendor Total: 2,310.00

51153	KAISER PERMANENTE	04/30/2020		BOFA	MEDICAL MAY2020	
	FILE 5915	04/30/2020		N		22,312.06
28-063	LOS ANGELES	04/30/2020		N	N	0.00
	CA 90074-5915	04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	BU 690201404 - MAY2020			22,312.06

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		1,617.42	0.00
100-007-5015	MEDICAL INSURANCE		1,222.97	0.00
100-013-5015	MEDICAL INSURANCE		2,272.46	0.00
100-014-5015	MEDICAL INSURANCE		4,624.66	0.00
100-014-5015	MEDICAL INSURANCE		1,733.95	0.00
200-020-5015	MEDICAL INSURANCE		4,743.38	0.00
230-032-5015	MEDICAL INSURANCE		367.59	0.00
400-023-5015	MEDICAL INSURANCE		8,203.50	0.00
100-014-5015	MEDICAL INSURANCE		-2,473.87	0.00
Distribution Total			22,312.06	0.00

Vendor Total: 22,312.06

51155	KERN COUNTY FIRE DEPARTMENT	07/15/2019		BOFA	FIRE PROTECTION SVC FY2019-20	
	5642 VICTOR ST.	04/30/2020		N		623,831.00
28-058	BAKERSFIELD	07/15/2019		N	N	0.00
	CA 93308	07/15/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	07/15/2019	20-000012			623,831.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5027	KERN CTY. FIRE SERVICES		623,831.00	0.00
Distribution Total			623,831.00	0.00

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Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	Discount
	State/Province Zip/Postal	Due Date	Invoice No.	1099?	Hand Check Number/Date	Net Amount
	Email Address	Inv. Date				

Vendor Total: 623,831.00

51154	KERN COUNTY FORENSIC SERVICES	04/02/2020		BOFA	EXAM CASE #AP-20-0419 03/12/20	
11-261	1335 GREELEY ROAD	04/30/2020		N		1,000.00
	BAKERSFIELD	04/02/2020		N	N	0.00
	CA 93314	04/02/2020	0.00	Y	0	0.00
	<Emailing Stub Disabled>	04/02/2020	1099			1,000.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5034	PROFESSIONAL SERVICES		1,000.00	0.00
Distribution Total			1,000.00	0.00

Vendor Total: 1,000.00

51156	KERN COUNTY	04/03/2020		BOFA	CJIS ACCSS LIC FEE APR-JUN2020	
03-596	ATTN: ACCOUNTS RECEIVABLE	04/30/2020		N		210.00
	BAKERSFIELD	04/03/2020		N	N	0.00
	CA 93306	04/03/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/03/2020	1160-02330			210.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5053	CJIS-CLET INFO SYSTEM EXPENSE		210.00	0.00
Distribution Total			210.00	0.00

Vendor Total: 210.00

51157	LEAGUE OF CALIFORNIA CITIES	02/28/2020		BOFA	MEMEBERSHIP DUES FOR CY 2020	
12-250	1400 "K" STREET	04/30/2020		N		8,896.00
	SACRAMENTO	02/28/2020		N	N	0.00
	CA 95814	02/28/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	02/28/2020	628067			8,896.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5062	DUES AND SUBSCRIPTIONS		8,896.00	0.00
Distribution Total			8,896.00	0.00

Vendor Total: 8,896.00

51158	MOUNTAINSIDE DISPOSAL	04/10/2020		BOFA	BIN RENT/ 4YD FL SVC MAR2020	
13-585	8665 SO. UNION AVE	04/30/2020		N		66.94
	BAKERSFIELD	04/10/2020		Y	N	0.00
	CA 93307	04/10/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/10/2020	575845			66.94

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5107	REFUSE COSTS		66.94	0.00
Distribution Total			66.94	0.00

Vendor Total: 66.94

51159	SIRCHIE	03/31/2020		BOFA	NITRILE GLOVES 8 BOXES	
19-400	100 HUNTER PLACE	04/30/2020		N		198.13
	YOUNGSVILLE	03/31/2020		N	N	0.00
	NC 27596	03/31/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/31/2020	0440839-IN			198.13

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
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Vendor No.	Vendor Address	Pay. Date	Req. No.	Hold?	Invoice Description Line 2	Taxes Withheld
	City	Disc. Date	Disc. %	Sep. Ck.?	Use Description 1 On Check	
	State/Province Zip/Postal	Due Date		1099?	Hand Check Number/Date	Discount
	Email Address	Inv. Date	Invoice No.			Net Amount

	SAFETY EQUIPMENT					198.13	0.00
	Distribution Total					198.13	0.00

Vendor Total: 198.13

51160	ZEE MEDICAL SERVICE	03/03/2020		BOFA	FIRST AID SUPPLIES TRANSIT	
	107 SO. BRYANT ST	04/30/2020		N		64.44
26-250	OJAI	03/03/2020		N	N	0.00
	CA 93023	03/03/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/03/2020	34-217877			64.44

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5016	OFFICE SUPPLIES		64.44	0.00
Distribution Total			64.44	0.00

51161	ZEE MEDICAL SERVICE	03/17/2020		BOFA	FIRST AID SUPPLIES TRANSIT	
	107 SO. BRYANT ST	04/30/2020		N		49.05
26-250	OJAI	03/17/2020		N	N	0.00
	CA 93023	03/17/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/17/2020	34-217948			49.05

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5016	OFFICE SUPPLIES		49.05	0.00
Distribution Total			49.05	0.00

Vendor Total: 113.49

Grand Total:	721,065.69
Less Credit Memos:	0.00
Net Total:	721,065.69
Less Hand Check Total:	0.00
Outstanding Invoice Total:	721,065.69

Total Invoices: 35

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Ref. No.	Vendor Name Vendor Address City	Post Date Pay. Date	PO Number Req. No.	Bank Hold? Sep. Ck.?	Invoice Description Line 2 Invoice Description Line 2 Use Description 1 On Check	Gross Amount Taxes Withheld
Vendor No.	State/Province Zip/Postal Email Address	Disc. Date Due Date Inv. Date	Disc. % Invoice No.	1099?	Hand Check Number/Date	Discoun Net Amount
51162	AT&T P.O. BOX 9011 CAROL STREAM	04/13/2020 05/05/2020 04/13/2020		BOFA N N	9391033189 03.13.20 - 04.12.20	361.4 0.00
26-909	IL 60197 <Emailing Stub Disabled>	04/13/2020 04/13/2020	0.00 000014610694	N N	0	0.00 361.4

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		36.14	0.00
100-007-5056	TELEPHONE		72.28	0.00
100-014-5056	TELEPHONE		162.63	0.00
400-023-5056	TELEPHONE		36.14	0.00
100-009-5056	TELEPHONE		18.07	0.00
100-019-5056	TELEPHONE		18.07	0.00
100-002-5056	TELEPHONE		18.08	0.00
Distribution Total			361.41	0.00

51163	AT&T P.O. BOX 9011 CAROL STREAM	04/13/2020 05/05/2020 04/13/2020		BOFA N N	9391056024 03.13.20 - 04.12.20	542.50 0.00
26-909	IL 60197 <Emailing Stub Disabled>	04/13/2020 04/13/2020	0.00 000014612457	N N	0	0.00 542.50

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		54.25	0.00
100-007-5056	TELEPHONE		108.50	0.00
100-014-5056	TELEPHONE		244.13	0.00
400-023-5056	TELEPHONE		54.25	0.00
100-009-5056	TELEPHONE		27.13	0.00
100-019-5056	TELEPHONE		27.13	0.00
100-002-5056	TELEPHONE		27.11	0.00
Distribution Total			542.50	0.00

51164	AT&T P.O. BOX 9011 CAROL STREAM	04/01/2020 05/05/2020 04/01/2020		BOFA N N	9391060015 03.01.20 - 03.31.20	189.35 0.00
26-909	IL 60197 <Emailing Stub Disabled>	04/01/2020 04/01/2020	0.00 000014548530	N N	0	0.00 189.35

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		18.94	0.00
100-007-5056	TELEPHONE		37.87	0.00
100-014-5056	TELEPHONE		85.21	0.00
400-023-5056	TELEPHONE		18.94	0.00
100-009-5056	TELEPHONE		9.47	0.00
100-019-5056	TELEPHONE		9.47	0.00
100-002-5056	TELEPHONE		9.45	0.00
Distribution Total			189.35	0.00

51165	AT&T P.O. BOX 9011 CAROL STREAM	04/01/2020 05/05/2020 04/01/2020		BOFA N N	9391059040 03.01.20 - 03.31.20	743.50 0.00
26-909	IL 60197 <Emailing Stub Disabled>	04/01/2020 04/01/2020	0.00 14548299	N N	0	0.00 743.50

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5056	TELEPHONE		74.35	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	Discoun
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Net Amount
	Email Address	Inv. Date	Invoice No.	Hand Check Number/Date	

	TELEPHONE				148.70	0.00
100-014-5056	TELEPHONE				334.58	0.00
400-023-5056	TELEPHONE				74.35	0.00
100-009-5056	TELEPHONE				37.18	0.00
100-019-5056	TELEPHONE				37.18	0.00
100-002-5056	TELEPHONE				37.18	0.00
Distribution Total					743.52	0.00

Vendor Total: 1,836.71

51166	BAKERSFIELD CALIFORNIAN 1AF	04/30/2020		BOFA	PLAN COMM - PUB NOTICE - HEM	
02-011	3700 PEGASUS DRIVE	05/05/2020		N	LLMD 1 & 2 - LEVY COLLECT TAX	1,521.36
	BAKERSFIELD	04/30/2020		N	N	0.00
	CA 93308	04/30/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/30/2020	2728948			1,521.36

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-007-5082	ADVERTISING-PUBLICATIONS-PRI	PLAN COMM PUB NOTICE - HEMP	829.96	0.00
	NT			
240-025-5082	ADVERTISING-PUBLICATIONS-PRI	LLMD 1 LEVY COLLECT TAX	345.70	0.00
	NT			
242-027-5082	ADVERTISING-PUBLICATIONS-PRI	LLMD 2 LEVY COLLECT TAX	345.70	0.00
	NT			
Distribution Total			1,521.36	0.00

Vendor Total: 1,521.36

51167	CENTRAL CALIF. ASSOC. PUBLIC	05/01/2020		BOFA	COA UNION DUES 05.01.20	
11-150	SEIU LOCAL 521	05/05/2020		N		717.30
	SAN FRANCISCO	05/01/2020		N	N	0.00
	CA 94139-8826	05/01/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	05/01/2020	COA UNION DUES 05.01.20			717.30

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-000-0206	UNION DUES PAYABLE		717.30	0.00
Distribution Total			717.30	0.00

Vendor Total: 717.30

51168	CINTAS	05/01/2020		BOFA	MATS LINENS UNIFORMS APR2020	
50-006	PO BOX 29059	05/05/2020		N		962.50
	PHOENIX	05/01/2020		N	N	0.00
	AZ 85038-9059	05/01/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	05/01/2020	MATS LINENS UNIFORMS /			962.50

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5008	MAINTENANCE - OTHER		171.63	0.00
400-023-5023	UNIFORMS		79.12	0.00
100-001-5008	MAINTENANCE - OTHER		393.35	0.00
200-020-5023	UNIFORMS		179.60	0.00
100-019-5008	MAINTENANCE - OTHER		138.80	0.00
Distribution Total			962.50	0.00

Vendor Total: 962.50

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Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2		Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check		Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date		Discoun
	Email Address	Inv. Date	Invoice No.			Net Amount
51169	CLARK PEST CONTROL OF STOC	04/23/2020	BOFA	PEST CONTROL VET HALL 04.23.:		80.00
03-480	ACCOUNTING OFFICE	05/05/2020	N			0.00
	LODI	04/23/2020	N	N		0.00
	CA 95241-1480	04/23/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/23/2020	26097633			80.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-002-5077	OUTSIDE SERVICES		80.00	0.00
Distribution Total			80.00	0.00

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2		
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2		Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check		Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date		Discoun
	Email Address	Inv. Date	Invoice No.			Net Amount
51170	CLARK PEST CONTROL OF STOC	04/23/2020	BOFA	PEST CONTROL COMM CTR 04.2:		100.00
03-480	ACCOUNTING OFFICE	05/05/2020	N			0.00
	LODI	04/23/2020	N	N		0.00
	CA 95241-1480	04/23/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/23/2020	26097529			100.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-009-5077	OUTSIDE SERVICES		100.00	0.00
Distribution Total			100.00	0.00

Vendor Total: 180.00

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2		
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2		Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check		Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date		Discoun
	Email Address	Inv. Date	Invoice No.			Net Amount
51171	COLONIAL LIFE	04/24/2020	BOFA	SUPPLEMENTAL INS APR2020		753.46
03-505	PREMIUM PROCESSING	05/05/2020	N			0.00
	COLUMBIA	04/24/2020	N	N		0.00
	SC 29202-0903	04/24/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/24/2020	5193602-0403998			753.46

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-000-0213	INSURANCE DEDUCTIONS		753.46	0.00
Distribution Total			753.46	0.00

Vendor Total: 753.46

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2		
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2		Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check		Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date		Discoun
	Email Address	Inv. Date	Invoice No.			Net Amount
51172	COMPLETE HARDWARE STORE	04/28/2020	BOFA	STREET SWEEPER REPAIR		8.62
48-463	101 BEAR MOUNTAIN BLVD.	05/05/2020	N			0.00
	ARVIN	04/28/2020	N	N		0.00
	CA 93203	04/28/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/28/2020	314753			8.62

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5039	STREET SWEEPING		8.62	0.00
Distribution Total			8.62	0.00

Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2		
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2		Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check		Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date		Discoun
	Email Address	Inv. Date	Invoice No.			Net Amount
51173	COMPLETE HARDWARE STORE	04/27/2020	BOFA	REPAIRS MENS ROOM COMM BL		2.70
48-463	101 BEAR MOUNTAIN BLVD.	05/05/2020	N			0.00
	ARVIN	04/27/2020	N	N		0.00
	CA 93203	04/27/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/27/2020	314560			2.70

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-009-5008	MAINTENANCE - OTHER		2.70	0.00
Distribution Total			2.70	0.00

Vendor Total: 11.32

Attachment: Demand Register(s) April 24, 2020 - May 07, 2020 (Demand Register(s) of April 24, 2020 - May 07, 2020.)

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Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check	Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date
	Email Address	Inv. Date	Invoice No.		Discoun
					Net Amount
51174	CONCENTRA-OCCUPATIONAL HE	04/10/2020	BOFA	DOT PHYS RECERT - ROBLES	
21-003	A MEDICAL CORP.	05/05/2020	N		108.00
	RANCHO CUCAMONGA	04/10/2020	N	N	0.00
	CA 91729-3700	04/10/2020	0.00	N	0
	<Emailing Stub Disabled>	04/10/2020	6763900		108.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
400-023-5091	EMPLOYEE COSTS		108.00	0.00
Distribution Total			108.00	0.00
			Vendor Total:	108.00

51175	DEPARTMENT OF TRANSPORTAT	04/15/2020	BOFA	SIGNALS & LIGHTING BILLING	
04-257	PO BOX 168019	05/05/2020	N	JAN2020 THRU MAR2020	1,227.73
	SACRAMENTO	04/15/2020	N	N	0.00
	CA 95816-8019	04/15/2020	0.00	N	0
	<Emailing Stub Disabled>	04/15/2020	SL200793		1,227.73

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5010	MAINTENANCE - SIGNAL LIGHTS		1,227.73	0.00
Distribution Total			1,227.73	0.00
			Vendor Total:	1,227.73

51176	G & W MFG & WELDING	04/14/2020	BOFA	REPAIRS PW TRAILER	
07-010	P.O. BOX 158	05/05/2020	N		553.47
	ARVIN	04/14/2020	N	N	0.00
	CA 93203	04/14/2020	0.00	N	0
	<Emailing Stub Disabled>	04/14/2020	13067		553.47

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5008	MAINTENANCE - OTHER		553.47	0.00
Distribution Total			553.47	0.00
			Vendor Total:	553.47

51177	GUARDIAN	04/22/2020	BOFA	BUNDLE INSURANCE MAY2020	
07-790	P.O. BOX 677458	05/05/2020	N		7,193.84
	DALLAS	04/22/2020	N	N	0.00
	TX 75267-7458	04/22/2020	0.00	N	0
	<Emailing Stub Disabled>	04/22/2020	GROUP ID 00 473727 MAY :		7,193.84

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5015	MEDICAL INSURANCE		790.39	0.00
400-003-5015	MEDICAL INSURANCE		92.89	0.00
100-007-5015	MEDICAL INSURANCE		352.93	0.00
100-013-5015	MEDICAL INSURANCE		469.70	0.00
100-014-5015	MEDICAL INSURANCE		1,693.39	0.00
100-014-5015	MEDICAL INSURANCE		149.64	0.00
230-032-5015	MEDICAL INSURANCE		175.58	0.00
200-020-5015	MEDICAL INSURANCE		474.36	0.00
400-023-5015	MEDICAL INSURANCE		464.04	0.00
100-000-0229	GUARDIAN DENTAL/VISION		1,530.14	0.00
100-000-0214	POST TAX DEDUCTIONS		1,000.78	0.00
Distribution Total			7,193.84	0.00

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

Vendor Total: 7,193.8

51178	O'REILLY AUTOMOTIVE, INC	08/19/2019	BOFA	UNIT 320 WIPER BLADES		
28-249	PO BOX 9464	05/05/2020	N			24.2
	SPRINGFIELD	08/19/2019	N	N		0.0
	MO 65801-9464	08/19/2019	0.00	N	0	0.0
	<Emailing Stub Disabled>	08/19/2019	4451-432040			24.2

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		24.23	0.0
Distribution Total			24.23	0.0

51179	O'REILLY AUTOMOTIVE, INC	07/01/2019	BOFA	UNIT 317 FUEL CAP		
28-249	PO BOX 9464	05/05/2020	N			13.5
	SPRINGFIELD	07/01/2019	N	N		0.0
	MO 65801-9464	07/01/2019	0.00	N	0	0.0
	<Emailing Stub Disabled>	07/01/2019	4451-407313			13.5

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		13.52	0.0
Distribution Total			13.52	0.0

51180	O'REILLY AUTOMOTIVE, INC	07/01/2020	BOFA	JOHN DEERE GATOR2 BATTERY		
28-249	PO BOX 9464	05/05/2020	N			2.7
	SPRINGFIELD	07/01/2020	N	N		0.0
	MO 65801-9464	07/01/2020	0.00	N	0	0.0
	<Emailing Stub Disabled>	07/01/2020	4451-400248			2.7

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5008	MAINTENANCE - OTHER		2.76	0.0
Distribution Total			2.76	0.0

51181	O'REILLY AUTOMOTIVE, INC	07/01/2020	BOFA	JOHN DEERE GATOR1 BATTERY		
28-249	PO BOX 9464	05/05/2020	N			14.1
	SPRINGFIELD	07/01/2020	N	N		0.0
	MO 65801-9464	07/01/2020	0.00	N	0	0.0
	<Emailing Stub Disabled>	07/01/2020	4451-397512			14.1

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5008	MAINTENANCE - OTHER		14.16	0.0
Distribution Total			14.16	0.0

51182	O'REILLY AUTOMOTIVE, INC	07/01/2019	BOFA	UNIT 305 BATTERY CORE RETUR		
28-249	PO BOX 9464	05/05/2020	N			-36.0
	SPRINGFIELD	07/01/2019	N	N		0.0
	MO 65801-9464	07/01/2019	0.00	N	0	0.0
	<Emailing Stub Disabled>	07/01/2019	4451-368741			-36.0

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		-36.00	0.0
Distribution Total			-36.00	0.0

51183	O'REILLY AUTOMOTIVE, INC	07/01/2019	BOFA	UNIT 305 BATTERIES 2 EA		
28-249	PO BOX 9464	05/05/2020	N	BALANCE DUE		18.0
	SPRINGFIELD	07/01/2019	N	N		0.0
	MO 65801-9464	07/01/2019	0.00	N	0	0.0
	<Emailing Stub Disabled>	07/01/2019	4451-368683-B			18.0

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Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check	Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date
	Email Address	Inv. Date	Invoice No.		Discoun
					Net Amount

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5012	MAINTENANCE - VEHICLE		18.00	0.00
Distribution Total			18.00	0.00

51184	O'REILLY AUTOMOTIVE, INC	07/01/2019		BOFA	HOT BOX ASPHALT MACHINE FU	
	PO BOX 9464	05/05/2020		N		22.17
28-249	SPRINGFIELD	07/01/2019		N	N	0.00
	MO 65801-9464	07/01/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	07/01/2019	4451-350516			22.17

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
200-020-5008	MAINTENANCE - OTHER		22.17	0.00
Distribution Total			22.17	0.00

51185	O'REILLY AUTOMOTIVE, INC	07/01/2019		BOFA	UNIT 304 BATTERY	
	PO BOX 9464	05/05/2020		N		134.06
28-249	SPRINGFIELD	07/01/2019		N	N	0.00
	MO 65801-9464	07/01/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	07/01/2019	4451-325513			134.06

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		134.06	0.00
Distribution Total			134.06	0.00

51186	O'REILLY AUTOMOTIVE, INC	07/01/2019		BOFA	UNIT 320 BATTERY CORE RETUR	
	PO BOX 9464	05/05/2020		N		-18.00
28-249	SPRINGFIELD	07/01/2019		N	N	0.00
	MO 65801-9464	07/01/2019	0.00	N	0	0.00
	<Emailing Stub Disabled>	07/01/2019	4451-323799			-18.00

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		-18.00	0.00
Distribution Total			-18.00	0.00

Vendor Total: 174.91

51187	SO. CAL. GAS CO.	04/27/2020		BOFA	SVC 03.25.20 - 04.23.20	
	P.O. BOX "C"	05/05/2020		N		446.14
19-597	MONTEREY PARK	04/27/2020		Y	N	0.00
	CA 91756	04/27/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	04/27/2020	SVC 03.25.20 - 04.23.20			446.14

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-002-5060	UTILITIES EXPENSE		131.24	0.00
100-012-5060	UTILITIES EXPENSE		24.99	0.00
100-001-5060	UTILITIES EXPENSE		72.91	0.00
100-014-5060	UTILITIES EXPENSE		72.91	0.00
100-009-5060	UTILITIES EXPENSE		91.30	0.00
100-007-5060	UTILITIES EXPENSE		26.40	0.00
400-023-5060	UTILITIES EXPENSE		26.39	0.00
Distribution Total			446.14	0.00

Vendor Total: 446.14

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Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	
Vendor No.	Vendor Address	Pay. Date	Hold?	Invoice Description Line 2	Gross Amount
	City	Disc. Date	Req. No.	Use Description 1 On Check	Taxes Withheld
	State/Province Zip/Postal	Due Date	Disc. %	Hand Check Number/Date	Discoun
	Email Address	Inv. Date	Invoice No.		Net Amount
51188	SPARKLE TEXTILE RENTAL SERV	04/30/2020	BOFA	UNIFORM SVC APR2020	
19-629	121 MONTEREY STREET	05/05/2020	N		1,728.11
	BAKERSFIELD	04/30/2020	N	N	0.00
	CA 93305	04/30/2020	0.00	N	0
	<Emailing Stub Disabled>	04/30/2020	A#12606 04.30.20		1,728.11

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-001-5008	MAINTENANCE - OTHER		65.15	0.00
100-007-5008	MAINTENANCE - OTHER		90.55	0.00
100-014-5008	MAINTENANCE - OTHER		375.00	0.00
100-019-5008	MAINTENANCE - OTHER		195.86	0.00
200-020-5023	UNIFORMS		512.37	0.00
400-023-5008	MAINTENANCE - OTHER		175.08	0.00
400-023-5023	UNIFORMS		314.15	0.00
Distribution Total			1,728.16	0.00

Vendor Total: 1,728.11

51189	TYACK TIRES INC.	04/20/2020	BOFA	FLAT REPAIR PW MEDIUM TRAILI	
49-085	211 SUMNER	05/05/2020	N		19.29
	BAKERSFIELD	04/20/2020	N	N	0.00
	CA 93305	04/20/2020	0.00	N	0
	<Emailing Stub Disabled>	04/20/2020	198886		19.29

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-019-5012	MAINTENANCE - VEHICLE		19.29	0.00
Distribution Total			19.29	0.00

51190	TYACK TIRES INC.	04/20/2020	BOFA	UNIT 268 MOUNT & BALANCE TIR	
49-085	211 SUMNER	05/05/2020	N		33.22
	BAKERSFIELD	04/20/2020	N	N	0.00
	CA 93305	04/20/2020	0.00	N	0
	<Emailing Stub Disabled>	04/20/2020	198893		33.22

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-014-5012	MAINTENANCE - VEHICLE		33.22	0.00
Distribution Total			33.22	0.00

Vendor Total: 52.5

51191	VANTAGE POINT TRANSFER AGE	05/01/2020	BOFA	457K 05.01.20	
26-912	C/O M&T BANK	05/05/2020	N		521.65
	BALTIMORE	05/01/2020	N	N	0.00
	MD 21264	05/01/2020	0.00	N	0
	<Emailing Stub Disabled>	05/01/2020	457K 05.01.20		521.65

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
100-000-0211	457K DEDUCTIONS		521.65	0.00
Distribution Total			521.65	0.00

Vendor Total: 521.65

51192	VEOLIA WATER NA - MAINT-NOTE	04/09/2020	BOFA	OPER & MAINT WASTEWATER M/	
22-282	PO BOX 28895	05/05/2020	N		131,423.68
	CHICAGO	04/09/2020	N	N	0.00
	IL 60673-8895	04/09/2020	0.00	N	0
	<Emailing Stub Disabled>	04/09/2020	90235639		131,423.68

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Ref. No.	Vendor Name	Post Date	Bank	Invoice Description Line 2	
	Vendor Address	Pay. Date	PO Number	Hold?	Invoice Description Line 2
	City	Disc. Date	Req. No.	Sep. Ck.?	Use Description 1 On Check
Vendor No.	State/Province Zip/Postal	Due Date	Disc. %	1099?	Hand Check Number/Date
	Email Address	Inv. Date	Invoice No.		

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
420-016-5110	VEOLIA OPERATING EXPENSES		127,848.68	0.00
420-016-5034	PROFESSIONAL SERVICES		3,575.00	0.00
Distribution Total			131,423.68	0.00

Vendor Total: 131,423.68

	WESTERN ALLIANCE BANK-LN PI	03/31/2020		BOFA	LOAN 04500161025-61026	
	PO BOX 62823	05/05/2020		N	WASTEWATER TREATMENT	172,595.99
51193	PHOENIX	03/31/2020		N	N	0.00
45-474	AZ 85082	03/31/2020	0.00	N	0	0.00
	<Emailing Stub Disabled>	03/31/2020	A#04500161025-61026 03.3			172,595.99

GL Number	Account Name	Distribution Line Description	Pay Amount	Relieve Amount
420-016-5116	PRINCIPAL		100,264.17	0.00
420-016-5115	INTEREST, VEOLIA NOTE		72,331.75	0.00
Distribution Total			172,595.92	0.00

Vendor Total: 172,595.92

Grand Total: 322,062.79

Less Credit Memos: -54.00

Net Total: 322,008.79

Less Hand Check Total: 0.00

Outstanding Invoice Total: 322,008.79

Total Invoices: 32

Attachment: Demand Register(s) April 24, 2020 - May 07, 2020 (Demand Register(s) of April 24, 2020 - May 07, 2020.)

COST REPORT

4.B.1

Emp. Code Desc.: CITY OF ARVIN
 From 05/01/2020 to 05/01/20
 City of Arvin

PAYROLL 05-01-2020

Date: 5/7/2020
 Time: 10:20:34

Employee Name	Employee ID	PERS3	MC PERS6	MC1 PERS8	PER2D SS	PER2M SS1	PER3E	PER5E	PERS2	Oth Tot
Grand Total:	Employee Count: 55	0.00	1,567.38	315.50	1,432.93	1,023.28	1,154.54	114.05	2,392.70	0.0
		2,283.21	2,395.75	1,989.53	6,585.43	1,584.81				22,839.1

EARNINGS REPORT

Emp. Code Desc.: CITY OF ARVIN
 From 05/01/2020 to 05/01/20
 City of Arvin

PAYROLL 05-01-2020

Date: 5/7/2020
 Time: 10:17:35

Employee Name	Employee ID	1X COMP	25X CTO	3X CTYWK	ADJ DEGRE	ADLCO DIFFL	ALLOW FTO	BERV HOL	BNFT1 HP1X	Oth Tot
		INSUR	JURY	LONG	MISC	PBD3	PBDCO	PDADL	PHALW	
		POST	REG	RETOT	RETRO	SHOEA	SICK	SSWEP	TRAIN	
		TUPGR	UNADV	URCL	VAC	VACCO	VACTO	WRKCO	TTD	
		COALV								
Grand Total:	Employee Count: 55	6,464.17	0.00	0.00	0.00	0.00	200.00	649.06	1,107.69	0.0
		0.00	697.99	0.00	438.48	176.40	0.00	0.00	0.00	122,825.1
		1,994.16	0.00	2,661.15	404.32	182.25	0.00	0.00	300.00	
		809.05	93,881.58	0.00	51.94	0.00	3,722.78	0.00	0.00	
		120.24	90.78	0.00	1,243.09	0.00	0.00	1,081.06	0.00	
		6,548.92								

Attachment: Payroll Register(s) May 01, 2020 (Payroll Register(s) of May 01, 2020.)

REGULAR MEETING MINUTES

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

APRIL 28, 2020

CALL TO ORDER @ 6:05PM

ROLL CALL: All present.

1. Approval of Agenda as To Form.

Motion to approve the Agenda with removal of Public Hearing Agenda Item 5A.

Motion Mayor Gurrola Second CM Martinez Vote 5-0

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.)

NONE

3. CLOSED SESSION REPORT FROM REGULAR CITY COUNCIL MEETING OF APRIL 14, 2020. (City Attorney)

CLOSED SESSION REPORT FROM REGULAR CITY COUNCIL MEETING OF APRIL 14, 2020 BY CITY ATTORNEY: No reportable action.

4. CONSENT AGENDA ITEM(S)

- A. Approval of Demand Register(s) of April 10, 2020 – April 23, 2020.
- B. Approval of Payroll Register(s) of April 17, 2020.
- C. Approval of the Minutes of the Regular Meeting(s) of April 14, 2020.
- D. Approval of A Resolution of the City Council of the City of Arvin Approving the Sale of Vehicles and Equipment Declared as Surplus.

Staff recommends approval of the Consent Agenda.

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

Motion Mayor Gurrola Second CM Martinez Vote 5-0

5. PUBLIC HEARING ITEM(S)

- A. Approval of the City Council to Exercise Discretion to Act As Planning Commission and Conduct A Public Hearing to Consider A Resolution of the Planning Commission of the City of Arvin, County of Kern, State of California, Recommending to the City Council the Approval of An Ordinance of the City Council of the City of Arvin Adopting Chapter 17.65 of Title 17 of the Arvin Municipal Code Pertaining to Hemp Activity and Related CEQA Determination. (Director of Administrative Services)

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

Above Public Hearing Item 5A was removed from the agenda.

- B. A Public Hearing to Consider An Introduction of An Ordinance of the City Council of the City of Arvin Adding Chapter 17.65, of Title 17 Hemp to the City of Arvin Municipal Code (Director of Administrative Services)

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.

Public Testimony: Seven (7) members of the public spoke in favor of the Ordinance. One (1) member of the public spoke in opposition of the Ordinance. An email dated April 27, 2020 addressed to the City of Arvin City Clerk from Greg Fankhauser, Kern County Agricultural Commissioner regarding hemp/marijuana cultivation requirements was read into the record.

Hearing closed.

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

Motion Mayor Gurrola Second MPT Robles Vote 5-0

6. ACTION ITEM(S)

- A. Consideration and Acceptance of Annual Financial Audit for the Period Ending June 30, 2019 (Finance Director).

Staff recommends to accept and file the following reports:

1. Independent Auditors' Report and Basic Financial Statements for the Year Ended June 30, 2019.
2. Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for the Year Ended June 30, 2019.

Motion to accept and file the following reports:

1. **Independent Auditors' Report and Basic Financial Statements for the Year Ended June 30, 2019.**
2. **Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for the Year Ended June 30, 2019.**

Motion Mayor Gurrola Second CM Franetovich Vote 5-0

- B. Consideration and Approval of Strategic Plan of the City of Arvin. (Director of Administrative Services)**

Staff recommends approval of Strategic Plan of the City of Arvin.

Motion to approve the Strategic Plan of the City of Arvin.

Motion Mayor Gurrola Second CM Trujillo Vote 5-0

- C. Discussion and Action on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic.**

Staff recommends to discuss and take action as appropriate.

Direction to the City Manager to investigate the likelihood and the reasonableness of using face coverings by contacting and requesting information from the available public health agencies and to access the risk of whether public health can enforce and if they cannot enforce, the City is to instead prepare a press release reminding people that everyone should be wearing face coverings. Direction provided to Staff to return with urgency Ordinance for Council's consideration related to masks/facial coverings/personal protective equipment and enforcement in response to the COVID-19 pandemic. Staff is directed to remind businesses of current restriction on sales along with current federal, state, county, and local regulations. No motion and no action taken for above item 6C.

7. STAFF REPORTS

- A. Updated Five Year General Fund Forecast (Finance Director)**

8. COUNCIL MEMBER COMMENTS

9. CLOSED SESSION ITEM(S)

A. Threats to Public Services or Facilities (Pursuant to Government Code section 54957(a).)

Consultation with: City Attorney and/or City Emergency or Critical Function Personnel.

CLOSED SESSION REPORT BY CITY ATTORNEY: No reportable action.

10. ADJOURNED @ 9:00PM

Respectfully submitted,

Cecilia Vela, City Clerk

DRAFT



CITY OF ARVIN
Staff Report

Meeting Date: May 12, 2020

TO: City Council

FROM: Pawan Gill, Director of Administrative Services
Jerry Breckinridge, City Manager

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017; AND AUTHORIZING RELATED ACTIONS.

BACKGROUND:

The City of Arvin provides road maintenance services to the citizens of Arvin. The City plans to rehabilitate the streets and roads in Arvin using SB1 Funds; the Road Repair and Accountability Act. The Streets and Highway Code (SHC) Section 2032.5(a) articulates that the objective of the Local Streets and Roads Program is to address deferred maintenance on the local streets and roads through prioritization and delivery of basic road maintenance and rehabilitation projects as well as critical safety projects.

To receive its apportionment of road maintenance funds from the Controller, the City of Arvin must submit and adopt a list of projects to the California Transportation Commission (CTC) by July 15, 2020.

The SB1 program is an ongoing funding source for road projects for fiscal year 2020/2021.

RECOMMENDATION:

Staff recommends approval of the Resolution.

FINANCIAL IMPACT:

Staff has determined the submission of the list of projects for SB1 funds to the CTC has significant positive financial impact for implementing road rehabilitation projects for fiscal year 2020-2021.

ATTACHMENTS:

- 1) A Resolution of the City Council of the City of Arvin Adopting a List of Projects for Fiscal Year 2020-2021 Funded by SB-1: The Road Repair and Accountability Act of 2017: and Authorizing Related Actions.
- 2) Attachment "A" List of Projects

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARVIN ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SB1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017; AND AUTHORIZING RELATED ACTIONS.

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, in the City budget, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive and estimated \$418,872. in RMRA funding in Fiscal Year 2020-21 from SB 1; and

WHEREAS, this is the fourth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate multiple streets, roads, sidewalks, crosswalks, and add active transportation infrastructure throughout the City this year and hundreds of similar projects into the future; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at-risk/poor" condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a "good" or "better" condition; and

WHEREAS, the SB1 project list and overall investment in our local streets and roads

infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

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

Section 1: The City Manager or his designee, is hereby authorized to submit all required documents to the California Transportation Commission to apply for SB1 Funds.

Section 2: The City Manager, or his designee, is hereby authorized and empowered to execute in the name of the City of Arvin all program documents including, but not limited to, applications, agreements, amendments and request for payments, necessary to secure SB1 funds and implement the approved project from the RMRA program, subject to approval as to legal form by the City Attorney.

Section 3: The foregoing recitals are true and correct.

Section 4: The Road Maintenance and Rehabilitation Act (RMRA) fund is created as a special revenue fund of the City for the accounting and reporting of all proceed receipts and uses accounting and reporting related to this program.

Section 5: The fiscal year 2020-21 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues are included as Attachment "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 12th day of May, 2020 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.

Agency	Program	Funding FY	Submittal	PPNO	Project Status and FY Proposed	Project Type	Title	Description	Location	Components	Est Start	Est Completion	Est Useful Life	Est Total Project Cost	Assembl y / Districts	Senate District	Additional Project Elements	Elements	Description of Elements	
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP001	Carried Over 17/18	Road Maintenance & Rehabilitation	S. Hill Street Microsurfacing	This project will include: Pavement Rehab/Repair (Existing) Faving and/or Striping Rehab/Repair (Existing Safety) Microsurfacing pavement rehabilitation between SR-223 and Haven Drive. Project is on hold until funds are available.	S. Hill Street between SR-223 and Haven Drive.	Construction	01/2021	04/2021	5-10	96000	32	14	Yes	Complete Streets	d	
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP002	Forecasted 17/18	Other	FUTURE PROJECTS PENDING FUNDS	This project will include: Pavement Rehab/Repair (Existing) Microsurfacing pavement rehabilitation between Meyer Street and A Street. Microsurfacing pavement rehabilitation between Meyer Street and S. A Street. Microsurfacing pavement rehabilitation between Sycamore Road and the end of the pavement. Microsurfacing pavement rehabilitation between Rayo de la Luna and Meyer Street. Microsurfacing pavement rehabilitation between Santa Rosa Street and Haven Drive. Microsurfacing pavement rehabilitation between Tucker Street and Haven Drive. Overlay pavement rehabilitation between SR-223 and 4th Avenue. Overlay pavement rehabilitation between Derby Street and C Street. Overlay pavement rehabilitation between Hill Street and N. Street. Overlay pavement rehabilitation between Haven Drive and Franklin Street. Overlay pavement rehabilitation between Olson Way and Mary Street. Overlay pavement rehabilitation between S. A Street and Tejon Highway. Overlay pavement rehabilitation between Meyer Street and Tejon Highway. Overlay pavement rehabilitation between Comanche Drive and Alderete Drive. Overlay pavement rehabilitation between SR-223 and 5th Avenue. Full depth This project will include: Pavement Rehab/Repair (Existing) Faving and/or Striping Rehab/Repair (Existing Safety) Microsurfacing pavement rehabilitation on Walnut Drive between Franklin Street and SR-223 Project is on hold until funds are available.	Langford Avenue between Meyer Street and A Street.; Sycamore Road between Meyer Street and S. A Street.; Comanche Drive between Sycamore Road and the end of the pavement.; El Camino Real between Rayo de la Luna and Meyer Street.; Santa Rosa Street between Santa Rosa Street and Haven Drive.; S. Acala Street between Tucker Street and Haven Drive.; N. Acala Street between SR-223 and 4th Avenue.; Arvin Avenue between Derby Street and C Street.; Stuart Street between Hill Street and N. A Street.; Meyer Street between Haven Drive and Franklin Street.; Meyer Street between Olson Way and Mary Street.; Sycamore Road between S. A Street and Tejon Highway.; El Camino Real between Meyer Street and Tejon Highway.; Packard Drive between Comanche Drive and Alderete Drive.; N. Derby Street between SR-223 and 5th Avenue.; Wilson Street between Hill Street and N. A Street.; Meyer Street between SR-223 and Haven Drive.; Plumtree Street between SR-223 and Orchard Street.; Haven Drive between Comanche Drive and Derby Street.; Comanche Drive between SR-223 and Sycamore Drive.; S. Derby Street between SR-223 and Sycamore Road.; A Street between SR-223 and Olson Way.; Hood Street between Comanche Drive and Walnut Drive between Franklin and SR-223.	Construction	01/2020	04/2020	10-20	2500000	32	14	Yes	Complete Streets	04/24/2019	Deleted
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP003	Carried Over 17/18	Road Maintenance & Rehabilitation	Walnut Drive Microsurfacing	This project will include: Pavement Rehab/Repair (Existing) Faving and/or Striping Rehab/Repair (Existing Safety) Microsurfacing pavement rehabilitation on Walnut Drive between Franklin Street and SR-223 Project is on hold until funds are available.	Walnut Drive between Franklin and SR-223.	Construction	01/2021	04/2021	5-10	196000	32	14	Yes	Complete Streets	04/24/2019	Review d
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP004	Carried Over 17/18	Road Maintenance & Rehabilitation	Pothole filling throughout city	This project will include: Procurement of Public Works Equipment, Procurement of Road Maintenance and Rehab Materials, Procurement of Public Works Safety Materials and Gear, Repair and Servicing of Public Works Equipment, Public Works Staffing Filling potholes throughout the city, where needed. Project is on hold until funds are available.	Throughout the city.	Procurement/ Operational Needs	08/2020	08/2021	1-3	65000	32	14	TBD	Complete Streets	04/24/2019	Review d
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP005	Carried Over 17/18	Complete Streets Components	Varsity Road widening	This project will include: Preliminary Design, Cost Estimating, ADA Curb Ramp Installation (New), Pavement Improvement (New), Document Preparation, Project Scope Development, Pavement Rehab/Repair (Existing), Sidewalk and/or Crosswalk Installation (New), Storm Drain/Culvert Installation (New) Widen Varsity Road in front of high school to fully originally planned 60 foot width by installing an additional 10 feet of pavement atop of the current shoulder, and install new curb, gutter, and sidewalks. Project is on hold until funds are available.	Varsity Road between Campus Drive and Main Drive.	Pre-Construction and Construction	06/2021	08/2021	20-30	150000	32	14	Yes	Complete Streets	04/24/2019	Review d
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP006	Carried Over 18/19	Road Maintenance & Rehabilitation	Microsurfacing various streets throughout the City	This project will include: Pavement Improvement (New), Pavement Rehab/Repair (Existing) Microsurfacing various streets throughout the City. Grouned Project	Franklin Avenue between A and Bule, S Hill Street-between SR 223 and Haven, Walnut Drive-between Franklin and 223	Construction	08/2020	08/2021	5-10	956000	32	21	TBD	Sustainability, Complete Streets	04/24/2019	Deleted
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP007	Carried Over 17/18	Road Maintenance & Rehabilitation	Purchase hot mix truck and plate compactor	This project will include: Procurement of Public Works Equipment, Procurement of Road Maintenance and Rehab Materials City needs to purchase a hot mix truck and walk behind plate compactor to allow for more efficient and reliable patches of potholes throughout the city. Purchasing 3-Ton Roadsaver Hot Patcher trailer Oil Jacket Duro	Applicable to entire city.	Procurement/ Operational Needs	01/2018	12/2018	20-30	47422	32	14	Yes	Complete Streets	04/24/2019	Review d
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP008	Carried Over 19/20	Road Maintenance & Rehabilitation	Meyer Street Resurfacing	This project will include: Pavement Rehab/Repair (Existing)	Meyer Street between SR-223 and Franklin	Construction	08/2021	02/2021	5-10	27000	32	21	TBD	Complete Streets	04/24/2019	Review d
City of Arvin	Local Streets and Roads Program	1920	LSR-C6-FY19-20-5370-001	PP009	Carried Over 19/20	Road Maintenance & Rehabilitation	Hood Street Micro surfacing	This project will include: Pavement Rehab/Repair (Existing)	Hood Street between Comanche Drive and Mewer	Construction	08/2021	02/2021	5-10	27000	32	21	TBD	Complete Streets	04/24/2019	Review d

Agency	Program	Funding FY	Submittal	PPNo	Project Status and FY Proposed	Project Type	Title	Description	Location	Components	Est Start	Est Completion	Est Useful Life	Est Total Project Cost	Assembly Districts	Senate District #	Additional Project Elements	Elements	Description of Elements
City of Arvin	Local Streets and Roads Program	2021	LSR-C6-FY19/20-5370-001	PP010	New 2021	Design and project management	Franklin Street Rehabilitation - Engineering and Construction Management	Professional engineering, survey, and construction management support services in relation to PP011	Franklin Street between Walnut and Derby	Professional services	06/2020	12/2020	N/A	375000	32	21	TBD	N/A	
City of Arvin	Local Streets and Roads Program	2021	LSR-C6-FY19/20-5370-001	PP011	New 2021	Road Maintenance & Rehabilitation	Franklin Street Rehabilitation	This project will include a full depth reclamation of existing pavement, construction of a landscaped median, replacement of curb, gutter, and sidewalk, construction of curb ramps, and placement of new pedestrian and vehicular striping.	Franklin Street between Walnut and Derby	Construction	01/2021	06/2021	20-30	2000000	32	21	TBD	Complete Streets	
City of Arvin	Local Streets and Roads Program	2021	LSR-C6-FY19/20-5370-001	PP012	New 2021	Design and project management	Haven Drive Rehabilitation - Engineering and Construction Management	Professional engineering, survey, and construction management support services in relation to PP013	Haven Drive between Comanche and Derby	Professional services	01/2020	05/2020	N/A	250000	32	21	TBD	N/A	
City of Arvin	Local Streets and Roads Program	2021	LSR-C6-FY19/20-5370-001	PP013	New 2021	Road Maintenance & Rehabilitation	Haven Drive Rehabilitation	This project will include a full depth reclamation of existing pavement, replacement of curb, gutter, and sidewalk, construction of curb ramps, and placement of new pedestrian and vehicular striping.	Haven Drive between Comanche and Derby	Construction	09/2020	02/2021	20-30	2550600	32	21	TBD	Complete Streets	



CITY OF ARVIN Staff Report

Meeting Date: May 12, 2020

TO: City Council

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

SUBJECT: A RESOLUTION APPROVING THE PURCHASE OF AN ACCESS EASEMENT AT 409 COMBS AVENUE FOR THE COMPLETION OF SIDEWALK IMPROVEMENTS AS A PART OF THE ATP CYCLE 1 PROJECT

BACKGROUND:

The City of Arvin has been working with the Kern County Department of Public Works (KCPWD) to complete the ATP Cycle 1 project for some time. As a part of that project, the KCPWD has been working to determine if it is necessary to acquire access easements at any property within the City to properly complete this project. Prior to identifying the affected properties, the KCPWD advised the City, based on KCPWD standard procedures for similar projects, to set a policy of compensation to property owners for such acquisitions. As a result, on February 25, 2020, the City Council approved a resolution to establish a policy of “just compensation” to any property owners affected by this project where an access easement was necessary.

