

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

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 24, 2017 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:

Endorsement of November Water Bond Proclamation

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.

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 \$332,454.17 from April 19, 2018 through May 14, 2018.
2. **Approval of Minutes of Regular And / Or Special Council Meeting** – held on April 26, 2018.
3. **Calling And Giving Notice Of A General Municipal Election** – A Resolution of the City Council calling and giving notice of a General Municipal Election for the Election of the Mayor and two council members, and requesting the Board of Supervisors of the County of Kern to consolidate with the Statewide General Election to be held on November 6, 2018.

Attachment(s): Resolution No. 2018-012

Recommendation(s): Motion for council to approval Resolution No. 2018-012

4. **City of McFarland Annual Levy of Assessments for Landscape and Lighting Assessment District No. 1** – This resolutions provide the city council the authority to annually levy and collect assessment against lots and parcels of land within the various tracts of the District for the fiscal year 2018/2019, to pay for the annual maintenance, servicing and operation of the improvements related thereto.

Attachment(s): Staff Report, Resolution Nos. 2018-013, 2018-014. 2018-015.

Recommended Action(s): Staff recommends McFarland City Council adopt the three Resolutions initiating proceedings for the Levy and Collection of Assessments, preliminary approval of the Engineer's Report, declaring its intention to Levy and Collect Assessments for Landscaping and Lighting Assessment District No.1 and setting June 14, 2018 for a public hearing.

5. **5311 Claim for FY 2018/2019** – Every year the City of McFarland has to file a Federal Transit Administration Section 5311 Claim for funding from California Department of Transportation through the Kern Council of Governments (KernCOG) for Fiscal Year 22018/2019, the application is \$48,792.00 to fund the City's Transit operations.

This funding is State transportation funding for capital and operating expenses related to public transit.

Attachment(s): Staff Report, Resolution No. 2018-016

Recommended Action(s): Staff recommends the City Council adopt Resolution No. 2018-016 approving submittal of FTA Section 5311 Claim for FY 2018/2019 to Kern Council of Governments and authorize the City Manager to execute the application.

6. **Memorandum of Understanding** with the McFarland Unified School District (MUSD) for police services for Student Attendance Review Board (SARB).

Staff has met with MUSD staff to formulate an agreement to offer police support for SARB for school year 2018/19. MUSD will pay the City \$59.00 an hour for the police services. SARB meetings will be scheduled and be incorporated into the police schedule. The City Attorney has reviewed the contract and made the necessary changes that indemnify the City. The agreement is for one year and can be terminated with a 10 day notice.

Attachment(s): Staff Report, Memorandum of Understanding

Recommendation(s): Staff recommends the City Council approve the MOU and authorize Mayor Cantu to execute the agreement

7. **Notice of Completion –Jim White (Blanco Park) Phase 1A**—this is a Notice of Completion for the work under contract with Stockbridge General Contracting for the construction of Jim White (Blanco Park) Phase 1A.

Construction was completed on April 26, 2018 and the completed work substantially conforms to the plans and specifications and was inspected by Public Works staff.

Attachment(s): Staff Report, Notices of Completion

Recommendation(s): Staff recommends that the City Council accept the completed work for the completion of Phase 1A- Jim White (Blanco Park) by the Stockbridge General Contracting, Inc., and authorize the City Clerk to file the Notice of Completion with the Kern County Recorder's Office after Mayor Cantu signs the notice.

8. **Request from the Recreation and Park District for Solicitation of Donation for the Fireworks celebration.** Staff from the Recreation and Park District has approached the City for a donation in the amount of \$5,000.00 for the benefits of the July 4th fireworks celebration.

Attachment(s): Staff report

Recommendation(s): Staff recommends that City Council approve the donation of \$5,000.00 to the Recreation and Parks Fireworks celebration.

9. **Notice of Completion –W. Perkins Ave Paving Project**—this is a Notice of Completion for the W. Perkins Ave Paving Project that was completed by the contractor, Central Valley Asphalt.

Construction was completed on January 8, 2018 and the complete work substantially conforms to the plans and specifications and was inspected by Public Works Staff and is being recommended for Council acceptance.

Attachment(s): Staff Report, Notice of Completion

Recommendation(s): Staff recommends that the City Council accept the completed work by the contractor, Central Valley Asphalt and authorize the City Clerk to file the Notice of Completion with the Kern County Recorder's Office after Mayor Cantu executes the notice

END OF CONSENT CALENDAR

PUBLIC HEARING

Mayor Cantu to open the public hearing, take comments, if any, close public hearing.

10. **Report, Public Hearing and Discussion on the First Reading** - of an Ordinance Adding Chapter 5.28, Fortune Telling and Occult Arts.

Due to recent inquiries regarding opening a Fortunetelling business, staff research the Municipal Code book and did not location any regulations. It is essential to establish and provide definitions, operational regulations, provide permitting requirements, establish fees and fines for violations.

