

**CITY COUNCIL OF THE CITY OF MCFARLAND
MCFARLAND SUCCESSOR AGENCY
MCFARLAND PUBLIC FINANCE AUTHORITY
MCFARLAND IMPROVEMENT AUTHORITY
MCFARLAND PARKING AUTHORITY**

REGULAR MEETING– 6:00 P.M.

PLEASE NOTE: The City of McFarland City Council Chambers complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the City Hall at **(661) 792-3091**, at least one business day prior the meeting so that we may accommodate you.

LOCATION OF MEETING: **McFarland Community Center
103 W. Sherwood Ave
McFarland, Ca 93250**

DATE/TIME: **February 13, 2014 at 6:00 P.M.**

ROLL CALL: Mayor / Chairman Manuel Cantu Jr.
Mayor Pro Tem / Chairman Stephen McFarland
Council Member / Boardmember Russell Coker
Council Member / Boardmember Vidal Santillano
Council Member / Boardmember Rafael Melendez

REGULAR MEETING: – 6:00 P.M.

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS AND PROCLAMATIONS:

None

PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Council/Board members on any matter not on this agenda but under the jurisdiction of the Council/Board members. Council/Board members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Council/ Board members at a later meeting.

SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION. FIFTEEN MINUTES TOTAL TIME WILL BE ALLOWED FOR ANY ONE SUBJECT. If your business requires time, submit your items to the City Manager for the next meeting agenda. Thank you.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:

All items listed as consent items are considered to be routine and noncontroversial by City staff and will be approved by one motion if no member of the City Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the City Council or public to address the concerns of the item before action are taken.

CONSENT CALENDAR:

1. **Approval Of Warrants And Pre-Issued Payroll** – List of warrants in the amount of \$454,557.75 from January 18, 2014 through February 6, 2014 and the pre-issued payroll in the amount of \$142,146.31 for January, 2014.
2. **Approval of Minutes of Regular And / Or Special Council Meeting** – held on December 12, 2013, January 9 and 23, 2014.
3. **Kern County /Lancaster Recycling Market Development Zone Program Renewal** – The purpose of this program is to stimulate the recycling of post-consumer waste materials generated in California. The RMDZ is a State Incentive Program that makes loans and assistance available to recycling business and local governments. Resolutions of each City supporting the renewal application are required to complete the RMDZ redesignation process.

Attachment(s): Staff Report, Resolution No. 2014-0154, Letter from Kern County Waste Management Dept.

Recommended Action(s): Staff recommends the City Council approve the request to renew the RMDZ for another 10-year designation term and adopt Resolution No. 2014-0154.

4. **Surplus of Equipment and Vehicles** – The Public Works and Police Department has a surplus of vehicles and equipment that have become dilapidated. These items have provided their useful service life to the city.

Attachment(s): Staff Report, Resolution No. 2014-0155, Exhibit A & B.

Recommended Action(s): Staff recommends that Council approve Resolution No. 2014-0155, Declaring Certain City Vehicles and Equipment Surplus.

5. **Sustainable Communities Planning Grant and Incentives Program Application** - The State of California, Strategic Growth Council, issued a Notice of Funding Availability for planning and incentives program funding.

Staff believes that an application for new or updated elements for the General Plan will be competitive and funds will be used to update some General Plan elements. The plans will include update of the Land Use Element and adding Public Health (Healthy Living Initiative), Housing Element, Conservation and Open Space.

Attachment(s): Staff Report, Resolution No. 2014-0156

Recommended Action(s): Staff recommends City Council to authorize City Manager to sign application, approve submission of application and adopt Resolution 2014-0156, titled "Resolution of the City Council Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

6. **McFarland Police Department Canine "Cona"** – Staff has recently received a young police canine through adoption from the K9forCops organization. Chief Herrington and Canine Handler Derrell Hochstein flew to the State of Texas to receive award of Canine "Otis." Otis and Canine Handler Alejandro Alvarez will start training with Otis in the coming months.

Attachment(s): Staff Report, Photograph of Canine Cona

Recommended Action(s): Staff recommends that Canine Cona be retired, donated or sold to another law enforcement agency. Staff will obtain a "Hold Harmless" from any recipient receiving Canine Cona.