After reviewing the project conditions, the KCPWD determined that it would be necessary to acquire an access easement at one property, 409 Combs Avenue. This easement is necessary to properly construct an ADA curb ramp as doing so per established design standards would slightly encroach into the property of 409 Combs Avenue. After some negotiations with City Staff, it was determined that the City would need to acquire a 12.5 square foot easement to construct the curb ramp. At this point, the KCPWD made contact with the owners of this property and made an offer of \$500 as allowed under the previously approved resolution to acquire an access easement. This offer has been accepted by the owners of 409 Combs Avenue, and approval of a resolution is now necessary to allow the Mayor and other City Staff to execute an agreement with the property owners.

Please note that legal documents provided with this staff report are unsigned, and for informational purposes only. If approved, the original documents, already signed by the property owners will be provided to those with signatory authority following the council meeting.

FINANCIAL IMPACT:

As outlined in the previously approved resolution, the City will provide compensation to the property owners in the amount of \$500.

RECOMMENDATION:

Staff recommends the approval of a resolution approving the appropriation of \$500 to the owners of 409 Combs Avenue, authorizing the Mayor and other City Staff to execute a Right Of Way Contract, and authorizing the City Clerk to record an easement deed with the Kern County Recorder's Office.

RESOLUTION

A RESOLUTION APPROVING THE PURCHASE OF AN ACCESS EASEMENT AT 409 COMBS AVENUE FOR THE COMPLETION OF SIDEWALK IMPROVEMENTS AS A PART OF THE ATP CYCLE 1 PROJECT

WHEREAS, the City of Arvin has been working with the Kern County Public Works Department (KCPWD) to complete the ATP Cycle 1 Sidewalk Project; and

WHEREAS, the City Council previously set a policy of “just compensation” for any necessary access easements required by this project at the Council meeting on February 25, 2020; and

WHEREAS, it has been determined that 12.5 square feet of land legally owned by the owners of 409 Combs Avenue requires such an access easement to construct an ADA curb ramp; and

WHEREAS, as allowed by the previously approved just compensation policy, the KCPWD has made an offer of \$500 to the owners of said property, and the offer has been accepted by the owners;

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

1. The recitals above are true and correct and incorporated by this reference.
2. The offer of \$500 as just compensation to the owners of 409 Combs Avenue for the purchase of an access easement is approved.
3. Authorization is given to the Mayor and other City Staff to execute a Right of Way Contract with the property owners.
4. Authorization is given to the City Clerk to record an easement deed that has been signed by the property owners with the Kern County Recorder.

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 12th day of May, 2020 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.

AGREEMENT NO. _____

CITY OF ARVIN

RIGHT OF WAY CONTRACT

_____ Arvin _____, California

_____ Date of Agreement _____

Project Name	A.P.N.
Pedestrian Path Improvements Arvin, CA 3000-ARV-001	192-202-11

Irma Garcia Martinez and Santos Garcia Hernandez
Grantor(s)

This Right of Way Contract (“Contract”) for an **Easement Deed** on 409 Combs Avenue from the Grantor(s) in favor of the **City of Arvin (“Grantee”)**, covering the property legally described in the attached **Exhibit “A”** and depicted in the attached **Exhibit “B” (“Property”)**, has been executed, acknowledged and delivered to the **City of Arvin**.

1. In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:
 - (A) The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the City of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
 - (B) Grantee requires said property described in said Easement Deed for roadway improvements on Combs Avenue, a public use road. Grantor is compelled to sell, and Grantee is compelled to acquire said described property.
 - (C) Both Grantor and Grantee recognize the expense, time and effort to both parties in determining the compensation for the property established by Waiver Valuation from Katie Watkins, Supervising Real Property Agent Property Management Division County of Kern on April 1, 2020. The compensation set forth herein for the property is agreeable to both Grantor and Grantee.

2. The City shall:
 - (A) Pay the undersigned grantor the amount of **\$500.00** as set forth in the attached **Exhibit “C”** for the property or interest conveyed by the above document vests in the City of Arvin.
 - (B) Pay all recording fees in this transaction.
 - (C) Pay the property taxes for said easement area described and depicted in the attached **Exhibit “A” and Exhibit “B”**.

3. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the subject property by the City, including the right to remove and dispose of improvements, commences at the time at which this Contract

is fully executed, and that amount shown in Clause 2(A) herein includes, but is not limited to, full payment for such use, including damages if any.

- 4. Permission is hereby granted to the City or its authorized agent to enter upon the land necessary to construct roadway improvements, and any other work appurtenant thereto.
- 5. This transaction will be processed internally by the City of Arvin without the use of an outside escrow company.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

GRANTOR:

Irma Garcia Martinez

GRANTOR:

Santos Garcia Hernandez

By: _____
Irma Garcia Martinez

By: _____
Santos Garcia Hernandez

**GRANTEE:
CITY OF ARVIN**

**APPROVED AS TO FORM:
City Attorney's Office**

By: _____
Jose Gurrola, Mayor

By: _____
Shannon Chaffin, City Attorney

**APPROVED AS TO CONTENT:
City of Arvin**

By: _____
Adam Ojeda, City Engineer

NO OBLIGATION OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED.
Pedestrian Path Improvements (Martinez/Hernandez parcel)

FREE RECORDING REQUESTED
PURSUANT TO GOVERNMENT
CODE SECTION 6103

RECORD AT REQUEST OF AND
RETURN TO:
City of Arvin - City Clerk
200 Campus Drive
Arvin, CA 93203

APN 192-202-11 (portion)
Documentary Transfer Tax Is -0- Grantee is
Exempt Government Agency (Revenue & Taxation Code Section 11922)
Exempt from SB2 Fee for Govt. Agency per Government Code 27388.1(a)(2)(D)

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**IRMA GARCIA MARTINEZ, AN UNMARRIED WOMAN AND SANTOS GARCIA
HERNANDEZ, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY,
AS JOINT TENANTS**

Hereby Grant(s) to the City of Arvin, a political subdivision of the State of California, an easement of right of way for public highway purposes over and across those certain parcels of land in said County of Kern, State of California, and more particularly described and depicted as follows:

SEE ATTACHED EXHIBIT "A" AND EXHIBIT "B"

**IRMA GARCIA MARTINEZ AND
SANTOS GARCIA HERNANDEZ**

Date: _____

By: _____
Irma Garcia Martinez

By: _____
Santos Garcia Hernandez

Attachment: Easement deed (Resolution Approving Access Easement for 409 Combs Avenue)

**EXHIBIT A
LEGAL DESCRIPTION
PROPOSED RW ACQUISITION**
Portion of Combs Avenue and A Street in the City of Arvin
APN 192-202-11

All that portion of the Lot 26 of Tract 2481 in the City of Arvin, County of Kern, State of California, as per map recorded December 20, 1960 in Book 11 Page 148 of Maps in the Office of the Kern County Recorder, being a parcel of land more particularly described as follows;

A triangular parcel bounded on the North by the Northerly line of said lot 26, bounded on the East by the Easterly line of said lot 26 and on the Southeast by the long chord of a curve having a radius of 5 feet and being tangent with said Northerly line and Easterly line.

Containing 12.50 Square Feet, more or less.

OFFICE OF THE COUNTY SURVEYOR			
PREPARED BY:	<i>Bruce Gray</i>	<i>3-5-</i>	<i>20 20</i>
COMPARED BY:	<i>Jeremy M Brock</i>	<i>March 5</i>	<i>20 20</i>
APPROVED BY:	<i>Brian R Blacklock</i>	<i>3/5/</i>	<i>20 20</i>



EXHIBIT "B"

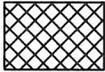


SCALE: 1"=20'

LEGEND



EXISTING R/W



PROPOSED R/W ACQUISITION
(12.50± SQ. FT.)

COMBS AVENUE

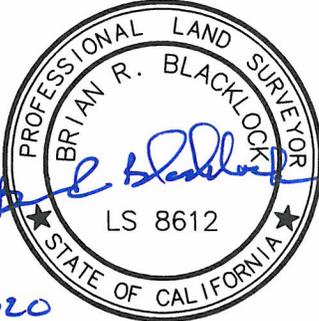
30'

LOT 26 OF TR2481 IN BK.11
PG.148 IN THE OFFICE OF THE
KERN COUNTY RECORDER

APN: 192-202-11

57.98'

A STREET



COUNTY OF KERN - PUBLIC WORKS DEPARTMENT

SCALE IN INCHES	0	1	2	3
CALCULATED- DESIGNED BY	BBG	DRAFTED BY	BBG	
CHECKED BY	JMB	DATE DRAFTED	3/05/2020	

PROPOSED R/W ACQUISITION A.P.N. # 192-202-11

1
SCALE: 1"=20'

Attachment: Exhibit A & Exhibit B - Legal Description Proposed R/W Acquisition APN 192-202-11

EXHIBIT “C”

COMPENSATION BREAKDOWN FOR

**IRMA GARCIA MARTINEZ AND SANTOS GARCIA HERNANDEZ
ASSESSOR PARCEL NUMBER 192-202-11 (PORTION)**

**PEDESTRIAN PATH IMPROVEMENTS IN VARIOUS LOCATIONS IN THE CITY OF
ARVIN**

ACQUISITION AREA: Easement		
192-202-11	12.5 square feet @ \$7.50/sf =	\$94
IMPROVEMENTS:		NONE
COST TO CURE:		NONE
SEVERENCE DAMAGES:		<u>NONE</u>
JUST COMPENSATION:		\$94
TOTAL JUST COMPENSATION: (NOMINAL)		\$500



CITY OF ARVIN
Staff Report

Meeting Date: May 12, 2020

TO:	City Council
FROM:	Pawan Gill, Director of Administrative Services Jerry Breckinridge, City Manager
SUBJECT:	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN ADDING CHAPTER 17.65, OF TITLE 17 HEMP TO THE ARVIN MUNICIPAL CODE

RECOMMENDATION:

Staff recommends 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.

BACKGROUND:

One ordinance is being proposed. The ordinance will consist of a regulatory ordinance establishing Chapter 17.65, of Title 17 Hemp which regulates hemp activities in the City of Arvin, including authorizing cultivation and manufacturing of hemp and/or hemp products for commercial and/or scientific/educational purposes. First reading of the Ordinance was held on April 14, 2020.

Additional information is incorporated from the Special Planning Commission Meeting agenda of April 27, 2020.

FINANCIAL IMPACT:

There is no financial impact as a result of the recommended action.

ATTACHMENTS:

An Ordinance of the City Council of the City of Arvin Adding Chapter 17.65, of Title 17 Hemp to the City of Arvin Municipal Code.

PowerPoint Presentations: The PowerPoint Presentations were provided by interested parties and not City staff, and are being provided as part of the Agenda packet to increase access in response to the constraints caused by COVID-19.

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN ADDING CHAPTER 17.65, OF TITLE 17 HEMP TO THE ARVIN MUNICIPAL CODE

WHEREAS, Pursuant to Article XI, Section 7, of the California Constitution, the City of Arvin (“City”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, on or about November 1, 2016, the City of Arvin adopted Ordinance No. 436, amending Title 8 of the Arvin Municipal Code and adopting Chapter 8.29 pertaining to marijuana, to take effect after thirty (30) days after its final passage and adoption and contingent upon passage of California Proposition 64; and

WHEREAS, on or about November 8, 2016, California voters passed Proposition 64, to become law immediately; and

WHEREAS, on or about January 1, 2017, The California Industrial Hemp Farming Act became effective, California Food and Agriculture Code sections 81000 et seq., authorizing certain activities of industrial hemp growers and established agricultural research institutions; and

WHEREAS, on or about November 21, 2017, the City Council adopted Ordinance No. 443, which added Chapter 17.62 “Commercial Cannabis Activity” to Title 17 of the Arvin Municipal Code; and

WHEREAS, on June 19, 2018, the City Council Adopted Ordinance No. 447, amending and renumbering Chapter 17.62 (“Commercial Cannabis Activity”) of Title 17 of the Arvin Municipal Code and thereby adding Chapter 17.64 (“Commercial Cannabis Activity”) to Title 17 of the Arvin Municipal Code, to establish certain regulations pertaining to commercial cannabis activity; and

WHEREAS, in December of 2018, the President of the United States signed into law the 2018 Federal Farm Bill, H.R. 2, P.L. 115-334, which removed industrial hemp from the federal list of controlled substances and authorized the U.S. Department of Agriculture to create quality control standards for hemp production, further giving states that desire to have primary regulatory authority over the production of hemp the ability to adopt their own state plans, which plan may include a reference to a law of the state regulating the production of hemp, to the extent consistent with federal law; and

WHEREAS, under California Food and Agriculture Code, section 81006, subdivisions (d)(3) and (5), the California Department of Food and Agriculture (“CDFA”) is required to establish regulations for sampling procedures and approved laboratories for sample testing of all hemp crops (except when grown by an established agricultural research institution) no more than thirty (30) days before harvest; and

WHEREAS, in September 2018, SB 1409 was enacted, in which the definition of industrial hemp in Health and Safety Code, section 11018.5(a) was amended to delete the reference to its being a crop for fiber or oilseed production, and the Industrial Hemp Farming Act was also amended to its current form, including revising Food and Agriculture Code section 81006 to remove requirement for dense planting and restrictions against pruning, tending, or culling, in order to “remov[e] limitations on the manner in which industrial hemp may be grown and the uses for which it may be grown,” thereby “remov[ing] barriers to the growth of industrial hemp as an agricultural product, and for agricultural or academic research”; and

WHEREAS, in June of 2019, the CDFA adopted emergency regulations, and in October of 2019 the CDFA revised those regulations, to establish timeframes, procedures, methods, and confirmation for industrial hemp sampling, laboratory testing, and destruction for industrial hemp cultivation; and

WHEREAS, CDFA found a pressing need for the swift establishment of regulations to prevent delay of the first industrial hemp harvest, and calculated that the absence of regulation could result in a potential direct loss of over \$43,000,000.00 to California farmers; and

WHEREAS, industrial hemp, the extracts and derivatives from processing industrial hemp, and products manufactured with industrial hemp or its extracts and derivatives, may be useful and valuable to both producers and consumers, and therefore may serve as a source of economic development; and

WHEREAS, researching strains of industrial hemp plants, the methods for cultivating and processing industrial hemp, and the methods for manufacturing products using industrial hemp and its extracts and derivatives, is important for identifying and optimizing the beneficial uses and value of industrial hemp, and is itself a useful and productive economic activity; and

WHEREAS, research and commercial activity relating to industrial hemp and its cultivation, processing, and manufacturing are not mutually exclusive activities, but can be and should be mutually supporting and reinforcing; and

WHEREAS, industrial hemp strains grown for its cannabidiol oil properties (CBD oil) may be indistinguishable from the high THC cannabis strains used for medicinal and recreational purposes, and permitting industrial hemp cultivation without regulation of the acreage and location of industrial hemp plants may lead to the same type of odor and public safety issues facing cannabis operations in the City; and

WHEREAS, industrial hemp may serve as a host to mites and other insects, and currently registered pesticides may not always be effective in either addressing such mites and insects or preventing them from moving into other nearby crops, thus threatening the safety of those nearby crops; and

WHEREAS, on April 27, 2020 the City of Arvin Planning Commission (“Commission”) conducted a public hearing to consider the proposed ordinance, and after considering public testimony, the staff report and all submitted evidence to the support the ordinance, the

Commission recommended the City Council (“Council”) [approve/deny] the proposed ordinance; and

WHEREAS, the City Council finds this ordinance is reasonable and necessary for the preservation of the public peace, health and safety; and

WHEREAS, the proposed ordinance is consistent with the General Plan and any applicable Specific Plan(s); and

WHEREAS, new Chapter 17.65 establishes hemp regulations within the City of Arvin; and

WHEREAS, in accordance with the California Environmental Quality Act (“CEQA”), and pursuant to CEQA Guideline, sections 15378 and 15061(b)(3), this activity is not a “project” subject to CEQA as it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment; and

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

SECTION 1. The above recitals are incorporated hereby by reference.

SECTION 2. The City Council has reviewed the proposed ordinance and hereby finds that it is consistent with the General Plan and all applicable Specific Plan(s).

SECTION 3. The City Council, based upon its own independent judgement, finds that the proposed ordinance promotes and protects the health, safety, welfare and quality of life of the City of Arvin residents, including promoting affordable housing and economic development.

SECTION 4. The proposed ordinance was assessed in accordance with the authority and criteria contained in CEQA, the State CEQA Guidelines (“CEQA Guidelines”), and the environment regulations of the City. The City Council finds and determines that the proposed ordinance is not a “project” for the purposes of CEQA and consistent with CEQA Guidelines section 15378, as it merely updates existing administrative processes and will not result in direct or indirect physical changes in the environment as compared to the current baseline. Additionally, the City Council finds and determines for the same reasons that even if the proposed ordinance were a project for the purpose of CEQA, there is no possibility that the project may have a significant adverse effect on the environment pursuant to CEQA Guidelines, section 15061(b)(3). Therefore, the proposed ordinance is not subject to CEQA.

SECTION 5. Newly added Chapter 17.65, of Title 17, of the Arvin Municipal Code is added to read as follows:

Chapter 17.65

Hemp

Section 17.65.010 Policy.

It is the policy of the City to encourage responsible industrial hemp cultivation, processing, and manufacturing and to regulate such cultivation, processing, and manufacturing in a responsible manner to promote economic development, protect the health, safety, and welfare of the residents of the City of Arvin and to enforce rules and regulations consistent with state law.

Section 17.65.020 Definitions.

When used in this chapter, the following words shall have the meaning ascribed to them as set forth herein. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regular provision.

- A. "City" means the City of Arvin, a municipal corporation.
- B. "City Council" means the governing body of the City.
- C. "City Manager" means the city manager of the City of Arvin, or the city manager's authorized deputy, agent or representative.
- D. "Established agricultural research institution" or "EARI" has the same meaning as in section 81000 of the California Food and Agricultural Code.
- E. "EARI affiliate" means any person carrying out research pursuant to or for a research program of an EARI.
- F. "Hemp cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of hemp, including activities carried out by seed breeders which is authorized pursuant to state, federal or local statute.
- G. "Hemp processing" means any baling, bundling, or milling of industrial hemp, or the extraction or separation of any oils, fibers, or other derivatives of industrial hemp after harvesting.
- H. "Industrial Hemp" shall have the same meaning as in section 11018.5 of the California Health and Safety Code.
- I. "Person" means any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, activity trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.
- J. "Seed breeder" has the same meaning as in section 81000 of the California Food and Agricultural Code.

Section 17.65.030 Hemp Cultivation.

- A. Hemp cultivation shall be prohibited within all zones of the City of Arvin, whether conducted indoors or outdoors, unless you have first received a permit issued by the City or enter into a development agreement with the City authorizing the cultivation of hemp.
- B. Hemp cultivation by an EARI or EARI affiliate, including cultivation of Cannabis sativa L. plants as part of an EARI's hemp research program, shall be permitted within the City of Arvin, provided that the EARI or EARI affiliate shall register

- with the City Manager the locations and nature of operations within the City of Arvin where such cultivation shall be conducted in advance of any such activity.
- C. An EARI or EARI affiliate may sell industrial hemp commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.
- D. Except to the extent used or maintained by an EARI or EARI affiliate for research purposes, any *Cannabis sativa L.* plant cultivated with the intent of being industrial hemp that are tested and determined to have THC content in excess of three-tenths of 1 percent within 30 days of intended harvest shall be destroyed. For purposes of this requirement, transferring such a plant to a person authorized to conduct commercial cannabis activities under Chapter 17.64, for treatment and handling in accordance with the provisions of that Chapter 17.64, shall be deemed the destruction of the plant as industrial hemp provided the transfer is conducted in compliance with applicable state statutes and the Arvin Municipal Code. The City Manager may establish further rules and regulations relating to the process of destroying such plants, whether by means of transfer to permissible cannabis activities or otherwise, and documentation relating thereto.

Section 17.65.040 Hemp Processing.

- A. Hemp processing shall be prohibited within all zones of the City of Arvin, whether conducted indoors or outdoors, except to the extent such processing either is (i) conducted pursuant to a permit issued by the City of Arvin authorizing the processing of Hemp, or (ii) conducted pursuant to a development agreement with the City of Arvin.
- B. Hemp processing by an EARI or EARI affiliate, including processing of *Cannabis sativa L.* plants as part of an EARI's hemp research program, shall be permitted within the City of Arvin, provided that the EARI or EARI affiliate shall register with the City Manager the locations and nature of operations within the City of Arvin where such processing shall be conducted in advance of any such activity. Nothing in this subsection shall authorize an EARI or EARI affiliate to process hemp without first receiving a permit or entering into a development agreement with the City of Arvin.
- C. An EARI or EARI affiliate may sell industrial hemp or extracts or derivatives of industrial hemp commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating

to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.

Section 17.65.050 Manufacturing of Hemp Products.

- A. The manufacturing of products using industrial hemp or extracts or derivatives of industrial hemp shall be prohibited, unless you have first received a permit issued by the City of Arvin authorizing hemp manufacturing or entered into a development agreement with the City of Arvin authorizing hemp manufacturing. Upon receiving a City of Arvin permit or entering into a development agreement, hemp manufacturing shall be authorized solely within the M-1, M-2, M-3, A-1, and A-2 zoning districts. Further, a conditional use permit shall be required prior to engaging in the manufacturing of industrial hemp products.
- B. Manufacturing of industrial hemp products by an EARI or EARI affiliate shall be permitted within the City of Arvin as part of an EARI research program, provided that the EARI or EARI affiliate shall register with the City Manager the locations and nature of operations within the City of Arvin where such manufacturing shall be conducted in advance of any such activity.
- C. An EARI or EARI affiliate may sell industrial hemp products commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.

Section 17.65.060 Hemp Regulations.

- A. Hemp cultivation, hemp processing, and manufacturing of hemp products within the City of Arvin shall comply with all applicable state, federal and City of Arvin regulations.
- B. Any hemp manufacturing facility shall not be located within 200' feet of a residential zoning districts.
- C. Odor Control.
 - (1) Odor control devices and techniques shall be incorporated in all industrial hemp manufacturing facilities to ensure that odors from hemp are not detectable off site. Industrial hemp manufacturing facility shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside is not detected outside of the facility, anywhere on an adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby

areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the industrial hemp business.

- (2) In order to determine the existence of a violation of this chapter, the city may measure for hemp odor at the industrial hemp business with an approved field olfactometer device, including, but not limited to, a Nasal Ranger Field Olfactometer® or Scentometer®, according to the manufacturer's specifications and operating instructions. The threshold of detection (Dilutions to Threshold or D/T) will be determined in a sample of the ambient air after it is diluted with three equally sized samples of odor-free air. Two (2) samples or observations will be taken not less than fifteen minutes apart within a one (1) hour period. The two (2) samples will be taken at the building site of the industrial hemp business. If the threshold of detection is four (4) or greater, the industrial hemp business owner and/or the property owner will be issued a notice to abate public nuisance.
- (3) Any notice to abate public nuisance pursuant to this Section shall include the following:
 - (i) The Arvin Municipal Code violation which constitutes the public nuisance;
 - (ii) The required remedy for abating the public nuisance; and
 - (iii) Provide a reasonable time period to abate the public nuisance, unless the public nuisance constitutes an immediate threat to public health, safety and welfare.

Failure to timely abate the public nuisance may result in the revocation of the conditional use permit, pursuant to the Arvin Municipal Code. An appeal of the notice to abate public nuisance shall be filed with the city clerk within ten (10) calendar days from the date upon the notice and shall provide the specific basis for granting the appeal. An untimely filed appeal shall constitute a waiver of the appeal of the notice. Further, the ten (10) day time period for filing an appeal shall be jurisdictional, and as such, an untimely appeal shall not be considered by the city.

- (4) Every person or entity owning, possessing, or having charge or control of real property within the city shall manage that property and control the environment thereon in a manner so as not to violate the provisions of this chapter, and the owner shall be liable for violations of the provisions of this chapter, regardless of any contract or agreement with any third party regarding the property.
- (5) Every occupant, lessee, or holder of any possessory interest in real property shall maintain the property in a manner so as not to violate the provisions of this chapter.

- (6) In addition to any regulations adopted by the City of Arvin, the city manager, or his/her designee, shall be authorized to establish any necessary rules, regulations or standards governing the issuance or denial of an industrial hemp conditional use permit, the ongoing operation of an industrial hemp manufacturing facility, and the City's oversight, if the city manager determines the rule, regulation or standard to be necessary to carry out this chapter.
- (i) Regulations issued by the city manager shall be published on the city's website. A copy of the regulations established by the city manager shall be filed with the city clerk.
- (ii) Regulations promulgated by the city manager shall become effective upon the date of publication. Industrial hemp manufacturing shall follow all state and local laws and regulations, including, but not limited to, any rules, regulations or standards adopted by the city manager.

Section 17.65.070 Limitations on City's Liability.

To the fullest extent permitted by the law, any industrial hemp manufacturing facility shall execute an agreement indemnifying and holding harmless the City of Arvin, its employees, agents and contractors from any liability or claims arising from issuance of a conditional use permit, pursuant to this chapter, the Arvin Municipal Code or otherwise approving a conditional use permit for an industrial hemp manufacturing facility.

Section 17.65.080 Public Nuisance.

Each and every violation of the provisions of this chapter is hereby deemed unlawful and a public nuisance.

Section 17.65.090 Violation and Enforcement.

- A. Any person that violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized pursuant to this chapter and/or the provisions of the Arvin Municipal Code.
- B. Each and every violation of this chapter shall constitute a separate violation and shall be penalized pursuant to this chapter and/or the provisions of the Arvin Municipal Code.
- C. Any person who violates, causes, continues or permits another to violate the provisions of this chapter commits a misdemeanor and shall be punishable in accordance with the Arvin Municipal Code. The city may also pursue all applicable civil and administrative remedies, including, but not limited to, injunctive relief and administrative citations. Should a court of competent jurisdiction subsequently determine that the misdemeanor criminal penalty provision renders the provisions of this chapter, or the provisions of any chapter adopted by reference within the Arvin Municipal Code unlawful, the city intends that the misdemeanor provision be severable from the remaining penalty provisions and the city will only pursue criminal infraction penalties and/or non-criminal remedies for violations of this chapter.

- D. Each and every violation of the provisions of this chapter is hereby deemed unlawful and a public nuisance which may be abated by the city pursuant to the Arvin Municipal Code.
- E. The administrative citation penalty for all violations of this chapter, within a rolling twelve (12) month period shall be as follows: one thousand dollars (\$1,000.00) per violation.
- F. In addition to any other remedy or enforcement mechanism provided within this chapter or any other provision of the Arvin Municipal Code, the city may commence a civil action seeking any other relief or remedy available at law or in equity.
- G. The provisions of this chapter are complimentary, cumulative, supplementary, and additional to any other legal remedies available, whether found in the Arvin Municipal Code, state or federal laws, regulations, or case law.

Section 17.65.100 Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, word, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 6. 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 28th day of April, 2020 and adopted the Ordinance after second reading at a regular meeting held on the 12th day of May, 2020, 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.



**CITY OF ARVIN
Planning Commission**

Special Meeting Date: April 27, 2020

TO: Arvin City Planning Commission

FROM: Jerry Breckinridge, City Manager

SUBJECT: Public Hearing – To consider an ordinance establishing Chapter 17.65, of Title 17 of the Arvin Municipal Code pertaining to hemp and the regulation of hemp activities in the City of Arvin.

RECOMMENDATION:

Approve a Resolution recommending the City Council approve a regulatory ordinance establishing Chapter 17.65, of Title 17 Hemp, which regulates hemp activities in the City of Arvin, including authorizing cultivation and manufacturing of hemp and/or hemp products for commercial and/or scientific/educational purposes and the recommendation to adopt an exemption pursuant to the California Environmental Quality Act.

BACKGROUND:

Pursuant to Article XI, Section 7, of the California Constitution, the City of Arvin (“City”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens. Consistent with this, in November 1, 2016, the City of Arvin adopted Ordinance No. 436, amending Title 8 of the Arvin Municipal Code and adopting Chapter 8.29 pertaining to marijuana. The cannabis ordinance took effect thirty (30) days after its final passage and adoption and contingent upon passage of California Proposition 64. On or about November 8, 2016, California voters passed Proposition 64, to become law immediately; and on June 19, 2018, the City Council Adopted Ordinance No. 447, amending and renumbering Chapter 17.62 (“Commercial Cannabis Activity”) of Title 17 of the Arvin Municipal Code and thereby adding Chapter 17.64 (“Commercial Cannabis Activity”) to Title 17 of the Arvin Municipal Code, to establish certain regulations pertaining to commercial cannabis activity.

In December of 2018, the President of the United States signed into law the 2018 Federal Farm Bill, H.R. 2, P.L. 115-334, which removed industrial hemp from the federal list of controlled substances and authorized the U.S. Department of Agriculture to create quality control standards for hemp production, further giving states that desire to have primary regulatory authority over the production of hemp the ability to adopt their own state plans. A plan may include a reference to a law of the state regulating the production of hemp, to the extent consistent with federal law; and under California Food and Agriculture Code, section 81006, subdivisions (d)(3) and (5), the California Department of Food and Agriculture (“CDFA”) is required to establish regulations for sampling procedures and approved laboratories for sample testing of all hemp crops (except when grown by an established agricultural research institution) no more than thirty (30) days before harvest.

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PC Mtg – Staff Report Recommending Council Approve Hemp Ordinance

Page 1 of 3

In September 2018, SB 1409 was enacted, in which the definition of industrial hemp in Health and Safety Code, section 11018.5(a) was amended to delete the reference to its being a crop for fiber or oilseed production, and the Industrial Hemp Farming Act was also amended to its current form, including revising Food and Agriculture Code section 81006 to remove requirement for dense planting and restrictions against pruning, tending, or culling, in order to “remov[e] limitations on the manner in which industrial hemp may be grown and the uses for which it may be grown,” thereby “remov[ing] barriers to the growth of industrial hemp as an agricultural product, and for agricultural or academic research”.

Further, in June of 2019, the CDFA adopted emergency regulations, and in October of 2019 the CDFA revised those regulations, to establish timeframes, procedures, methods, and confirmation for industrial hemp sampling, laboratory testing, and destruction for industrial hemp cultivation and in June of 2019, the CDFA adopted emergency regulations, and in October of 2019 the CDFA revised those regulations, to establish timeframes, procedures, methods, and confirmation for industrial hemp sampling, laboratory testing, and destruction for industrial hemp cultivation; and CDFA found a pressing need for the swift establishment of regulations to prevent delay of the first industrial hemp harvest, and calculated that the absence of regulation could result in a potential direct loss of over \$43,000,000.00 to California farmers.

Additionally, industrial hemp, the extracts and derivatives from processing industrial hemp, and products manufactured with industrial hemp or its extracts and derivatives, may be useful and valuable to both producers and consumers, and therefore may serve as a source of economic development. Also, researching strains of industrial hemp plants, the methods for cultivating and processing industrial hemp, and the methods for manufacturing products using industrial hemp and its extracts and derivatives, is important for identifying and optimizing the beneficial uses and value of industrial hemp.

Industrial hemp strains grown for its cannabidiol oil properties (CBD oil) may be indistinguishable from the high THC cannabis strains used for medicinal and recreational purposes, and permitting industrial hemp cultivation without regulation of the acreage and location of industrial hemp plants may lead to the same type of odor and public safety issues facing cannabis operations in the City; and industrial hemp may serve as a host to mites and other insects, and currently registered pesticides may not always be effective in either addressing such mites and insects or preventing them from moving into other nearby crops, thus threatening the safety of those nearby crops. These concerns are address and regulated in the proposed hemp pronate.

Lastly, Industrial hemp is itself a useful and productive economic activity; and research and commercial activity relating to industrial hemp and its cultivation, processing, and manufacturing are not mutually exclusive activities, but can be and should be mutually supporting and reinforcing.

ENVIRONMENTAL REVIEW:

The proposed ordinance was assessed in accordance with the authority and criteria contained in CEQA, the State CEQA Guidelines (“CEQA Guidelines”), and the environment regulations of the City. The City Council finds and determines that the proposed ordinance is not a “project” for the purposes of CEQA and consistent with CEQA Guidelines section 15378, as it merely

updates existing administrative processes and will not result in direct or indirect physical changes in the environment as compared to the current baseline. Additionally, the City Council finds and determines for the same reasons that even if the proposed ordinance were a project for the purpose of CEQA, there is no possibility that the project may have a significant adverse effect on the environment pursuant to CEQA Guidelines, section 15061(b)(3). Therefore, the proposed ordinance is not subject to CEQA.

DISCUSSION:

The proposed ordinance establishes Chapter 17.65, of Title 17 and would regulate all hemp activities within the City, including authorizing cultivation and manufacturing of hemp and/or hemp products for commercial and/or scientific/educational purposes. Currently the City has no regulations in place to govern the cultivation or manufacturing of hemp products; and as such, potential cultivators and manufactures would only be subject to state regulations without any local control or enforcement mechanisms.

Specifically, the ordinance prohibits the cultivation or manufacturing of hemp and/or hemp products without first receiving a city issued permit or entering into a development agreement with the City. It puts in place regulations to provide clarity and encourage research and development projects and collaborations with both private corporations and public educational institutions. The ordinance also establishes regulations to govern the destruction of hemp being cultivated by research and development project such as an Established Agricultural Research Institution “EARI” or EARI affiliate. Lastly, the proposed ordinance establishes regulations governing the odor’s created during the manufacturing process; distances to residential zones; compliance with federal and state regulations; public nuisance abatement requirements; limitations on City liability; and enforcement options for the City, including a \$1,000.00 per violation administrative fine.

OPTIONS:

1. Approve the resolution as presented;
2. Approved the resolution with amendments from the commission;
3. Direct staff to prepare a resolution recommending the proposed Hemp ordinance be rejected by the City Council;
4. Give staff other direction.

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARVIN, COUNTY OF KERN, STATE OF CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN ADOPTING CHAPTER 17.65 OF TITLE 17 OF THE ARVIN MUNICIPAL CODE PERTAINING TO HEMP ACTIVITY AND RELATED CEQA DETERMINATION

WHEREAS, Pursuant to Article XI, Section 7, of the California Constitution, the City of Arvin (“City”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, on or about November 1, 2016, the City of Arvin adopted Ordinance No. 436, amending Title 8 of the Arvin Municipal Code and adopting Chapter 8.29 pertaining to marijuana, to take effect after thirty (30) days after its final passage and adoption and contingent upon passage of California Proposition 64; and

WHEREAS, on or about November 8, 2016, California voters passed Proposition 64, to become law immediately; and

WHEREAS, on or about January 1, 2017, The California Industrial Hemp Farming Act became effective, California Food and Agriculture Code sections 81000 et seq., authorizing certain activities of industrial hemp growers and established agricultural research institutions; and

WHEREAS, on or about November 21, 2017, the City Council adopted Ordinance No. 443, which added Chapter 17.62 “Commercial Cannabis Activity” to Title 17 of the Arvin Municipal Code; and

WHEREAS, on June 19, 2018, the City Council Adopted Ordinance No. 447, amending and renumbering Chapter 17.62 (“Commercial Cannabis Activity”) of Title 17 of the Arvin Municipal Code and thereby adding Chapter 17.64 (“Commercial Cannabis Activity”) to Title 17 of the Arvin Municipal Code, to establish certain regulations pertaining to commercial cannabis activity; and

WHEREAS, in December of 2018, the President of the United States signed into law the 2018 Federal Farm Bill, H.R. 2, P.L. 115-334, which removed industrial hemp from the federal list of controlled substances and authorized the U.S. Department of Agriculture to create quality control standards for hemp production, further giving states that desire to have primary regulatory authority over the production of hemp the ability to adopt their own state plans, which plan may include a reference to a law of the state regulating the production of hemp, to the extent consistent with federal law; and

WHEREAS, under California Food and Agriculture Code, section 81006, subdivisions (d)(3) and (5), the California Department of Food and Agriculture (“CDFA”) is required to establish regulations for sampling procedures and approved laboratories for sample testing of all

hemp crops (except when grown by an established agricultural research institution) no more than thirty (30) days before harvest; and

WHEREAS, in September 2018, SB 1409 was enacted, in which the definition of industrial hemp in Health and Safety Code, section 11018.5(a) was amended to delete the reference to its being a crop for fiber or oilseed production, and the Industrial Hemp Farming Act was also amended to its current form, including revising Food and Agriculture Code section 81006 to remove requirement for dense planting and restrictions against pruning, tending, or culling, in order to “remov[e] limitations on the manner in which industrial hemp may be grown and the uses for which it may be grown,” thereby “remov[ing] barriers to the growth of industrial hemp as an agricultural product, and for agricultural or academic research”; and

WHEREAS, in June of 2019, the CDFA adopted emergency regulations, and in October of 2019 the CDFA revised those regulations, to establish timeframes, procedures, methods, and confirmation for industrial hemp sampling, laboratory testing, and destruction for industrial hemp cultivation; and

WHEREAS, CDFA found a pressing need for the swift establishment of regulations to prevent delay of the first industrial hemp harvest, and calculated that the absence of regulation could result in a potential direct loss of over \$43,000,000.00 to California farmers; and

WHEREAS, industrial hemp, the extracts and derivatives from processing industrial hemp, and products manufactured with industrial hemp or its extracts and derivatives, may be useful and valuable to both producers and consumers, and therefore may serve as a source of economic development; and

WHEREAS, researching strains of industrial hemp plants, the methods for cultivating and processing industrial hemp, and the methods for manufacturing products using industrial hemp and its extracts and derivatives, is important for identifying and optimizing the beneficial uses and value of industrial hemp, and is itself a useful and productive economic activity; and

WHEREAS, research and commercial activity relating to industrial hemp and its cultivation, processing, and manufacturing are not mutually exclusive activities, but can be and should be mutually supporting and reinforcing; and

WHEREAS, industrial hemp strains grown for its cannabidiol oil properties (CBD oil) may be indistinguishable from the high THC cannabis strains used for medicinal and recreational purposes, and permitting industrial hemp cultivation without regulation of the acreage and location of industrial hemp plants may lead to the same type of odor and public safety issues facing cannabis operations in the City; and

WHEREAS, industrial hemp may serve as a host to mites and other insects, and currently registered pesticides may not always be effective in either addressing such mites and insects or preventing them from moving into other nearby crops, thus threatening the safety of those nearby crops; and

WHEREAS, on April 27, 2020 the City of Arvin Planning Commission (“Commission”) conducted a public hearing to consider the proposed ordinance, and after considering public testimony, the staff report and all submitted evidence to the support the ordinance, the

Commission recommended the City Council (“Council”) [approve/deny] the proposed ordinance; and

WHEREAS, the proposed ordinance is consistent with the General Plan and any applicable Specific Plan(s); and

WHEREAS, new Chapter 17.65 establishes hemp regulations within the City of Arvin; and

WHEREAS, in accordance with the California Environmental Quality Act (“CEQA”), and pursuant to CEQA Guideline, sections 15378 and 15061(b)(3), this activity is not a “project” subject to CEQA as it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment; and

WHEREAS, on April 27, 2020, the Planning Commission held a public hearing to receive oral and written testimony relative to the proposed amendments; and,

WHEREAS, the Planning Commission desires to recommend approval of the ordinances and associated findings under the California Environmental Quality Act (“CEQA”) to the City Council.

