



MCFARLAND CITY COUNCIL

*McFarland Successor Agency, McFarland Public Finance Authority,
McFarland Improvement Authority, McFarland Parking Authority*

Regular Meeting Notice and Agenda

Council Chambers
103 W. Sherwood Ave, McFarland, CA
Website: <https://www.mcfarlandcity.org/>

**Thursday, January 25, 2024
6:00 PM**

SAUL AYON, *Mayor*
RICARDO CANO, *Vice Mayor*
AMADOR AYON, *Council Member*
ANITA GONZALEZ, *Council Member*
MARIA PEREZ, *Council Member*

VIEW THE MEETING RECORDINGS ONLINE at www.mcfarlandcity.org/AgendaCenter -Recordings will be available approximately one week following the meeting.

HOW TO SUBMIT 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. There is a time limitation of two minutes per person. For any item that is not on the agenda and within the jurisdiction or interest of the city, please come to the podium at this time. The Brown Act does not permit any action or discussion on items not listed on the agenda. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced, and the mayor opens Public Comment on the item. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to City Council, staff, and the media. Willful disruption of the meeting shall not be permitted. If the Mayor finds that there is in fact willful disruption of any City Council Meeting, he/she may order the disrupting parties out of the room and subsequently conduct the City’s business without them present.

PUBLIC ACCOMMODATIONS: The City of McFarland does not discriminate based on disability and complies with the provisions of the Americans with Disabilities Act (ADA). If you need special assistance to participate in this meeting, please contact the City Clerk’s Office at (661) 792-3091 at least 48 hours prior to the meeting to make reasonable arrangements to ensure accessibility to this meeting.

INTERPRETATION: If you need an interpretation of your communications to the City Council into English, please contact the City Clerk Department at 661-792-3091 ext. 2135 at least 48 hours prior to the meeting.

CALL TO ORDER: Mayor Saul Ayon

ROLL CALL:

Mayor/Chair, Saul Ayon

Vice Mayor/Vice-Chair, Ricardo Cano

Council Member/Board Member, Amador Ayon

Council Member/Board Member, Anita Gonzalez

Council Member/Board Member, Maria T. Pérez

INVOCATION:

PLEDGE OF ALLEGIANCE

INTERPRETATION

APPROVE AGENDA AS TO FORM

FEATURED PET:

Is a feature that highlights a pet available for adoption from the McFarland Animal Shelter.

PRESENTATIONS, INTRODUCTIONS AND AWARDS

DEPARTMENTAL REPORTS

PUBLIC COMMENT: The public may address the Council/Board Member on items, which do not appear on the agenda. Council/Board Members may respond briefly to statements made or questions posed. They may ask a question for clarification; may refer the item to staff for further study or for placement on a future agenda. Speakers are limited to two minutes for each person. Please state your name and address for the record prior to making a presentation. Fifteen minutes total will be allowed for any one subject.

COUNCIL STATEMENTS AND REPORTS:

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 information. Alternatively, request staff to report 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.

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Council Member/ Board Member or Member from the Public requests to remove a particular item.

1. Approval of Expense Report in the Amount of \$156,659.64 from 01/01/2024 to 01/12/2024.
2. Approval of January 11, 2024 Regular Meeting Minutes.

PUBLIC HEARINGS

3. Public Hearing Requesting Input Regarding the Composition of Potential Council Election Districts.
 - a. Staff report: Community Development Director Paul Saldana

b. Open public hearing and receive public testimony:

4. Second Reading and Adoption of Ordinance No. 1-2024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.
 - a. Staff Report: Community Development Director, Paul Saldaña
 - b. Open Public Hearing and Receive Public Testimony:
 - c. Motion to Waive the Reading of the Ordinance Text in its Entirety, Read by Title Only and Adopt Ordinance No. 1-2024 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.
 - d. Direct staff to post in designated posting location within fifteen days of its passage.

ADMINISTRATIVE AGENDA

5. Approval of Resolution 2024-7 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND EXTENDING THE AGREEMENT WITH WATERWORKFORCE FOR CONSULTING SERVICES TO INCLUDE CHIEF PLANT OPERATOR AND REGULATORY CONTROL AND OVERSIGHT OF THE CITY'S WASTEWATER AND WATER SYSTEMS.
6. Approval of Resolution No. 2024-8 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING THE CITY'S AMENDED AND UPDATED TITLE VI PROGRAM.
7. Approval of Resolution 2024-9 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADJUSTMENT TO THE SALARY RANGE FOR THE SWEEPER/STREET MAINTENANCE I POSITION FROM RANGE 15 TO RANGE 21.