7. **Report of Change Order to Construction Regarding Kern Avenue Pedestrian Improvements** - During the installation of the electrical conduit for the W. Kern Avenue, the contractor discovered that a portion of W. Kern Avenue was not removed after construction of SR-99. Due to the thickness of the road portion additional excavation work and equipment was required to remove the road. The portion of the road that had to be removed was approximately 30ft wide by 15 to 20 feet long.

Due to the immediacy of the need to remove the road remnant the City Manager approved the Change Order and the road was removed and the balance of the electrical conduit was installed.

Attachment(s): Staff Report, Change Order

Recommended Action(s): There is no action required by the council. The change order was for \$4000.00 and the monies were paid by gas tax dollars.

8. **Attorneys' Spring Conference** - The League of California Cities Attorneys' Spring Conference is scheduled for May 7 - 9, 2014. The City Attorney typically attends this conference to obtain updates on municipal law and to network with other attorneys. Attached is a breakdown of the subjects that will be discussed. The City Attorney spreads the cost of the Spring Conference among his three cities so that the City's share would be approximately \$324.00.

Attachment(s): Flyer

Recommended Action(s): -Consider Attorney's request for attendance at the League of California Cities Attorneys' Spring Conference in the amount of \$324.00.

END OF CONSENT CALENDER

PUBLIC HEARING:

Mayor Cantu, please open the public hearing.

9. **Ordinance Adopting the Kern County Building Codes** - The State of California has adopted a new set of construction codes as contained within Title 24 of the California Code of Regulations (CCR), also known as the International Codes. This updating of construction regulations occurs approximately every four years. This most recent change became effective on January 1, 2014.

In order for the City to be consistent with Kern County, our ordinance section 15.04.160 must be revised to reflect the new county ordinance for the adoption of these codes. The City is using the new Kern County ordinance in order to be seamless in the application of construction regulations across city boundaries.

Attachment(s): Staff Report, Ordinance No. 035-2014

Recommended Action(s): Staff recommends City Council approve Ordinance 035-2014 for second reading by title only amending certain sections of the City of McFarland Municipal Code.

10. Monthly staff report to the City Council

- Administration
- Finance Department
- Planning Director
- Grant Director

ADMINISTRATIVE MATTERS:

11. 5th Street Drop off Zone – The City has allocated funding to install a Student Drop-Off / Pick-Up at Kern Avenue Elementary School.

In order to perform portions of this work an Irrevocable Offer of Dedication must be executed for construction at the school site.

Attachment(s): Staff Report, Resolution No. 2014-0158, Site Map, and Irrevocable Offer of Dedication with Certification of Acceptance.

Recommended Action(s): Staff recommends that City Council accept the Irrevocable Offer of Dedication from McFarland Unified School District for 5th Street Student Drop-Off / Pick-Up – Kern Avenue Elementary School, approve Resolution No. 2014-0158, and authorize Mayor Cantu to execute the Certification of Acceptance.

12. McFarland Partners - McFarland Partners has requested an amendment to its tentative map on Phase 3 to allow for the construction on 7 lots previously designated for Phase 6. The City Manager is still negotiating the terms of this with McFarland Partners and will present it at your meeting with staff's recommendation on action to be taken.

Attachment(s): Ordinance No. 036-2014

Recommended Action(s): Recommendation will be presented at council meeting.

MAYOR AND COUNCIL MEMBERS STATEMENTS:

On their own initiative, Council members may make a brief announcement or a brief report on their own activities. In addition, Council members may ask a question of staff or the public for clarification on any matter, provide a reference to staff or other resources for factual information. Or request staff to report back to the City Council at a later meeting concerning any matter.

Furthermore, the City Council, or any member thereof, may take action to direct staff to place a matter of business on a future agenda.

CLOSED SESSION:

1. Approval of the January 23, 2014 closed session minutes.
2. Conference with Real Property Negotiator (City Manager) Regarding Price and Terms of Payment for Real Property Designated as Assessor's Parcel No. 60-080-15 and 13271 Garzoli Avenue Per Government Code Section 54956.8.
3. Conference with Real Property Negotiator (City Manager) re Price and Terms of Payment for Real Property Described as APN 200-070-04.

ADJOURNMENT