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

Section 1: The Planning Commission has reviewed the project and recommends that the City Council adopt a finding that the attached ordinances will not create potentially significant environmental impacts pursuant to the California Environmental Quality Act (“CEQA”) because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment. (CEQA Guidelines § 15061(b)(3).) It is also exempt because it consists of regulations and restrictions on activities to assure the maintenance, restoration, or enhancement of natural resources and the environment by prohibiting environmentally destructive components of unregulated hemp cultivation and related hemp activities. (CEQA Guidelines §§ 15307 and 15308.) Finally, no exceptions to the Categorical Exemptions are applicable under CEQA Guidelines section 15300.2.

Section 2. After reviewing the proposed zoning and specific plan amendments and considering all oral and written information regarding the text amendments, that the Planning Commission does recommend the City Council approve “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN ADOPTING CHAPTER 17.65 OF TITLE 17 OF THE ARVIN MUNICIPAL CODE PERTAINING TO COMMERCIAL HEMP ACTIVITIES” (*attached hereto as Attachment 1*).

Section 3. The Planning Commission Chairman of the City of Arvin is hereby authorized to affix his signature to this Resolution signifying its adoption by the Planning Commission. The Community Development Director is directed to forward this Resolution to the City Council with the recommendations of the Planning Commission.

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Attachment: Hemp Ordinance Handouts from Planning Commission Meeting of 042720 (Public Hearing: Second Reading & Adoption - Hemp

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the Planning Commission of the City of Arvin at a special meeting thereof held on the 27th day of April 2020 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

CECILIA VELA, Secretary

ARVIN PLANNING COMMISSION

By: _____
GERARDO TINOCO, Chairperson

I, _____, Secretary of the Planning Commission 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 Planning Commission of the City of Arvin on the date and by the vote indicated herein.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN
ADDING CHAPTER 17.65, OF TITLE 17 HEMP TO THE ARVIN
MUNICIPAL CODE**

WHEREAS, Pursuant to Article XI, Section 7, of the California Constitution, the City of Arvin (“City”) may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, on or about November 1, 2016, the City of Arvin adopted Ordinance No. 436, amending Title 8 of the Arvin Municipal Code and adopting Chapter 8.29 pertaining to marijuana, to take effect after thirty (30) days after its final passage and adoption and contingent upon passage of California Proposition 64; and

WHEREAS, on or about November 8, 2016, California voters passed Proposition 64, to become law immediately; and

WHEREAS, on or about January 1, 2017, The California Industrial Hemp Farming Act became effective, California Food and Agriculture Code sections 81000 et seq., authorizing certain activities of industrial hemp growers and established agricultural research institutions; and

WHEREAS, on or about November 21, 2017, the City Council adopted Ordinance No. 443, which added Chapter 17.62 “Commercial Cannabis Activity” to Title 17 of the Arvin Municipal Code; and

WHEREAS, on June 19, 2018, the City Council Adopted Ordinance No. 447, amending and renumbering Chapter 17.62 (“Commercial Cannabis Activity”) of Title 17 of the Arvin Municipal Code and thereby adding Chapter 17.64 (“Commercial Cannabis Activity”) to Title 17 of the Arvin Municipal Code, to establish certain regulations pertaining to commercial cannabis activity; and

WHEREAS, in December of 2018, the President of the United States signed into law the 2018 Federal Farm Bill, H.R. 2, P.L. 115-334, which removed industrial hemp from the federal list of controlled substances and authorized the U.S. Department of Agriculture to create quality control standards for hemp production, further giving states that desire to have primary regulatory authority over the production of hemp the ability to adopt their own state plans, which plan may include a reference to a law of the state regulating the production of hemp, to the extent consistent with federal law; and

WHEREAS, under California Food and Agriculture Code, section 81006, subdivisions (d)(3) and (5), the California Department of Food and Agriculture (“CDFA”) is required to establish regulations for sampling procedures and approved laboratories for sample testing of all hemp crops (except when grown by an established agricultural research institution) no more than thirty (30) days before harvest; and

WHEREAS, in September 2018, SB 1409 was enacted, in which the definition of industrial hemp in Health and Safety Code, section 11018.5(a) was amended to delete the reference to its being a crop for fiber or oilseed production, and the Industrial Hemp Farming Act was also amended to its current form, including revising Food and Agriculture Code section 81006 to remove requirement for dense planting and restrictions against pruning, tending, or culling, in order to “remov[e] limitations on the manner in which industrial hemp may be grown and the uses for which it may be grown,” thereby “remov[ing] barriers to the growth of industrial hemp as an agricultural product, and for agricultural or academic research”; and

WHEREAS, in June of 2019, the CDFA adopted emergency regulations, and in October of 2019 the CDFA revised those regulations, to establish timeframes, procedures, methods, and confirmation for industrial hemp sampling, laboratory testing, and destruction for industrial hemp cultivation; and

WHEREAS, CDFA found a pressing need for the swift establishment of regulations to prevent delay of the first industrial hemp harvest, and calculated that the absence of regulation could result in a potential direct loss of over \$43,000,000.00 to California farmers; and

WHEREAS, industrial hemp, the extracts and derivatives from processing industrial hemp, and products manufactured with industrial hemp or its extracts and derivatives, may be useful and valuable to both producers and consumers, and therefore may serve as a source of economic development; and

WHEREAS, researching strains of industrial hemp plants, the methods for cultivating and processing industrial hemp, and the methods for manufacturing products using industrial hemp and its extracts and derivatives, is important for identifying and optimizing the beneficial uses and value of industrial hemp, and is itself a useful and productive economic activity; and

WHEREAS, research and commercial activity relating to industrial hemp and its cultivation, processing, and manufacturing are not mutually exclusive activities, but can be and should be mutually supporting and reinforcing; and

WHEREAS, industrial hemp strains grown for its cannabidiol oil properties (CBD oil) may be indistinguishable from the high THC cannabis strains used for medicinal and recreational purposes, and permitting industrial hemp cultivation without regulation of the acreage and location of industrial hemp plants may lead to the same type of odor and public safety issues facing cannabis operations in the City; and

WHEREAS, industrial hemp may serve as a host to mites and other insects, and currently registered pesticides may not always be effective in either addressing such mites and insects or preventing them from moving into other nearby crops, thus threatening the safety of those nearby crops; and

WHEREAS, on April 27, 2020 the City of Arvin Planning Commission (“Commission”) conducted a public hearing to consider the proposed ordinance, and after considering public

testimony, the staff report and all submitted evidence to the support the ordinance, the Commission recommended the City Council (“Council”) [approve/deny] the proposed ordinance; and

WHEREAS, the City Council finds this ordinance is reasonable and necessary for the preservation of the public peace, health and safety; and

WHEREAS, the proposed ordinance is consistent with the General Plan and any applicable Specific Plan(s); and

WHEREAS, new Chapter 17.65 establishes hemp regulations within the City of Arvin; and

WHEREAS, in accordance with the California Environmental Quality Act (“CEQA”), and pursuant to CEQA Guideline, sections 15378 and 15061(b)(3), this activity is not a “project” subject to CEQA as it can be seen with certainty that there is no possibility that an activity may have a significant effect on the environment; and

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

SECTION 1. The above recitals are incorporated hereby by reference.

SECTION 2. The City Council has reviewed the proposed ordinance and hereby finds that it is consistent with the General Plan and all applicable Specific Plan(s).

SECTION 3. The City Council, based upon its own independent judgement, finds that the proposed ordinance promotes and protects the health, safety, welfare and quality of life of the City of Arvin residents, including promoting affordable housing and economic development.

SECTION 4. The proposed ordinance was assessed in accordance with the authority and criteria contained in CEQA, the State CEQA Guidelines (“CEQA Guidelines”), and the environment regulations of the City. The City Council finds and determines that the proposed ordinance is not a “project” for the purposes of CEQA and consistent with CEQA Guidelines section 15378, as it merely updates existing administrative processes and will not result in direct or indirect physical changes in the environment as compared to the current baseline. Additionally, the City Council finds and determines for the same reasons that even if the proposed ordinance were a project for the purpose of CEQA, there is no possibility that the project may have a significant adverse effect on the environment pursuant to CEQA Guidelines, section 15061(b)(3). Therefore, the proposed ordinance is not subject to CEQA.

SECTION 5. Newly added Chapter 17.65, of Title 17, of the Arvin Municipal Code is added to read as follows:

Chapter 17.65 Hemp

Section 17.65.010 Policy.

It is the policy of the City to encourage responsible industrial hemp cultivation, processing, and manufacturing and to regulate such cultivation, processing, and manufacturing in a responsible

manner to promote economic development, protect the health, safety, and welfare of the residents of the City of Arvin and to enforce rules and regulations consistent with state law.

Section 17.65.020 Definitions.

When used in this chapter, the following words shall have the meaning ascribed to them as set forth herein. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regular provision.

- A. “City” means the City of Arvin, a municipal corporation.
- B. “City Council” means the governing body of the City.
- C. “City Manager” means the city manager of the City of Arvin, or the city manager’s authorized deputy, agent or representative.
- D. “Established agricultural research institution” or “EARI” has the same meaning as in section 81000 of the California Food and Agricultural Code.
- E. “EARI affiliate” means any person carrying out research pursuant to or for a research program of an EARI.
- F. “Hemp cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of hemp, including activities carried out by seed breeders which is authorized pursuant to state, federal or local statute.
- G. “Hemp processing” means any baling, bundling, or milling of industrial hemp, or the extraction or separation of any oils, fibers, or other derivatives of industrial hemp after harvesting.
- H. “Industrial Hemp” shall have the same meaning as in section 11018.5 of the California Health and Safety Code.
- I. “Person” means any individual, firm, partnership, joint venture, association corporation, limited liability company, estate, trust, activity trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.
- J. “Seed breeder” has the same meaning as in section 81000 of the California Food and Agricultural Code.

Section 17.65.030 Hemp Cultivation.

- A. Hemp cultivation shall be prohibited within all zones of the City of Arvin, whether conducted indoors or outdoors, unless you have first received a permit issued by the City or enter into a development agreement with the City authorizing the cultivation of hemp.
- B. Hemp cultivation by an EARI or EARI affiliate, including cultivation of Cannabis sativa L. plants as part of an EARI’s hemp research program, shall be permitted within the City of Arvin, provided that the EARI or EARI affiliate shall register with the City Manager the locations and nature of operations within the City of Arvin where such cultivation shall be conducted in advance of any such activity.
- C. An EARI or EARI affiliate may sell industrial hemp commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California

Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.

- D. Except to the extent used or maintained by an EARI or EARI affiliate for research purposes, any *Cannabis sativa L.* plant cultivated with the intent of being industrial hemp that are tested and determined to have THC content in excess of three-tenths of 1 percent within 30 days of intended harvest shall be destroyed. For purposes of this requirement, transferring such a plant to a person authorized to conduct commercial cannabis activities under Chapter 17.64, for treatment and handling in accordance with the provisions of that Chapter 17.64, shall be deemed the destruction of the plant as industrial hemp provided the transfer is conducted in compliance with applicable state statutes and the Arvin Municipal Code. The City Manager may establish further rules and regulations relating to the process of destroying such plants, whether by means of transfer to permissible cannabis activities or otherwise, and documentation relating thereto.

Section 17.65.040 Hemp Processing.

- A. Hemp processing shall be prohibited within all zones of the City of Arvin, whether conducted indoors or outdoors, except to the extent such processing either is (i) conducted pursuant to a permit issued by the City of Arvin authorizing the processing of Hemp, or (ii) conducted pursuant to a development agreement with the City of Arvin.
- B. Hemp processing by an EARI or EARI affiliate, including processing of *Cannabis sativa L.* plants as part of an EARI's hemp research program, shall be permitted within the City of Arvin, provided that the EARI or EARI affiliate shall register with the City Manager the locations and nature of operations within the City of Arvin where such processing shall be conducted in advance of any such activity. Nothing in this subsection shall authorize an EARI or EARI affiliate to processing hemp without first receiving a permit or entering into a development agreement with the City of Arvin.
- C. An EARI or EARI affiliate may sell industrial hemp or extracts or derivatives of industrial hemp commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.

Section 17.65.050 Manufacturing of Hemp Products.

- A. The manufacturing of products using industrial hemp or extracts or derivatives of industrial hemp shall be prohibited, unless you have first received a permit issued by the City of Arvin authorizing hemp manufacturing or entered into a development agreement with the City of Arvin authorizing hemp manufacturing. Upon receiving a City of Arvin permit or entering into a development agreement, hemp manufacturing shall be authorized solely within the M-1, M-2, M-3, A-1, and A-2 zoning districts. Further, a conditional use permit shall be required prior to engaging in the manufacturing of industrial hemp products.
- B. Manufacturing of industrial hemp products by an EARI or EARI affiliate shall be permitted within the City of Arvin as part of an EARI research program, provided that the EARI or EARI affiliate shall register with the City Manager the locations and nature of operations within the City of Arvin where such manufacturing shall be conducted in advance of any such activity.
- C. An EARI or EARI affiliate may sell industrial hemp products commercially, but only to the extent that the biomass so used is derived from crops that were sampled and tested consistent with the standards and procedures established pursuant to California Food and Agriculture Code section 81006(d) and for which test results show THC levels equal to or less than three-tenths of 1 percent. The City Manager may establish rules and regulations relating to documenting and reporting the tests of any such biomass used by an EARI or EARI affiliate for commercial transactions.

Section 17.65.060 Hemp Regulations.

- A. Hemp cultivation, hemp processing, and manufacturing of hemp products within the City of Arvin shall comply with all applicable state, federal and City of Arvin regulations.
- B. Any hemp manufacturing facility shall not be located within 200' feet of a residential zoning districts.
- C. Odor Control.
 - (1) Odor control devices and techniques shall be incorporated in all industrial hemp manufacturing facilities to ensure that odors from hemp are not detectable off site. Industrial hemp manufacturing facility shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside is not detected outside of the facility, anywhere on an adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or

within any other unit located inside the same building as the industrial hemp business.

- (2) In order to determine the existence of a violation of this chapter, the city may measure for hemp odor at the industrial hemp business with an approved field olfactometer device, including, but not limited to, a Nasal Ranger Field Olfactometer® or Scentometer®, according to the manufacturer's specifications and operating instructions. The threshold of detection (Dilutions to Threshold or D/T) will be determined in a sample of the ambient air after it is diluted with three equally sized samples of odor-free air. Two (2) samples or observations will be taken not less than fifteen minutes apart within a one (1) hour period. The two (2) samples will be taken at the building site of the industrial hemp business. If the threshold of detection is four (4) or greater, the industrial hemp business owner and/or the property owner will be issued a notice to abate public nuisance.
- (3) Any notice to abate public nuisance pursuant to this Section shall include the following:
 - (i) The Arvin Municipal Code violation which constitutes the public nuisance;
 - (ii) The required remedy for abating the public nuisance; and
 - (iii) Provide a reasonable time period to abate the public nuisance, unless the public nuisance constitutes an immediate threat to public health, safety and welfare.

Failure to timely abate the public nuisance may result in the revocation of the conditional use permit, pursuant to the Arvin Municipal Code. An appeal of the notice to abate public nuisance shall be filed with the city clerk within ten (10) calendar days from the date upon the notice and shall provide the specific basis for granting the appeal. An untimely filed appeal shall constitute a waiver of the appeal of the notice. Further, the ten (10) day time period for filing an appeal shall be jurisdictional, and as such, an untimely appeal shall not be considered by the city.

- (4) Every person or entity owning, possessing, or having charge or control of real property within the city shall manage that property and control the environment thereon in a manner so as not to violate the provisions of this chapter, and the owner shall be liable for violations of the provisions of this chapter, regardless of any contract or agreement with any third party regarding the property.
- (5) Every occupant, lessee, or holder of any possessory interest in real property shall maintain the property in a manner so as not to violate the provisions of this chapter.
- (6) In addition to any regulations adopted by the City of Arvin, the city manager, or his/her designee, shall be authorized to establish any necessary

rules, regulations or standards governing the issuance or denial of an industrial hemp conditional use permit, the ongoing operation of an industrial hemp manufacturing facility, and the City's oversight, if the city manager determines the rule, regulation or standard to be necessary to carry out this chapter.

(i) Regulations issued by the city manager shall be published on the city's website. A copy of the regulations established by the city manager shall be filed with the city clerk.

(ii) Regulations promulgated by the city manager shall become effective upon the date of publication. Industrial hemp manufacturing shall follow all state and local laws and regulations, including, but not limited to, any rules, regulations or standards adopted by the city manager.

Section 17.65.070 Limitations on City's Liability.

To the fullest extent permitted by the law, any industrial hemp manufacturing facility shall execute an agreement indemnifying and holding harmless the City of Arvin, its employees, agents and contractors from any liability or claims arising from issuance of a conditional use permit, pursuant to this chapter, the Arvin Municipal Code or otherwise approving a conditional use permit for an industrial hemp manufacturing facility.

Section 17.65.080 Public Nuisance.

Each and every violation of the provisions of this chapter is hereby deemed unlawful and a public nuisance.

Section 17.65.090 Violation and Enforcement.

- A. Any person that violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized pursuant to this chapter and/or the provisions of the Arvin Municipal Code.
- B. Each and every violation of this chapter shall constitute a separate violation and shall be penalized pursuant to this chapter and/or the provisions of the Arvin Municipal Code.
- C. Any person who violates, causes, continues or permits another to violate the provisions of this chapter commits a misdemeanor and shall be punishable in accordance with the Arvin Municipal Code. The city may also pursue all applicable civil and administrative remedies, including, but not limited to, injunctive relief and administrative citations. Should a court of competent jurisdiction subsequently determine that the misdemeanor criminal penalty provision renders the provisions of this chapter, or the provisions of any chapter adopted by reference within the Arvin Municipal Code unlawful, the city intends that the misdemeanor provision be severable from the remaining penalty provisions and the city will only pursue criminal infraction penalties and/or non-criminal remedies for violations of this chapter.

- D. Each and every violation of the provisions of this chapter is hereby deemed unlawful and a public nuisance which may be abated by the city pursuant to the Arvin Municipal Code.
- E. The administrative citation penalty for all violations of this chapter, within a rolling twelve (12) month period shall be as follows: one thousand dollars (\$1,000.00) per violation.
- F. In addition to any other remedy or enforcement mechanism provided within this chapter or any other provision of the Arvin Municipal Code, the city may commence a civil action seeking any other relief or remedy available at law or in equity.
- G. The provisions of this chapter are complimentary, cumulative, supplementary, and additional to any other legal remedies available, whether found in the Arvin Municipal Code, state or federal laws, regulations, or case law.

Section 17.65.100 Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, word, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 6. 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.

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I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council of the City of Arvin after waiving reading, except by Title, at a regular meeting thereof held on the 28th day of April 2020, and adopted the Ordinance after the second reading at a regular meeting held on the _____ day of _____ 2020, 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

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.

Industrial Hemp in Arvin

Hemp is Misunderstood

- ▶ People think that the hemp is all about flowers, and CBD oil. It isn't.
- ▶ There are over 100 cannabinoids in the hemp plant.
- ▶ The aromas are called terpenes, which are a natural pesticide.
- ▶ Hemp doesn't naturally look like what has been seen in Kern County.
 - ▶ Auto-flower - genetically modified to flower quickly
 - ▶ Feminized - genetically modified to produce only females
 - ▶ Dioecious- males + female plants
 - ▶ Genetic diversity = terpene diversity = resilience + efficacy

Hemp Requires Less Inputs

- ▶ It's a weed, and it isn't a very thirsty one.
- ▶ Hemp does not need pesticides or herbicides
- ▶ Cotton uses the most pesticides out of any crop in the world
 - ▶ Nine of the most commonly used pesticides are highly toxic

Hemp is good for soil health

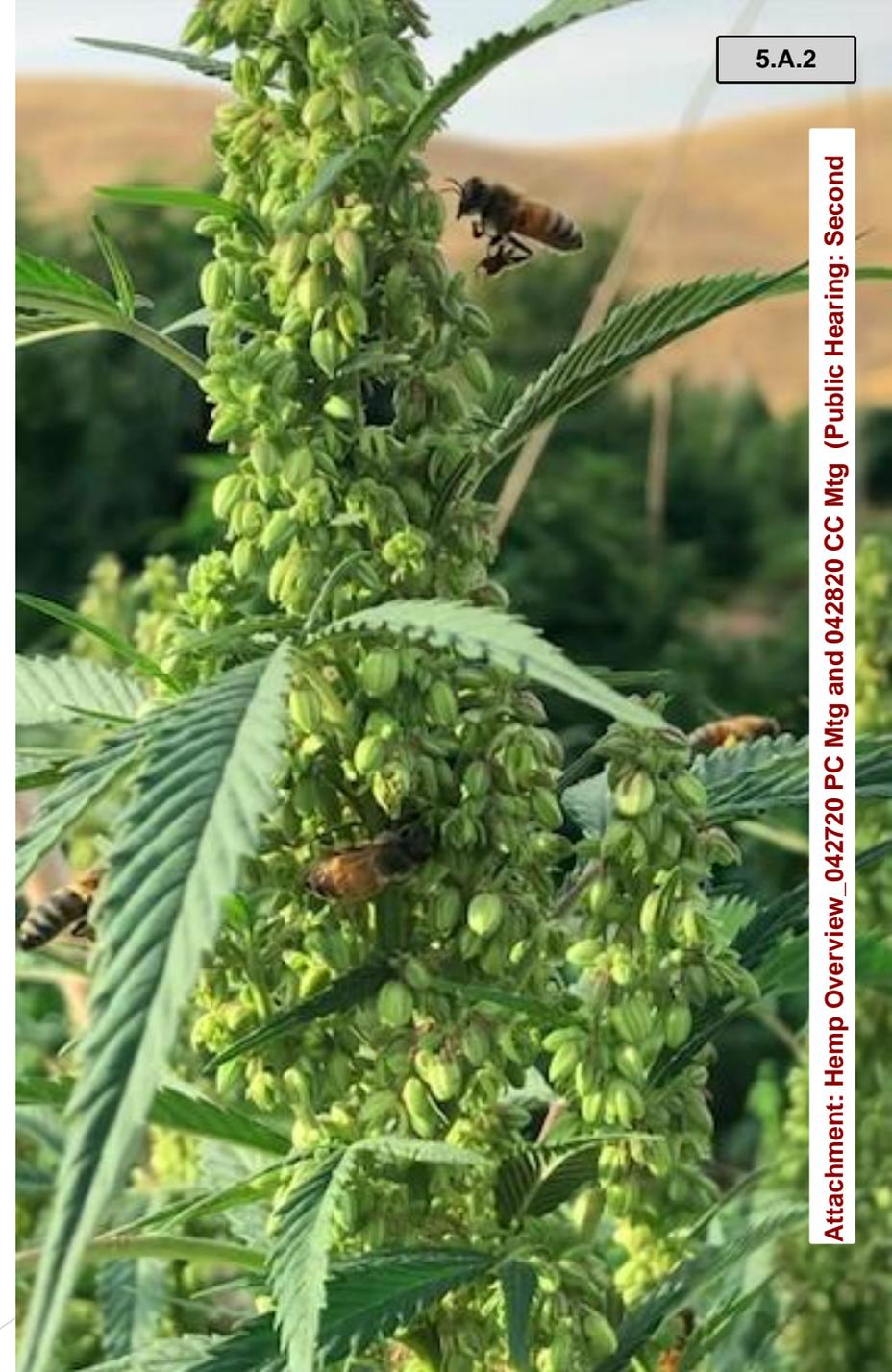
- ▶ Hemp drops all of its leaves and pollen prior to flowering, leaving a layer of organic material to cover the soil and allow microorganisms to thrive
- ▶ You do not need to till the soil
 - ▶ Higher carbon storage
 - ▶ Higher microbial activity
 - ▶ Better water absorption
 - ▶ Less soil erosion

Hemp is a bio-accumulator

- ▶ Removes heavy metals, pesticides, herbicides, and salts
- ▶ High promise for application in phytoremediation projects
- ▶ Apothio seed bank + IP dedicated to cleaning marginal lands
- ▶ Multiple research partners committed to researching strains of bacillus and other micro-organisms that are capable of healing the microbiome

Hemp is good for bees

- ▶ Hemp is an excellent source of late season protein
- ▶ Hemp fields act as a “remediation” zone for bees



Hemp sequesters carbon better than any other plant

- ▶ One ton of cellulose = 1.5 units of carbon sequestered
- ▶ 63.2% cellulose (according to my data from long season crop in Arvin)
- ▶ With the right seeds, one acre sequesters about 16.6 tons of carbon dioxide



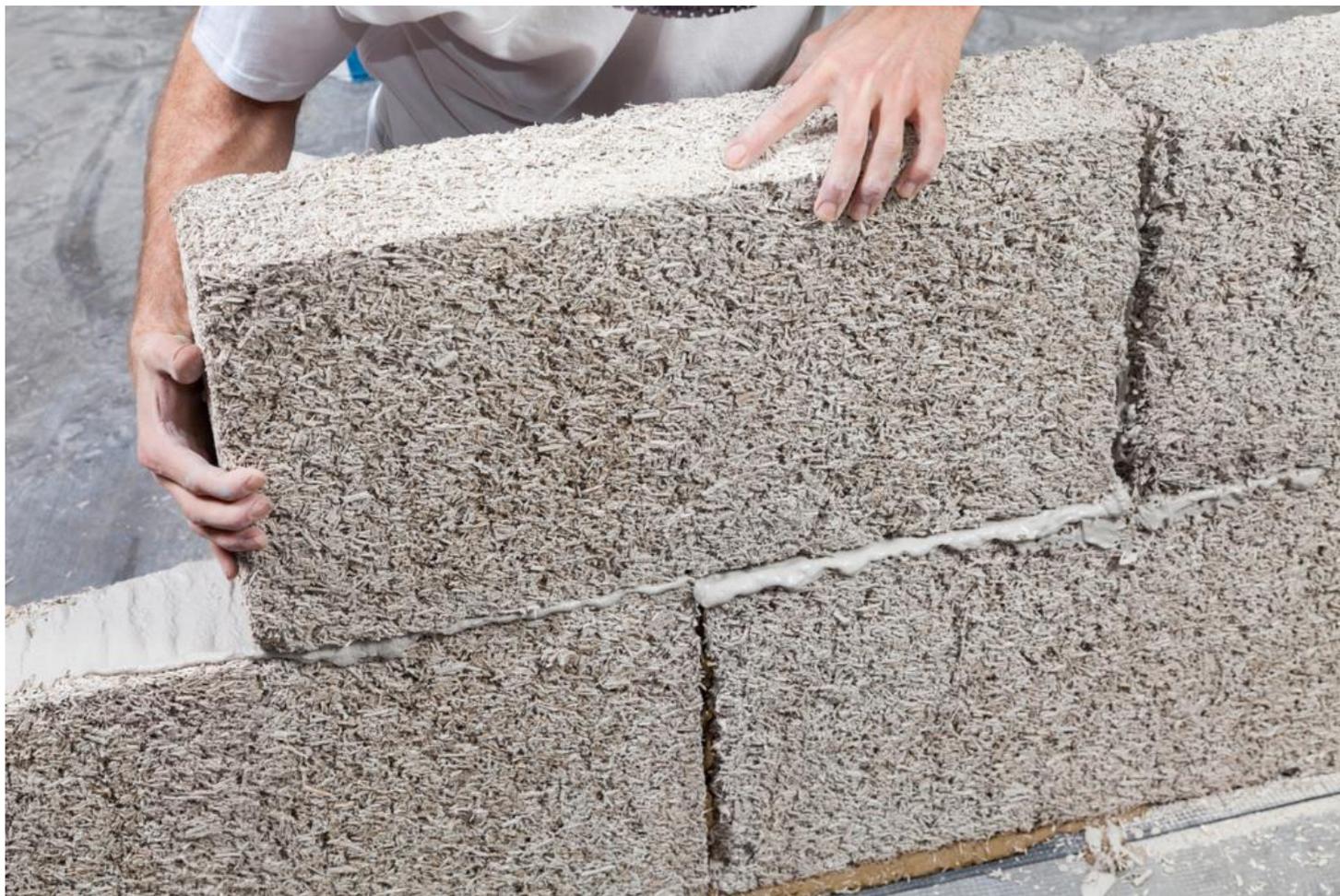
This 40 acre farm sequestered 663 tons of carbon. Apothio sequestered 8,494 tons of CO2 in spring 2019

There is an emerging market for carbon

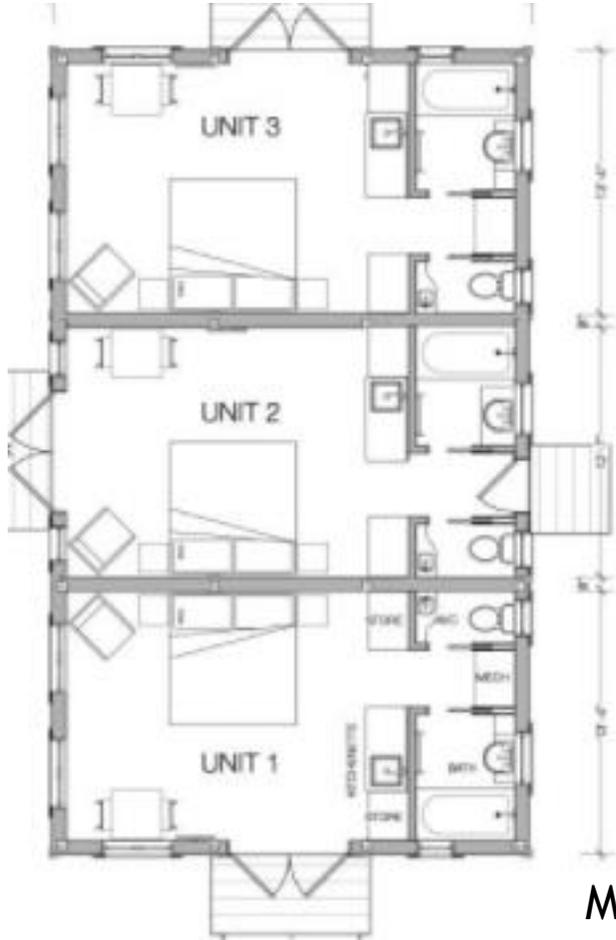
- ▶ Apothio is approved to get paid for sequestering carbon
- ▶ \$17 tax / ton in CA
- ▶ \$35 carbon credit / ton via industrial co-location
- ▶ LA just formally committed to reduce carbon in construction materials



Carbon credits will fuel the Hempcrete market



Hemp shows strong promise for a lot of sustainable building materials



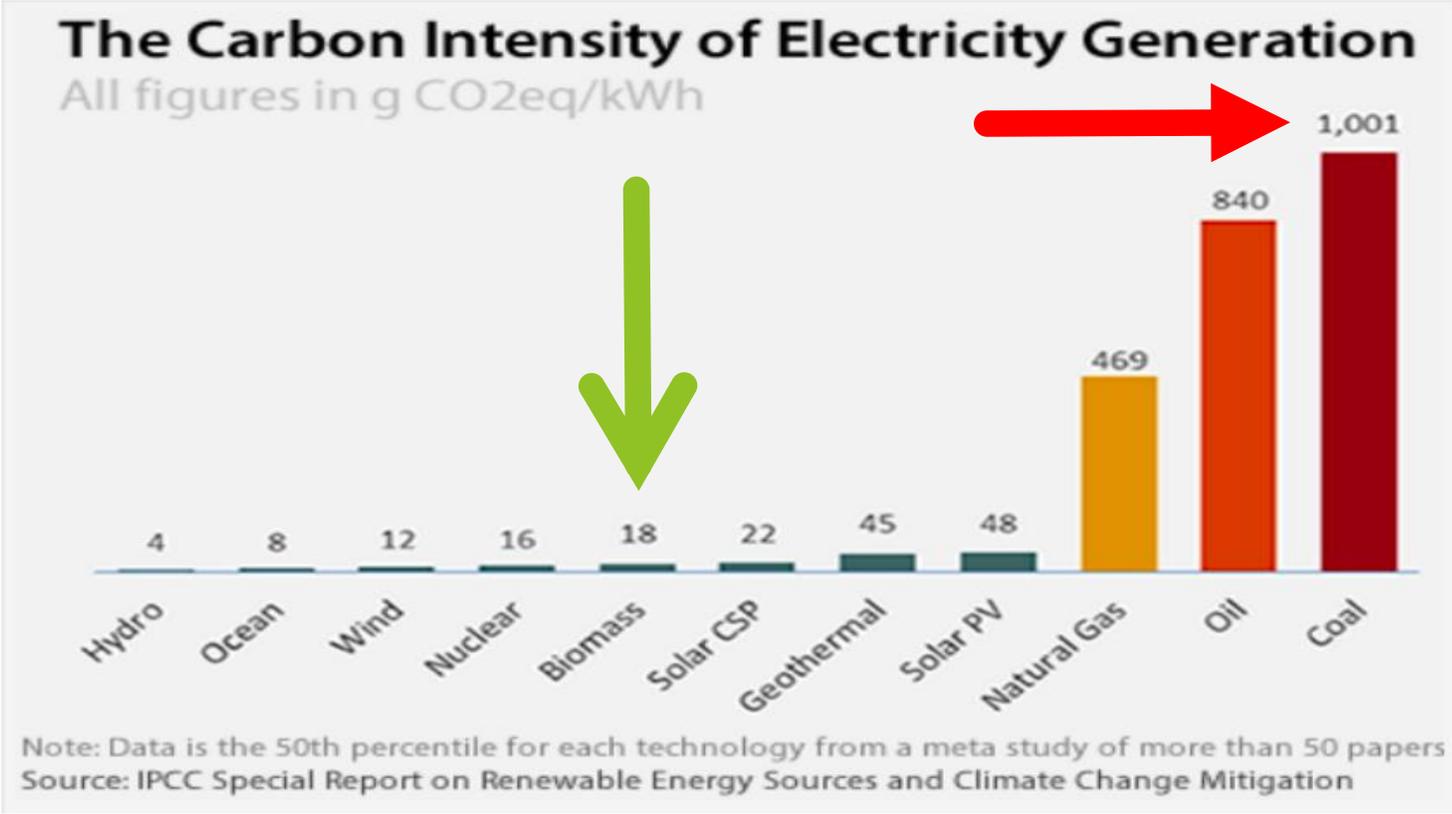
DRAFT

MODEL 4.3
ROW HOUSE

3 x 366 sq.ft. (1098)

Modular, durable, fireproof buildings

Hemp is a strong contender for production of renewable energy

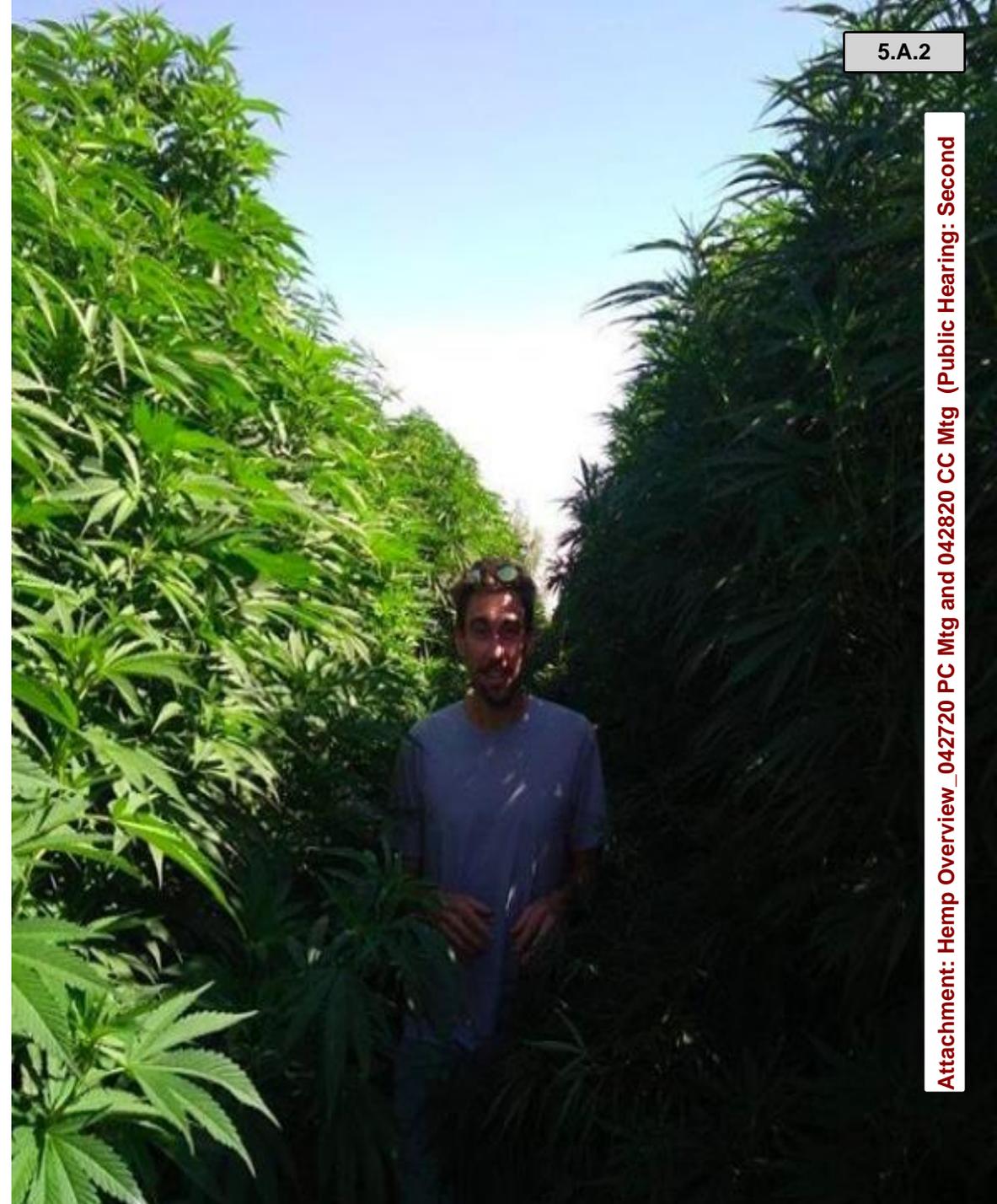


Biomass is nearly carbon neutral

Hemp is about half as energy dense as coal



- High yielding pine are 38.7% as efficient
- 30x shorter investment horizon



BioCoal

Biomass + heat + pressure + no O₂

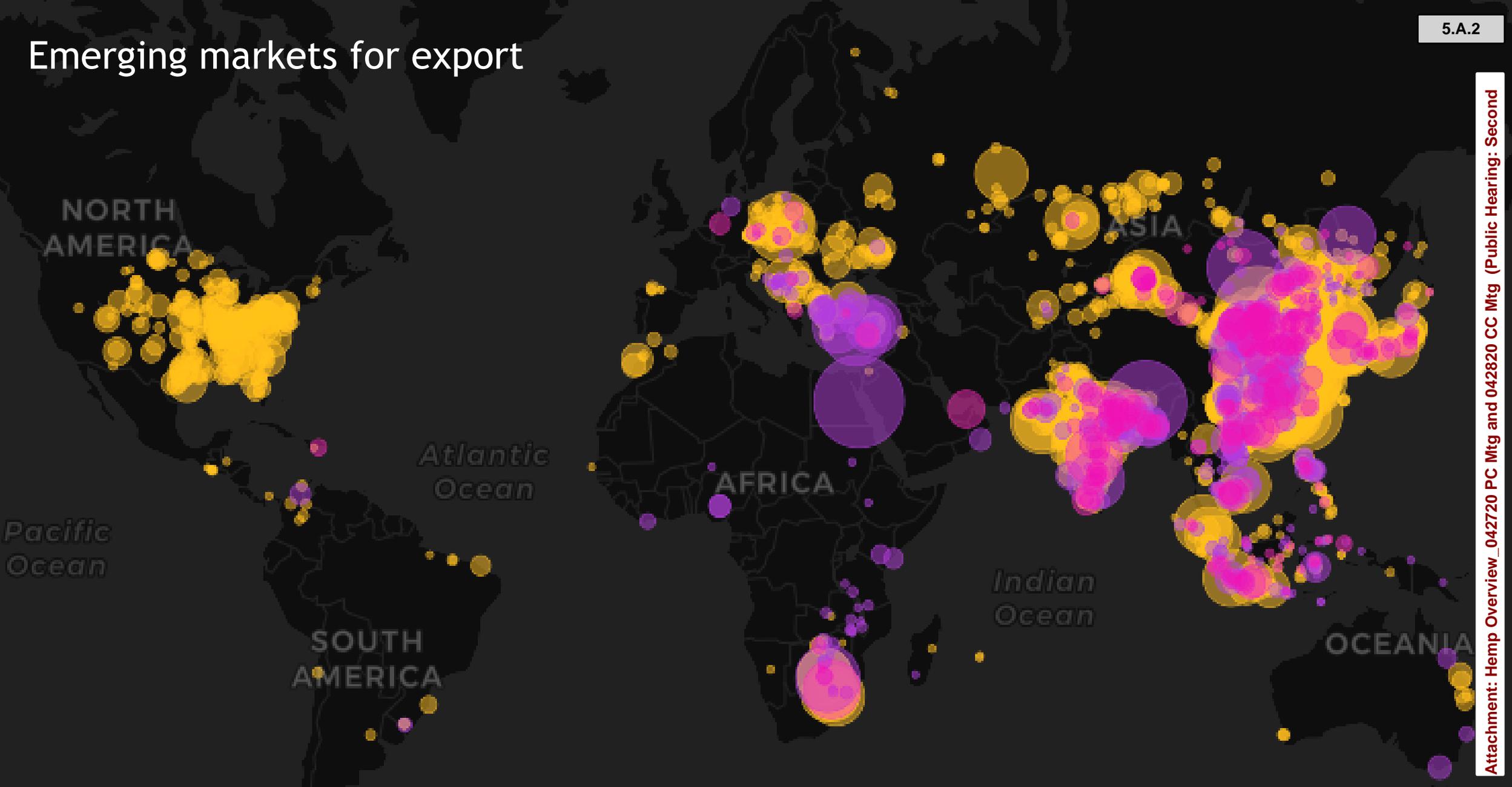


Attachment: Hemp Overview_042720 PC Mtg and 042820 CC Mtg (Public Hearing: Second

1.18 acres of hemp = one ton of BioCoal

Plugs into 38% of global energy supply

Emerging markets for export



- Closing
- Operating
- New
- Under construction
- Planned

Hemp can make the fashion industry more sustainable

- ▶ Big brands are using hemp as a way to future proof their supply chains and transition out of cotton
- ▶ Water<Less Program at Levis
- ▶ Apothio is working with a research partner to develop a proprietary cellulosic fiber similar to viscose



Hemp makes sustainable & high quality paper

- ▶ The declaration of independence was written on hemp paper
- ▶ 1 acre of Hemp can produce as much paper as 4-10 acres of trees over a 20 year cycle
- ▶ Higher concentration (2-3 times more) cellulose than wood, the principal ingredient in paper.
- ▶ Hemp has lower lignin content than wood. This is advantageous as lignin must be removed from the pulp before it can be processed as paper.