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

- a. Kern Council of Governments (KCOG)
- b. Kern Economic Development Corp. (KEDC)
- c. Kern Local Agency Formation Commission (LAFCO)
- d. Delano Mosquito Abatement District (DMAD)
- e. San Joaquin Valley Air Pollution Control District (SVJ)

- f. Public Policy and Finance Committee
- g. Public Safety Committee
- h. Quality of Life Committee
- i. Cannabis Committee

CLOSED SESSION

- 8. Public Employment (Government Code §54957) City Manager
- 9. Significant exposure to litigation pursuant to Government Code §54956.9(b): One Case

ADJOURNMENT

This is to certify this agenda was posted at McFarland City Hall on January 22, 2024.

Francisca Alvarado
Francisca Alvarado, City Clerk

Kenny Williams
Kenneth Williams, City Manager

Next Meeting: Regular City Council February 8, 2024.

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All agenda item and/or supporting documentation is available for public review on the city website at www.mcfarlandcity.org and the office of the City Clerk of the City of McFarland, at 401 W, Kern Ave. McFarland, CA 93250 during regular business hours of 8:00 am – 5:00 pm Monday through Friday, following the posting of the agenda. Any supporting documentation related to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location and available at the meeting.



City of McFarland, CA

Expense Approval Report

By Vendor Name

Payment Dates 1/1/2024 - 1/12/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: AAA Services - AAA Services					
AAA Services	AAA December 2023 - Finance...	01/09/2024	AAA December 2023 - Finance...	32-510-56000-0000-1	31.16
AAA Services	AAA November 2023 - Finance...	01/09/2024	NOV. 2023 Service Charge	32-510-56000-0000-1	31.16
AAA Services	INV 159204 Annual Services a...	01/09/2024	INV159204 Annual Service and...	32-510-56000-0000-1	2,077.38
Vendor AAA Services - AAA Services Total:					2,139.70
Vendor: GAL 100-149 - Andrew Galvan					
Andrew Galvan	INV0025542	01/02/2024	Andrew Galvan - M&IE DUI S...	01-150-52010-0000-1	259.00
Vendor GAL 100-149 - Andrew Galvan Total:					259.00
Vendor: At&t Mobility - At&t Mobility					
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-105-57800-0000-1	20.26
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-105-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-110-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-110-57800-0000-1	27.66
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-115-57800-0000-1	47.21
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-115-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-140-57800-0000-1	10.13
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-140-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-155-57800-0000-1	10.13
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-155-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-160-57800-0000-1	10.13
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-160-57800-0000-1	1.30
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-165-57800-0000-1	60.77
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-165-57800-0000-1	1.29
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	01-175-57800-0000-1	1.29
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-175-57800-0000-1	10.12
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	30-500-57800-0000-1	1.29
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	30-500-57800-0000-1	129.20
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	31-505-57800-0000-1	15.73
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	31-505-57800-0000-1	1.29
At&t Mobility	287237972024x11112023	01/03/2024	Late Fees	32-510-57800-0000-1	1.29
At&t Mobility	287237972024x11112023	01/03/2024	AT&T Nov 2023 Monthly Adm...	32-510-57800-0000-1	129.21
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-105-57800-0000-1	-1.08
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-110-57800-0000-1	-1.47
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-115-57800-0000-1	-2.51
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-140-57800-0000-1	-0.54
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-155-57800-0000-1	-0.54
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-160-57800-0000-1	-0.54
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-165-57800-0000-1	-3.23
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	01-175-57800-0000-1	-0.54
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	30-500-57800-0000-1	-6.85
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	31-505-57800-0000-1	-0.84
At&t Mobility	CM0000376	01/03/2024	AT&T Nov 2023 Monthly Adm...	32-510-57800-0000-1	-6.86
Vendor At&t Mobility - At&t Mobility Total:					459.80
Vendor: Auto Zone - Auto Zone					
Auto Zone	INV 6270765790	01/09/2024	INV 6270765790 Water Dept. ...	01-180-56410-0000-1	111.38
Vendor Auto Zone - Auto Zone Total:					111.38
Vendor: BHT Engineering, Inc - BHT Engineering, Inc.					
BHT Engineering, Inc.	INV 23-439	01/09/2024	INV 23-439 2nd St. Harlow-Cal...	25-000-52960-8290-1	647.50
Vendor BHT Engineering, Inc - BHT Engineering, Inc. Total:					647.50
Vendor: B-Line - B-Line Sales Inc.					
B-Line Sales Inc.	INV 36976	01/09/2024	INV 36976 Garzoli Well Repair	32-510-56410-0000-1	2,132.27
Vendor B-Line - B-Line Sales Inc. Total:					2,132.27

