

**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 Veterans Community Center
103 W. Sherwood Ave
McFarland, Ca 93250**

DATE/TIME: **May 22, 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** – List of warrants in the amount of \$290,154.25 from May 3, 2014 through May 16, 2014.
2. **Approval of Minutes of Regular And / Or Special Council Meeting** – held on May 8, 2014.
3. **Irrigation Pump Station and Pipelines WWTP** - This is a Notice of Completion for the work under contract agreement with Nicholas Construction Inc., for the installation of Irrigation Pump Station and Pipelines, Tailwater pump station and Irrigation pipelines and alfalfa valves for Irrigation of 160 acres.

Attachment(s): Staff Report, Notice of Completion.

Recommendation(s): Staff recommends that City Council accept the completed work by the contractor, Nicholas Construction Inc. and request authorization for the City Clerk to file the Notice of Completion with the Kern County Recorder. Staff further recommends the release of the 5% retention to the Contractor after 30 days pending claims or liens filed during this period.

4. **Report of a Change Order to the construction contract with Brown and Fowler regarding the Kern Avenue Pedestrian Improvements** - The City has requested additional work be done for the W. Kern Avenue Pedestrian Bridge improvements. This work is the construction of concrete collars that will be placed around the seven (7) lights in the project area; the collars will be 42” in diameter and 18” deep.

Attachment(s): Staff Report, Change Order.

Recommendation(s): Staff recommends City Council approve the Change Order in the amount of \$4,785.00 for the construction of concrete collars.

END OF CONSENT CALENDER

5. Monthly staff report to the City Council

- Administration
- Police Department
- Public Works Director

ADMINISTRATIVE MATTERS:

6. **School District Sump** – The City and the McFarland Unified School District have negotiated a joint use agreement of the school district's sump located on Ebell Street. The City will become the owner of the sump and will expand it to accommodate drainage from Munoz Park. The school district will continue to use it to dispose of drainage from the middle school and high school campuses. The City has agreed to put curb around the parking lot adjacent to the baseball field and to spread grindings from the Mast Avenue project on the parking lot and grade it. The City will also install 8 ft. fencing around the parking lot. The school district has agreed that the City may spread the soil from its expansion of the sump along the agricultural area access road to raise the road from 1.5 feet to 2 feet.

Attachment(s): Proposed Agreement between City and McFarland School District.

Recommended Action(s): Staff recommends Council approve Agreement between the City and McFarland School District.

7. **Tri-Agency JPA** - The City, the McFarland Unified School District, and the McFarland Recreation and Parks District would like to form a Joint Powers Authority (JPA) for the purpose of pursuing projects that benefit the residents of the City and the districts. Certain details of the JPA are still to be determined such as the boundaries, the projects, and the funding for them. However, the JPA will have the authority to issue bonds to fund projects. The JPA would have a

Board of Directors of six (6) persons with two selected by each agency. There would be an Executive Director to manage the Authority's activities. The structure and the bylaws for the Authority would be drafted by Richards Watson and Gershon who formed the McFarland Parking Authority and McFarland Improvement Authority. The cost of formation would be shared by the three agencies in a manner to be determined.

Attachment(s): Outline of the JPA.

Recommended Action(s): Staff recommends Council approve drafting the documents for formation of the JPA and further approval by the City Council.

8. **Rose Shed** – The City recently purchased the Rose Shed property and an adjoining piece of property on which the City is planning to construct substantial park facilities. In order to finance the acquisition of the property and construct the improvements, the City, along with the McFarland Improvement Authority (MIA) and the McFarland Parking Authority wish to issue bonds to be purchased by the sewer enterprise fund. The total amount of the bonds is \$436,000.00. This covers the cost of acquisition of the properties and construction of the improvements. The mechanism for doing this is that the city leases the property to the McFarland Improvement Authority which then issues the bonds which are purchase by the sewer enterprise fund. The MIA then sublease the property back to the City so that the City can construct the improvements. The City pays rent to the MIA which then pay the sewer enterprise fund back. The payback period is twenty (20) years.

Attachment(s): Amortization Schedules; MIA Bond Resolution, two (2) City Council resolutions; lease agreement, sublease agreement; and bond purchase agreement.

Recommended Action(s): Staff recommends the City Council approve and adopt Resolution making finding of significant public benefit to purchase bonds and Resolution directing the Treasurer to purchase the bonds with sewer enterprise funds; the McFarland Improvement Authority to adopt resolution finding significant public benefit in issuance of the bonds and providing for the terms and conditions of issuance; City and MIA approve the bond purchase agreement, the lease agreement, and the sublease agreement.

9. **Transient Outdoor Businesses** - Report regarding the possibility of establishing an ordinance regarding temporary, seasonal businesses operating in the City of McFarland.

Attachment(s): Staff Report, Attachment A-Existing Ordinance.

Recommended Action(s): The City Council of the City of McFarland hereby:

- 1) Direct staff to draft an ordinance allowing transient outdoor businesses subject to certain regulations;
- 2) Enforce the existing code that allows “itinerant food vendors” to operate without any specific regulations.

10. **Language for Dedication Plaque for the W. Kern Avenue Pedestrian Bridge Streetscape Improvements** - During the preliminary discussion regarding the W. Kern Avenue Pedestrian Bridge streetscape improvements it was determined that the streetscape area would be dedicated to Jim White for his dedication to improving the lives of many McFarland children. This dedication will be in the form of a plaque that will be located on the gazebo structure. City staff and Mr. David Diaz worked together on the proposed language.

The proposed language is as follows:

Under the leadership and guidance of Coach Jim White, as evidenced by the McFarland High School Cross Country team successes, the young people of McFarland learned that a positive attitude changes that once was once thought impossible is possible and that winning is a way of life.

Attachment(s): Staff Report

Recommended Action(s): The City Council of the City of McFarland review and approve the language for the dedication plaque for the W. Kern Avenue Pedestrian Bridge streetscape improvements.

Correspondence

None

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 April 24, 2014 closed session minutes.
2. Conference with legal counsel regarding Frazer v. City of McFarland per Government Code Section 54956.9(d)(1).
3. Conference with legal counsel re Wilburn v. McFarland per Government Code Section 54956.9(d) (1).

ADJOURNMENT