Hemp can replace or supplement petroleum based plastics with biopolymers

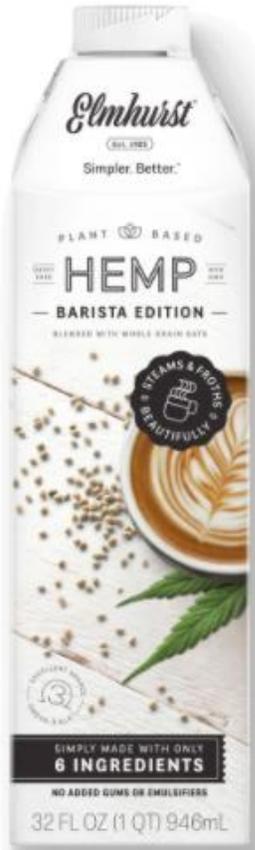


Injection moldings for
PLA, ABS, HDPE, Polypropylene, and more

Hemp plastic isn't a new discovery



Hemp is food



Hemp grows really well in Arvin

- ▶ Unique climate
- ▶ Outperformed national averages by 10x
- ▶ Access to international markets
- ▶ Carbon credits in CA
- ▶ Exceptional human talent and infrastructure
 - ▶ Agriculture
 - ▶ Oil
 - ▶ Workforce

Arvin Community Initiatives Overview

An Opportunity for Arvin in Developing a
Community Centric Public Private Partnership

THE FLAGSHIP

INDUSTRIAL SYMBIOSIS

WORKFORCE DEVELOPMENT

A "SUSTAINABILITY FLAGSHIP" VIA INDUSTRIAL HEMP

A model location to showcase, educate, and research solutions
to existentially threatening sustainability challenges in the central valley

- Showcasing and researching novel sustainability concepts
- Completion of sustainability related grants
- Foster commercial adoption of sustainable farming practices
- Student hands on learning
- Showcase concepts to impact oriented investors

INDUSTRIAL HEMP FLAGSHIP CONCEPTS

- Integrated Pest Management and Terpenes – using hemp to reduce our reliance on pesticides & why diversity matters
- Seeds for Change – education on dioecious (male / female) plants and why they are so important
- Remediation – the role of plants & bacteria in removing heavy metals, pesticides, salts from water & soil
- Carbon Farming – showcasing how farmers can monetize creation of “carbon sinks” by utilizing sustainable cultivation techniques
- Green Energy – turning hemp biomass into carbon neutral combustible energy (replacement for coal)
- Bee Refuge – seasonal area for beekeepers to bring their bees to feast upon the male hemp pollen
- Aquaponic Farming – An Arvin-based joint venture with Canada

INTEGRATED PEST MANAGEMENT W/ TERPENES

- Terpenes are a profound “learned” defense system that are particularly strong in the hemp plant
- They were learned over thousands of years by being exposed to different environments / pests around the world
- Hemp doesn't need pesticides. Terpenes provide the defense that pesticides would provide.
- Synthetic Pesticides are devastating to the environment. They kill our bees, are in our water, and our food.
- Co-planting or intercropping with hemp can not only improve farmer revenues, but decrease their reliance on harmful synthetic pesticides.

SEEDS FOR CHANGE

- Non-homogenized seeds express a massive array of unique terpenes. Thus, they provide the most resilient defense systems at scale.
- Dioecious seeds (yields both male & female plants) also create more resilient, healthy, and vigorous plantations. They prevent the need to till the soil, which creates long term storage systems for carbon, and creates an environment where soil biomes can be restored, which prevents soil erosion.
- Dioecious seeds prevent farmers from needing to buy seeds each year, or to re-plant their fields. Less GHG emissions, more profit.
- This natural, non-GMO way of farming is the cultural equivalent to traditional Mexican maize. It must be protected from the market forces of big ag. Feminized and homogenized seeds (what every other farmer in Kern uses) are the equivalent to Monsanto corn varieties.

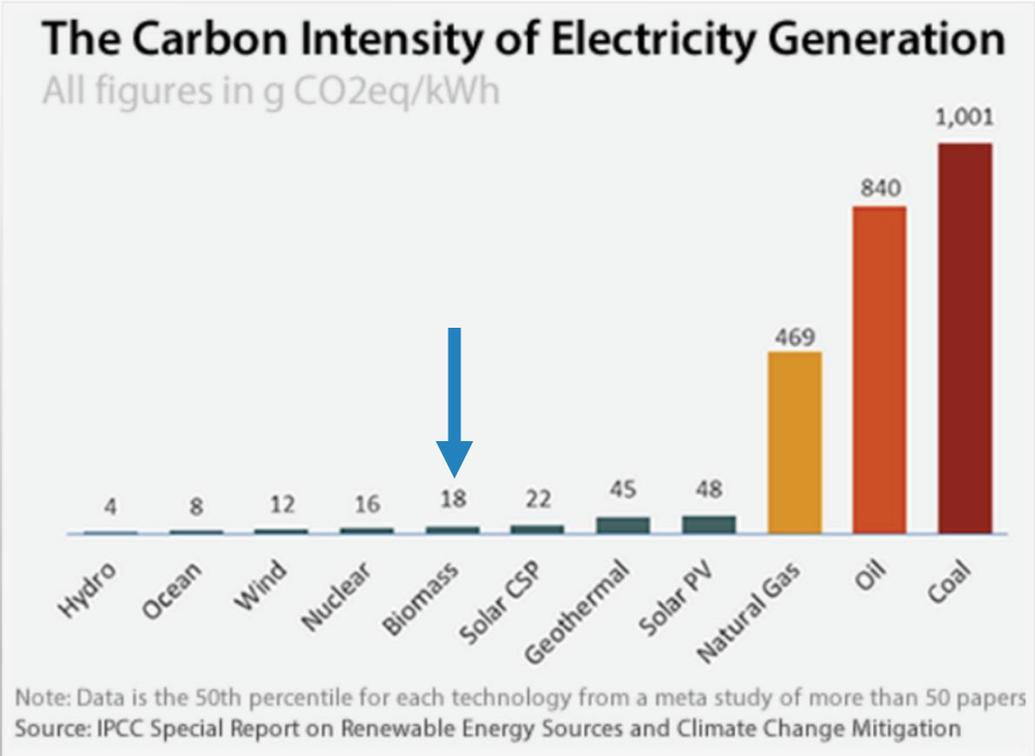
CARBON FARMING

- An Arvin Hemp Company (Apothio, LLC) is approved to sell the carbon that is stored in the soil to the state of California.
 - This Company's last hemp production removed enough CO₂ from the air for a year of 1,100 homes' CO₂ emissions.
- It is an emerging economy that can benefit farmers and the environment, and we plan to lead that path by converting farmers to carbon friendly, profitable, and sustainable land use.
- Hemp is known to be 50% more effective at sequestering carbon than any other plant.

SOIL & WATER REMEDIATION

- Intensive inputs in our modern farming methods have left us with dead soil whose top layers are slowly degrading, salinized, and contaminated. Over time, any of these risks can render farms unfarmable.
- Hemp drops its leaves upon maturity, leaving up to 0.5" of organic material on the ground.
- Groundwater in Kern County is contaminated with heavy metals and pesticides.
- Hemp is a wonderfully powerful phytoremediator. It pulls heavy metals and pesticides out of water and soil and stores it in the plant. One of Arvin's Hemp Company's (Apothio, LLC) has a U.S. patent pending surrounding water remediation and hemp. That technology will be developed here in Arvin.
- The same Arvin-based Hemp Company also is developing its U.S. patents surrounding aquaponics designs that can be used for water remediation, food, nutraceutical and pharmaceutical production in Arvin and around the globe.

GREEN ENERGY



- Hemp is a perfect crop to make BioCoal
- Carbon taxes have made coal very expensive
- BioCoal is "carbon neutral" (no carbon tax)
- Coal based infrastructure = 40% of energy supply globally
- Arvin is the perfect place to create this market and the jobs that come with it due to unique climate, existing infrastructure, and access to intl. markets in Asia via LA

BEE REFUGE

- Bees lack access to a protein source in the late season
- Hemp is able to provide bees access to this protein source through the entire winter-time.
- We would like to provide bee-keepers with a “refuge” to co-locate their hungry bees to feast upon our abundant supply of pollen.
- This location will allow us to raise awareness about the destruction of bee populations due to harmful uses of pesticides such as neo-nicotinoids and herbicides like Round Up.

ARVIN, CA

A dedicated area of the flagship to engage and educate the local community

- A community earned / owned vehicle to foster food sovereignty & wellness entrepreneurship
- Aquaponic wellness garden - students and residents can grow/access culturally sacred medicinal or culinary plants – cilantro, jalapeno, hibiscus, tomatoes, traditional corn, etc
- Prep station – local residents share access to cooking and cleaning supplies to host their own community dinners of 10 or more people
- Cultural showcase teaching about the three sisters & aquaponics (K-12+ students)
 - The history of the three sisters & aquaponics in Mexico (where it originated)
 - Interconnectedness of all plant and human life (how to achieve harmony amongst diversity)
 - The benefits of co-planting
 - Introduction to food sovereignty

INDUSTRIAL SYMBIOSIS

Concepts Overview (not at flagship)

ARVIN MUNICIPAL WATER TREATMENT

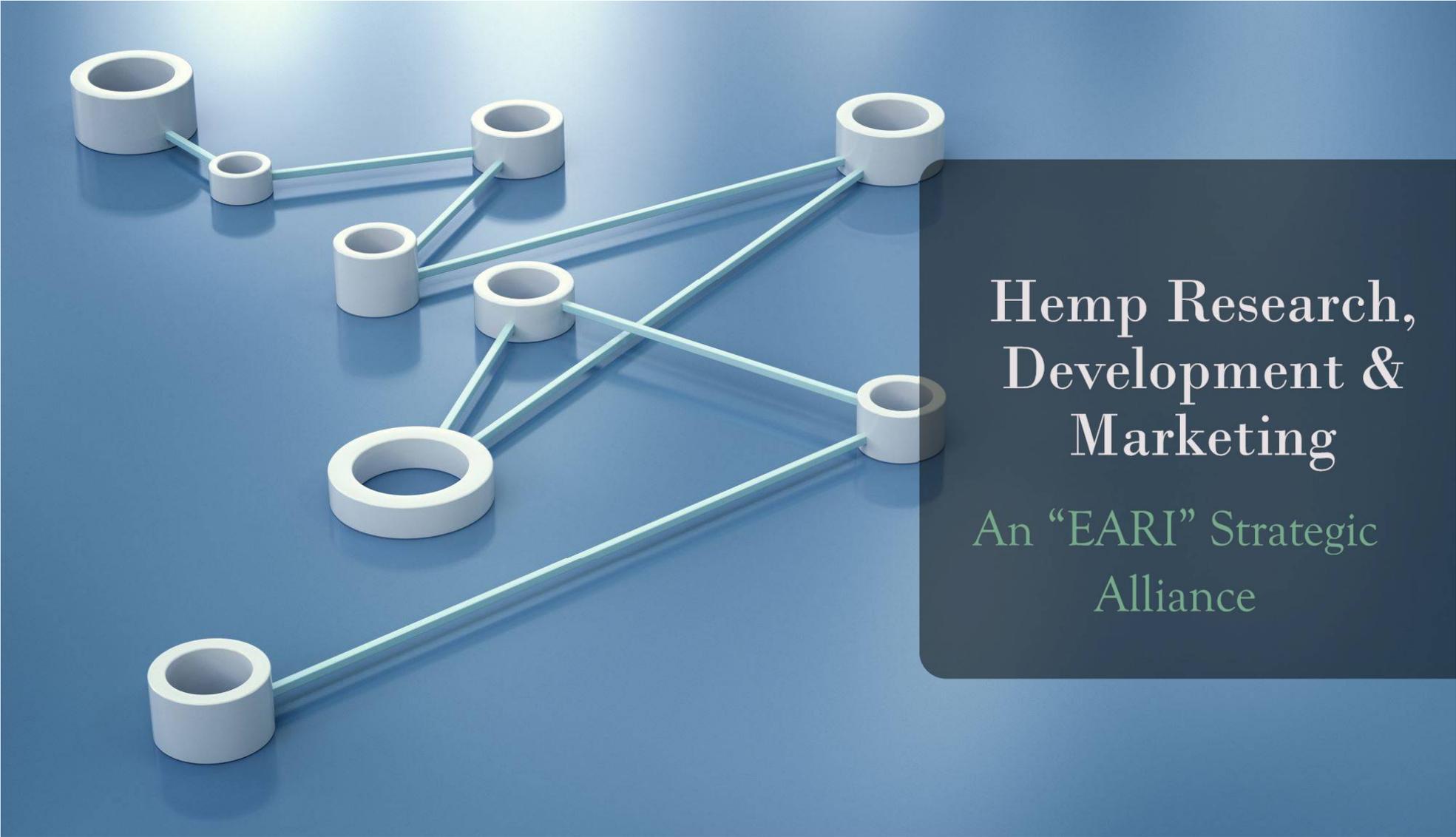
- Co-located industrial scale aquaponics systems with Arvin to help remove “hard to get” contaminants from municipal water supply (Arsenic, Boron, TCP, etc)
- This may include Green Members of the Gas & Oil Industry
- Development of genetics & biological strains to remove these contaminants

ENERGY COMPANIES LOCATED IN ARVIN

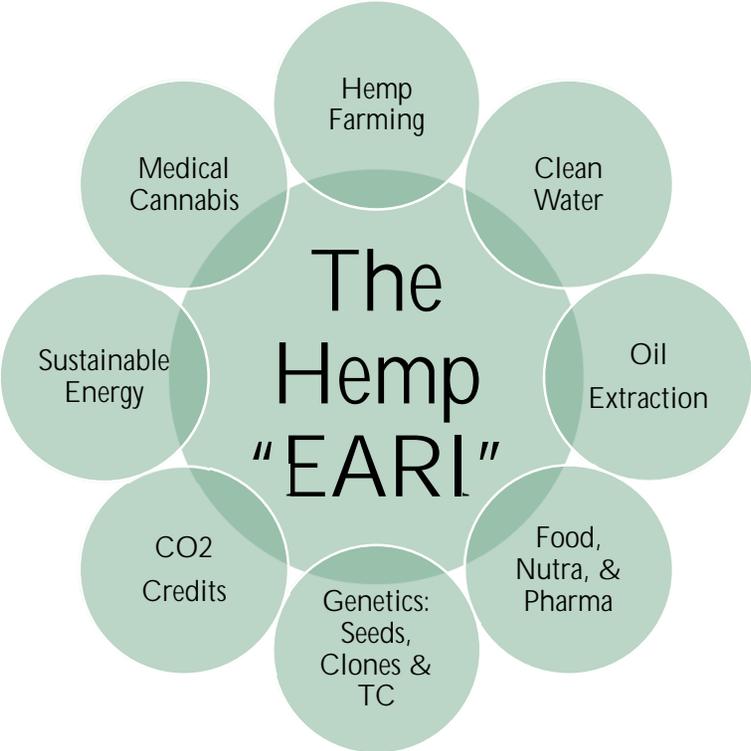
- Co-located industrial scale aquaponics systems with local energy industry partners to develop specific genetics that are particularly good at removing specific contaminants related to produced water (Arsenic, Boron, Chloride, Sodium)
- Energy partners utilize low intensity pyrolysis on hemp biomass (from remediation projects) to develop BioCoal – a carbon neutral drop-in replacement for coal derived from hemp
- Using Hemp Bio-Coal and/or Pyrolysis for the production of heat energy supporting annually sustainable food production in the colder climates.

THANK YOU

We appreciate your consideration to not only pioneer the cannabis industry with the Leadership and City of Arvin, but to work towards developing new models by which we can protect our planet, connect our community, and create meaningful, sustainable jobs for a green future.



Summary of Key Industrial Categories for Hemp



The Hemp
“EARI” IS the
Hub
for Arvin
Partnerships:
Key JV
Partners

- ◇ Multiple Partnership Categories, for example:
 - ◇ Ag Real Estate and Production JV,
 - ◇ Extraction and Manufacturing JV,
 - ◇ BioPharma JV,
 - ◇ Genetics & Production JV,
 - ◇ Sustainable Energy JV,
 - ◇ Clean Water JV, and
 - ◇ Fiber & Industrial Materials JV

Examples of Revenue Streams for the City of Arvin

- ◇ City of Arvin Hemp Revenue Streams:
 - ◇ Arvin Owned Ag Land Lease: Revenue Sharing
 - ◇ Taxable Hemp Categories:
 - ◇ Commercial Hemp Growers
 - ◇ Extraction and Manufacturing
 - ◇ Movement of “hot hemp” into the Cannabis System



**CITY OF ARVIN
Staff Report**

Meeting Date: May 12, 2020

TO: Arvin City Council

FROM: Shannon Chaffin, City Attorney

SUBJECT: Public Hearing to Consider Adoption of An Urgency Ordinance of the City Council of the City of Arvin Repealing Chapter 8.12 and 8.20, of Title 8 of the Arvin Municipal Code and Replacing Them With Chapter 8.12, of Title 8 Nuisances.

SUMMARY:

The proposed Urgency Ordinance will allow for a broader range of enforcement options for the City, including those for enforcing orders related to the COVID-19 emergency. Approval of the urgency ordinance will require a 4/5ths vote of the City Council and is proposed to take effect immediately.

RECOMMENDATION:

Staff recommends to open the hearing, allow for public testimony, close the hearing and approve the adoption of the Urgency Ordinance.

DISCUSSION:

It has been some time since the City last updated its Nuisance ordinance. At its last meeting the City Council directed the City Attorney prepare a draft ordinance to be presented for consideration for approval. The proposed Urgency Ordinance is a full service ordinance. It provides for a wide range of materials, as well as setting out sample citation language, hearing processes, notices, etc., for ease of use by City staff. It also provides for a full range of enforcement options to allow greater flexibility for the City. These include abatement, administrative citations (up to \$1,000 per incident), criminal complaint or citation, injunction, receivership, unlawful business practices enforcement, red light abatement, drug abatement, state housing law items as set forth in Health and Safety Code section 17910 et seq., and any other available remedy set forth in the Arvin Municipal Code or State law.

Enactment of the Urgency Ordinance will provide a greater range of tools for enforcing emergency orders, allowing the City to issue fines instead of criminal citations for violations. A strong Nuisance ordinance allows for enforcement of the provisions of the Arvin Municipal Code, and will preserve public peace, health, and safety.

ATTACHMENTS:

A. Proposed Urgency Ordinance

FINANCIAL IMPACT:

The Ordinance would have no fiscal impact.

ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARVIN
REPEALING CHAPTER 8.12 AND 8.20, OF TITLE 8 OF THE ARVIN MUNICIPAL
CODE AND REPLACING THEM WITH CHAPTER 8.12, OF TITLE 8 NUISANCES**

WHEREAS, the City of Arvin has the authority, under its police power, to enact regulations for the public peace, morals, and welfare of the city, Cal. Const. Art. XI, section 7; and

WHEREAS, the City Council of the City of Arvin finds that certain conditions constitute a public nuisance and are a threat to the public peace, safety and welfare of the City; and

WHEREAS, by declaring that violations of the Arvin Municipal Code constitute a public nuisance, the City Council has determined that by violating the City's laws contained in the Arvin Municipal Code, a person or entity creates a threat or danger to the public health, safety or welfare as a public nuisance; and

WHEREAS, Sections 36901, 38771 and 38773.5(a) of the California Government Code authorize the City of Arvin to enact ordinances declaring what constitutes a public nuisance, the procedures for abating nuisance conditions, providing for the recovery of costs and attorney fees to abate the nuisance, providing for the collection of civil penalties; and

WHEREAS, Section 2929.3 of the California Civil Code authorizes the City of Arvin to abate a public nuisance existing at residential properties acquired through foreclosure or a deed of trust and to charge fines for noncompliance; and

WHEREAS, Chapter 13 of Part 2 of Division 3 of Title 4 of the California Government Code authorizes local procedures for weed abatement; and

WHEREAS, the City Council finds that ensuring compliance with the Arvin Municipal Code and other regulations vital to the protection of the public's health, safety and quality of life throughout the City is an important public service; and

WHEREAS, the City Council desires to enhance and promote the maintenance of property and the enhancement of the livability, community appearance, and the social and economic conditions of the community; and

WHEREAS, the City Council finds that an effective code compliance program eliminates and prevents the spread of blight, deterioration and crime, makes neighborhoods safer and more livable, and promotes economic development and pride in the community; and

WHEREAS, the City Council recognizes that an effective code compliance program requires the drafting and adoption of regulations that can be effectively applied by City personnel in a fair and expedient manner; and

WHEREAS, the City Council has determined that it is in the public interest to adopt this ordinance which expressly declares that any and all violations of the Arvin Municipal Code constitute public nuisances, in order to facilitate the City's ability to protect the health, safety, and general welfare of the public through the use of the nuisance abatement procedures set forth in the Arvin Municipal Code and in other applicable laws, rules and regulations; and

WHEREAS, the City Council finds that the Arvin Municipal Code does not provide an adequate administrative remedy for properties harboring conditions that constitute a public nuisance; and

WHEREAS, the City Council has an interest in maintaining the City of Arvin in an orderly and esthetically pleasing condition, to keep property values in line with neighboring communities and to improve the quality of life for its residents, businesses, and visitors; and

WHEREAS, the City Council has determined that the adoption of this ordinance is necessary to achieve a more comprehensive code compliance program that will permit City personnel to immediately proceed with code compliance efforts in an expedient, efficient and fair manner for purposes of effectively protecting public health and safety.

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

SECTION 1. The above recitals are incorporated are hereby by reference.

SECTION 2. Chapter 8.12 and 8.20, of Title 8, of the Arvin Municipal Code are repealed in their entirety and the following provisions are adopted in their entirety to read as set forth in Attachment “A,” which is attached hereto and incorporated herein as if set forth in full.

SECTION 3: This ordinance shall take effect immediately upon its adoption. Within fifteen (15) calendar days after its adoption, the enacting ordinance shall be published once in a newspaper of general circulation.

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I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council at a regular meeting thereof held on the 12th day of May 2020, 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

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.

Attachment “A”

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

Chapter 8.12 and 8.20, of Title 8, of the Arvin Municipal Code are repealed in their entirety and the following provisions are adopted in their entirety to read as follows:

**Chapter 8.12
NUISANCES**

Article 1. Unlawful Property Related Nuisances

Section 8.12.101 Neighborhood Preservation.

It shall be unlawful for any person owning, renting, leasing, occupying or having charge or possession of any real property in the City to maintain such property in a manner that any of the following conditions are found to exist thereon, except as may be allowed by the Arvin Municipal Code. These conditions meet one or more of the following criteria and are considered nuisances subject to abatement and cost recovery as proscribed in this Chapter: substantially detract from the appearance of the immediate neighborhood, reduce the property value in the immediate neighborhood, are an attractive nuisance, are materially detrimental to nearby properties and improvements, are a visual blight, are offensive to the senses, or are otherwise dangerous to public health, safety or welfare.

(a) Abandoned and Partial Buildings.

Buildings which are abandoned, vacant, partially destroyed, or left in an unreasonable state of partial construction. “An unreasonable state of partial construction” means any unfinished building or structure where the owner has been given written notice to complete the building or structure by the City’s Building Official or designee, but fails to complete construction and obtain final approval from the City in accordance with applicable laws and regulations within the time period provided by the City’s Building Official or designee.

(b) Broken windows.

Buildings with windows containing broken glass or no glass at all where the window is of a type which normally contains glass.

(c) Building Materials and Household Fixtures and Equipment.

Used or damaged lumber, junk, trash, debris, concrete, scrap metal, salvage materials and abandoned, broken, discarded or unused furniture, appliances, sinks, toilets, cabinets, or other household fixtures or equipment (i) stored so as to be visible at ground level from a public street, alley or from adjoining property, or (ii) stored in a manner out of view but in an unsecured area accessible to

minors, or (iii) stored in a manner as to harbor rodents, insects, or other vermin.

(d) Building Residue.

Residue from a fire or demolition such as concrete or brick foundations and flatwork.

(e) Construction Equipment.

Construction equipment or machinery of any type or description parked or stored on the property when it is readily visible to the general public, except while excavation, construction or demolition operations covered by an active building permit are in progress on the subject property or an adjoining property.

(f) Deteriorated Buildings.

Buildings which have become so deteriorated as to permit decay, excessive checking, cracking, peeling, chalking, dry rot, warping, or termite infestation.

(g) Deteriorated Improvements.

Walls, fences, hedges, driveways, sidewalks, walkways, and similar improvements which have become deteriorated, hazardous, defective, or unsightly.

(h) Encroachment.

The encroachment onto public property for which no encroachment permit has been issued or which is in violation of the provisions of an encroachment permit or any applicable law.

(i) Garbage Containers.

The leaving of any garbage, rubbish, recyclable, or green waste container in a front yard area visible from a public street, except during the times necessary for collection, which provides for containers are to be placed at curbside for collection within twelve (12) hours of the time of collection and shall be removed within twelve (12) hours after collection service is rendered.

(j) Graffiti.

Graffiti or other defacing words, letters or drawings which remain in excess of forty-eight (48) hours on the exterior of any building or fence or other structure that has not been removed or covered with paint matching the structure that was defaced.

(k) Hazardous Liquids and Other Substances.

Any property with pooled or flowing hazardous substances, including oil and similar liquids, which are not contained on site in approved storage containers and pursuant to all laws. Any property with excessive accumulations of oil and similar liquids on paved surfaces, buildings, walls, or fences. Any property where a hazardous substance is deposited, stored, released, or discharged in violation of any law.

(l) Hazardous Pools, Ponds, and Excavations.

Pools, spas, hot tubs, ponds, or other artificially confined bodies of water, and excavations, maintained in a hazardous manner which may affect the health or safety of the public, including providing a breeding place for mosquitoes and algae, failing to comply with State and local safety requirements for pools and spas, and failing to take adequate measures to prevent public access to the area.

(m) Landscape Materials.

The keeping, storage, depositing, or accumulation on the premises of dirt, sand, gravel, concrete, or other similar materials for an unreasonable period of time or in a manner as to harbor rodents, insects, or other vermin.

(n) Landscaping.

Front and visible side yards without acceptable landscaping, except for improved surfaces such as walks and driveways. Acceptable landscaping shall include any ground cover, decorative rock, redwood bark, lawn, turf and/or other material determined to be acceptable or required by the City Manager or his/her designee. Landscaping shall also be maintained in accordance with any approved permit, site plan, or landscaping plan.

(o) Land Use Entitlements.

The failure to comply with any condition imposed on an entitlement, permit, contract, or environmental document issued or approved by the City in connection with the property or any improvement located thereon.

(p) Laundry Hanging.

The hanging of clothing, laundry or routinely washed articles on porch/stair railings, fences, hedges, or other supporting structures located in front or side yards and visible from a public place.

(q) Occupied Vehicles.

Any vehicle, recreational vehicle, motor home, camper, camper shell, or boat occupied by any person or persons overnight, except as may be permitted in an approved location for such purpose.

(r) Offensive Odors.

Stagnant water, refuse, rubbish, garbage, dead animal carcasses, offal, animal excrement or other waste materials which emit odors that are unreasonably offensive to the physical senses of a reasonable person of normal sensitivity or which may cause or attract rodents, insects, or other vermin.

(s) Personal Property.

The keeping, storage, depositing or accumulation of an excessive amount of personal property visible from a public street, alley and/or adjacent private property.

(t) Public Right-of-Way.

The keeping, storage, depositing or accumulation of landscaping materials, sporting equipment, garbage cans or any other personal property within the public right-of-way, including but not limited to greenways, landscaping medians, streets, sidewalks and alleyways.

(u) Safety Hazard.

The maintenance of property in a manner that presents an imminent safety hazard and/or creates a present and immediate danger to life, property, health or public safety.

(v) Sewage.

The failure to properly connect any inhabited improvements to a sewage disposal system or sanitary sewer and/or permitting sewage seepage or discharge upon the ground.

(w) Signs.

Improper existence and maintenance of signs relating to uses no longer conducted or products no longer sold on the property.

(x) Storage Containers and Dumpsters.

Storing or keeping boxes, containers, or dumpsters, in excess of seventy-two (72) consecutive hours, except when otherwise permitted by the Arvin Municipal Code, the City Manager or his/her designee when engaged in ongoing construction activity.

(y) Tarps and Other Temporary Use Items.

The keeping or using of tarps or other similar items intended to be used as a temporary protective cover or shelter in a state of disrepair or beyond the intended use period, when the item is stored so as to be visible at ground level from a public street, alley or from adjoining property. Temporary use items visible for more than thirty (30) consecutive calendar days or thirty (30) calendar days in any calendar year shall be presumed to be beyond their intended period of use.

(z) Tractor-Trailer.

Any semi-tractor-trailer truck, also known simply as a semi-trailer truck, tractor-trailer truck, semi-tractor truck, semi-truck, big rig, 18 wheeler, trailer truck or tractor truck, or combination of a tractor unit and one, or more, semi-trailers to carry freight and/or exceeding 10,000 lbs. parked or stored on any driveway, street, an unimproved surface or otherwise in violation of the Arvin Municipal Code; unless parking or storage on the street is authorized within the zoning district where it is parked or stored.

(aa) Unpermitted Construction or Alterations.

The building, construction or placement of any unpermitted structure or building, including but not limited to an unpermitted carport, driveway entrance, patio cover, pergola or improvements to a previously approved structure or building.

(bb) Vehicle Parts.

The keeping, storage, depositing, or accumulation on the premises of motor vehicle part(s) or scrap, including tires, which is:

- (i) visible at ground level from a public street, alley or from adjoining property, or
- (ii) contains more than personal use items unless allowed by previous City review or permit in appropriate commercial or industrial zones.

(cc) Vehicles, Including Motor Homes, Trailers, and Boats.

- (i) Any vehicle, recreational vehicle, motor home, camper, camper shell, boat, or trailer parked or stored outside of a garage or carport on an unimproved surface or otherwise in violation of the Arvin Municipal Code.
- (ii) Any inoperable vehicle, recreational vehicle, motor home, boat, or trailer parked or stored outside of a garage or carport

on a driveway, street, an unimproved surface or otherwise in violation of the Arvin Municipal Code.

(dd) Visibility Hazards.

The maintenance of property in such a manner as to cause a hazard to the public by obscuring the visibility of any public right-of-way, road intersection, pedestrian walkway, street sign, street light, or traffic signal.

Section 8.12.102 Weeds, Vegetation, and Rubbish.

No person, whether such person is the owner, agent, or person in control of any lot or parcel of land within the City, shall maintain, permit, or allow such premises, or adjoining public way, sidewalk, street and/or alley, to be maintained in any of the following conditions, which are declared to be a public nuisance. It is the duty of the property owner to destroy or remove all such prohibited materials.

(a) Refuge for Vermin.

Dead, decayed, diseased or hazardous trees, weeds, grass, rubbish, refuse, dirt, debris, or any other matter or material which may provide a breeding place or refuge for rodents, insects, or other vermin.

(b) Vegetation Near Chimneys.

Dead vegetative growth overhanging a structure or any tree branch or other vegetative growth which extends within ten feet (10') of the outlet of a chimney.

(c) Pollen.

Weeds which may produce pollen which is injurious to the health, safety, comfort, or welfare of the residents of the City.

(d) Fire Hazard: Fire Hydrants.

Weeds, rubbish, refuse, dirt, debris, or any other matter or material which may become a fire or health hazard, or is within thirty-six inches (36") of a fire hydrant.

(e) Overgrown Vegetation.

(i) Vegetative growth overhanging a public street by less than fourteen feet (14') in height or a public sidewalk by less than eight feet (8') in height.

- (ii) Any overgrown vegetation, including but not limited to bushes, shrubs, trees, lawns, weeds and/or flowers.

(f) Other Vegetation.

Any other vegetation or materials which, because of lack of maintenance, create conditions which may become a fire or health hazard, including weeds which are otherwise subject to abatement by law.

(g) Trees and shrubs.

Any tree or shrub causing damage to the public right-of-way including but not limited to streets, sidewalks, alleyways, greenways and landscape medians.

Section 8.12.103 Garbage.

(a) Public right-of-way.

No person shall place, or cause to be placed, upon any public way, street, or sidewalk, any refuse matter, garbage, or filth which is hazardous to public health or safety or which obstructs the free passage of such street or sidewalk for more than one hour at a time, except as may be permitted by the Arvin Municipal Code.

(b) Private Property.

No person in control of any lot or parcel of land within the City, whether such person is the owner, agent, or tenant, shall maintain, permit, or allow any refuse matter, garbage, or filth which is hazardous to public health or safety to exist on such premises. Garbage shall be placed in approved containers.

(c) Summary Abatement.

The existence of one or more of these conditions shall be considered public nuisances subject to summary abatement and cost recovery as proscribed in this Chapter.

Section 8.12.104 Vacant Buildings: Nuisance and Abatement.

Vacant residential, commercial and industrial buildings and all yards surrounding the building must be maintained, actively monitored, and secured in accordance with the following standards or the property will be considered blighted and a nuisance subject to abatement pursuant to the procedures set forth in this Chapter, and any other available enforcement mechanisms.

“Vacant building” means real property with one or more structures, whether residential, commercial, or industrial, that is/are unoccupied or occupied by unauthorized persons. In the case of a multi-unit structure or complex, “vacant” shall mean when any one unit is unoccupied or occupied by unauthorized persons.

For commercial and industrial properties, “acceptable landscaping” means that at least fifty percent (50%) of the non-paved portions of the exterior yards (those that are visible to the general public) shall be covered with live trees, shrubs, lawns, or other live plant materials and the remaining portion of the non-paved portions of the exterior yards shall be covered with live trees, shrubs, lawns, or other live plant materials or shall have decorative landscaping installed, so long as weed block is used where decorative landscaping is installed.

For residential properties, acceptable landscaping shall include any ground cover, decorative rock, redwood bark, lawn and/or other material determined to be acceptable or required by the City Manager or his/her designee.

(a) Yard Maintenance.

Maintain all yards in compliance with any applicable development permits, site plans, and landscape plans. If there are no applicable development permits, site plans, or landscape plans, maintain all interior yards (those that are not visible to the general public) in a safe condition, including keeping all plant materials controlled to avoid overgrowth; maintain all exterior yards (those that are visible to the general public), including park strips, with acceptable landscaping, installed and maintained in a trimmed, live and healthy condition.

“Park strip” means that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach. Where no curb exists, “park strip” shall mean the area of property from the property line to the edge of the pavement.

(b) Building Exterior.

Maintain the exterior of the building, including, but not limited to, paint and finishes, in good condition.

(c) Broken Windows.

Board up broken windows within twenty-four (24) hours and replace broken windows within seventy-two (72) hours, subject to the provisions of subsection (g) of this section.

(d) Trash and Debris.

Remove all trash and debris within seventy-two (72) hours of their placement or abandonment on the property.

(e) Compliance with Laws.

Maintain the building in continuing compliance with all applicable State and local codes and regulations and any applicable City issued permits.

(f) Prevention of Criminal Activity.

Take all reasonable steps necessary to prevent criminal activity on the premises, including, but not limited to, the use and sale of controlled substances, prostitution and criminal street gang activity.

(g) Secure Property.

Secure the property, both structure and grounds, against trespassers, including maintaining all windows and doors with locks, replacing all broken doors or windows, and securing any other openings into the structure which are readily accessible to trespassers by boarding or such other means as shall be accepted by the City Manager or his/her designee. For purposes of securing the building and grounds, boarding up windows and doors and fully fencing the property shall be a disfavored technique and may only be used when it is determined by the City Manager or his/her designee that no other reasonable alternative exists. Properly maintained buildings and grounds should discourage trespassers. Alternative security measures are also available. When a building is boarded or the property fenced, the owner shall comply with standards established by the City Manager or his/her designee.

(h) Graffiti.

Remove all graffiti on the property within forty-eight (48) hours of placement on the property.

Section 8.12.105 Vacant Buildings: Vacant Building Plan.

For vacant properties, the City Manager or his/her designee may issue an Order to Submit a Vacant Building Plan to the property owner and require the payment of a fee as required under this section.

(a) Vacant Building Plan.

The Vacant Building Plan shall include the following information and shall be submitted within thirty (30) calendar days of service of the order:

- (i) Name and address of person submitting the Vacant Building Plan;
- (ii) Name and address of all property owners of the subject property;
- (iii) The name and address of a local agent, if the property owner(s) is/are not local, that the City Manager or his/her designee may contact related to enforcement of this article;
- (iv) The expected period of vacancy;
- (v) A plan to make any buildings ready for occupancy that could not be legally occupied under State and local law at the time of submission of the plan;
- (vi) If required by the City Manager or his/her designee, a plan to either occupy, sell, lease, or demolish the building within one hundred eighty (180) calendar days or such other time as determined reasonable by the City Manager or his/her designee under the circumstances;
- (vii) A plan for actively monitoring, maintaining and securing the property and otherwise complying with this article;
- (viii) A letter of written consent by the property owner(s) to the City Manager or his/her designee to allow City code enforcement inspectors to enter the property for inspections consistent to enforce the provisions of this article;
- (ix) Any other information required by the City Manager or his/her designee in rules and regulations adopted by the City Manager or his/her designee under this article.

(b) Exception.

If the vacant building will be occupied within thirty (30) calendar days of service of the notice, the owner may notify the City Manager or his/her designee in writing of this fact and the owner will be excused from submitting a Vacant Building Plan.

(c) Vacant Building Plan Fee.

When a property owner is ordered to submit a Vacant Building Plan by the City Manager or his/her designee they shall also be required to pay a fee, not to exceed the costs of the City to monitor or inspect the building and to review and approve the Vacant Building Plan. The City Manager or his/her designee shall have discretion to determine the number of inspections required to monitor the subject building upon submission of the plan, based upon the type and condition of the property, and the history of violations at the subject property. There shall be no charge for the initial Vacant Building Plan. The amount of the fee for subsequent Vacant Building Plans shall be established by City Council Resolution.

(d) Appeal.

An Order to Submit a Vacant Building Plan and/or a decision by the City Manager or his/her designee rejecting a Vacant Building Plan are appealable in accordance with the procedures set forth in this Chapter except that both an Order to Submit a Vacant Building Plan and a rejection of a Vacant Building Plan must be appealed within fifteen (15) calendar days from service of the notice of the order or rejection.

(e) Approved Plan.

A Vacant Building Plan is enforceable immediately upon notice to the property owner of the approval of the Vacant Building Plan until the City Manager or his/her designee releases the property from the approved Vacant Building Plan. An approved plan shall be valid for no more than one hundred eighty (180) calendar days from the date of its approval. If a plan expires after one hundred eighty (180) calendar days and the City Manager or his/her designee has not yet released the property from the approved Vacant Building Plan, the property owner is automatically required to seek approval of a new Vacant Building Plan and pay a fee for that renewal as set forth in Subsection (c) of this Section.

(f) Noncompliance.