Expense Approval Report

Payment Dates: 1/1/2024 - 1/12/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: bootbarn - Boot Barn					
Boot Barn	INV00327415	01/03/2024	FY23-24 BOOT BARN - CISNER...	30-500-51800-0000-1	200.00
Vendor bootbarn - Boot Barn Total:					200.00
Vendor: Cintas - Cintas Corporation No.3					
Cintas Corporation No.3	INV 4174372432	01/09/2024	INV 4174372432 Cintas	01-180-51800-0000-1	255.29
Cintas Corporation No.3	INV 4174372432	01/09/2024	INV 4174372432 Cintas	20-200-51800-0000-1	27.75
Cintas Corporation No.3	INV 4174372432	01/09/2024	INV 4174372432 Cintas	30-500-51800-0000-1	138.74
Cintas Corporation No.3	INV 4174372432	01/09/2024	INV 4174372432 Cintas	32-510-51800-0000-1	133.19
Cintas Corporation No.3	INV 4175761890	01/09/2024	INV 4175761890 Cintas	01-180-51800-0000-1	94.00
Cintas Corporation No.3	INV 4175761890	01/09/2024	INV 4175761890 Cintas	20-200-51800-0000-1	10.22
Cintas Corporation No.3	INV 4175761890	01/09/2024	INV 4175761890 Cintas	30-500-51800-0000-1	51.08
Cintas Corporation No.3	INV 4175761890	01/09/2024	INV 4175761890 Cintas	32-510-51800-0000-1	49.04
Vendor Cintas - Cintas Corporation No.3 Total:					759.31
Vendor: De Lage Landen - De Lage Landen Financial Services Inc					
De Lage Landen Financial Serv...	INV 81651712	01/09/2024	INV 81651712 01/15/24 500-...	01-150-52200-0000-1	158.00
Vendor De Lage Landen - De Lage Landen Financial Services Inc Total:					158.00
Vendor: Dee Jaspar - Dee Jaspar & Associates, Inc					
Dee Jaspar & Associates, Inc	INV 23-01032	01/09/2024	INV 23-01032 Browning Trea...	32-510-56000-0000-1	8,609.19
Dee Jaspar & Associates, Inc	INV 23-01033	01/09/2024	INV 23-01033 SRF Grant App P...	32-510-56000-0000-1	423.75
Vendor Dee Jaspar - Dee Jaspar & Associates, Inc Total:					9,032.94
Vendor: Douglas Environmenta - Douglas Keith Brown					
Douglas Keith Brown	Inv No 2361	01/09/2024	Inv No 2361 - SJ Renewables S...	01-140-56000-8224-1	2,800.16
Vendor Douglas Environmenta - Douglas Keith Brown Total:					2,800.16
Vendor: Emma Navarro - Emma Navarro					
Emma Navarro	INV0025639	01/09/2024	Emma Navarro Emma Navarro...	01-24000-0000-1	350.00
Vendor Emma Navarro - Emma Navarro Total:					350.00
Vendor: EWING - Ewing Irrigation Products Inc.					
Ewing Irrigation Products Inc.	INV 21063228	01/09/2024	INV 21063228 Scrubber Valve	20-200-57400-0000-1	479.95
Vendor EWING - Ewing Irrigation Products Inc. Total:					479.95
Vendor: Frontier - Frontier California Inc.					
Frontier California Inc.	Dec 2023 53019821940713045	01/03/2024	Frontier Dec 2023 530198219...	32-510-57800-0000-1	57.15
Frontier California Inc.	Dec 23 66179234370317155	01/03/2024	Frontier Dec 23 66179234370...	01-185-57800-0000-1	99.49
Vendor Frontier - Frontier California Inc. Total:					156.64
Vendor: gotocom - GoTo Communications Inc					
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-105-57800-0000-1	8.61
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-110-57800-0000-1	26.92
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-115-57800-0000-1	30.15
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-140-57800-0000-1	30.15
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-150-57800-0000-1	258.40
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-155-57800-0000-1	8.61
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-160-57800-0000-1	8.61
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-165-57800-0000-1	24.33
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-175-57800-0000-1	30.15
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	01-180-57800-0000-1	36.00
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	20-200-57800-0000-1	0.65
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	30-500-57800-0000-1	153.53
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	31-505-57800-0000-1	63.52
GoTo Communications Inc	IN7102533801	01/03/2024	IN7102533801 GoTo Monthly...	32-510-57800-0000-1	138.64
Vendor gotocom - GoTo Communications Inc Total:					818.27
Vendor: Haaker Equipment Co. - Haaker Equipment Co.					
Haaker Equipment Co.	INV W5A0BG	01/11/2024	INV W5A0BG WWTP Equipme...	30-500-57400-0000-1	1,523.96
Vendor Haaker Equipment Co. - Haaker Equipment Co. Total:					1,523.96
Vendor: HDL and Associates - Hinderliter, de Llamas & Associates					
Hinderliter, de Llamas & Assoc...	INV SIN034178	01/03/2024	HDL INV SIN034178 Q2/2023 ...	01-130-56000-0000-1	1,331.96
Vendor HDL and Associates - Hinderliter, de Llamas & Associates Total:					1,331.96
Vendor: Home Depot - Home Depot					
Home Depot	#WM54237301	01/09/2024	HD Order #WM54237301	01-180-57400-0000-1	432.46