Attachment(s): Staff Report, Ordinance 004-2018

Recommendation(s): Staff recommends the City of McFarland City Council conduct the public hearing, take comments, if any and introduce Ordinance No. 004-2018 for first reading by title only. Ordinance reads as follows:

An Ordinance of the City Council of the City of McFarland Adding Chapter 5.28 to the Municipal Code titled Fortune Telling and Occult Arts.

11. **Report, Public Hearing and Discussion on the First Reading** - of an Ordinance Amending Chapter 5.04 of the Municipal Code Relating to Business Licenses.

In July 1957, the City Council formally adopted Ordinance No. 7, establishing the business license fees. The fees established in 1957 are still being used currently. There has been no change to the fee amounts since inception.

Currently, the City's business license is a flat fee of \$50.00, for businesses inside city limits and \$75.00 for businesses outside of the city limits per fiscal year. Staff is proposing that certain businesses on flat fee be replaced with a gross receipts tax based on revenue. Staff has prepared a proposed Ordinance No. 005-2018 a section based on gross receipts, flat rate, daily rate, and per unit as staff has added a section on the list "Apartments/Rental Property." Some business types, like Mobile Vendors, will now be required to get a background check, live scan, vehicle inspection and have their Environment Health Permit before a business license is issued.

Attachment(s): Staff Report, Ordinance 005-2018

Recommendation(s): Staff recommends the City of McFarland City Council conduct the public hearing, take comments, if any, and introduce Ordinance No. 005-2018 for first reading by title only. Ordinance reads as follows

An Ordinance of the City Council of the City of McFarland Amending Chapter 5.04 of the Municipal Code Relating to Business Licenses.

12. Monthly staff report to the City Council

- a. Administration
- b. Finance Department
- c. Public Works Department

ADMINISTRATIVE MATTERS:

- 13. Report, and Adoption of Ordinance, Re: Zone Change 2018-01**– On March 22, 2018 the City Council conducted a public hearing to consider the request of David Snell to annex 77.00 acres of land to the City of McFarland. Included in the council's actions was Ordinance 001-2018 that pre-zoned the 77.00 acres to R-1 One Family Residential. The proposed zone change is located at the southwest corner of Garzoli Avenue and Elmo Hwy. Approval of this ordinance is the last action that the City Council needs to do for the annexation proposal.

The next step in the approval process is for the applicant to prepare a legal map and legal description of the annexation area and pay the necessary LAFCO fees.

The public hearing was held on March 22, 2018 city council meeting and there were no comments from the public.

Attachment(s): Staff Report, Ordinance 001-2018

Recommendation(s): Staff recommends the City of McFarland City Council adopt Ordinance No. 001-2018 and read the Ordinance by title only.

An Ordinance of the City Council of the City of McFarland Amending the Official Zoning Map for Assessor's Parcels 060-420-01, 060-420-02, 060-420-03. 060-420-04, and 060-420-05.

- 14. Memorandum of Understanding (MOU) Between the County of Kern and the City of McFarland** –regarding transfer of Tax Revenues upon Annexation. City and County have worked together to develop an interim MOU tax sharing for annexations. The purpose of this MOU is: 1) to provide for the equitable exchange of revenues in accordance with the transfer of service responsibilities upon annexation; 2) to enable CITY to proceed with orderly territorial expansion and economic growth consistent with the terms of existing law; and 3) to maximize each party's ability to deliver essential governmental services.

Once City submits new Sphere of Influence and Municipal Service Review to Kern LAFCO and obtains approval; the City and County will jointly pay for an independent consultant to conduct a tax sharing agreement rate study, which will be used to determine a permanent tax split rate between the City and County.

Attachment(s): Staff Report, Memorandum of Understanding

Recommendation(s): Staff recommends the City Council approve the Memorandum of Understanding (MOU) between the County of Kern and the City of McFarland regarding transfer of tax revenue upon annexation, and authorize Mayor Cantu, City Manager, and City Attorney to execute the agreement.

- 15. Report and Discussion and possible approval of the City Hall Expansion Design** –Staff has worked with the architect on the design of City Hall expansion. The design is large enough to accommodate an estimate 10 years of growth. The design also allows for future expansion after the 10 years.

Attachment(s): Staff Report, Design drawings, Cost estimate

Recommendation(s): Staff recommends the City Council approve the design and cost estimate and instruct staff to proceed to the engineering phase.

- 16. Councilmember Rafael Melendez request:** - Regarding Employee Handbook

Attachment(s): None

Recommendation(s): Discussion Only

Correspondence

None

Oral Reports from City Council on Committee / Special District Meetings

Delano Mosquito Abatement District (DMAD) – Councilmember Coker

Kern Council of Governments (KCOG) – Mayor Cantu or Alternate Member
Mayor Pro-Tem McFarland

McFarland Tri-Agency Partners (MTAP): Mayor Cantu or Alternate Member
Councilmember Santillano

Kern Economics Development Corp. (KEDC) – Mr. John Wooner, City Manager

Kern County Association of Cities (KCAC)

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 April 26, 2018 closed session minutes.

ADJOURNMENT