Failure by the property owner to submit a Vacant Building Plan or comply with a Vacant Building Plan that has been approved by the City Manager or his/her designee under this section or pay a fee as required under this section is a violation of the Arvin Municipal Code, subject to the abatement and cost recovery procedures set forth in this Chapter and any other available enforcement mechanisms.

(g) Transfer of Vacant Building.

The transferee of a vacant building is subject to the requirements of this Chapter. The transferee may apply to the City Manager or his/her designee to be released from the requirements of the Vacant Building Plan. It shall be in the City Manager's or his/her designee's discretion to grant such an application. The City Manager's or his/her designee's decision shall be final.

(h) Service.

Service of an Order to Submit a Vacant Building Plan, notice of rejection, or approval of a Vacant Building Plan shall be made on the property owner by personal service or first class mail. Where known, a copy may also be provided by email.

Section 8.12.106 Registration of Vacant Foreclosed Properties.

[Reserved]

Article 2. Violations of the Arvin Building Code

Section 8.12.201 Building Codes.

The Arvin Building Code shall mean the current versions of the California Building, Fire, Plumbing, Mechanical, Electrical, Administrative, Energy Code, Green Code and related codes, as well as the Uniform Administrative Code, Uniform Code for the Abatement of Dangerous Buildings, and International Property Maintenance Code, as incorporated by reference in the Arvin Municipal Code with local amendments, except that the procedures for abatement, conducting appeals, and cost recovery shall be those set forth in this Chapter.

Section 8.12.202 Dangerous Buildings.

The Uniform Code for the Abatement of Dangerous Buildings and California Health and Safety Code shall apply to the determination of whether a building is dangerous except that the procedures for abatement, conducting appeals, and cost recovery shall be those set forth in this Chapter.

Section 8.12.203 Nuisances.

Violations of the Arvin Building, California Health and Safety Code, Uniform Administrative Code, Dangerous Building Codes, and International Property Maintenance Code are considered public nuisances subject to abatement and cost recovery as proscribed in this Chapter.

Article 3. Management of Real Property Violations

Section 8.12.301 Findings, and Purpose.

(a) Findings.

Just as the physical conditions of structures and properties within the City can constitute public nuisances, so too can the behavior of persons on properties within the City constitute public nuisances. The abatement of behavioral nuisances is as important to the City in its fight against blight, decay, deterioration and crime as is the abatement of other nuisances created by physical conditions.

The owners of real properties within the City are responsible for monitoring their properties and for taking appropriate action if a nuisance exists thereon, whether that nuisance be created by existing physical conditions or by nuisance creating behaviors, or the combination of conditions.

Many nuisances can be avoided with active property management. Lack of proper management of real property can create an environment which is conducive to behaviors which become a nuisance with repetition and lack of abatement and corrective measures.

If a property owner does not fulfill his or her responsibilities, it is necessary for the safety, health and welfare of the neighborhoods, and the City as a whole, that the City be able to undertake abatement action. The provisions of this article are necessary to protect the health, property, and integrity of this community.

Nothing in this Article exempts property owners from compliance with Federal, State, or local laws, including, but not limited to, laws on housing, eviction, retaliatory conduct, discriminatory conduct, or invasion of privacy.

(b) Purpose.

The purpose of this Article is to set forth the management of activities conducted and enforce minimum standards relating to or conditions on real property to protect the public health, safety and welfare; and to put in place remedies which will permit the City to take effective, efficient administrative or other legal action against property owners who permit or suffer nuisance creating behaviors or conditions to occur on their properties on a continuing basis, in order to compel such owners to abate the nuisance creating behaviors or conditions and control the environment, both physical and behavioral, on such real properties.

The provisions of this Article are complimentary, cumulative, supplementary, and additional to any other legal remedies available, whether found in the Arvin Municipal Code, State or Federal laws, regulations, or case law.

It is not the intent or purpose of this Article to subject owners or managers to any legal liability resulting from a tenant's actions away from the owner's or manager's own property, unless it can be shown that the problem tenant

is also creating a nuisance or committing a crime on the owner’s or manager’s property.

(c) Enforcement Responsibility.

Enforcement of this Article shall fall within the responsibility of the City Manager or his/her designee(s).

Section 8.12.302 Definitions.

(a) Department.

The Arvin Police Department, Fire Department (as may be provided by contract), Development Services Department, Planning Department, and/or Public Utilities Department.

(b) Response Costs.

All actual and reasonable costs incurred by the Department(s) in responding to a nuisance, including, but not limited to, costs of personnel, including salaries and benefits, administrative overhead, costs of equipment and materials used in the response, and costs related to investigation of the underlying call for service. Response costs do not include costs covered by a user fee.

Section 8.12.303 Dual Responsibility.

(a) Owners.

Every person or entity owning, possessing, or having charge or control of real property within the City is required to manage that property and control the environment thereon in a manner so as not to violate the provisions of this Chapter, and the owner shall be liable for violations of the provisions of this Chapter regardless of any contract or agreement with any third party regarding the property.

(b) Lessees.

Every occupant, lessee, or holder of any possessory interest in real property is required to:

- (i) comply with all laws applicable to the property;
- (ii) to supervise anyone utilizing, using, or occupying the property, with or without the consent of the owner, consistent with this Chapter; and
- (iii) to maintain the property in a manner so as not to violate the provisions of this Chapter.

Section 8.12.304 Multiple Response Nuisances.

- (a) If a Department of the City is required to respond to a violation(s) of the provisions of this Chapter more than once in any one hundred twenty (120) calendar day period, including a second response during the same day or night as the first response, the person or persons who own the property where the nuisance took place, except as provided below; the person or persons residing on or otherwise in control of the property where the nuisance took place; the person or persons who organized or sponsored the activity or event causing the nuisance; and all persons who engaged in any activity resulting in the public nuisance shall be jointly and severally liable for the violation(s), regardless of whether the City issues an administrative citation or initiates a code enforcement action. The multiple response shall apply to the same or similar nuisances occurring during the applicable time period.
- (b) It is a public nuisance and a violation of this Chapter for the person or persons who own the property, whether through their agent, lessee, sublessor, sublessee, or occupant of any premises in the City to permit, by their own acts or omissions, any of the following activities to repeatedly occur on the real property of the owner. “Repeated” shall mean more than one occurrence upon the real property in any one hundred twenty (120) calendar day period.
- (i) Use and Sale of Controlled Substances.
The illegal manufacturing, sale, use or possession of controlled substances or other illegal drugs and substances.
 - (ii) Coming and Going for Sales or Use of Controlled Substances.
The gathering, or coming and going, of people who purchase or use controlled substances on the premises.
 - (iii) Prostitution.
The occurrence of prostitution.
 - (iv) Gang Activities.
Unlawful activities of a criminal street gang as defined in Penal Code Section 186.22.
 - (v) Noise and Unruly Behavior.
Noise and unruly behavior as set forth within the Arvin Municipal Code.
 - (vi) Firearms and Weapons.
The unlawful discharging of a firearm or brandishing of a weapon by any person.

(vii) Graffiti and Trash.

The presence of graffiti or other defacing words, letters, or drawings, or trash and debris on the property for a forty-eight (48) hour period.

(viii) Abandoned and Inoperable Vehicles.

The presence of abandoned vehicles or improperly stored inoperative, wrecked, or dismantled vehicles on the property, occurring on any one or more properties of the same owner within the City of Arvin.

(ix) Animal Disturbances.

Animal disturbances, including but not limited to competitive fighting between animals.

(x) Violent Criminal Acts.

Violent criminal acts, charged or not, including, but not limited to, rapes, assaults, battery, homicides, stabbings, and/or shootings.

(xi) Gaming activities.

Illegal gaming activities.

(xii) Stolen Vehicles.

Maintenance, storage, and/or dismantling of any stolen vehicle upon the property.

Section 8.12.305 Notice to Property Owner.

The City Manager, his/her designee, or the Department(s) shall, within a reasonable period of time from the date of occurrence of any activity listed in Section 8.12.304, and/or any other provision of this Chapter, notify the property owner of the unlawful activity. The notice shall include the location of the property, the name of the person(s) conducting the unlawful activity (if known and appropriate), a description of the illegal activity, suggested remedies and a warning of the enforcement of this Article if the activity described is not abated within the time prescribed in the notice. The notice shall be served on the owner of the property, via regular mail, at the address listed on the latest tax assessment roll or as otherwise actually known to the City Manager.

The Notice shall be in substantially the following form:

[DATE OF NOTICE]

IMPORTANT NOTICE REGARDING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT, pursuant to Arvin Municipal Code, on _____, 20__, at _____ a.m./p.m., the _____ Department found that an activity or event occurred at the below-listed premises causing a public nuisance as follows: [short description of the nuisance and the applicable Arvin Municipal Code section(s) violated].

ADDRESS:

WARNING

IF THE DEPARTMENT RESPONDS TO THE SAME OR SIMILAR TYPE OF NUISANCE WITHIN ONE HUNDRED TWENTY (120) DAYS OF THIS NOTICE, OR ANY ONE HUNDRED TWENTY (120) DAY PERIOD AFTER A FURTHER RESPONSE, INCLUDING BUT NOT LIMITED TO A RESPONSE LATER TODAY OR TONIGHT, THE COSTS OF THE RESPONSE WILL BE IMPOSED UPON:

- 1. ALL GUESTS CAUSING THE NUISANCE
- 2. ALL SPONSORS OF THE GATHERING
- 3. ALL RESIDENTS OF THE PREMISES
- 4. ALL PERSONS IN CONTROL OF THE PREMISES
- 5. ALL OWNERS OF THE PREMISES THAT RESIDE ON OR ADJACENT TO THE PREMISES, OR ARE PRESENT AT THE PREMISES WHEN THIS NOTICE IS FIRST POSTED

Property owners who do not reside on or adjacent to the above premises, and who are not present when this Notice is first posted, are also jointly and severally liable for the penalties or costs, if the next disturbance occurs after seven (7) calendar days following the mailing of this Notice to said owner.

THIS NOTICE MUST REMAIN POSTED ON THE PREMISES UNTIL ONE HUNDRED TWENTY (120) CONSECUTIVE CALENDAR DAYS HAVE ELAPSED WITH NO CALLS FOR SERVICE FOR THE NUISANCE, UNLESS THE PREMISES ARE REPOSTED. THERE IS A \$100 FINE FOR UNAUTHORIZED REMOVAL OF THIS NOTICE

[Name and Signature of Individual Issuing This Notice]

[Phone Number]

Date:

The notice shall remain posted for the entire one hundred twenty (120) calendar day period and unless the premises are reposted, shall not be removed until one hundred twenty (120) consecutive calendar days have elapsed without a call for service.

Section 8.12.306 Violations.

Violations of this Article are subject to the abatement and cost recovery procedures as set forth in this Chapter and any other available enforcement mechanisms.

Property owners who do not reside on or adjacent to the property, and who are not present when the notice is first posted, are jointly and severally liable for the penalties and/or abatement and enforcement costs, if the next disturbance occurs after seven (7) calendar days following the mailing of the notice.

The residents, owners, and persons in control of such property shall be responsible for ensuring that such notice as provided within Section 8.12.305 is not removed or defaced and shall be liable for a civil penalty of one hundred and no/100ths dollars (\$100.00) in addition to any other penalties and costs which may be due under this Chapter, if such notice is removed or defaced.

Section 8.12.307 Relocation Costs.

If the City incurs any costs or expenses for relocating tenants resulting from the enforcement of this Chapter, the owner shall be required to reimburse the City for all such costs and expenses.

Article 4. Additional Nuisance Related Activities**Section 8.12.401 Obstructing Public Passageways.**

It shall be unlawful for a person to stand or sit idly in or upon any street, alleyway or sidewalk in a manner that hinders or obstructs the passage of persons passing along the same, or stand in or at the entrance of or approach to any church, hall, theater, public place, or public assemblage in any manner to obstruct such entrance or approach.

Section 8.12.402 Breach of Peace.

No person shall make in any public place, including but not limited to parks, greenways, landscaping medians, common city spaces, streets, sidewalks and/or alleyways, or suffer to be made on his/her premises or upon the premises under his/her control, any disorder or tumult to the disturbance of the public peace; and no person shall utter in the presence of two (2) or more persons lewd or obscene words or epithets or address to another any words, language, or expressions having a tendency to create a breach of the peace. "Disturbance" and "breach of the peace" mean causing an annoyance or engaging in disorderly conduct or interfering with the peace and order of a neighborhood, community, or meeting.

Section 8.12.403 Unruly Behavior.

A gathering of five (5) or more persons on any public or private property in a manner which constitutes a substantial disturbance of the quiet enjoyment of private or public property in a significant segment of a neighborhood, as a result of conduct constituting a violation of law shall be considered a nuisance subject to the

abatement and cost recovery procedures set forth in this Chapter and any other available enforcement mechanisms. Illustrative of such unlawful conduct is excessive noise or traffic, obstruction of public streets by crowds or vehicles, public drunkenness, the service of alcohol to minors, fights, disturbances of the peace, litter. In addition to the remedies provided for in this Chapter, a gathering constituting a public nuisance may be abated by the City by all reasonable means including, but not limited to, an order requiring the gathering to be disbanded and citation and/or arrest of any law violators under any applicable local laws and State statutes.

Section 8.12.404 Interference with Right of Assembly.

No person, except with legal authorization or authority, shall disturb or interrupt any school procession, funeral or funeral procession, or any lawful procession, church service, or assembly of people.

Section 8.12.405 Public Urination.

No person shall evacuate their bowels or bladder in any public place, or upon any private property, at a place not provided for that purpose.

Section 8.12.406 Swimming in Ditches, Canals, Rivers or Fountains.

No person shall bathe or swim in any ditch, canal, river or fountain within the City, unless the area is authorized by the City to be utilized swimming purposes.

Section 8.12.407 Motor Vehicle Racing.

It is unlawful for any person to operate, conduct, maintain, promote, or participate or engage in any motor vehicle race within the City, unless such race is expressly allowed by City permit or occurs in a facility permitted for such activity. For the purposes of this section, “motor vehicle” shall mean any vehicle which is self-propelled and shall include without limitation any automobile, racing car, motorcycle, or other self-propelled vehicle, whether or not the same is licensed by the State to operate on public streets. “Motor vehicle race” shall mean any race, speed, or other contest involving one or more motor vehicles or in which a motor vehicle is timed for operation over a measured distance.

Section 8.12.408 Criminal Street Gangs.

(a) Prohibited Acts.

It is unlawful for any person who is a member of a criminal street gang, as that term is defined in California Penal Code Section 186.22(f), or who is in the company of or acting in concert with a member of a criminal street gang, to loiter or idle in a public place as defined in this section under any of the following circumstances:

- (i) With the intent to publicize a criminal street gang’s control or dominance over certain territory in order to intimidate

nonmembers of the gang from entering, remaining in, or using the public place or adjacent area.

- (ii) With the intent to conceal ongoing commerce in illegal drugs or other unlawful activity.
- (iii) In such a manner that would warrant a reasonable person to believe that the purpose or effect of that behavior is to enable the criminal street gang to establish control or dominance over the public place or adjacent area, to intimidate nonmembers of the gang from entering the public place or adjacent area, or to conceal unlawful activity.

(b) Public Place.

For purposes of this section, a “public place” means the public way and any other location open to the public, whether publicly or privately owned, including but not limited to any street, sidewalk, avenue, highway, road, curb area, alley, park, playground or other public ground or public building, any common area of a school, hospital, apartment, office building, transport facility, shop, or privately owned place of business to which the public is invited, including any place of amusement, entertainment, or eating place.

“Any public place” also includes the front yard area, driveway and walkway of any private residence, business, or apartment.

(c) Powers of Law Enforcement Officers Not Limited.

Nothing in this Section shall be construed in any way to limit the power or right of a law enforcement officer to make any investigation, detention or arrest as such law enforcement officer would be permitted to make in absence of this Section.

(d) Parental Control.

Any parent(s), legal guardian(s), or other adult person(s) authorized by said parent(s) or guardian(s) to have the care and custody of a minor, who knowingly permits or by insufficient control allows a minor to violate the provisions of this Chapter is guilty of a misdemeanor subject to the penalties set forth in this Chapter and/or the Arvin Municipal Code, including but not limited to Section 1-2.02.

(e) Penalties: Notice to Disperse.

Any person who violates a provision of this Section is guilty of a misdemeanor subject to the penalties set forth in this Chapter and/or the Arvin Municipal Code, including but not limited to Section 1-2.02. Minors shall be dealt with in accordance with the California Welfare and

Institutions Code and in accordance with any policies and procedures established by the City for handling juvenile cases.

Prior to arresting any person or issuing a citation for violating the provisions of this Section, the officer shall give the person an opportunity to disperse or remove themselves from the area. If the person does not leave or returns to the area during the following eight (8) hours, the person may be arrested or issued a citation.

The requirement in this Section to provide notice to disperse shall in no way be construed to prohibit law enforcement officers from detaining and questioning persons suspected of violating this Chapter before issuing the notice to disperse.

Section 8.12.409 Additional Legal Nuisances.

It shall be unlawful for any person to keep or maintain a public nuisance in the City. For the purposes of this Section, public nuisances shall include but not be limited to any of the following:

(a) Attractive Nuisance.

An attractive nuisance, defined as any condition, instrumentality or machine which is or may be unsafe or dangerous to children by reason of their inability to appreciate the peril therein, and which may reasonably be expected to attract children to the premises and risk injury by playing with, in, or on it, whether in a building or on the premises.

(b) Conditions Declared a Nuisance by City Council.

Any condition declared to be a public nuisance by the City Council.

(c) Civil Code Section 3480, Nuisance.

Acts constituting a public nuisance as defined by Civil Code section 3480.

(d) Depreciation of Property Value.

Maintenance of property in such condition of deterioration or disrepair that the same causes depreciation of the value of surrounding property or is materially detrimental to nearby properties and improvements.

Section 8.12.410 Violation(s) of the Arvin Municipal Code.

Any violation(s) of the Arvin Municipal Code, emergency order of the director of civil defense and local emergency, or uncodified ordinance enacted by the City Council to address a local emergency,

shall be a public nuisances subject to provisions of this Chapter and shall be considered a nuisance per se.

Article 5. Nuisance Enforcement

Section 8.12.501 Enforcement Options.

Nuisances under this Chapter may be enforced by one or more of the following nonexclusive remedies:

(a) Abatement.

Abatement and cost recovery proscribed in this Chapter.

(b) Administrative Citation.

Administrative citation proscribed in this Chapter.

(c) Criminal Complaint or Citation.

Misdemeanor enforcement pursuant to Section 1.08, of Title 1 of the Arvin Municipal Code and/or as proscribed in this Chapter.

(d) Injunction.

Injunctive Relief.

(e) Receivership.

Receiverships pursuant to Health and Safety Code section 17980.7.

(f) Unlawful Business Practice.

Unlawful business practices pursuant to Business and Professions Code section 17200.

(g) Red Light Abatement.

Red Light Abatement Act as set forth in Penal Code section 11570.

(h) Drug abatement.

California Drug Abatement Act set forth in Health and Safety Code section 11570.

(i) State Housing Law.

State housing law as set forth in Health and Safety Code section 17910 et seq.

(j) Other.

Any other available remedy set forth in the Arvin Municipal Code or State law.

Section 8.12.502 Violations New and Separate Offenses.

In addition to the penalties provided by this Chapter, each such person shall be guilty of a new and separate offense for each and every day during any portion of which any violation of the provisions of this Chapter, or the provisions of any Chapter adopted by reference within the Arvin Municipal Code is committed, continued, or permitted by such person and shall be punished accordingly.

In all cases where the same offense is made punishable or is created by different clauses or sections of the Arvin Municipal Code, the City Attorney may elect under which to proceed.

Section 8.12.503 Criminal Penalties.

Violations of the provisions of this Chapter, or the provisions of any Chapter adopted by reference within the Arvin Municipal Code for conduct that is not otherwise considered lawful under State law, shall be considered misdemeanors and are punishable by a fine of one thousand dollars (\$1,000.00) and/or six (6) months incarceration within the Kern County Jail. Each and every day, or portion thereof, a violation exists is a new and separate offense. The City may also pursue all applicable civil and administrative remedies, including but not limited to injunctive relief and administrative citations.

Should a court of competent jurisdiction subsequently determine that the criminal penalty provision renders the provisions of this Chapter, or the provisions of any Chapter adopted by reference within the Arvin Municipal Code unlawful, the City intends that the misdemeanor provision be severable from the remaining penalty provisions and the City will only pursue non-criminal remedies for violations of this Chapter.

Section 8.12.504 Administrative Penalties.

- (a) The administrative citation penalty for all violations of this Chapter, within a rolling twelve-month period, deemed Misdemeanors shall be as follows:
- (1) First administrative citation: two hundred fifty and no/100ths dollars (\$250.00) per violation;
 - (2) Second administrative citation: five hundred and no/100ths dollars (\$500.00) per violation;
 - (3) Third administrative citation: one thousand and no/100ths dollars (\$1,000.00) per violation; and
 - (4) One thousand and no/100ths dollars (\$1,000.00) per violation for each subsequent administrative citation.

- (b) The administrative citation penalty for all violations of this Chapter, within a rolling twelve-month period, deemed Infractions shall be as follows:
- (1) First administrative citation: one hundred and no/100ths dollars (\$100.00) per violation;
 - (2) Second administrative citation: two hundred and no/100ths dollars (\$200.00) per violation;
 - (3) Third administrative citation: five hundred and no/100ths dollars (\$500.00) per violation; and
 - (4) Five hundred and no/100ths dollars (\$500.00) per violation for each subsequent administrative citation.

Section 8.12.505 Notification of Abatement.

- (a) Notice.

Except when the City elects to enforce through another process, such as through an administrative citation process, whenever the City or such City official having enforcement authority determines that property within the City constitutes a public nuisance in violation of this Chapter and seeks to abate the same, the enforcement official shall give written notice to the owner of the property and/or lessee of the property stating the violations with reference to the applicable code sections.

- (b) Time to Correct.

The notice shall set forth a reasonable time limit for correcting the violation(s) and may also set forth suggested methods of correcting the same. Reasonable time to correct shall be dependent on the type and severity of the violation. The reasonable time to correct may, at the sole discretion of the City or such City official having enforcement authority over the violation, be extended or shortened.

- (c) Service of Notice.

Notice shall be given either by personal service or by depositing the notice in the United States mail, postage prepaid, addressed to the property address of the residence. A copy may also be provided to the owner of such lot or parcel of land either by personal service or by depositing the notice in the United States mail, postage prepaid, to the name and address as it appears on the last available equalized assessment roll, supplemental roll of the County of Kern. If no such address appears, then a copy of the notice may be mailed to the property address, and is presumed to be notice to the owner. In order for an absentee owner to be subject to the penalties and costs described in Article 7 of this Chapter, notice must be provided by any method authorized by this subsection.

A copy of the notice may also be posted on the property in a conspicuous place. Where known, a copy may also be provided to the owner or occupant by email in the City’s discretion. The failure of any person to receive the notice required by this section shall not affect the validity of any proceedings taken under this Chapter.

The notice shall bear the date of personal service or mailing and shall be in substantially the following form:

NOTICE TO ABATE PROPERTY NUISANCE

Site Address:

Assessor Parcel Number:

Date:

Notice is hereby given that the above-described property is a public nuisance in violation of the following codes: [set forth applicable code(s)]. A nuisance exists because [describe the nuisance]. You must abate the nuisance within [set forth applicable days]. There will be no further notice.

If the nuisance is not removed within the required time, the nuisance may be abated by the City of Arvin or a contractor hired by the City to remove the nuisance. The property owner will be billed for the cost of such abatement plus administrative fees. In addition, the property owner or other responsible party may be issued a citation and/or billed for the City’s enforcement costs.

If you receive an invoice from the City for abatement, you will have fifteen (15) days from the issuance to pay the invoice. If you do not to pay the invoice within fifteen (15) days, the unpaid amount will be added to your property taxes as a special assessment against your property.

All persons having any objections to the proposed abatement may file an appeal in accordance with [identify code section]. The appeal must be in writing, filed with the City Clerk at 200 Campus Dr., Arvin, California 93203, and received within [specify number of days] from the date of this Notice. The appeal must state the basis for the appeal with sufficient specificity so that the City Manager or Hearing Officer can understand the basis for the appeal and must include the name, address, and telephone number of the person filing the appeal. Failure to file a timely appeal will result in the City proceeding with the work required at your expense in a timely fashion without further notice or hearing.

If the nuisance condition(s) create an imminent danger to the public, the appeal may be considered after abatement of the nuisance.

DATED: this _____ day of _____, 20__.

[ENFORCEMENT OFFICIAL NAME AND TITLE]

CITY OF ARVIN, CALIFORNIA

(d) Calendar Days.

Unless otherwise specified, days as used in this Article shall mean calendar days.

Section 8.12.506 Recording.

At the time the abatement notice is served, the enforcement official may file in the Office of the County Recorder a notice of pending administrative action and include a copy of the abatement notice. After the nuisance is abated and abatement costs have been paid, the enforcement official shall cause the recorded notice to be removed.

Article 6. Abatement and Administrative Citation Appeals

Section 8.12.601 Appeals of Abatement Notices and Actions.

The owner or any other person interested in the property, land, or lots affected by the abatement notice set forth in Section 8.12.505 may file an appeal with the City Clerk subject to the following procedures:

(a) Appeal in Writing.

The appeal shall be in writing. The appeal shall state the basis for the appeal with sufficient specificity so that the hearing officer or City Manager can understand the basis for the appeal and shall include the name, address, and telephone number of the person filing the appeal.

(b) Time to Appeal.

The appeal shall be received by the City Clerk within fifteen (15) calendar days from the date upon the notice. The time requirement for filing an appeal shall be deemed jurisdictional and may not be waived.

(c) Dismissal of Appeal.

Appeals not timely filed or not setting forth the basis for the appeal are defective and shall be dismissed.

(d) Hearing Officer.

Appeals shall be heard by a hearing officer appointed by the City Manager or the City Manager.

(e) Timing of Appeal and Abatement.

The hearing on an appeal from an abatement notice shall be held prior to the abatement except in those circumstances where the enforcement official has determined that the nuisance condition(s) present an immediate danger to the public health and safety, including, but not limited to, hazardous materials, or where the time of year increases the potential for a fire. In those circumstances the appeal hearing may be held after the abatement.

Section 8.12.602 Procedures for Conduct of Appeal.

(a) Scheduling of Hearing.

The City Clerk shall schedule a hearing before the hearing officer or City Manager no sooner than ten (10) calendar days and not more than sixty (60) calendar days from the date the appeal was filed with the City Clerk. Upon determining good cause exist, the hearing officer or City Manager may extend the date for scheduling the hearing.

(b) Notice of Hearing.

Written notice of the date, time and place of the hearing shall be given at least ten (10) calendar days prior to the date of the hearing to the appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the appellant's address shown on the appeal, or, if no address is provided on the appeal, at the address to which the official's decision was previously sent. Where known, a copy may also be provided by email. The failure of any person to receive such notice shall not affect the validity of any proceedings taken under this Chapter. Service by normal delivery mail in the manner described above shall become effective on the date of mailing.

(c) Scope of Hearing and Burden of Proof.

At the date, time and place stated in the notice, the hearing officer or City Manager shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from the appellant, the enforcement official and his/her designees, and interested persons relative to the issues of the hearing. Except where otherwise provided by the governing code or statute, the burden of proof and production of evidence shall be with the City and the burden of proof shall be preponderance of the evidence. Preponderance of the evidence means the burden of proof is met if there is a greater than 50% chance that, based on all the reasonable evidence shown, the City's claims are true and appellant did in fact commit the violation(s). The City meets its burden of proof by presenting physical and testimonial evidence to prove their case and the proposition that it is more likely to be true than not true that appellant committed the violation(s).

(d) Hearing Procedures.

The hearing shall be conducted in accordance with the following procedures:

- (i) All hearings shall be recorded. Any party may, at their sole expense, have the hearing transcribed by a certified shorthand reporter.
- (ii) Hearings need not be conducted according to the technical rules of evidence.
- (iii) Any relevant evidence shall be admitted if it is of the type of evidence in which reasonable persons are accustomed to rely on the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (iv) Oral evidence shall be taken only on oath or affirmation. The hearing officer or the City Manager shall have the power to administer oaths.
- (v) Irrelevant and unduly repetitious evidence shall be excluded.
- (vi) Each party shall have the right to: (1) call and examine witnesses on any matter relevant to the issues of the hearing; (2) introduce documentary and physical evidence; (3) cross-examine opposing witnesses on any matter relevant to the issues of the hearing, subject to the control of the hearing officer or the City Manager, including the imposition of reasonable alternatives to cross-examination; (4) impeach any witness regardless of which party first called the witness to testify; (5) rebut the evidence; and (6) be represented by anyone who is lawfully permitted to do so.
- (vii) The hearing officer or the City Manager may take official notice, either during the hearing or after submission of the matter for decision, of any fact which may be judicially noticed by the courts of this State or of official records, regulations, rules, and decisions of State and local agencies, boards and departments and of City ordinances. In addition, the hearing officer or the City Manager may take official notice of matters in its own files and of prior proceedings under this chapter involving the same issues. If applicable, the hearing officer or the City Manager may also take official notice of any generally accepted technical or scientific

matter within their expertise. The parties present at the hearing shall be informed of the matters to be noticed, and those matters should be noted in the record, referred to therein, or appended thereto. Any such party shall be given a reasonable opportunity on request to refute the officially noticed matters by evidence or by written or oral presentation of authority.

(e) Orders and Subpoenas.

Upon a showing of good cause, relevance to the proceedings, that there is no reasonable alternative means of gathering the information, and that the requesting party is not engaged in a fishing expedition, the hearing officer may do the following:

- (i) At the request of either the City or the appellant, issue orders for attendance of witnesses at the hearing, or production of documents on a date certain. In no event shall the date for the production of documents be less than ten (10) calendar days after the date the order was issued. Failure by a party to comply with an order of attendance or production may be considered a violation of this Code and, at the petition of a party, the hearing officer may impose a civil fine of up to one hundred and no/100ths dollars (\$100.00) at the time of the hearing and may take such failure into consideration in making his or her determination of the hearing.
- (ii) At the request of either the City or the appellant, direct the City Clerk, on behalf of the City, to issue subpoenas for attendance of witnesses at the hearing or production of documents on a date certain. In no event shall the date for production of documents be less than ten (10) calendar days from the date the subpoena was issued. Disobedience of such subpoena or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor.

(f) Inspections.

Inspect the premises involved in the hearing at any time prior to a decision, to investigate or confirm the existence of the violation(s) or conditions which are on appeal; provided, that: consent is granted by a person with the lawful right to grant consent or an inspection warrant is obtained; reasonable notice of such inspection is given to the owner before the inspection is made; the parties are given an opportunity to be present during the inspection; the hearing officer or the City Manager shall place in the record the material facts and the conclusions drawn from the inspection either orally at the time of the hearing or in writing after the hearing; and each party then shall have a right to rebut or explain the matters so stated by the

hearing officer for the record either at the hearing or by filing a written statement within ten (10) calendar days after the hearing.

(g) Continuance of Hearing.

The hearing officer or the City Manager may provide for reasonable continuances of the hearing, on its own initiative or at the request of a party, as necessary to properly conduct the appeal.

(h) Decision.

At the conclusion of the hearing, the hearing officer or the City Manager shall deliberate and reach a decision within fifteen (15) calendar days. The decision and the reason(s) for the decision shall be reduced to writing. The hearing officer or the City Manager may affirm, reverse, modify, or set aside the abatement order, suspension or revocation of a permit or license, citation, decision or order issued pursuant to this Code as the facts and law warrant, subject to the following limitations:

- (i) The hearing officer shall not have authority to waive any requirements of the Arvin Municipal Code or any state law.
- (ii) Nothing in these procedures shall be deemed to authorize the hearing officer or the City Manager to deviate from unambiguous provisions of the governing code or statute, or well established interpretations of the same, based upon expert opinions or other reliable evidence.

(i) Service and Filing of Decision.

A copy of the decision shall be sent by mail or otherwise to the appellant. Where known, a copy may also be provided by email.

(j) Finality of Decision.

The decision of the hearing officer or the City Manager shall be final with no further administrative appeals. Unless the governing ordinance or statute provides otherwise, if the appellant seeks further relief, the appellant shall file a petition for writ of mandate in superior court, pursuant to Code of Civil Procedure sections 1094.5 and 1094.6, within ninety (90) calendar days of the date of the decision.

Section 8.12.603 Nuisance Abatement.

(a) Abatement with No Appeal.

Where no appeal has been timely filed, and the nuisance condition(s) have not been abated as directed by the abatement notice, the enforcement

official shall thereupon cause the same to be removed and may enter upon private property, in compliance with state and/or federal law, for the purpose of so doing.

(b) Abatement After Appeal.

Where an appeal has been timely filed and the hearing officer or the City Manager has finally determined that removal or abatement shall be required, and the nuisance condition(s) have not been removed as directed by the hearing officer or the City Manager, the enforcement official shall thereupon cause the same to be removed and may enter upon private property for the purpose of so doing.

(c) Property Owner Abatement.

At any time prior to the actual abatement, any property owner may remove nuisance condition(s) at his/her own expense.

Section 8.12.604 Method of Abatement by the City.

City abatement of the nuisance may be performed by contract or by City crews. When the abatement is performed by contract, the contractor shall keep an account of the cost of the abatement on each separate parcel of land where work is performed, including adjoining sidewalk and street/alley areas, and shall submit an itemized written report showing such cost to the enforcement official for verification. When the abatement work is performed by City crews, the City shall keep an account of the cost of the abatement on each separate parcel of land where work is performed, including adjoining sidewalk and street/alley areas, and shall submit an itemized report showing such cost to the enforcement official for verification.

Section 8.12.605 Costs of Abatement.

The City may recover its abatement and enforcement costs in accordance with this Chapter.

Section 8.12.606 Administrative Citation Appeals.

The purpose of this Section is to provide for a uniform and consistent procedure for the conduct of administrative hearings that are not part of a property nuisance abatement action. This Section is also designed to identify the appeal and hearing procedures to be followed where procedures are not otherwise identified in the governing code, statute, rule, or regulation, or where there is a reference to following the procedures in this Section, whether expressly or by implication.

(a) Standing.

Only the person issued an administrative citation sought to be appealed from has standing and a right to appeal under this Article. A notice of appeal that fails to allege standing may be rejected as defective.

(b) Time to Appeal.

The appeal shall be received by the City Clerk within fifteen (15) calendar days after the service of the administrative citation appealed from. The time requirement for filing an appeal shall be deemed jurisdictional and may not be waived.

(c) Notice of Appeal.

A notice of appeal shall contain the following:

- (i) The name, address, and telephone numbers of the appellant;
- (ii) A brief description of the administrative citation being appealed;
- (iii) A statement of the relief sought;
- (iv) The reasons why such relief should be granted;
- (v) A statement of the appellant, “under penalty of perjury,” that the facts stated in the appeal are true of the appellant’s own knowledge, except as to matters which are not within the appellant’s knowledge and are not of public record, and as to those matters that the appellant believes the facts stated to be true.

(d) Amended Appeal.

Upon a showing of good cause, the City Manager or his/her designee, may, in his/her discretion, permit the filing of an amended appeal, after fifteen (15) calendar days, in which case the appeal shall be considered in the same manner as if it had been timely filed.

(e) Deficient Appeal.

If, in the opinion of the City Clerk, the appeal or an amended appeal fails to comply substantially with the requirements of this section, the City Clerk may give written notice of such insufficiency to the appellant at any time within fifteen (15) calendar days after the appeal is presented, stating with particularity the defects or omissions therein. Failure of the appellant to file an amended appeal within fifteen (15) calendar days of the date of service of such notice of insufficiency shall constitute a waiver of the appeal. Failure of the City Clerk to give notice of any insufficiency within fifteen (15) calendar days shall result in the appeal being heard on its merits, without regard to any insufficiency.

(f) Procedures for Conducting the Appeal.

Upon receipt of an appeal, or if notice of insufficiency is given in accordance with this section, upon receipt of an amended appeal within the time specified, the City Manager or his/her designee shall appoint a hearing officer and the procedures set forth in Section 8.12.602 shall apply to the conduct of the appeal.

Section 8.12.607 Supplemental Rules and Regulations.

The City Manager may adopt written rules, regulations, policies and procedures that are consistent with the intent or provisions of this Chapter, as may be necessary or desirable to aid in the administration or enforcement of the provisions of the Arvin Municipal Code.

Article 7. Cost Recovery and Penalties

Section 8.12.701 Findings and Purpose.

The Council finds that substantial public resources are spent each year to enforce the Arvin Municipal Code and State laws, as well as Federal and County laws that may fall within the jurisdiction of the City, enacted to protect the public health, safety and welfare. The Council finds that the responsibility of these costs should be properly placed on those persons responsible for violating the Arvin Municipal Code or Federal, State and County laws and/or causing public nuisances. The Council further finds that the recovery of costs incurred by the City to enforce these laws and to collect penalties issued to those persons causing public nuisances and/or violating these laws is important in deterring future violations and maintaining the integrity of the City's code enforcement system. The purpose of this article is to provide a means for the City of Arvin under its police power authority and other applicable law to recover these costs and penalties from those persons responsible for creating, causing, committing or maintaining a public nuisance or Arvin Municipal Code or other law violation.

Section 8.12.702 Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this article.

(a) Abatement Costs.

The actual and reasonable costs incurred by the City to abate a public nuisance. These costs include all direct and indirect costs to the City that result from the total abatement action, including, but not limited to, investigation costs, costs to enforce the Municipal Code and any applicable Federal, State or County law, clerical and administrative costs to process paperwork, costs incurred to provide notices and prepare for and conduct administrative appeal hearings, and costs to conduct actual abatement of the nuisance. Costs include

staff costs, administrative overhead, costs for equipment, such as cameras and vehicles, staff time to hire a contractor, and reasonable attorneys' fees incurred by the City. Costs also include those incurred in seeking cost recovery. Abatement costs may be established in the Master Administrative Fee Schedule.

At any administrative hearing, judicial action or special proceeding where the City elects to recover attorneys' fees in connection with an abatement action, the prevailing party shall be awarded attorneys' fees not to exceed the amount of reasonable attorneys' fees incurred in the action, hearing or proceeding.

(b) Bona Fide Encumbrancer.

A person who (i) receives a lien or encumbrance on the subject property after the City incurs abatement costs or enforcement costs and (ii) at the time he or she acquired the interest did not have actual or constructive knowledge of the City's interest in the property.

(c) Bona Fide Purchaser.

A person who (i) purchases any portion of the subject property after the City incurs abatement costs or enforcement costs and (ii) at the time he or she acquired his or her portion of the subject property did not have actual or constructive knowledge of the City's interest in the property.

(d) Enforcement Costs.

All actual and reasonable costs incurred by the City to enforce compliance with the Municipal Code and any applicable Federal, State, County or City public health and safety law that are not included within abatement costs. These costs include, but are not limited to, actual cost of the enforcing department services including, but not limited to, costs of personnel, including costs of worker's compensation benefits, fringe benefits, administrative overhead, costs of equipment, costs of materials, costs related to investigations pursuant to the Municipal Code or Federal, State or County law, costs related to issuing and defending administrative or court citations, costs incurred investigating and abating violations of the Municipal Code or Federal, State or County law violations, and reasonable attorneys' fees. Enforcement costs include multiple response and similar costs as permitted by this Chapter. Costs also include those incurred in seeking cost recovery.

(e) Enforcing Department.

The departments or divisions of the City that directed and are responsible for the enforcement of the Arvin Municipal Code or

applicable Federal, State or County law or the abatement of a public nuisance.

(f) Noticed Party.

The person or entity that is required to be noticed in the underlying abatement or enforcement action in which costs were incurred, but in all cases must include the record owner(s) of the property for property related violations. A “noticed party” should be notified for purposes of cost or penalty recovery in the same manner as they were required to be noticed, either by the Municipal Code or applicable Federal, State or County law, in the abatement or enforcement action which resulted in the incurring of costs or penalties sought to be recovered under this article.

(g) Penalties.

Fines imposed by administrative citations issued pursuant to the Arvin Municipal Code or other penalties specifically identified in the Arvin Municipal Code or permit relating to a specific use. Penalties for purposes of this article do not include criminal fines.

(h) Public Nuisance.

A public nuisance as declared or defined in this Chapter or any other provision of the Arvin Municipal Code.

(i) Record Owner.

The person to whom land is assessed as shown on the last available equalized assessment roll, supplemental roll of the County of Kern, or as otherwise known to the enforcement official or his/her designee by virtue of more recent or reliable information.

(j) Responsible Party.

A person or entity identified by the Arvin Municipal Code or law as responsible for creating, causing, committing, or maintaining the violation(s) of the Arvin Municipal Code or law and/or responsible for the abatement of a Arvin Municipal Code or law violation(s), including public nuisance, as defined in this Chapter.

(k) Subject Property.

The real property that is the subject of any enforcement or abatement action by the City for which the City incurred costs sought to be recovered under this article.

Section 8.12.703 Abatement and Enforcement Costs and Penalties.

(a) Special Assessment and Lien or Personal Obligation.

The cost of abating a public nuisance and/or enforcing this Chapter or applicable Federal, State or County law shall either be a special assessment and lien on the subject property or the personal obligation of the owner of the subject property and/or the person responsible for creating, causing, committing or maintaining the public nuisance or violating this Chapter or Federal, State or County law. If there is more than one responsible party, each responsible party shall be jointly and severally liable for the costs. Costs incurred by the City are recoverable even if a public nuisance, Arvin Municipal Code, or other law violation is corrected by the property owner or other responsible party.

(b) Applicability.

This article shall govern the procedures used to recover all abatement and enforcement costs incurred by the City in the abatement of a public nuisance or violation of this Chapter and/or the enforcement of this Chapter or other law pursuant to the procedures and authority found in the Arvin Municipal Code. Additionally, this article shall govern the procedures used to recover administrative penalties and costs as well as multiple response costs imposed pursuant to the procedures and authority found in the Arvin Municipal Code.

(c) Cumulative Remedies.

The remedies provided in this Article shall be cumulative to any other provided in the Arvin Municipal Code or by law.

(d) Payment Plan.

Nothing in this Article shall prevent the City at any time from accepting payment for unpaid costs or penalties in whole or by way of a payment plan.

Section 8.12.704 Invoice of Costs.

(a) Invoice.

The invoice shall notify the noticed party of the following:

- (i) A description of the abatement or enforcement action taken by the City, where applicable a description of the property subject to the abatement or enforcement, and the total amount of the costs incurred by the City. The requirements of this subsection may be met by

providing the noticed party with a copy of the report required by subsection (a) of this section.

- (ii) That should the noticed party fail to pay the costs within thirty (30) calendar days from the date of service of the invoice the costs may be collected in any or all of the following ways: by a collection agency as a personal obligation, by the City Attorney's Office through judicial action, or as a special assessment and lien attached to the subject property.
- (iii) That the noticed party has a right to administrative review of the accounting of the costs incurred by the City by filing a written request for such review with the City Clerk within fifteen (15) calendar days of the date of the invoice, and that a failure to request administrative review will be deemed a waiver of a right to review of the amount of the costs.
- (iv) That before a special assessment is placed on the subject property, the costs will be confirmed by the City Council and a notice will be issued at least fifteen (15) calendar days before the Council meeting.
- (v) That the invoice may be recorded as a Notice of Costs or Penalties in the Kern County Recorder's Office.

(b) Recording.

The enforcing department may record the invoice as a Notice of Costs or Penalties in the Kern County Recorder's Office. Once payment is received for the outstanding costs and/or penalties, or any reduction of costs following administrative review, and no further action will be taken under this article, the enforcing department shall record a Notice of Satisfaction.

Section 8.12.705 Administrative Review of Costs.

(a) Right to Administrative Review.

A noticed party shall have the right to administrative review of the invoiced costs incurred by the City by filing a written request for such review with the City Clerk within fifteen (15) calendar days of the date of the invoice. A failure to timely request administrative review will be deemed a waiver of a right to review of the amount of the costs.

(b) Procedures for Administrative Review.

If a request for administrative review is timely filed, the City Clerk shall deliver a copy of the invoice of costs incurred by the City and request for administrative review to the City Manager or his/her designee, which may include the appointment of a hearing officer, who shall set a date and time to review the invoice of costs with the requesting party. The administrative

review shall be an informal proceeding where the enforcement department and requesting party may present any evidence they deem pertinent to the amount of the costs. The scope of review shall be limited to the amount of the costs.

(c) Decision.

The City Manager or his/her designee may affirm or reduce the costs if he/she determines that they are not supported by the evidence or upon a showing that the costs were unnecessary or unreasonable. The City Manager or his/her designee will not pass upon the validity of the underlying enforcement action or the amount of any penalties.. The decision shall be memorialized in writing. The City Manager or his/her designee may approve a payment plan for the costs.

(d) Time for Payment.

The requesting party shall have thirty (30) calendar days from the date of the decision to pay the costs, unless a payment plan is approved, in which case the costs shall be paid in accordance with the payment plan.

(e) Prior Hearing.

There is no right to administrative review if the costs have already been approved by a court of competent jurisdiction. There is no right to administrative review to confirm costs under this section if they have been previously upheld in an abatement or other administrative hearing held under the Arvin Municipal Code.

Section 8.12.706 Recovery of Penalties.

Administrative penalties unpaid after the required time set forth in the Municipal Code, or within fifteen (15) calendar days from the final decision after an appeal, may be collected in the manner set forth in this article except the City is not required to send an invoice under Section 8.12.704. Interest shall accrue at a rate of ten percent (10%) per year on unpaid penalties until paid. Penalties and interest may only be made a lien or special assessment upon a subject property when the record owner of the property was issued and properly noticed with the citation or other basis for the penalty.

Section 8.12.707 Recovery of Abatement and Enforcement Costs.

Abatement and enforcement costs unpaid after the required time set forth in this Chapter may be collected in the matter set forth in this article. To collect costs under these procedures, the City must send an invoice under Section 8.12.704.

Interest shall accrue at a rate of ten percent (10%) per year on unpaid costs until paid.

Section 8.12.708 Personal Obligation.

Any costs or penalties subject to collection under this Chapter may be recovered as a personal obligation against the responsible party and may be referred to a collection agency or the City Attorney's Office for collection. Upon referral of these costs and obligations, the collection agency and the City Attorney's Office may seek collection through any legal means provided to them, including judicial action. Nothing in this section shall be affected by or affect the City's use of any other procedure provided in this article or by law to collect unpaid costs and penalties. In a judicial action to recover abatement costs, the City Attorney's Office may elect to recover attorneys' fees. In any action in which the City Attorney's Office elects to recover attorneys' fees under this section, attorneys' fees will be recovered by the prevailing party.

Section 8.12.709 Special Assessment and Lien.

(a) Collection.

Unpaid penalties, abatement costs, and enforcement costs that relate to a property related violation may be confirmed by the City Council as a special assessment and collected with property taxes or as a judgment lien.

(b) Notice.

Notice of a public meeting to confirm the penalties and/or costs shall be provided to all noticed parties by the enforcing department or City Clerk at least fifteen (15) calendar days before the meeting. The notice shall: (i) contain a description of the subject property sufficient to enable the person(s) served to identify it; (ii) shall state that the City intends to collect unpaid costs or penalties by placing a lien or a special assessment on the subject property; (iii) shall specify the day, hour and place where the Council will hear and pass upon the penalties and/or costs; (iv) shall specify that the property may, in some cases, be sold after three (3) years by the Tax Collector pursuant to Revenue and Tax Code Section 3691 for unpaid delinquent assessments or be subject to judicial foreclosure before the three (3) years; and (v) shall specify that any noticed party may appear at the Council meeting and present objections to the lien or assessment.

(c) Service of Notice.

Notice shall be given either by personal service or by depositing the notice in the United States mail, postage prepaid, addressed to the owner of such lot or parcel of land and/or lessee as it appears on the

last available equalized assessment roll, supplemental roll of the County of Kern, or as otherwise known to the City by virtue of more recent or reliable information. If no address appears or is known to the City, then a copy of the notice may be mailed to the property address. A copy of the notice may also be posted on the property in a conspicuous place. Where known, a copy may also be provided by email. The failure of any person to receive the notice required by this section shall not affect the validity of any proceedings taken under this Chapter.

(d) Confirmation by City Council.

During the City Council meeting the Council may adopt a resolution confirming the amount of the penalties and costs, or any lesser amount, based upon staff reports and any public comments received during the meeting. The City Council shall take into consideration whether any noticed party sought administrative review of the costs and shall only reduce the costs if:

- (i) the noticed party sought administrative review, and
- (ii) the decision of the City Manager or his/her designee is not supported by substantial evidence in the record. The basis for the code enforcement action will not be the subject of the City Council's consideration.

Where the costs have already been approved by a court of competent jurisdiction or the penalties have been previously upheld in an abatement or other administrative hearing held under the Arvin Municipal Code, the City Council shall simply confirm the costs or penalties.

The City Council may confirm the costs for more than one property in a single resolution. If the City Council confirms the costs, the procedures set forth in this section may be utilized.

(e) Time to Contest Confirmed Special Assessment or Lien.

The validity of any special assessment or lien levied under the provisions of this section shall not be contested in any action or proceeding unless such action or proceeding is commenced within thirty (30) calendar days after the special assessment is confirmed by the City Council.

(f) Recording.

Immediately upon the City Council’s confirmation of costs or penalties, the City Clerk shall record a Notice of Special Assessment and Lien in the Office of the County Recorder, which shall constitute a lien on that property for the amount of the assessment, except that if any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of taxes that included the special assessment imposed under this section would become delinquent, then the lien that would otherwise be imposed by this section shall not attach to real property and the costs of abatement and enforcement relating to the property shall be transferred to the unsecured roll for collection.

(g) Form of Notice of Special Assessment and Lien.

The Notice of Special Assessment and Lien for recordation shall be in the form substantially as follows:

NOTICE OF SPECIAL ASSESSMENT AND LIEN

(Claim of the City of Arvin)

Under authority vested by provision of Chapter __, Article __, of the Arvin Municipal Code, the City of Arvin did on or about the __ day of _____, 20__, assess [describe penalties, abatement costs, enforcement costs] on the real property hereinafter described; and the same has not been paid nor any part thereof and the City of Arvin does hereby claim a lien for such [penalties, abatement costs, and enforcement costs] to wit: the sum of _____ dollars, plus legal rate of interest to be accrued from the date of recording this lien, and any and all administrative costs to file and record the lien. The same shall be a lien upon the real property until it has been paid in full and discharged of record.

The real property hereinafter mentioned, upon which a lien is claimed, is that certain parcel of land in the City of Arvin, County of Kern, State of California, more particularly described as follows:

DATED: this __ day of _____, 20__

_____ City of Arvin

(Job Title)

(h) Collection with Taxes.

After confirmation and recordation, a copy may be turned over to the Kern County Tax Collector. At that point, it will be the duty of

the Tax Collector to add the amounts of the respective assessments to the next regular tax bills levied against the lots and parcels of land for municipal purposes. Those amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and procedures and sale in the cases of delinquency as provided for with ordinary municipal taxes.

(i) Foreclosure.

After confirmation and recording, the lien may also be foreclosed by judicial or other sale in the manner and means provided by law. The City may recover from the record property owners any costs incurred regarding a foreclosure action.

(j) Priority.

A special assessment and lien imposed under this Article shall have the priority of a tax lien, unless prohibited by State law, in which case the special assessment and lien shall have the priority of a judgment lien.

(k) Release of Lien.

Once payment in full is received for the special assessment and lien, including applicable penalties, administrative fees and interest charges; or the amount is deemed satisfied pursuant to a subsequent administrative or judicial order; or the City has entered into some other arrangement with the property owner for satisfaction of the assessment; the enforcing department shall either record a Notice of Satisfaction or provide the property owner or financial institution with the Notice of Satisfaction so they can record the Notice with the Kern County Recorder's Office.

(l) Refund.

The City Council may order a refund of all or part of a tax paid pursuant to this Article if it finds that all or part of the tax has been erroneously levied. A tax or part thereof shall not be refunded unless a claim is filed with the City Clerk in accordance with the City's claim filing requirements, and in no event later than November 1st after the tax became due and payable. The claim shall be verified by the person who paid the tax, or his/her guardian, executor or administrator.

Article 8. Judicial Review and Severability

Section 8.12.901 Judicial Review.

Judicial review of a decision made under this Chapter may be had by filing a petition for a writ of mandate with the superior court in accordance with the provisions of the California Code of Civil Procedure section 1094.5. Any such petition shall be filed within ninety (90) calendar days after the day the decision becomes final as provided in California Code of Civil Procedure section 1094.6, which shall be applicable for such actions.

Section 8.12.902 Severability.

If any article, section, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Chapter. The Council hereby declares that it would have adopted this chapter and adopted each article, section, sentence, clause or phrase thereof, irrespective of the fact that any one or more articles, sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.



CITY OF ARVIN
Staff Report

Meeting Date: May 12, 2020

TO: Arvin City Council

FROM: Shannon Chaffin, City Attorney

SUBJECT: Uncodified Urgency Ordinance Of The City Council Of The City Of Arvin Related To Facial Coverings And/Or Personal Protective Equipment, And Compliance With State And County Emergency Orders, In Response To The COVID -19 Pandemic

SUMMARY:

There is increasing evidence that individuals who are infected, but not exhibiting symptoms, can spread COVID-19 via respiratory droplets produced when coughing, sneezing, and transfer thereof to surface. In order to protect the health, safety, and welfare of the residents and businesses of the City of Arvin, City staff has prepared the proposed Urgency Ordinance (“Ordinance”) to require employees, contractors, owners and volunteers to wear face coverings at the workplace and when performing off-site.

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing, close the hearing, waive the reading, and adopt the Urgency Ordinance.

DISCUSSION:

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province, in China in December 2019. The United States, the State of California, and the City of Arvin have since all declared states of emergency arising from the COVID-19 pandemic.

The City of Arvin currently has the highest ratio of reported COVID-19 cases per 1000 citizens in Kern County, with a rate of 1.74. This is forty-four percent (44%) higher than any other city in Kern County. This Urgency Ordinance recommended is to assist with decreasing the spread of COVID-19.

The CDC now knows from recent studies that a significant portion of individuals with coronavirus lack symptoms and that even those who eventually develop symptoms can transmit the virus to others before showing symptoms. This means that the virus can spread between people interacting in close proximity, even if they are not exhibiting symptoms. There is increasing evidence that individuals who are infected, but not exhibiting symptoms, can spread COVID-19 via respiratory droplets produced when coughing, sneezing, speaking and transfer thereof to surfaces. Droplets can land in the mouths or noses of healthy people who are nearby or possibly inhaled into the lungs. The virus can also live on surfaces for varied lengths of time, in some cases for days. It may be possible that a person can get the virus by touching an infected surface or object and then

touching their own mouth, nose, or possibly their eyes. In light of the new evidence, the CDC is recommending wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g. grocery stores, pharmacies, etc.) especially in areas of significant community based transmission. The California Department of Public Health also suggests individuals protect themselves by wearing facial coverings when unable to stay home, while continuing to practice physical distancing.

Under the Ordinance, all businesses would require their employees, contractors, owners, and volunteers to wear a face covering while at the workplace and when performing work off-site. This would include any time the employee, contractor, owner, or volunteer is:

- a. Interacting in person with any member of the public;
- b. Working in any space visited by members of the public, such as by way of example and without limitation, reception areas, grocery store or pharmacy aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with the public, regardless of whether anyone from the public is present at the time;
- c. Working in any space where food is prepared or packaged for sale or distribution to others;
- d. Working in or walking through common areas such as hallways, stairways, elevators, and parking facilities; or
- e. In any room or enclosed area when other people (except for members of the person's own household or residence) are present.

The ordinance also provides clarification and examples of suitable options for face coverings, as well as providing additional enforcement options to the City for failure to comply with emergency orders related to COVID-19.

Violation of the ordinance is enforceable pursuant to the provisions of the City of Arvin Municipal Code Title 8, chapter 8.12, which provides that violation of this ordinance constitutes a misdemeanor punishable by up to six months in jail and/or a thousand dollar fine. Administrative citations are currently stepped as \$250 (first citation), \$500 (second citation), and \$1,000 (third and subsequent citations) per day for each violation.

The Ordinance will automatically expire on June 9, 2020, or earlier upon termination of the City's local emergency or the State's emergency ordinance.

The Ordinance would take effect immediately upon adoption by a four-fifths (4/5) vote pursuant to Government Code section 36937(b), which applies to ordinances "[f]or the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency."

The proposed Urgency Ordinance would also promote income stability for employees, ensure that necessary commercial services remain available, and otherwise mitigate the economic impacts of COVID-19, all of which will preserve public peace, health, and safety.

ATTACHMENTS:

A. Proposed Urgency Ordinance

FINANCIAL IMPACT:

The Ordinance would have no fiscal impact.

URGENCY ORDINANCE NO. _____

**UNCODIFIED URGENCY ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ARVIN RELATED TO FACIAL COVERINGS AND/OR
PERSONAL PROTECTIVE EQUIPMENT, AND COMPLIANCE WITH
STATE AND COUNTY EMERGENCY ORDERS, IN RESPONSE TO THE
COVID -19 PANDEMIC**

WHEREAS, pursuant to Government Code Section 36937(b), any ordinance for the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the City Council, shall take effect immediately upon its adoption; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency for the State of California due to the threats of people within the State from COVID-19; and

WHEREAS, on March 13, 2020, President Trump declared a National State of Emergency in response to increased spread of COVID-19; and

WHEREAS, on March 17, 2020, the City of Arvin declared a local emergency due to the COVID-19 pandemic; and

WHEREAS, the City of Arvin has the highest ratio of reported COVID-19 cases per 1000 citizens in Kern County, with a rate of 1.74. This is forty-four percent (44%) higher than any other city in Kern County.

WHEREAS, there is increasing evidence that individuals who are infected, but not exhibiting symptoms, can spread COVID-19 via respiratory droplets produced when coughing, sneezing, and transfer thereof to surfaces, and in order to limit the spread of COVID-19 within the City, especially by those infected but without clear symptoms, face coverings should be worn by all residents and visitors of the City while in public; and

WHEREAS, based on the foregoing, the City Council seeks and intends to protect health, safety, and welfare of the residents and businesses of the City of Arvin by requiring that face coverings be worn while in public.

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

SECTION 1. **Recitals.** The foregoing recitals are true and correct, and are incorporated herein by reference as findings of fact.

SECTION 2. **Urgency and Emergency Findings.** The City Council finds that there is a current and immediate threat to public health, safety, and welfare posed by COVID-19, and there is an immediate need for the preservation of public peace, health or safety of the residents and community of the City by the use of facial coverings. Individuals who are infected but not exhibiting symptoms can still spread COVID-19 via respiratory droplets produced when coughing, sneezing, and transfer thereof to surfaces. Droplets can land in the mouths or noses of healthy

people who are nearby or possibly inhaled into the lungs. The virus can also live on surfaces for varied lengths of time, in some cases for days. It may be possible that a person can get the virus by touching an infected surface or object and then touching their own mouth, nose, or possibly their eyes. Although the use of face coverings will not eliminate the spread of COVID-19, it is an additional tool that will help to slow the disease's spread by limiting the amount of respiratory droplets spread by individuals who are infected.

SECTION 3. Face Covering Requirement. All businesses shall require their employees, contractors, owners, and volunteers to wear a Face Covering at the workplace and when performing work off-site any time the employee, contractor, owner, or volunteer is:

- a. Interacting in person with any member of the public;
- b. Working in any space visited by members of the public, such as by way of example and without limitation, reception areas, grocery store or pharmacy aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with the public, regardless of whether anyone from the public is present at the time;
- c. Working in any space where food is prepared or packaged for sale or distribution to others;
- d. Working in or walking through common areas such as hallways, stairways, elevators, and parking facilities; or
- e. In any room or enclosed area when other people (except for members of the person's own household or residence) are present.

For clarity, a Face Covering is not required when a person is in a personal office (a single room) when others outside of that person's household are not present as long as the public does not regularly visit the room. By way of example and without limitation, a construction worker, plumber, bank manager, accountant, or bike repair person is not required to wear a Face Covering if that individual is alone and in a space not regularly visited by the public, but that individual must put on a Face Covering when coworkers are nearby, when being visited by a client/customer, and anywhere members of the public or other coworkers are regularly present.

"Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A covering that hides or obscures the wearer's eyes or forehead is not a Face Covering. Examples of Face Coverings include a scarf or bandana; a neck gaiter; a homemade covering made from a t-shirt, sweatshirt, or towel, held on with rubber bands or otherwise; or a mask, which need not be medical-grade. A Face Covering may be factory-made, or may be handmade and improvised from ordinary household materials. The Face Covering should be comfortable, so that the wearer can breathe comfortably through the nose and does not have to adjust it frequently, so as to avoid touching the face. For as long as medical grade masks such as N95 masks and surgical masks are in short supply, members of the public should not purchase those masks as Face Coverings under this Order; those medical grade masks should be reserved for health care providers and first responders. In general, even when not required by this Order, people are strongly encouraged to wear Face Coverings when in public. Also, for Face Coverings that are not

disposed of after each use, people should clean them frequently and have extra ones available so that they have a clean one available for use.

A video showing how to make a face covering and additional information about how to wear and clean Face Coverings may be found at the website of Centers for Disease Control and Prevention, at <https://www.cdc.gov/coronavirus/2019-ncov/preventgetting-sick/diy-cloth-face-coverings.html>. Note: Any child aged two years or less must not wear a Face Covering because of the risk of suffocation, and this Order does not require that any child aged twelve years or less wear Face Covering. Parents and caregivers must supervise use of Face Coverings by children to avoid misuse.

Exceptions to the Facial Covering requirement based on special circumstances may be granted i) as authorized by the City's director of civil defense and disaster (City Manager); ii) or for persons with a disability or other condition rendering them unable to safely use a facial covering. Violation of this requirement shall be enforceable within the City limits per Arvin City Municipal Code Title 8, Chapter 8.12 which provides for enforcement of violations as infractions and/or misdemeanors.

SECTION 4. **Compliance with State and County Emergency Orders.** All persons shall comply with any Executive Order issued by the Governor of California, or issued by the Kern County Department of Health, whichever is more restrictive, related to the COVID-19 emergency. Violation of this requirement shall be enforceable as permitted by law, including within the City limits per Arvin City Municipal Code Title 8, Chapter 8.12 which provides for enforcement of violations as infractions and/or misdemeanors.

SECTION 5. **Adoption and Effective Date.** Pursuant to Government Code Section 36937, this ordinance shall take effective immediately. The City Council finds and determines that the same is necessary to the preservation of the public peace, health or safety, in that adoption of the same will help prevent commercial evictions and control residential rent issues that may arise during declared states of emergency.

SECTION 6 **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the application of any other section, subsection, sentence, clause, phrase, or portion of this Ordinance, and to this end the invalid or unconstitutional section, subsection, sentence, clause, phrase of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 7 **Expiration Date.** This Ordinance shall automatically expire upon the sooner of i) June 9, 2020; ii) the termination of the City's local emergency ratified by the City Council on March 17; or iii) termination of the State emergency by the Governor.

[SIGNATURES ON FOLLOWING PAGE]

PASSED, APPROVED and ADOPTED by a four-fifths (4/5) vote on this 12th day of May, 2020.

I HEREBY CERTIFY that the foregoing Urgency Ordinance No. _____ was duly adopted at its regular meeting held on the 12th day of May 2020, 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

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.



City of Arvin's Budget Workshop 5-12-20

- **Designed to educate the council and citizens:**
 - On major items impacting the FY 20/21 proposed budget.
- **This workshop will present line-item information for the general fund. Other funds will be presented at the next workshop.**
- **Be advised that the information provided is preliminary and subjected to further reviews.**
- **An update on the FY 20/21 budget will be provided:**
 - At the May 26, 2020 council meeting.
- **A formal adoption of the FY 20/21 budget will be scheduled:**
 - At the June 9, 2020 council meeting.

The Big Picture

Between decreased revenue and increased mandated expenses, the City is looking at a budget deficit of about \$980,000 for the next fiscal year.

- Sales tax revenues are projected to drop by 20% from FY 19/20 budget. This represents a decrease of \$553,000. This projection is vetted by a study from MuniServices which looked at projected revenue losses by Arvin specific businesses as a result of COVID19.

The Big Picture -2-

- Building permit and planning revenue are projected to drop by \$135,000 (33%)
- Total projected revenue decrease from FY 19/20 for all general fund sources \$639,515. (\$6,414,716 to \$5,775,201)
- In addition to the revenue decreases, mandated expenses continue to increase for FY 20/21

The Big Picture -3-

- Unfunded PERS liability for the year increases from \$120,000 to \$ 201,000
- Kern County Fire Contract increases by 5.5% from \$624,841 to \$658,152.

Steps to fix the deficit -1-

- \$70,000 – do not fill one vacant, FY 19/20 budgeted Police Officer position
- \$200,000 – discontinue funding special legal contingency
- \$50,000 – defer leasing 4 new police vehicles

Steps to fix the deficit -2-

- \$39,000 – decrease Training, Travel and Conference (56% reduction)
- \$15,000 – decrease Office Supplies (42% reduction)
- \$16,000 – decrease Advertising/Print (55% reduction)
- \$10,000 – decrease Community Expense (63% reduce)

Steps to fix the deficit -3-

- The total of the reductions identified in the prior slides equals \$400,000.
- An additional \$400,000 can be obtained by zeroing out the \$400,000 balance of 'assigned fund balance' for legal contingencies as of June 30,2020
- **This leaves \$180,000 remaining to be resolved.**

Expected Unrestricted General Fund balance 6/30/20

- Balance at 6/30/19 \$ 50,000
- Less: FY 20 budgeted deficit (40,000)

Equals estimated unrestricted fund balance at 6/30/20 of \$10,000.

Salaries and Benefits...

- This budget assumes:
 - Zero cost of living increases
 - Continued longevity payments (\$74k)
 - Annual merit increases. (\$45k)
 - No change in dependent medical contributions by employees. (\$212k currently paid by City for this item). Also no allowance for any possible increase in medical insurance costs.

Next Steps

- Receive advice and guidance (direction) from City Council on any changes or adjustments to the proposed line items presented tonight.
- Include any changes or adjustments in the final version of the budget which will be presented to City Council for adoption on June 9, 2020.

City of Arvin - General Fund Revenue Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
4001	ADMINISTRATIVE SERVICE	\$ 277,544	\$ 208,158	\$ 334,208
4003	ANIMAL LICENSES	\$ 4,650	\$ 1,995	\$ 3,116
4011	BUILDING PERMITS	\$ 250,000	\$ 262,462	\$ 166,667
4013	BUSINESS LICENSE	\$ 37,000	\$ 28,273	\$ 33,300
4017	SB1186 City	\$ 2,500	\$ 1,921	\$ 2,500
4021	Peddler Licenses	\$ 500	\$ 310	\$ 500
4022	PLAN CHECK FEES	\$ 40,000	\$ 31,812	\$ 26,667
4023	BL LATE FEE	\$ 1,000	\$ 1,183	\$ 1,000
4029	CITATIONS-CODE ENFORCEMNT	\$ -	\$ 1,000	\$ -
4030	ELECTRIC FRANCHISE	\$ 118,000	\$ -	\$ 118,000
4031	ENGINEERING FEES	\$ -	\$ 532	\$ -
4036	ALARM PERMIT FEES	\$ 500	\$ 200	\$ 500
4037	PLANNING FEES	\$ 90,000	\$ 43,287	\$ 60,000

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)

City of Arvin - General Fund Revenue Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
4038	REFUSE FRANCHISE	\$ 248,000	\$ 197,174	\$ 266,358
4039	GAS FRANCHISE	\$ 23,000	\$ -	\$ 23,000
4042	OTHER PERMIT FEES	\$ 5,000	\$ 2,584	\$ 3,333
4043	PERMIT ISSUE FEES	\$ 9,000	\$ 7,430	\$ 6,000
4047	ENCROACHMENT PERMIT	\$ 6,500	\$ -	\$ 4,333
4054	MISCELLANEOUS	\$ 8,500	\$ 4,869	\$ 7,667
4057	VLF IN-LIEU	\$ 2,037,750	\$ 1,066,039	\$ 2,119,260
4062	POLICE SERVICES	\$ 37,000	\$ 10,860	\$ 12,000
4064	PROPERTY TAX - SECURED	\$ 253,935	\$ 147,326	\$ 253,935
4067	INSPECTION FEES	\$ 1,000	\$ 550	\$ 667
4068	PROPERTY TAX - TRANSFERS	\$ 20,000	\$ 15,268	\$ 20,000
4072	RENT INCOME	\$ 49,500	\$ 29,657	\$ 33,000
4073	LIVE SCAN FEES	\$ 9,000	\$ 4,732	\$ 9,000

City of Arvin - General Fund Revenue Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
4078	SALES TAX REVENUE	\$ 900,000	\$ 528,552	\$ 720,000
4081	LOCAL 1% SALES TAX	\$ 1,863,235	\$ 1,127,648	\$ 1,490,588
4084	RESTITUTION PMTS	\$ 1,000	\$ 576	\$ 1,000
4092	PARKING CITATIONS	\$ -	\$ 3,530	\$ -
4094	REVENUE-TRAFFIC	\$ 11,000	\$ 8,159	\$ 11,000
4098	TV CABLE FRANCHISE	\$ 38,000	\$ 40,437	\$ 38,000
4101	HOME OCC FEE	\$ -	\$ 850	\$ -
4104	CITATIONS - ORDINANCE	\$ -	\$ 96	\$ -
4119	REIMBURSEMENT ACCT.	\$ 62,000	\$ 61,413	\$ -
4122	ANIMAL IMPOUND FEES	\$ -	\$ 190	\$ -
4124	Development Agreement	\$ -	\$ 1,000	\$ -
4131	CELL TOWER RENTAL	\$ 9,602	\$ 8,735	\$ 9,602
4149	BANK NSF FEES	\$ -	\$ 75	\$ -

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)

City of Arvin - General Fund Revenue Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
4170	Commercial Cannabis-Manufactur	\$ -	\$ 3,244	\$ -
4171	Commercial Cannabis-Cultivatio	\$ -	\$ 3,244	\$ -
4172	Commercial Cannabis-Distributi	\$ -	\$ 3,244	\$ -
4173	Commercial Cannabis-Delivery	\$ -	\$ 3,244	\$ -
TOTAL GEN FUND REVENUE		\$ 6,414,716	\$ 3,861,861	\$ 5,775,201

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)

City of Arvin - General Fund Expense Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
5001	SALARY - FULLTIME	\$ 2,593,569	\$ 1,668,257	\$ 2,631,055
5003	SALARY - OVERTIME	\$ 290,493	\$ 198,425	\$ 305,493
5004	SALARY - PARTTIME	\$ 1,100	\$ 5,970	\$ 1,100
5005	MAINTENANCE - BUILDING	\$ 5,695	\$ 4,964	\$ 8,120
5006	MAINTENANCE - JAIL	\$ 1,500	\$ -	\$ 1,500
5007	Educational Reimbursement	\$ 12,500	\$ 4,774	\$ 12,500
5008	MAINTENANCE - OTHER	\$ 53,463	\$ 40,269	\$ 42,038
5009	PAYROLL TAXES	\$ 215,778	\$ 161,317	\$ 240,687
5011	P.E.R.S.	\$ 293,732	\$ 209,210	\$ 300,942
5012	MAINTENANCE - VEHICLE	\$ 44,300	\$ 32,908	\$ 52,500
5013	RISK MANAGEMENT	\$ 105,747	\$ 79,310	\$ 105,747
5014	WORKMAN COMP	\$ 205,593	\$ 154,195	\$ 219,158
5015	MEDICAL INSURANCE	\$ 392,633	\$ 252,447	\$ 368,697

City of Arvin - General Fund Expense Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
5016	OFFICE SUPPLIES	\$ 35,450	\$ 17,340	\$ 20,950
5018	LEGAL EXPENSE - GENERAL	\$ 216,219	\$ 141,329	\$ 243,202
5021	TRAINING and CONFERENCES	\$ 62,000	\$ 4,606	\$ 31,000
5022	LICENSES, PERMITS & FEES	\$ 4,600	\$ 1,553	\$ 4,600
5023	UNIFORMS	\$ 34,119	\$ 19,657	\$ 34,119
5024	PLANNING SERVICES	\$ -	\$ 4,324	\$ -
5026	POSTAGE	\$ 8,300	\$ 6,846	\$ 8,300
5027	KERN CTY. FIRE SERVICES	\$ 623,841	\$ 467,881	\$ 658,152
5030	PRISONER MEALS	\$ 500	\$ 28	\$ 500
5034	PROFESSIONAL SERVICES	\$ 82,000	\$ 130,162	\$ 82,000
5035	OUTSIDE ADMIN/REGULATORY F	\$ 5,600	\$ 550	\$ 1,600
5036	COMMUNICATIONS	\$ 6,100	\$ 3,379	\$ 6,100
5040	SAFETY EQUIPMENT	\$ 5,000	\$ 13,864	\$ 5,000

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)

City of Arvin - General Fund Expense Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
5042	LEGAL EXPENSES - SPECIAL	\$ 200,000	\$ 150,000	\$ -
5046	COMMUNITY EXPENSE	\$ 17,500	\$ 2,501	\$ 7,500
5050	BANK SERVICE CHARGES	\$ 6,000	\$ 4,500	\$ 6,000
5051	INTERPRETER SERVICES	\$ 6,600	\$ 2,400	\$ 6,600
5052	CAPITAL EXPENSE	\$ -	\$ -	\$ -
5053	CJIS-CLET INFO SYSTEM EXPEN	\$ 1,100	\$ 840	\$ 1,100
5054	CONTRACT SERVICES	\$ 110,000	\$ 56,683	\$ 110,000
5056	TELEPHONE	\$ 39,320	\$ 31,338	\$ 39,320
5058	TRAVEL & CONFERENCES	\$ 8,000	\$ 7,596	\$ -
5060	UTILITIES EXPENSE	\$ 166,600	\$ 116,524	\$ 166,600
5062	DUES AND SUBSCRIPTIONS	\$ 36,100	\$ 28,028	\$ 36,100
5068	ELECTIONS EXPENSE	\$ 3,000	\$ -	\$ 3,000
5070	ENGINEERING SVC	\$ 10,000	\$ 11,619	\$ 10,000

City of Arvin - General Fund Expense Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
5072	EQUIPMENT - LEASE	\$ 56,336	\$ 55,181	\$ 27,064
5076	EQUIPMENT - SPECIAL	\$ 1,150	\$ 976	\$ 1,150
5077	OUTSIDE SERVICES	\$ -	\$ 8,702	\$ -
5080	FUEL EXPENSE	\$ 40,700	\$ 27,435	\$ 40,700
5082	ADVERTISING-PUBLICATIONS-PF	\$ 28,800	\$ 6,365	\$ 12,800
5091	EMPLOYEE COSTS	\$ 11,000	\$ 3,535	\$ 11,000
5092	INTEREST EXPENSE	\$ 1,000	\$ -	\$ 1,000
5094	SHOP SUPPLIES	\$ 18,000	\$ 3,007	\$ 13,000
5095	Plan Check Services	\$ 19,000	\$ 38,203	\$ 31,000
5096	LAB SUPPLIES	\$ 1,000	\$ 140	\$ 1,000
5097	VETERINARY COSTS	\$ 2,500	\$ 233	\$ 2,500
5100	IT SYSTEMS SUPPORT	\$ 210,000	\$ 146,732	\$ 200,000
5107	REFUSE COSTS	\$ 28,000	\$ 15,956	\$ 28,000

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)

City of Arvin - General Fund Expense Analysis

Fiscal Year 2019 - 2020 amended budget, 2019 - 2020 @ 03/31/20 year to date
and 2020 - 2021 proposed budget

GL	Acct Name	FY 19/20 Budget	Year to Date 3/31/2020	FY 20/21 Proposed
5109	Auto Allowance	\$ 4,800	\$ 3,000	\$ 4,800
5112	FLOOD INSURANCE	\$ 8,425	\$ -	\$ 8,425
5116	PRINCIPAL	\$ -	\$ 22,064	\$ -
5125	PERS - Catch UP	\$ 120,000	\$ 97,846	\$ 201,000
5198	MISC EXPENSE	\$ (40,047)	\$ (10,037)	\$ -
TOTAL GEN FUND EXPENSES		\$ 6,414,716	\$ 4,454,929	\$ 6,354,719

Attachment: General Fund Revenue and Expense Analysis_051220 (Budget Workshop FY 2020-2021)



General Fu

CITY OF ARVIN
2020-2021 Operating Budget

MAYOR AND COUNCIL
GENERAL FUND

DEPARTMENT DESCRIPTION:

The City of Arvin has a Council- Manager form of government, where voters elect a four - member City Council to four - year staggered terms. The Mayor is elected separately from the council to four - year terms as well. The City Council appoints a City Manager to conduct the day - to - day administrative operations of the City. The City Council is the legislative authority and sets the policies under which the City operates. The City Council enacts ordinances and resolutions and appropriating the funds necessary to provide service to the City's residents. The Council provides leadership through policy development and establishes the current and future direction of the City. The City Council convenes regularly on the second and fourth Tuesday of each month.

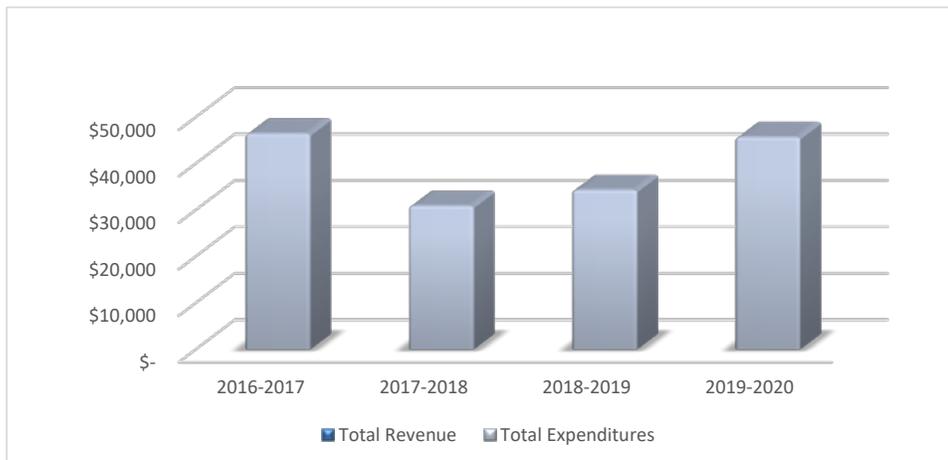
FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

See council goals listed in the Budget Preface section on page 33.

FUND NO. : 100	Audited	Audited	Audited	Amended	Proposed
DEPT NO.: 011	Account	2017	2018	Budget	Budget
		2019		2019-2020	2020-2021
Total Revenue	\$ -	\$ -	\$ -	\$ -	\$ -
Total Salary and Benefits	\$ 23,727	\$ 18,183	\$ 25,742	\$ 29,584	\$ 29,902
Total Operating Expenses	\$ 22,721	\$ 12,687	\$ 8,564	\$ 16,100	\$ 11,100
Total Expenditures	\$ 46,448	\$ 30,870	\$ 34,305	\$ 45,684	\$ 41,002
Total Surplus or (Deficit)	\$ (46,448)	\$ (30,870)	\$ (34,305)	\$ (45,684)	\$ (41,002)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

MAYOR AND COUNCIL
GENERAL FUND

General Fu

FUND NO. : 100	Account	Audited	Audited	Audited	Amended	Proposed
		2016-2017	2017-2018	2018-2019	Budget	Budget
DEPT NO.: 011		2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE						
Total Revenue		\$ -	\$ -	\$ -		\$ -
EXPENDITURES						
Salaries - Full-time	5001	\$ 21,106	\$ 16,470	\$ 22,096	\$ 25,200	\$ 25,200
Salaries - Part-time	5004	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll Taxes	5009	\$ 1,705	\$ 1,247	\$ 1,713	\$ 1,928	\$ 1,607
Workman Comp	5014	\$ 543	\$ -	\$ 1,390	\$ 1,966	\$ 1,659
CalPERS	5011	\$ 374	\$ 467	\$ 542	\$ 490	\$ 1,436
Total Salary and Benefits		\$ 23,727	\$ 18,183	\$ 25,742	\$ 29,584	\$ 29,902
Office Supplies	5016	\$ 9,124	\$ 37	\$ 403	\$ 2,000	\$ 2,000
Professional Services	5034	\$ -	\$ -	\$ 210	\$ -	\$ -
Community Contributions	5046	\$ 17	\$ -		\$ -	\$ -
Council Costs - Interpreter	5051	\$ 4,320	\$ 6,400	\$ 4,320	\$ 6,000	\$ 6,000
Medical Insurance	5015	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Services	5032	\$ -			\$ -	\$ -
Telephone	5056	\$ -	\$ -		\$ -	\$ -
Travel & Conference - City Council/Planning Comm	5058	\$ 9,061	\$ 6,149	\$ 3,531	\$ 8,000	\$ 3,000
Sister Cities Project		\$ -			\$ -	\$ -
Dues & Subscriptions	5062	\$ 200	\$ 100	\$ 100	\$ 100	\$ 100
Total Operating Expenses		\$ 22,721	\$ 12,687	\$ 8,564	\$ 16,100	\$ 11,100
Total Expenditures		\$ 46,448	\$ 30,870	\$ 34,305	\$ 45,684	\$ 41,002
Total Surplus or (Deficit)		\$ (46,448)	\$ (30,870)	\$ (34,305)	\$ (45,684)	\$ (41,002)

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN
2020-2021 Operating Budget

ADMINISTRATION
GENERAL FUND

General Fu

6.00%

DEPARTMENT DESCRIPTION:

The City Manager, City Clerk, Finance Director and admin staff are included in this department. Many of the costs to run the general City operations are recorded in this department. The City's contract with the Kern County Fire Department is included in this fund. The majority of the revenue for the City is received in this department. Sales Tax, Property Tax and Franchise Fees represent the majority of the revenue received for the City each year. These revenues provide support to other department funds that are not sufficient to pay for their operating expenses.

FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

- Develop Financial Plan.
- Enhance financial stability to account for the needs of the City Council with regular updates on progress.
- adult education classes (i.e. ESL, GED, literacy); job training

FUND NO. : 100	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2019-2020	Proposed Budget 2020-2021
REVENUE						
REVENUE		\$ 3,627,437	\$ 3,813,964	\$ 3,961,277	\$ 5,892,964	\$ 5,428,649
Transfer in Sewer Funds Reimbursement		\$ -	\$ 306,000	\$ -	\$ -	\$ -
Total Revenue		\$ 3,627,437	\$ 4,119,964	\$ 3,961,277	\$ 5,892,964	\$ 5,428,649
EXPENDITURES						
Salary and Benefits		\$ 832,497	\$ 770,857	\$ 739,181	\$ 731,417	\$ 790,929
All Other Operating Expenses		\$ 1,025,952	\$ 675,699	\$ 614,932	\$ 1,501,706	\$ 1,457,547
Capital Expense		\$ -	\$ -	\$ -	\$ -	\$ -
Transfers Out		\$ -	\$ 31,402	\$ -	\$ -	\$ -
Total Operating Expense		\$ 1,025,952	\$ 707,100	\$ 614,932	\$ 1,501,706	\$ 1,457,547
Total Expenditures		\$ 1,858,449	\$ 1,477,957	\$ 1,354,113	\$ 2,233,123	\$ 2,248,476
Total Surplus or (Deficits)		\$ 1,768,988	\$ 2,642,007	\$ 2,607,164	\$ 3,659,842	\$ 3,180,173

Capital Expenditures

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

ADMINISTRATION
General Fund

FUND NO. : 100		Audited	Audited	Audited	Amended	Proposed
DEPT NO. : 001	Account	2016-2017	2017-2018	2018-2019	Budget	Budget
		2019-2020	2020-2021		2019-2020	2020-2021
REVENUE						
Administrative Services	4001	\$ 258,280	295,548	334,208	277,544	334,208
Business License Fee/ \$50	4013	\$ 32,467	32,774	32,638	37,000	33,300
Business License Prior Periods	4014	\$ 274		100	0	0
SB1186 City/ \$0.70	4017	\$ 446	747	2,200	2,500	2,500
Peddler Licenses/ \$10 per Day	4021	\$ 1,560	840	150	500	500
Business License Late Fee	4023	\$ 1,750	2,194	2,129	1,000	1,000
Electric Franchise Agreement	4030	\$ 116,401	135,969	116,838	118,000	118,000
Sanitation Franchise Agreement	4033	\$ 115,262	0	0	0	0
Refuse Franchise-Mountainside	4038	\$ 253,653	231,836	258,349	248,000	266,358
Gas Franchise -Agreement	4039	\$ 21,414	21,134	21,096	23,000	23,000
Interest	4040	\$ (17)	784	13,158	0	0
Subpoena Revenue	4041	\$ -	1,100	0	0	0
Miscellaneous Grant Revenue	4049	\$ 2,000	0	3,501	0	0
Miscellaneous Revenue	4054	\$ 205,024	2,958	21,184	3,000	3,000
Motor Vehicle License Fees	4056	\$ 9,398	11,137	0	0	0
Motor Vehicle In-Lieu	4057	\$ 1,576,836	1,882,765	1,887,280	2,037,750	2,119,260
Property Tax - Secured	4064	\$ 224,987	213,654	237,351	253,935	253,935
Property Tax-Unsecured	4066	\$ -	0	0	0	0
Property Tax - Transfers	4068	\$ 18,167	19,314	21,810	20,000	20,000
Sale of Fixed Assets	4069	\$ 108	66	0	0	0
Rebates	4070	\$ -	85,259	0	0	0
Rent Income/ Com Act PP-\$500/mo	4072	\$ 5,280	6,365	6,556	7,500	5,000
Sale of Fixed Assets	4076	\$ 7,237	0	0	0	0
Sales Tax	4078	\$ 667,262	728,697	964,324	900,000	720,000
Sales Tax in-lieu	4079	\$ 90,194	0	0	0	0
Local 1% Sales Tax (dept 030 prior to FY 20)	4081			0	1,863,235	1,490,588
CA Beverage Recycling Grant	4095	\$ 5,421	5,566	0	0	0
TV Cable Franchise Agreement	4098	\$ 13,666	29,211	35,407	38,000	38,000
Home OCC Fee	4101	\$ 320	1,030	340	0	0
Proceeds From Sale of Property	4140		5,000	0	0	0
Bank Fees Paid from NSF	4149	\$ 50	0	0	0	0
Economical Development	4165	\$ -	100,000	0	0	0
Transfers in Transit or Sanitation Funds	4099	\$ -	306,000	0	0	0
One Time Funds - Successor Agency Reimb	4119		17	2,167	62,000	0
Elections	4132	\$ -	0	492	0	0
Total Revenue		\$ 3,627,437	4,119,964	3,961,277	5,892,964	5,428,649

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN
2020-2021 Operating Budget

ADMINISTRATION
General Fund

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO. : 001	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
EXPENDITURES						
Salary - Full-time	5001	\$ 637,824	564,715	516,384	512,149	512,690
Salary - Contract Labor	5002	\$ -	0	0	0	0
Salary - Overtime	5003	\$ 10,447	5,378	7,063	8,000	8,000
Cash Out Paid Leave	5001					60,000
Payroll Taxes	5009	\$ 66,273	55,708	39,372	38,223	38,546
CalPERS	5011	\$ 56,139	49,869	50,963	58,572	59,461
Workman Comp	5014	\$ -	18,571	36,448	40,460	40,930
Medical Insurance	5015	\$ 61,813	76,615	88,951	74,013	71,302
Total Salary and Benefits		\$ 832,497	\$ 770,857	\$ 739,181	731,417	790,929
Educational Reimbursement	5007	\$ -	0	3,500	0	0
Maintenance	5008	\$ 3,040	2,401	1,518	14,000	14,000
Maintenance - Vehicles	5012	\$ 1,130	0	185	0	0
Risk Management	5013	\$ 5,156	2,213	2,710	12,293	12,293
Office Supplies	5016	\$ 33,014	8,329	7,339	16,000	8,000
Legal Services Standard	5018	\$ 261,044	89,976	71,504	183,219	210,702
Settlement Expense	5019	\$ -	32,500	0	0	0
Maintenance - Graffiti	5020	\$ -	0	14	0	0
Training	5021	\$ 7,958	2,023	4,885	18,000	18,000
Licenses, Permits, & Fees	5022	\$ -	700	161	2,500	2,500
Postage	5026	\$ 2,910	3,478	3,670	4,300	4,300
Kern County Fire	5027			0	623,841	658,152
Professional Services/Muni Code/CalPERS	5034	\$ 147,639	127,552	92,416	60,000	60,000
Outside Administrator	5035	\$ 4,001	77	450	600	600
Communications	5036	\$ 1,515	954	1,353	1,500	1,500
Legal Speical Projects / Contingency	5042	\$ 132,921	148,438	77,220	200,000	0
Community Expense	5046	\$ 11,176	990	6,356	5,500	2,500
Bank Service Charges	5050	\$ 10,325	7,269	7,871	6,000	6,000
Interpreter Service	5051	\$ -	92	0	200	200
Capital Expense	5052	\$ -	0	0	0	0
Contract Services	5054	\$ -	4,035	4,462	0	0
Telephone	5056	\$ 11,309	9,451	7,847	11,000	11,000
Travel & Conference	5058	\$ 16,230	(739)	10,354	0	0
Utilities	5060	\$ 15,626	15,236	18,757	16,000	16,000
Dues & Subscriptions	5062	\$ 31,982	24,239	35,530	30,000	30,000
K.C. Admin Charge	5067	\$ -	0	0	0	0
Elections	5068	\$ 1,735	0	5,541	3,000	3,000
Engineering Services -	5070	\$ 20,671	3,980	0	0	0
Equipment Lease	5072	\$ 4,443	336	280	0	0
Outside Services	5077	\$ 26,491	33,490	2,096	0	0
Fuel Expense	5080	\$ 3,132	3,299	6,186	4,000	4,000
Printing and Publications	5082	\$ 25,045	33,580	22,975	26,000	10,000
Employee Costs	5091	\$ 127	0	0	0	0
Interest Expense	5092	\$ -	272	275	1,000	1,000
Operating Transfers Out	5093	\$ -	31,402	0	0	0
Public Relations	5098	\$ -	0	(4)	0	0
IT Support	5100	\$ 154,338	71,322	108,306	150,000	150,000
Refuse Collection-(KC Fund #20006)	5107	\$ 38,514	25,768	29,410	28,000	28,000
Auto Allowance	5109	\$ 4,800	3,600	1,087	4,800	4,800
PERS Catch up	5125	\$ 49,683	66,313	105,705	120,000	201,000
Developer Study	5170	\$ -	24,755	0	0	0
Miscellaneous Expense / TBD reductions	5198		(70,229)	(25,027)	(40,047)	
Total Operating Expense		\$ 1,025,952	\$ 707,100	\$ 614,932	1,501,706	1,457,547
Total Expenditures		\$ 1,858,449	\$ 1,477,957	\$ 1,354,113	2,233,123	2,248,476

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN
 2020-2021 Operating Budget

ADMINISTRATION
 General Fund

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO. : 001		2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Account						
Total Surplus or (Deficits)		1,768,988	2,642,007	2,607,164	3,659,842	3,180,173



CITY OF ARVIN
2020-2021 Operating Budget

General Fu

ADOBE COMPLEX
GENERAL FUND

DEPARTMENT DESCRIPTION:

This department captures the revenues and expenses related to the use and maintenance of the Veteran's Hall and the suites within the complex. The salaries and benefits of the Public Works employees are recorded when they are providing services for this facility based on what is reported on their timesheets. Revenue is limited to the rents received for use and events held at the Veteran's Hall and use of the suites. Other costs are for outside services, utilities and materials as needed.

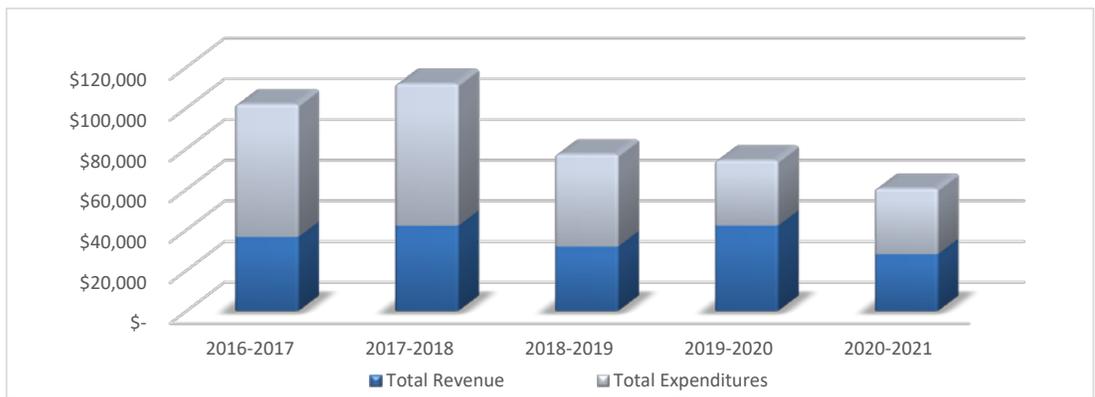
FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

These goals are tied into Public Works and Parks.

FUND NO. : 100	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2019-2020	Proposed Budget 2020-2021
DEPT NO.: 002						
REVENUE						
Total Revenue		\$ 36,495	\$ 41,964	\$ 31,796	\$ 42,000	\$ 28,000
EXPENDITURES						
Total Salary and Benefits		\$ 24,990	\$ 22,069	\$ 11,484	\$ 8,500	\$ 2,630
Total Operating Expenses		\$ 40,318	\$ 47,815	\$ 33,934	\$ 23,740	\$ 29,740
Total Expenditures		\$ 65,307	\$ 69,885	\$ 45,417	\$ 32,240	\$ 32,370
Total Surplus or (Deficits)		\$ (28,813)	\$ (27,921)	\$ (13,621)	\$ 9,760	\$ (4,370)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

ADOBE COMPLEX
GENERAL FUND

Ge

FUND NO. : 100		Audited	Audited	Audited	Amended	Proposed	
DEPT NO.: 002		Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE							
Rent	4072	\$ 36,495	41,964	\$ 31,796	\$ 42,000	\$ 28,000	
Miscellaneous	4054	\$ -	0	\$ -	\$ -	\$ -	
Security Deposit		\$ -	0	\$ -	\$ -	\$ -	
Total Revenue		\$ 36,495	\$ 41,964	\$ 31,796	\$ 42,000	\$ 28,000	
EXPENDITURES							
Salaries	5001	\$ 7,171	9,435	\$ 5,785	\$ -	\$ -	
Salaries - Overtime	5003	\$ 6,905	3,636	\$ 3,761	\$ 2,500	\$ 2,500	
Payroll Taxes	5009	\$ 1,188	1,057	\$ 743	\$ -	\$ -	
Medical Insurance	5015	\$ -	0	\$ -	\$ -	\$ -	
Workman Comp	5014	\$ 8,994	7,091	\$ 633	\$ 6,000	\$ 130	
CalPERS	5011	\$ 732	850	\$ 563	\$ -	\$ -	
Total Salary and Benefits		\$ 24,990	\$ 22,069	\$ 11,484	\$ 8,500	\$ 2,630	
Maintenance Building	5005	\$ -	0	\$ -	\$ -	\$ -	
Maintenance	5008	\$ 4,655	4,519	\$ 2,475	\$ 5,695	\$ 5,695	
Vehicle Maintenance	5012	\$ 8		\$ -	\$ -	\$ -	
Risk Management	5013	\$ 5,575	6,337	\$ 10,086	\$ -	\$ 6,000	
Maintenance - Graffiti Removal	5020	\$ -	0	\$ -	\$ -	\$ -	
Professional Services	5034	\$ 1,684	0	\$ -	\$ -	\$ -	
Capital Expense	5052	\$ -	0	\$ -	\$ -	\$ -	
Telephone	5056	\$ 1,448	785	\$ 807	\$ 820	\$ 820	
Travel & Conferences	5058	\$ -	0	\$ 38			
Utilities	5060	\$ 9,906	8,519	\$ 8,711	\$ 8,800	\$ 8,800	
Outside Services	5077	\$ 9,233	19,923	\$ 4,076	\$ -	\$ -	
Fuel Expense	5080	\$ -	0	\$ -	\$ -	\$ -	
Shop Supplies	5094	\$ 81	0	\$ -	\$ -	\$ -	
Flood Insurance	5112	\$ 7,728	7,732	\$ 7,742	\$ 8,425	\$ 8,425	
Total Operating Expenses		\$ 40,318	\$ 47,815	\$ 33,934	\$ 23,740	\$ 29,740	
Total Expenditures		\$ 65,307	\$ 69,885	\$ 45,417	\$ 32,240	\$ 32,370	
Total Surplus or (Deficits)		\$ (28,813)	\$ (27,921)	\$ (13,621)	\$ 9,760	\$ (4,370)	



CITY OF ARVIN
2020-2021 Operating Budget

ANIMAL CONTROL
General Fund

DEPARTMENT DESCRIPTION:

The Animal Control department is responsible for handling animal welfare incidents and providing safe return of lost animals to their owners. This department also educates pet owners about enforcement of municipal code ordinances related to dogs - at - large, animal bites, dog licensing, dog barking and leash laws. The City of Arvin animal control provides humane sheltering and disposal of stray and unwanted animals and promotes responsible pet ownership.

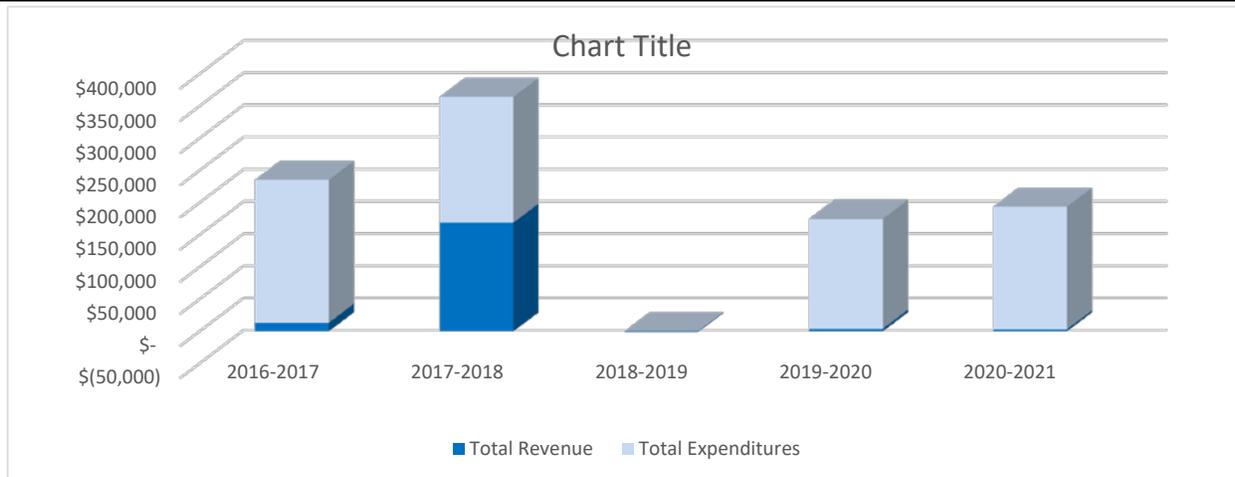
FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

These goals are part of the Police Department goals.

FUND NO. :100 DEPT NO.: 003	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2019-2020	Proposed Budget 2020-2021
REVENUE						
Total Revenue		\$ 13,337	\$ 168,955	\$ (724)	\$ 4,000	\$ 3,116
EXPENDITURES						
Total Salary and Benefits		\$ 66,578	\$ 68,340	\$ -	\$ 67,368	\$ 70,944
Total Operating Expense		\$ 155,466	\$ 126,865	\$ -	\$ 103,426	\$ 119,690
Total Expenditures		\$ 222,045	\$ 195,205	\$ -	\$ 170,794	\$ 190,634
Total Surplus or (Deficits)		\$ (208,708)	\$ (26,250)	\$ (724)	\$ (166,794)	\$ (187,518)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

ANIMAL CONTROL
General Fund

FUND NO. : 100 DEPT NO.: 003	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2019-2020	Proposed Budget 2020-2021
REVENUE						
Animal Licenses	4003	\$ 9,970	\$ 4,864	\$ (724)	\$ 4,000	\$ 3,116
Revenue - TDA	4052	\$ 3,067	\$ 163,856	\$ -	\$ -	\$ -
Veterinarian Clinics	4103	\$ -	\$ -	\$ -	\$ -	\$ -
Animal Impound Fees	4122	\$ 300	\$ 235	\$ -	\$ -	\$ -
Total Revenue		\$ 13,337	\$ 168,955	\$ (724)	\$ 4,000	\$ 3,116
EXPENDITURES						
Salary - Full-time	5001	\$ 50,046	\$ 49,869	\$ -	\$ 53,303	\$ 53,303
Salary - Overtime	5003	\$ 2,120	\$ 1,123	\$ -	\$ 1,493	\$ 1,493
Payroll Tax	5009	\$ 4,381	\$ 4,299	\$ -	\$ 60	\$ 4,192
Workman Comp	5014	\$ 2,810	\$ 5,780	\$ -	\$ 4,890	\$ 4,291
Medical Insurance	5015	\$ 3,871	\$ 3,925	\$ -	\$ 4,140	\$ 4,019
CalPERS	5011	\$ 3,351	\$ 3,344	\$ -	\$ 3,482	\$ 3,646
Total Salary and Benefits		\$ 66,578	\$ 68,340	\$ -	\$ 67,368	\$ 70,944
Maintenance - Other	5008	\$ 63	\$ 40	\$ -	\$ -	\$ -
Vehicle Maintenance	5012	\$ 5,945	\$ 12,560	\$ -	\$ 6,300	\$ 500
Risk Management	5013	\$ 2,755	\$ 4,985	\$ -	\$ 3,826	\$ 3,826
Office Supplies	5016	\$ -	\$ 52	\$ -	\$ 150	\$ 150
Training	5021	\$ -	\$ -	\$ -	\$ -	\$ -
Uniforms	5023	\$ 700	\$ 920	\$ -	\$ 1,300	\$ 1,300
Administrative Services	5032	\$ -	\$ -	\$ -	\$ -	\$ -
Professional Services	5034	\$ 3,529	\$ -	\$ -	\$ -	\$ -
Contract Services-KC	5054	\$ 99,120	\$ 103,907	\$ -	\$ 85,000	\$ 85,000
Vet Expense	5064	\$ 389	\$ -	\$ -	\$ -	\$ -
Equipment - Lease Vehicle	5072	\$ -	\$ -	\$ -	\$ -	\$ 22,064
Special Equipment	5076	\$ 117	\$ 527	\$ -	\$ 650	\$ 650
Fuel	5080	\$ 4,443	\$ 3,403	\$ -	\$ 3,700	\$ 3,700
Advertising/ Publications/ Prints	5082	\$ -	\$ -	\$ -	\$ -	\$ -
Employee Related Costs	5091	\$ -	\$ -	\$ -	\$ -	\$ -
Veterinarian Costs	5097	\$ 38,404	\$ 470	\$ -	\$ 2,500	\$ 2,500
Total Operating Expense		\$ 155,466	\$ 126,865	\$ -	\$ 103,426	\$ 119,690
Total Expenditures		\$ 222,045	\$ 195,205	\$ -	\$ 170,794	\$ 190,634
Total Surplus or (Deficits)		\$ (208,708)	\$ (26,250)	\$ (724)	\$ (166,794)	\$ (187,518)



CITY OF ARVIN

2020-2021 Operating Budget

BUILDING AND GROUNDS GENERAL FUND

DEPARTMENT DESCRIPTION:

This department captures the cost for the Public Works employees to do maintenance in the City Hall Complex. This includes the Transit, Building Department, Police Department, Council Chambers and City Hall building and grounds. Cost is allocated based on the time reports by the employees on their timesheets. There is no revenue generated by the building and grounds department.

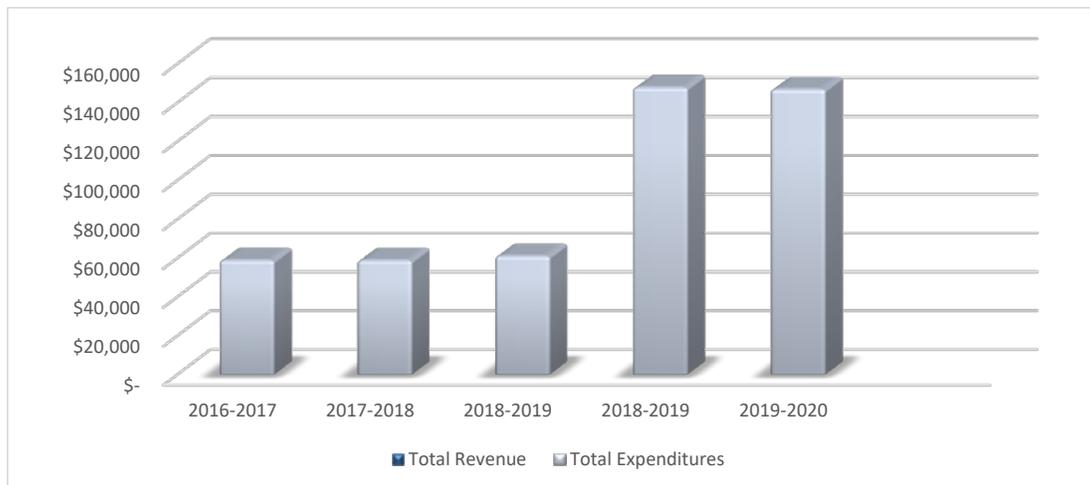
FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

These goals are tied into Public Works and Parks.

FUND NO. : 100	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2018-2019	Proposed Budget 2019-2020
DEPT NO.: 005						
REVENUE						
Total Revenue		\$ -	\$ -	\$ -	\$ -	\$ -
EXPENDITURES						
Total Salary and Benefits		\$ 50,188	\$ 54,808	\$ 56,102	\$ 137,183	\$ 136,295
Capital Expense		\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses		\$ 8,637	\$ 3,965	\$ 4,878	\$ 10,538	\$ 10,538
Total Expenditures		\$ 58,825	\$ 58,773	\$ 60,980	\$ 147,721	\$ 146,833
Total Surplus or (Deficits)		\$ (58,825)	\$ (58,773)	\$ (60,980)	\$ (147,721)	\$ (146,833)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

BUILDING AND GROUNDS
GENERAL FUND

FUND NO. : 100		Audited	Audited	Audited	Amended	Proposed
DEPT NO.: 005		Account	2016-2017	2017-2018	2018-2019	Budget
			2019-2020	2020-2021		
REVENUE						
Miscellaneous Revenue	4054	\$ -	\$ -	\$ -	\$ -	\$ -
Rebates	4070	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue		\$ -	\$ -	\$ -	\$ -	\$ -
EXPENDITURES						
Salaries	5001	\$ 43,265	\$ 40,455	\$ 44,549	\$ 90,042	\$ 87,874
Salaries - Overtime	5003	\$ (53)	\$ -	\$ -	\$ 1,500	\$ 1,500
Payroll Taxes	5009	\$ 3,707	\$ 3,354	\$ 3,459	\$ 7,790	\$ 7,740
Workman Comp	5014	\$ -	\$ 8,403	\$ 4,242	\$ 7,113	\$ 7,022
CalPERS	5011	\$ 3,269	\$ 2,596	\$ 3,853	\$ 7,877	\$ 7,938
Medical Insurance	5015	\$ -	\$ -	\$ -	\$ 22,861	\$ 24,221
Total Salary and Benefits		\$ 50,188	\$ 54,808	\$ 56,102	\$ 137,183	\$ 136,295
Maintenance	5008	\$ 6,275	\$ 1,702	\$ 2,937	\$ 3,038	\$ 3,038
Maintenance-Vehicle	5012	\$ 36	\$ -	\$ -	\$ -	\$ -
Risk Management	5013	\$ 195	\$ 103	\$ 80	\$ 5,000	\$ 5,000
Uniforms	5023	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Services	5032	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Expense	5052	\$ -	\$ -	\$ -	\$ -	\$ -
Contract Services	5054	\$ 33	\$ -	\$ -	\$ -	\$ -
Telephone	5056	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities	5060	\$ 2,098	\$ 2,160	\$ 1,861	\$ 2,500	\$ 2,500
Outside Services	5077	\$ -	\$ -	\$ -	\$ -	\$ -
Fuel Expense	5080	\$ -	\$ -	\$ -	\$ -	\$ -
Shop Supplies	5094	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses		\$ 8,637	\$ 3,965	\$ 4,878	\$ 10,538	\$ 10,538
Total Expenditures		\$ 58,825	\$ 58,773	\$ 60,980	\$ 147,721	\$ 146,833
Total Surplus or (Deficits)		\$ (58,825)	\$ (58,773)	\$ (60,980)	\$ (147,721)	\$ (146,833)



CITY OF ARVIN
 2020-2021 Operating Budget
Community Development
GENERAL FUND

DEPARTMENT DESCRIPTION:

This department is responsible for administering the City's land use regulations. They process all entitlement applications and other development requests and are responsible for ensuring compliance with the California Environmental Quality Act (CEQA) and all other City, State and Federal laws related to land use and planning. They also review requests for easements that may be required when access to city property is needed for a development project.

FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

Beautify downtown Arvin and other areas throughout the city.

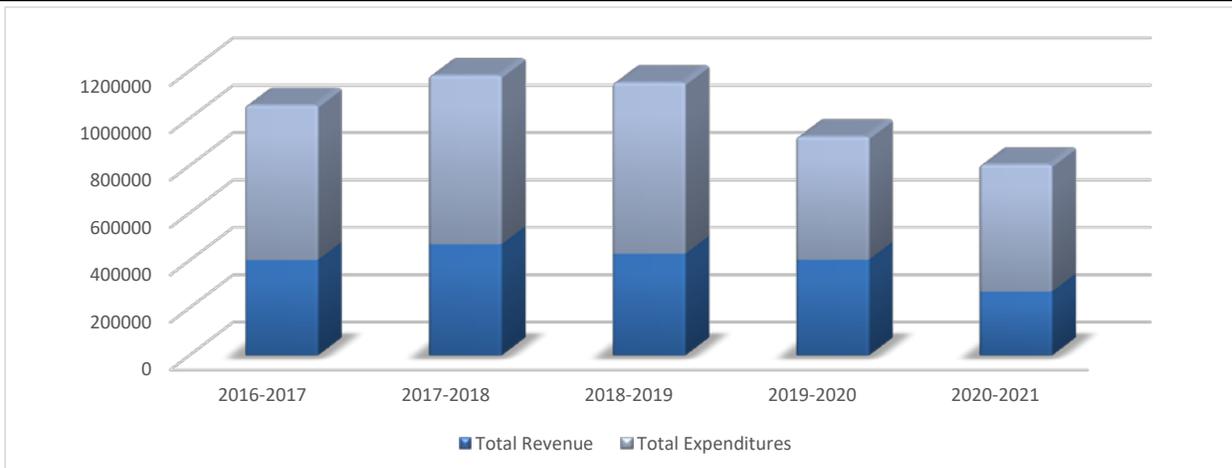
Develop a business attraction, retention, and expansion strategy.

Expand the City's Sphere of Influence (SOI) and amend the City's General Plan to add available land in strategic locations for commercial and industrial development.

Establish a focus on environmental sustainability.

FUND NO. : 100	Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO.: 007	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Account					
REVENUE					
Total Revenue	\$ 403,149	\$ 469,154	\$ 428,217	\$ 404,000	\$ 269,334
EXPENDITURES					
Total Salary and Benefits	\$ 180,560	\$ 130,187	\$ 197,428	\$ 405,980	\$ 430,205
Capital Expense	\$ 2,860	\$ (2,860)	\$ -	\$ -	\$ -
Total Operating Expenses	\$ 472,579	\$ 582,279	\$ 525,950	\$ 113,600	\$ 105,600
Total Expenditures	\$ 653,139	\$ 712,466	\$ 723,377	\$ 519,580	\$ 535,805
Total Surplus or (Deficits)	\$ (249,990)	\$ (243,312)	\$ (295,160)	\$ (115,580)	\$ (266,471)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

**Community Development
GENERAL FUND**

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget	
DEPT NO.: 007		Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE							
Building Permits	4011	\$ 196,524	\$ 295,563	\$ 195,733	\$ 250,000	\$ 166,667	
Plan Check Fees	4022	\$ 128,093	\$ 58,084	\$ 45,261	\$ 40,000	\$ 26,667	
Code Enforcement	4029	\$ 900	\$ 4,800	\$ 400	\$ -		
Engineering Fees	4031	\$ -	\$ 138	\$ 1,000	\$ -		
Sewer Connection Inspection	4034	\$ 70	\$ -	\$ -	\$ -		
Planning Fees	4037	\$ 39,563	\$ 85,835	\$ 135,884	\$ 90,000	\$ 60,000	
Permit Fees (Electrical, Mechanical, Plumbing)	4042	\$ 13,357	\$ 5,120	\$ 3,209	\$ 5,000	\$ 3,333	
Permit Issuance Fees	4043	\$ 7,142	\$ 5,345	\$ 11,094	\$ 9,000	\$ 6,000	
Grant Revenue	4046	\$ -	\$ -	\$ -	\$ -		
Encroachment Permits	4047	\$ 9,220	\$ 6,530	\$ 7,917	\$ 6,500	\$ 4,333	
Misc/New Addrs/Dept Consv	4054	\$ 6,662	\$ 2,440	\$ 26,519	\$ 2,500	\$ 1,667	
Inspection Fees	4067	\$ 1,620	\$ 1,300	\$ 1,050	\$ 1,000	\$ 667	
Reimbursement Account	4119	\$ -	\$ -	\$ 150	\$ -	\$ -	
Development Agreement	4124	\$ -	\$ 4,000	\$ -	\$ -	\$ -	
Total Revenue		\$ 403,149	\$ 469,154	\$ 428,217	\$ 404,000	\$ 269,334	
EXPENDITURES							
Salaries - Full-time	5001	\$ 149,616	\$ 100,640	\$ 139,784	\$ 283,845	\$ 306,147	
Salaries - Contract Labor	5002	\$ -	\$ -	\$ -	\$ -	\$ -	
Salaries - Overtime	5003	\$ (174)	\$ 76	\$ -	\$ 1,000	\$ 1,000	
Educational Reimbursement		\$ -	\$ 85	\$ -	\$ 5,000	\$ 5,000	
Payroll Taxes	5009	\$ 9,659	\$ 8,475	\$ 9,258	\$ 21,714	\$ 23,497	
Workman Comp	5014	\$ 2,054	\$ 8,403	\$ 23,449	\$ 22,424	\$ 24,239	
Medical Insurance	5015	\$ 11,390	\$ 7,499	\$ 11,636	\$ 43,787	\$ 39,879	
CalPERS	5011	\$ 8,015	\$ 5,010	\$ 13,301	\$ 28,210	\$ 30,443	
Total Salary and Benefits		\$ 180,560	\$ 130,187	\$ 197,428	\$ 405,980	\$ 430,205	

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN
2020-2021 Operating Budget

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Community Development
GENERAL FUND

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO.: 007	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Maintenance- Other	5008	\$ 3,707	\$ 2,023	\$ 2,025	\$ -	\$ -
Vehicle Maintenance	5012	\$ -	\$ -	\$ -	\$ -	\$ -
Risk Management	5013	\$ 3,277	\$ 5,436	\$ 4,285	\$ -	\$ -
Office Supplies	5016	\$ 11,588	\$ 4,317	\$ 6,367	\$ 8,000	\$ 4,000
Legal Services	5018	\$ 87,945	\$ 62,565	\$ 18,568	\$ 22,500	\$ 22,500
Severance - Other Pay	5019	\$ 6,304	\$ 3,726	\$ -	\$ -	\$ -
Training, Travel and Conferences	5021	\$ 1,445	\$ 1,000	\$ 2,208	\$ 12,000	\$ 4,000
Licenses, Permits, & Fees	5022	\$ -	\$ 8	\$ 2,455	\$ -	\$ -
Planning Services	5024	\$ 32,741	\$ -	\$ 266,451	\$ -	\$ -
Postage	5026	\$ 1,350	\$ 1,740	\$ 4,469	\$ 2,000	\$ 2,000
Professional Services	5034	\$ 144,875	\$ 310,614	\$ 9,932	\$ 10,000	\$ 10,000
Outside Admin/Regulatory Fees	5035	\$ 18,053	\$ 3,497	\$ 300	\$ 5,000	\$ 1,000
Communications	5036	\$ 483	\$ 527	\$ 527	\$ 600	\$ 600
Legal Expenses - Special	5042	\$ -	\$ 57,788	\$ 63,133	\$ -	\$ -
Blighted Property Cleanup	5044	\$ 58	\$ -	\$ -	\$ -	\$ -
Community Expense	5046	\$ 7,446	\$ -	\$ 22	\$ 6,500	\$ 2,500
Interpreter Services	5051	\$ -	\$ 87	\$ -	\$ 400	\$ 400
Capital Expense	5052	\$ 2,860	\$ (2,860)	\$ -	\$ -	\$ -
Contract Services	5054	\$ (5,696)	\$ (4,762)	\$ 1,452	\$ -	\$ -
Telephone	5056	\$ 2,725	\$ 3,148	\$ 3,754	\$ 3,300	\$ 3,300
Travel & Conference DNU - see 5021	5058	\$ 1,337	\$ 44	\$ 1,958	\$ -	\$ -
Utilities	5060	\$ 4,453	\$ 2,878	\$ 1,816	\$ 3,300	\$ 3,300
Dues & Subscriptions	5062	\$ 2,377	\$ 1,720	\$ 2,348	\$ 3,000	\$ 3,000
Engineering Services	5070	\$ 69,723	\$ 69,254	\$ 84,730	\$ 10,000	\$ 10,000
Equipment Lease	5072	\$ 2,766	\$ 1,835	\$ 1,980	\$ 2,000	\$ 2,000
Outside Services	5077	\$ 19,233	\$ 19,991	\$ 3,581	\$ -	\$ -
Fuel Expense	5080	\$ 256	\$ -	\$ -	\$ -	\$ -
Advertising-Printing-Publications	5082	\$ 1,722	\$ -	\$ 780	\$ -	\$ -
Employee Costs	5091	\$ -	\$ -	\$ -	\$ 6,000	\$ 6,000
Plan Checks	5095	\$ 51,553	\$ 37,233	\$ 42,811	\$ 19,000	\$ 31,000
IT Systems Support	5100	\$ -	\$ 470	\$ -	\$ -	\$ -
Total Operating Expense		\$ 472,579	\$ 582,279	\$ 525,950	\$ 113,600	\$ 105,600
Total Expenditures		\$ 653,139	\$ 712,466	\$ 723,377	\$ 519,580	\$ 535,805
Total Surplus or (Deficits)		\$ (249,990)	\$ (243,312)	\$ (295,160)	\$ (115,580)	\$ (266,471)

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN
2020-2021 Operating Budget

**COMMUNITY CENTER
GENERAL FUND**

DEPARTMENT DESCRIPTION:

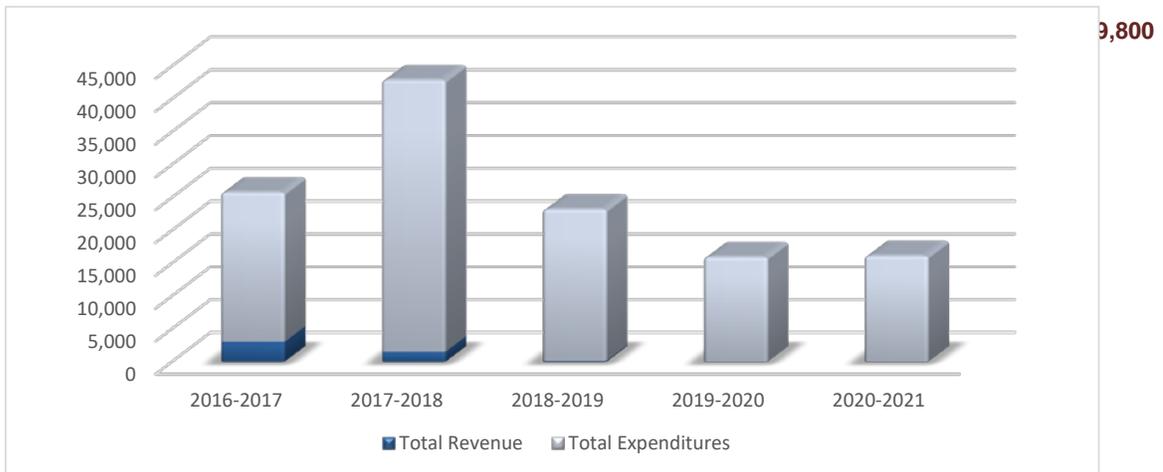
This building is located at 800 Walnut Drive and is rented by the Kern County Aging and Adult Services for the use of part of the building as a senior center. The City uses this same area as a cooling center, as needed. Space is also rented by the Arvin Historical Society and the Arvin Chamber of Commerce. Public Works employees salaries and benefits are allocated to this department based on hours reported on their timesheets.

FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

These goals are tied into Public Works and Parks.

FUND NO. : 100 DEPT NO.: 009	Account	Audited	Audited	Audited	Amended	Proposed
		2016-2017	2017-2018	2018-2019	Budget 2019-2020	Budget 2020-2021
REVENUE						
Total Revenue		\$ 3,001	\$ 1,500	\$ 129	\$ -	\$ -
EXPENDITURES						
Total Salary and Benefits		\$ 7,555	\$ 12,141	\$ 7,819	\$ 1,100	\$ 1,270
Operating Expense		\$ 15,233	\$ 29,237	\$ 15,255	\$ 14,825	\$ 14,825
Total Expenditures		\$ 22,788	\$ 41,377	\$ 23,074	\$ 15,925	\$ 16,095
Total Surplus or (Deficits)		\$ (19,787)	\$ (39,877)	\$ (22,945)	\$ (15,925)	\$ (16,095)
BUDGET SUMMARY						





CITY OF ARVIN

2020-2021 Operating Budget

COMMUNITY CENTER GENERAL FUND

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO.: 009	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE						
Rent-Kern Co. Aging and Adult Svcs	4026	\$ 901	\$ -	\$ -	\$ -	\$ -
Miscellaneous	4054	\$ -	\$ -	\$ 129	\$ -	\$ -
KCEOC	4059	\$ 600	\$ -	\$ -	\$ -	\$ -
Grant Income	4087	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ -
Cell Tower Rental(Moved to Parks)	4131	\$ -	\$ -	\$ -	\$ -	\$ -
Baseball Tomorrow Grant	4106	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue		\$ 3,001	\$ 1,500	\$ 129	\$ -	\$ -
EXPENDITURES						
Salaries	5001	\$ 5,943	\$ 5,579	\$ 4,729	\$ -	\$ -
Salaries - Overtime	5003	\$ 475	\$ -	\$ -	\$ -	\$ -
Salaries - Part Time	5004	\$ -	\$ -	\$ 1,678	\$ 1,100	\$ 1,100
Payroll Taxes	5009	\$ 565	\$ 519	\$ 481	\$ -	\$ 84
Workman Comp	5014	\$ -	\$ 5,486	\$ 490	\$ -	\$ -
Medical Insurance	5015	\$ -	\$ -	\$ -	\$ -	\$ 86
CalPERS	5011	\$ 572	\$ 557	\$ 440	\$ -	\$ -
Total Salary and Benefits		\$ 7,555	\$ 12,141	\$ 7,819	\$ 1,100	\$ 1,270
Maintenance - Building	5005	\$ -	\$ -	\$ -	\$ 2,425	\$ 2,425
Maintenance - Other	5008	\$ 6,249	\$ 1,333	\$ 1,317	\$ -	\$ -
Maintenance - Vehicle	5012	\$ 4	\$ -	\$ -	\$ -	\$ -
Risk Management	5013	\$ 1,227	\$ 1,329	\$ 2,065	\$ -	\$ -
Maintenance - Graffiti Removal	5020	\$ -	\$ -	\$ -	\$ -	\$ -
Kern Cty. Fire Services	5027	\$ -	\$ -	\$ 90	\$ -	\$ -
Administrative Services	5032	\$ -	\$ -	\$ -	\$ -	\$ -
Professional Services	5034	\$ 157	\$ -	\$ -	\$ -	\$ -
Community Expense	5046	\$ -	\$ 338	\$ -	\$ 500	\$ 500
Capital Expense	5052	\$ (2,634)	\$ -	\$ -	\$ -	\$ -
Contract Services	5054	\$ 4	\$ -	\$ -	\$ -	\$ -
Telephone	5056	\$ 1,453	\$ 789	\$ 811	\$ 900	\$ 900
Utilities	5060	\$ 6,305	\$ 9,492	\$ 9,508	\$ 11,000	\$ 11,000
Outside Services	5077	\$ 2,467	\$ 15,956	\$ 1,464	\$ -	\$ -
Fuel Expense	5080	\$ -	\$ -	\$ -	\$ -	\$ -
Shop Supplies	5094	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Expense		\$ 15,233	\$ 29,237	\$ 15,255	\$ 14,825	\$ 14,825
Total Expenditures		\$ 22,788	\$ 41,377	\$ 23,074	\$ 15,925	\$ 16,095
Total Surplus or (Deficits)		\$ (19,787)	\$ (39,877)	\$ (22,945)	\$ (15,925)	\$ (16,095)



CITY OF ARVIN
2020-2021 Operating Budget

PARKS
GENERAL FUND

DEPARTMENT DESCRIPTION:

The revenue for this department is generated by the rental of the fields at the park and the use of the MetroPCS cell phone tower. In 2012-2013 the ATT cell tower rental contract was purchased and resulted in a one-time increase in the revenues generated. Public works provides the maintenance for the parks and the employees salaries and benefits are allocated according to the time spent as allotted on their timesheets. The major expense for the department is water for the grounds and restrooms located at the parks.

FISCAL YEAR OBJECTIVES:

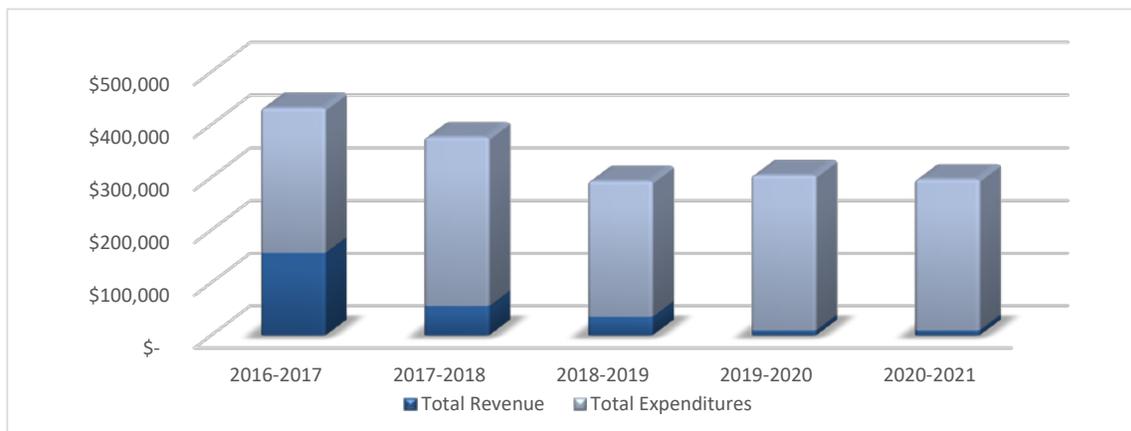
Fiscal Year Objectives

Develop community activities and events reflective of the culture and interests of the community that attract families and enhance the sense of community.

Develop recreational programming for adults and children (especially after-school activities and sports for children), including healthy living classes (e.g. Zumba; spin/cycle; nutritional classes).

FUND NO. : 100	Account	Audited 2016-2017	Audited 2017-2018	Audited 2018-2019	Amended Budget 2019-2020	Proposed Budget 2020-2021
REVENUE						
Total Revenue		\$ 156,715	\$ 55,363	\$ 34,879	\$ 9,602	\$ 9,602
EXPENDITURES						
Total Salary and Benefits		\$ 101,767	\$ 208,034	\$ 126,578	\$ 183,143	\$ 180,568
Total Operating Expense		\$ 173,228	\$ 107,153	\$ 121,472	\$ 101,426	\$ 106,426
Total Expenditures		\$ 274,995	\$ 320,967	\$ 258,210	\$ 294,646	\$ 286,994
Total Surplus or (Deficits)		\$ (118,280)	\$ (265,604)	\$ (223,331)	\$ (285,044)	\$ (277,392)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

PARKS
GENERAL FUND

FUND NO. : 100		Audited	Audited	Audited	Amended	Proposed
DEPT NO.: 012	Account	2016-2017	2017-2018	2018-2019	Budget	Budget
		2019-2020	2020-2021			
REVENUE						
Misc Grant Revenue	4049	0	0	\$ -	\$ -	\$ -
Miscellaneous	4054	2,905	0	\$ 532	\$ -	\$ -
Rent Income	4072	\$ 4,465	30	\$ 1,419	\$ -	\$ -
Cell Tower Lease/Metro PCS	4131	\$ 9,501	9,833	\$ 10,177	\$ 9,602	\$ 9,602
Kern County Park Payments	4133	\$ 67,850	45,500	\$ 22,750	\$ -	\$ -
Operating Transfer In - Measure L	4099	\$ 71,994	0	\$ -	\$ -	\$ -
Total Revenue		\$ 156,715	\$ 55,363	\$ 34,879	\$ 9,602	\$ 9,602
EXPENDITURES						
Salaries - Full Time	5001	\$ 84,799	\$ 173,766	\$ 106,268	\$ 127,559	\$ 124,488
Salaries - Overtime	5003	\$ 2,182	\$ 3,097	\$ 68	\$ 1,000	\$ 1,000
Payroll Taxes	5009	\$ 7,516	\$ 9,137	\$ 9,290	\$ 11,037	\$ 10,879
Workman Comp	5014	\$ -	\$ 5,780	\$ 10,159	\$ 10,077	\$ 9,888
Medical Insurance	5015	\$ -	\$ 8,883	\$ -	\$ 32,387	\$ 34,313
CalPERS	5011	\$ 7,271	\$ 13,151	\$ 10,953	\$ 11,160	
Total Salary and Benefits		\$ 101,767	\$ 213,814	\$ 136,737	\$ 193,220	\$ 180,568
Maintenance	5008	\$ 33,332	\$ 10,456	\$ 7,182	\$ 5,000	\$ 10,000
Maintenance - Vehicle	5012	\$ 315	\$ -	\$ 60	\$ -	\$ -
Risk Management	5013	\$ 5,389	\$ 10,010	\$ 6,730	\$ 3,826	\$ 3,826
Maintenance - Graffiti Removal	5020	\$ -	\$ -	\$ 145	\$ -	\$ -
Licenses, Permits, & Fees	5022	\$ 10	\$ 400	\$ 400	\$ 600	\$ 600
Uniforms	5023	\$ -	\$ 220	\$ -	\$ -	\$ -
Professional Services	5034	\$ 1,592	\$ -	\$ -	\$ -	\$ -
Miscellaneous	5046	\$ 775	\$ -	\$ -	\$ -	\$ -
Capital Expense	5052	\$ -	\$ -	\$ -	\$ -	\$ -
Telephone	5056	\$ -	\$ -	\$ -	\$ -	\$ -
Utilities	5060	\$ 60,539	\$ 89,476	\$ 94,034	\$ 92,000	\$ 92,000
Engineering Services	5070	\$ 8,855	\$ (4,725)	\$ -	\$ -	\$ -
Outside Services	5077	\$ 62,421	\$ 1,316	\$ 12,921	\$ -	\$ -
Fuel Expense	5080	\$ -	\$ -	\$ -	\$ -	\$ -
Shop Supplies	5094	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expense		\$ 173,228	\$ 107,153	\$ 121,472	\$ 101,426	\$ 106,426
Total Expenditures		\$ 274,995	\$ 320,967	\$ 258,210	\$ 294,646	\$ 286,994
Total Surplus or (Deficits)		\$ (118,280)	\$ (265,604)	\$ (223,331)	\$ (285,044)	\$ (277,392)



CITY OF ARVIN
2020-2021 Operating Budget

POLICE
GENERAL FUND

DEPARTMENT DESCRIPTION:

The Police department is responsible for the day- to - day management of law enforcement services to the City of Arvin. Patrol officers are the first responders to emergencies and respond to immediate and routine service calls, crime - related incidents, and quality of life issues. They conduct preliminary investigations, collect evidence and arrest offenders. Other responsibilities also include recovering lost or stolen property, ensuring the safety and protection of persons and property through proactive and directed patrol, enforcing traffic laws, and rendering aid to the community, as needed. Officers strive to provide an excellent level of service and take pride in building partnership with the residents and business within the community.

FISCAL YEAR OBJECTIVES:

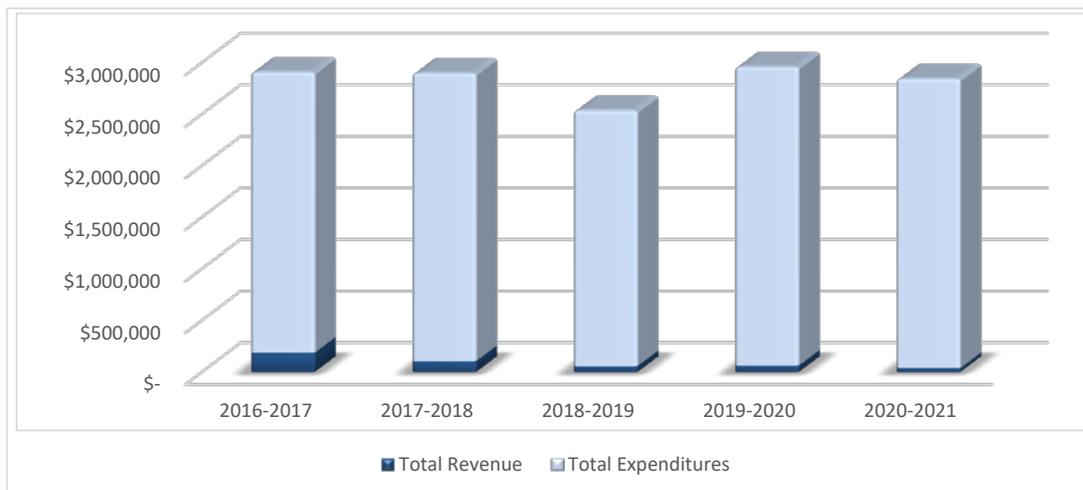
Fiscal Year Objectives

Enhance gang prevention operations.

Establish and institute practices and policies to enhance the Police Department's partnership with the community.

FUND NO. : 100		Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO.: 014	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE						
Total Revenue		\$ 185,431	\$ 104,605	\$ 56,223	\$ 61,500	\$ 36,500
EXPENDITURES						
Total Salary and Benefits		\$ 2,283,360	\$ 2,357,484	\$ 2,048,026	\$ 2,429,546	\$ 2,429,389
Transfer Out to Fed COPS	5093	\$ -	\$ -	\$ -	\$ -	\$ -
Transfer Out to State COPS		\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses		\$ 439,832	\$ 436,192	\$ 431,205	\$ 467,657	\$ 377,321
Total Expenditures		\$ 2,723,192	\$ 2,793,676	\$ 2,479,230	\$ 2,897,203	\$ 2,806,710
Total Surplus or (Deficits)		\$ (2,537,761)	\$ (2,689,070)	\$ (2,423,007)	\$ (2,835,703)	\$ (2,770,210)

BUDGET SUMMARY





CITY OF ARVIN
2020-2021 Operating Budget

POLICE
GENERAL FUND

FUND NO. : 100	Audited			Amended Budget	Proposed Budget	
DEPT NO.: 014	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE						
SIT(Street Interdiction Team)/reimbursed overtime	4028	\$ -	\$ 8,841	\$ -	\$ -	\$ -
Alarm Permit Fees	4036	\$ 450	\$ 400	\$ 1,950	\$ 500	\$ 500
Miscellaneous Grant Revenue	4049	\$ -	\$ 7,508	\$ 16,307	\$ -	\$ -
Miscellaneous	4054	\$ 586	\$ 2,154	\$ 5,205	\$ 3,000	\$ 3,000
Police Services (Citation Sign Off, Fingerprints, Reports, Character Ref Ltr, Repo Release, False Alarm)	4062	\$ 7,583	\$ 6,692	\$ 12,921	\$ 12,000	\$ 12,000
Public Safety Impact Fee/	4063	\$ 11,149	\$ 4,923	\$ -	\$ -	\$ -
Fema Emergency	4070	\$ -	\$ 5,736	\$ -	\$ -	\$ -
Live Scan Fees	4073	\$ 1,981	\$ 6,388	\$ 9,352	\$ 9,000	\$ 9,000
Restitution Payments	4084	\$ 1,400	\$ 1,450	\$ 550	\$ 1,000	\$ 1,000
Etc./ Agreement w/ County	4086	\$ 52,118	\$ 23,769	-	-	-
AB 109 Grant Revenue	4091	0	0	\$ 1,145	\$ -	\$ -
Parking Citations/ from the County	4092	\$ 9,257	\$ 433	\$ -		
Vehicle Theft / Grant every year (moved to unique fund)	4093	\$ 25,000	\$ 25,000	\$ -	\$ 25,000	\$ -
Revenue- Traffic Court/ From the County	4094	\$ 50,801	\$ 11,219	\$ 8,693	\$ 11,000	\$ 11,000
Traffic Impact	4096	\$ (0)	\$ -	\$ -	\$ -	\$ -
Citations - Ordinance	4104	\$ -	\$ 53	\$ 100	\$ -	\$ -
	4119		\$ 39	\$ -	\$ -	\$ -
Forfeiture & Offender	4099		\$ -	\$ -	\$ -	\$ -
Total Revenue		\$ 185,431	\$ 104,605	\$ 56,223	\$ 61,500	\$ 36,500



CITY OF ARVIN
2020-2021 Operating Budget

POLICE
GENERAL FUND

FUND NO. : 100		Audited	Audited	Audited	Amended	Proposed	
DEPT NO.: 014		Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
EXPENDITURES							
Salaries - Full-time Sworn	5001	\$ 1,079,255	\$ 1,136,963	\$ 769,991	\$ 1,166,619	\$ 1,107,428	
Salaries - Over-time Sworn	5003	\$ 240,490	\$ 231,063	\$ 344,221	\$ 250,000	\$ 250,000	
Salary - Part Time	5004	\$ -	\$ -	\$ -	\$ -	\$ -	
Payroll Taxes	5009	\$ 143,603	\$ 149,495	\$ 110,776	\$ 109,410	\$ 124,007	
CalPERS	5011	\$ 182,035	\$ 186,681	\$ 129,721	\$ 157,500	\$ 170,175	
Workman Comp	5014	\$ 69,212	\$ 115,126	\$ 84,777	\$ 92,210	\$ 100,820	
Medical Insurance	5015	\$ 152,223	\$ 159,241	\$ 135,504	\$ 172,835	\$ 153,853	
(SEIU) Dept 13	5001	\$ 280,497	\$ 260,531	\$ 298,867	\$ 334,852	\$ 353,925	
Overtime Dept 13	5003	\$ 50,156	\$ 48,507	\$ 64,349	\$ 25,000	\$ 40,000	
Payroll Taxes Dept 13	5009	\$ 25,718	\$ 24,530	\$ 27,615	\$ 25,616	\$ 30,135	
Workman Comp Dept 13	5014	\$ 12,210		\$ 21,909	\$ 26,453	\$ 30,093	
CalPERS (SEIU) dept 13	5011	\$ 19,877	\$ 18,873	\$ 22,877	\$ 26,441	\$ 27,843	
Medical Insurance Dept 13	5015	\$ 28,084	\$ 26,474	\$ 37,419	\$ 42,610	\$ 41,110	
Total Salary and Benefits		\$ 2,283,360	\$ 2,357,484	\$ 2,048,026	\$ 2,429,546	\$ 2,429,389	
Maintenance - Jail	5006	\$ 776	\$ 1,287	\$ 900	\$ 1,500	\$ 1,500	
Educational Reimbursement	5007	\$ -	\$ 2,115	\$ 3,736	\$ 7,500	\$ 7,500	
Maintenance	5008	\$ 13,556	\$ 9,375	\$ 9,228	\$ 11,000	\$ 11,000	
Vehicle Maintenance	5012	\$ 31,875	\$ 27,177	\$ 20,733	\$ 30,000	\$ 30,000	
Risk Management	5013	\$ 44,125	\$ 101,217	\$ 67,552	\$ 74,802	\$ 74,802	
Office Supplies	5016	\$ 7,851	\$ 8,689	\$ 7,721	\$ 9,300	\$ 6,300	
Legal Services	5018	\$ 5,653	\$ 15,919	\$ 40,106	\$ 10,000	\$ 10,000	
Training	5021	\$ 54,202	\$ 14,944	\$ 7,507	\$ 28,000	\$ 15,000	
Licenses, Permits and Fees	5022			\$ 500	\$ 500	\$ 500	
Uniforms	5023	\$ 17,892	\$ 15,157	\$ 16,792	\$ 32,819	\$ 32,819	
Postage	5026	\$ 1,437	\$ 1,878	\$ 1,804	\$ 2,000	\$ 2,000	
Prisoner Meals	5030	\$ -	\$ -	\$ -	\$ 500	\$ 500	
Profess. Services	5034	\$ 36,204	\$ 10,744	\$ 13,086	\$ 12,000	\$ 12,000	
Communications	5036	\$ 5,430	\$ 1,568	\$ 4,885	\$ 2,000	\$ 2,000	
Safety Equipment	5040	\$ 13,926	\$ 3,151	\$ 9,533	\$ 5,000	\$ 5,000	
Community Expense	5046	\$ 4,774	\$ 1,669	\$ 2,499	\$ 5,000	\$ 2,000	
CJIS - CLETS	5053	\$ 630	\$ 1,050	\$ 630	\$ 1,100	\$ 1,100	
Contract Services	5054	\$ 31,102	\$ 37,448	\$ 27,555	\$ 25,000	\$ 25,000	
Telephone	5056	\$ 18,629	\$ 19,663	\$ 20,828	\$ 20,000	\$ 20,000	
longer in use)	5058	\$ 5,461	\$ 2,907	\$ 473	\$ -	\$ -	
Utilities Expense	5060	\$ 23,518	\$ 26,745	\$ 34,048	\$ 30,000	\$ 30,000	
Dues & Subscriptions	5062	\$ 3,018	\$ 2,069	\$ 5,212	\$ 3,000	\$ 3,000	
Equipment Lease	5072	\$ 2,721	\$ 3,627	\$ 9,524	\$ 54,336	\$ 3,000	
Special Equipment	5076	\$ 5,524	\$ 103	\$ -	\$ 500	\$ 500	
Fuel	5080	\$ 27,041	\$ 33,218	\$ 33,848	\$ 33,000	\$ 33,000	
Printing and Publications	5082	\$ 1,785	\$ 1,992	\$ 1,580	\$ 2,800	\$ 2,800	
Grant Expenditures	5083	\$ 18,710	\$ -	\$ -	\$ -	\$ -	
Employee Costs	5091	\$ 11,083	\$ 34	\$ 3,207	\$ 5,000	\$ 5,000	
Interest	5092		\$ 7,247	\$ 4,953	\$ -	\$ -	
Lab Supplies	5096	\$ 1,000	\$ 359	\$ 1,633	\$ 1,000	\$ 1,000	
IT Support	5100	\$ -	\$ 37,896	\$ 34,713	\$ 60,000	\$ 40,000	
Principal	5116	\$ 51,371	\$ 46,943	\$ 46,418	\$ -	\$ -	
Reserve Costs	5123	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfer Out to Fed COPS	5093	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfer Out to State COPS							
Total Operating Expenses		\$ 439,832	\$ 436,192	\$ 431,205	\$ 467,657	\$ 377,321	
Total Expenditures		\$ 2,723,192	\$ 2,793,676	\$ 2,479,230	\$ 2,897,203	\$ 2,806,710	
Total Surplus or (Deficits)		\$ (2,537,761)	\$ (2,689,070)	\$ (2,423,007)	\$ (2,835,703)	\$ (2,770,210)	



CITY OF ARVIN
2020-2021 Operating Budget

Public Works
GENERAL FUND

DEPARTMENT DESCRIPTION:

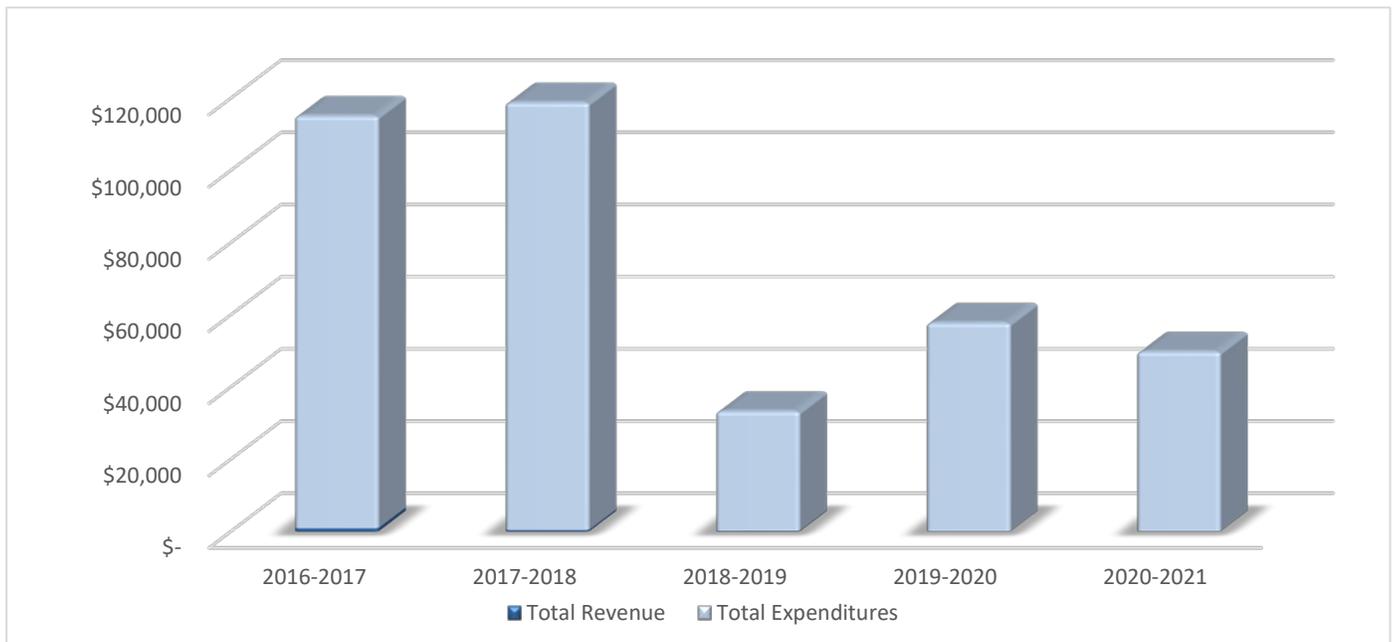
This department provides maintenance service for the City. The salaries of the Public Works employees are allocated to other departments and Special funds based on their timesheet reporting allocations.

FISCAL YEAR OBJECTIVES:

Fiscal Year Objectives

The goals for this department are shared with the Parks department.

FUND NO. : 100	Audited	Audited	Audited	Amended Budget	Proposed Budget
DEPT NO.: 019	Account	2016-2017	2017-2018	2019-2020	2020-2021
REVENUE					
Total Revenue		\$ 865	\$ 397	\$ -	\$ -
EXPENDITURES					
Total Salary and Benefits		\$ -	\$ -	\$ -	\$ -
Total Operating Expenses		\$ 114,257	\$ 118,436	\$ 57,800	\$ 49,800
Total Expenditures		\$ 114,257	\$ 118,436	\$ 57,800	\$ 49,800
Total Surplus or (Deficits)		\$ (113,392)	\$ (118,039)	\$ (57,800)	\$ (49,800)





CITY OF ARVIN

2020-2021 Operating Budget

Public Works

GENERAL FUND

General Fu

FUND NO. : 100	Audited			Amended Budget	Proposed Budget	
DEPT NO.: 019	Account	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
REVENUE						
Grant Revenue	4049			\$ -	\$ -	\$ -
Encroachment Permits	4029					
Miscellaneous Revenue	4054	\$ 865	\$ 397	\$ -	\$ -	\$ -
Rebates	4070					
Reimbursement Acct.	4119	\$ -	\$ -	\$ 141		
Total Revenue		\$ 865	\$ 397	\$ 141	\$ -	\$ -
EXPENDITURES						
Salaries - Full-time	5001	\$ -	\$ -	\$ -	\$ -	\$ -
Salaries - Overtime	5003	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll Taxes	5009	\$ -	\$ -	\$ -	\$ -	\$ -
Medical Insurance	5015	\$ -	\$ -	\$ -	\$ -	\$ -
CalPERS	5011	\$ -	\$ -	\$ -	\$ -	\$ -
Total Salary and Benefits		\$ -	\$ -	\$ -	\$ -	\$ -
Maintenance Other	5008	\$ 4,538	\$ 2,364	\$ 2,844	\$ 18,000	\$ 18,000
Maintenance-Signal Light	5010	\$ -	\$ 2,456	\$ -	\$ -	\$ -
Vehicle Maintenance	5012	\$ 215	\$ 1,957	\$ 6,677	\$ 8,000	\$ 8,000
Risk Management	5013	\$ 1,818	\$ 2,983	\$ 10,061	\$ -	\$ -
Workman Comp	5014	\$ 27,452		\$ -	\$ -	\$ -
Office Supplies	5016	\$ 136	\$ 865	\$ 117	\$ 500	\$ 500
Legal Expense	5018	\$ 36,075	\$ 11,207	\$ -	\$ -	\$ -
Maintenance - Graffiti Removal	5020	\$ 90	\$ -	\$ 1,221	\$ -	\$ -
Training, Travel and Conference	5021	\$ -	\$ 1,149	\$ -	\$ 4,000	\$ 1,000
Licenses, Permits, Fees	5022	\$ 1,778	\$ 1,377	\$ 485	\$ 1,000	\$ 1,000
Uniforms	5023	\$ -		\$ (2,360)	\$ -	\$ -
Stripping/Paving	5031		\$ 15,003			
Professional Services	5034	\$ 520	\$ -	\$ 94	\$ -	\$ -
Communications	5036	\$ 4,303	\$ 3,713	\$ 1,741	\$ 2,000	\$ 2,000
Street Sweeping	5039		\$ 13,466		\$ -	\$ -
Streets-Signs & Barriers	5043		\$ 10,159			
Community Expense	5046	\$ -	\$ 31	\$ -	\$ -	\$ -
Utilities - Electricity	5048					
Capital Expense	5052	\$ -	\$ -	\$ -	\$ -	\$ -
Telephone	5056	\$ 4,363	\$ 3,307	\$ 2,546	\$ 3,300	\$ 3,300
Utilities	5060	\$ 2,430	\$ 2,833	\$ 2,905	\$ 3,000	\$ 3,000
Engineering Svc	5070			\$ -	\$ -	\$ -
Outside Services	5077	\$ 13,266	\$ 19,159	\$ 2,931	\$ -	\$ -
Fuel Expense	5080	\$ -	\$ 12,213	\$ -	\$ -	\$ -
Operating Transfer out	5093	\$ -	\$ -	\$ -	\$ -	\$ -
Shop Supplies	5094	\$ 17,274	\$ 14,194	\$ 3,910	\$ 18,000	\$ 13,000
Total Operating Expenses		\$ 114,257	\$ 118,436	\$ 33,172	\$ 57,800	\$ 49,800
Total Expenditures		\$ 114,257	\$ 118,436	\$ 33,172	\$ 57,800	\$ 49,800
Total Surplus or (Deficits)		\$ (113,392)	\$ (118,039)	\$ (33,031)	\$ (57,800)	\$ (49,800)

Attachment: dept + line item budget - gen fund (Budget Workshop FY 2020-2021)



CITY OF ARVIN Staff Report

Meeting Date: May 12, 2020

TO: City Council

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

SUBJECT: City of Arvin Floodplain Information

BACKGROUND:

This report has been created to provide a basic understanding of the floodplain that exists within Arvin, and how it affects development within the City. It is generally known by many residents that Arvin is in a floodplain, but many do not fully understand exactly what the implications of this fact are.

The City of Arvin is a participant in what is known as the National Flood Insurance Program (NFIP) which is a federal program created by Congress in 1968 with the National Flood Insurance Act. Further legislation was enacted in 1973 with the Flood Disaster Protection Act. Both acts were designed to remedy a growing issue of thousands of areas around the country becoming increasingly urbanized in areas that also happened to be prone to routine flooding. For years there was no financial incentive for insurance companies to provide affordable flood insurance, and the federal government saw a significant need to provide incentive after decades of large urbanized areas being decimated by flooding from various sources with no mechanism for relief available to those local businesses and residents that suffered significant damages to their property. Once a City enrolled in the NFIP, it's residents were then eligible to purchase federally backed insurance policies from private third party insurance companies.

The City of Arvin enrolled in the NFIP in 1987 with the adoption of the local floodplain ordinance, section 15.32 with further amendments made in 2002.

The Federal Emergency Management Agency (FEMA) is the federal agency that administers the NFIP, and delegates responsibility to the California Department of Water Resources (DWR) to administer the program locally within the State of California. In it's development and administration of the NFIP, FEMA develops and maintains what are known as Flood Insurance Rate Maps (FIRMs or FIRM map) which establish what we know as the "floodplain" and are the key source of information that insurers use to develop flood insurance policies. Attached to this report is the FIRM for the City of Arvin which shows that roughly 80 percent of the City is in what is known as an "A" or "AO" zone with the other roughly 20% in an "X" zone. It should be noted that the "X" zone is the best of the three zones to be in with a lot less restrictions than the "A" and "AO" zones which are essentially treated in the same way. It is also worth noting that

the City Engineer has looked at the FIRM maps for dozens of cities, and has yet to find one in which the entire city is in a flood zone.

Because the city is a participant in the NFIP, FEMA requires any property owner that is subject to receiving federal emergency relief funds as well as those that have a mortgage or other similar loan (eg. small business loan) that is backed by the federal government to purchase flood insurance. With the exception of people who own their homes and commercial or manufacturing properties outright, most property owners in the City are therefore required to have flood insurance. FEMA does highly encourage people who are not required to have flood insurance to also obtain coverage in the event that there is a flood event that does not coincide with a declared state of emergency. These people would also be eligible for federal assistance.

Over the past year, the Community Development Department (CDD) has made a concerted effort to administer the local floodplain ordinance in ways that will allow the City to be as compliant with NFIP requirements as possible. This comes after the DWR requested a meeting in June of 2019 to review our floodplain ordinance and overall procedures for administering the ordinance and showing compliance with the NFIP. From that meeting, it was determined that the City had room for improvement, and there were certain requirements that were not being addressed at all. Although these deficiencies were determined to be minor in nature, it was noted that should the city fail to act in an appropriate way to mitigate the deficiencies, the city could potentially face the implementation of a probationary period during which compliance would be required followed by a termination of our participation in the NFIP. Although this is a worst case scenario, the CDD determined that it must take this issue very seriously as such a termination would mean that existing insurance policies would not be renewed, new policies would not be able to be offered to anybody in the city, federal mortgage insurance would also be unable to be offered, and the city would become ineligible for certain federal aid grants through FEMA, HUD, etc.

Unfortunately, while the CDD and the city as a whole is trying to get better about complying with regulatory agencies, renewed pushes to achieve compliance can come as a surprise and a shock to residents, business owners, and developers who have not had to deal with such regulations in the past. This is especially true when certain requirements that should have always been enforced are introduced. In such circumstances, these types of requirements have the potential to seem “new” to the people of the city. In recent months, the CDD has been informing the people of these requirements which has been met with some level of protest and friction; especially when some people recently completed projects not too long ago without having to deal with what are perceived as “new” requirements by them.

The requirements to show compliance with the NFIP are varied and nuanced to the point that a more detailed presentation may be necessary at an appropriate time. However, this is meant to be a brief introduction to the issue. In general, the goal to show compliance for any structure in the city is to show that it is elevated at least one foot above the adjacent grade as the “A” and “AO” zone flood depths are each one foot. In other words, if a flood happens, and a structure is already elevated, then no significant harm is expected to happen to a structure. The main issue that the

CDD has dealt with is the fact that so many of the structures in the city were constructed prior to 1987 when the NFIP regulations first applied to the city. Most of these older structures were constructed on concrete slabs laid directly on the ground. These are known as “pre-FIRM” structures, and they are at odds with the NFIP requirements.

In such a circumstance, the NFIP highly prefers for non-compliant structures to be brought into compliance every time. For residential structures, the only option is to elevate the structure while commercial structures have the option to elevate or to appropriately flood proof. However, FEMA has acknowledged that the financial implications of strict compliance are such that development would likely be stagnated. To combat this, FEMA developed the “50 percent rule” for any “Substantial Improvements” to a structure as well as the repairs to correct “Substantial Damage” (for instance repairs after a fire). What this means is that any property owner that wishes to perform any such work on the interior or exterior of a non-compliant pre-FIRM structure must make the entire structure compliant if the value of the proposed work is equal to or greater than 50% of the appraisal value of the structure. This is what FEMA calls an “SI/SD” determination, and this is what has caused recent consternation among property owners in the city who have never had to deal with such a requirement in the past.

As the floodplain administrator, the City Engineer is not even supposed to release projects for building permits until an SI/SD determination is made. Part of the problem is that the property owners many times self-perform their own work or deal with contractors that are a lot less formal in their cost estimating procedures than are required for this exercise. Many times it is very difficult to get a property owner to provide a realistic cost estimate of the proposed work especially when a lot of work is pieced together over the course of months or even years. Furthermore, the notion of getting a fair market appraisal of their structure is also a completely new concept to them. The expectation is that the city will be able to determine what a structure is worth. However, this is not the case, and the property owners are advised to contact a licensed realtor who can either appraise their structure themselves or refer them to a licensed real estate appraiser.

Two of the most popular projects within the city are the construction of a room addition to an existing home and the construction of an attached patio. Each of these projects (and many other projects) are subject to an SI/SD determination. The same is true of just about any tenant improvement within any of the existing commercial structures in the city; even in circumstances where a space or a building is being leased to a business. Unfortunately, the CDD has had several instances where a commercial space was rented out only for the renter to find out about these regulations after the fact. This has led to a lot of frustration and confusion.

Moving forward, the CDD endeavors to make the requirements for compliance with the NFIP as easy to understand as possible as well as easily accessible to property owners and contractors alike. This will be achieved with pamphlets, information packets, and eventually a well developed “Floodplain Compliance” webpage. This is a work in progress, and will take some time as it requires careful thought and collaboration with the DWR. In the meantime, the CDD is doing everything it can to educate people in the meantime, and to work with them where

possible. However, it has to be stressed that the applicable requirements of the NFIP cannot be waived or ignored as the City of Arvin must remain a participant in the NFIP for the long-term good of the city.

FINANCIAL IMPACT:

None at this time. This item is for informational purposes only.

RECOMMENDATION:

None at this time. This item is for informational purposes only.

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map reported should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **flowways** have been determined, users should refer to the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations table contained within the Flood Insurance Study report for this jurisdiction. Users should be aware that CE's shown on the FIRIM represent rounded whole-foot elevations. These BFEs are shown for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Additionally, flood elevations presented in the FIS report should be utilized in conjunction with the FIRIM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only in accordance with the North American Vertical Datum of 1988 (NAVD 88). Users of this FIRIM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRIM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas on the Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) zone 11. The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, up/down, projection or UTM zones used in the production of FIRIMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRIM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NIMS12
National Geodetic Survey
5500 Central Expressway
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRIM was derived from USGS - 1:50,000 scale Aerial Photography Field Office dated 2000 and from U.S. Geological Survey Digital Elevation Data/Contours produced at a scale of 1:12,000 from photography dated 1992 or later.

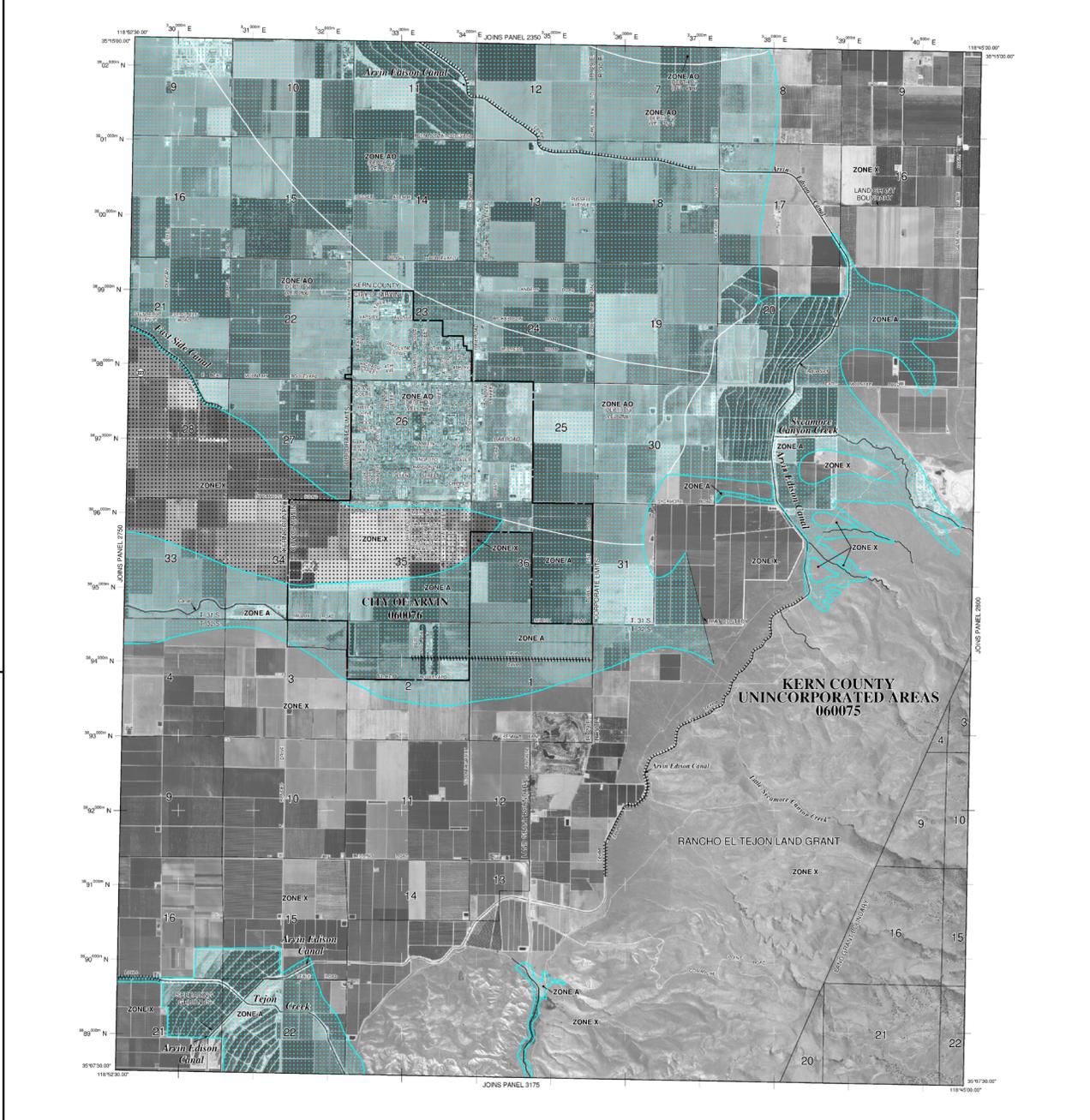
This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRIM for this jurisdiction. The floodways and floodways that were transferred from the previous FIRIM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report reflect current authoritative hydraulic data which reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes in the introduction or de-annexation may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses, and a listing of Communities with National Flood Insurance Program data for each community as well as a listing of panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-6161 for information on available products associated with the FIRIM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, or a digital version of this map. The FEMA Map Service Center may also be reached by fax at 1-800-358-9620 and its website at <http://www.msc.fema.gov/>.

If you have **questions** about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2827) or visit the FEMA website at <http://www.fema.gov/>.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**
- The 1% annual chance flood (100-year flood) also known as the base flood, is the flood that has a 1% chance of being equalled or exceeded in any given year. The Special Flood Hazard areas are shown on this map as follows: Zone A, Zone X, Zone AO, Zone AE, Zone AH, Zone AV, and Zone VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A** No Base Flood Elevations determined.
 - ZONE AE** Base Flood Elevations determined.
 - ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
 - ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on impervious areas); average depths determined. For areas of shallow fast flooding, velocities also determined.
 - ZONE AV** Special Flood Hazard Area formerly produced from the 1% annual chance flood by a flood control system that was subsequently identified; Zone AV indicates that the former flood control system is being replaced to provide protection from the 1% annual chance or greater flood.
 - ZONE AH** Area to be protected from 1% annual chance flood by a flood control system under construction; no Base Flood Elevations determined.
 - ZONE VE** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
 - ZONE V** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE**
- The floodway is the channel of a stream plus any adjacent floodplain area that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS**
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from the 1% annual chance flood.
- OTHER AREAS**
- ZONE D** Areas determined to be outside the 0.2% annual chance floodplain areas in which flood heights are unmeasured, but probable.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- CBRS** Otherwise protected areas (OPAs)
- OTHERWISE PROTECTED AREAS (OPAs)**
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
 - 0.2% annual chance floodplain boundary
 - Floodway boundary
 - Zone D boundary
 - Zone O boundary
 - CBRS and OPA boundary
 - Boundary defining Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
 - Base Flood Elevation line and value; elevation in feet
 - Base Flood Elevation value where uniform within 2000; elevation in feet
 - Zone center line
 - Transect line
 - Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)
 - 100-meter Universal Transverse Mercator grid lines, zone 11
 - 500-foot grid lines; California State Plane coordinate system, V zone (SPSZONE 4965)
 - Lambert Conformal Conic
 - Bench mark (see explanation in Notes to Users section of this FIRIM page)
 - MAP REPRODUCTION
 - Refer to Map Reproductions list on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP: September 26, 2008
EFFECTIVE DATE OF REVISIONS TO THIS PANEL:

For community map revision history prior to coordinate mapping refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction. To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6622.



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 2775E

FIRM FLOOD INSURANCE RATE MAP

KERN COUNTY, CALIFORNIA AND INCORPORATED AREAS

PANEL 2775 OF 4125
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

COUNTY	NUMBER	PANEL	SUFFIX
KERN COUNTY	06075	2775	E
OTHER COUNTY	99999	2775	E

MAP NUMBER 06029C2775E

EFFECTIVE DATE SEPTEMBER 26, 2008

Federal Emergency Management Agency

Attachment: 06029C2775E-1 (Floodplain Report)