Expense Approval Report

Payment Dates: 1/1/2024 - 1/12/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Home Depot	#WM54237301	01/09/2024	HD Order #WM54237301	20-200-57400-0000-1	432.46
Vendor Home Depot - Home Depot Total:					864.92
Vendor: Irrigation Concepts - Irrigation Concepts					
Irrigation Concepts	INV 48308	01/09/2024	INV 48308 1/2 Threaded Cap ...	20-200-57400-0000-1	7.71
Irrigation Concepts	INV 48351	01/09/2024	INV 48351 1/2" TT Coupling S...	32-510-57400-0000-1	0.82
Vendor Irrigation Concepts - Irrigation Concepts Total:					8.53
Vendor: Karla Macias - Karla Macias					
Karla Macias	INV0025640	01/09/2024	Deposit Return 12.02.23 K. M...	01-24000-0000-1	350.00
Vendor Karla Macias - Karla Macias Total:					350.00
Vendor: Liebert C. Whitmore - Liebert C. Whitmore					
Liebert C. Whitmore	INV 256964	01/03/2024	INV 256964 MC060-00001 Ge...	01-130-56100-0000-1	171.00
Vendor Liebert C. Whitmore - Liebert C. Whitmore Total:					171.00
Vendor: Madelyn Gonzalez - Madelyn Gonzalez					
Madelyn Gonzalez	INV0025713	01/11/2024	Madelyn Gonzalez McFarland...	01-24600-8207-1	2,000.00
Vendor Madelyn Gonzalez - Madelyn Gonzalez Total:					2,000.00
Vendor: Munguia - Munguia Heating & Air Conditioning					
Munguia Heating & Air Condit...	INV 1-6173-1	01/09/2024	INV 1-6173-1 Winter Service F...	01-190-56400-0000-1	720.00
Munguia Heating & Air Condit...	INV 1-6174-1	01/09/2024	INV 1-6174-1 Winter Service ...	01-185-56400-0000-1	480.00
Munguia Heating & Air Condit...	INV 1-6175-1	01/09/2024	INV 1-6175-1 Winter Service	30-500-56410-0000-1	120.00
Vendor Munguia - Munguia Heating & Air Conditioning Total:					1,320.00
Vendor: Nutrien Ag Solutions - Nutrien Ag Solutions, Inc.					
Nutrien Ag Solutions, Inc.	INV 52385953	01/09/2024	INV 52385953 Operating Suppl...	30-500-57400-0000-1	671.15
Vendor Nutrien Ag Solutions - Nutrien Ag Solutions, Inc. Total:					671.15
Vendor: Office Depot - Office Depot					
Office Depot	INV 343157450001	01/09/2024	INV 343157450001 Office Sup...	01-180-57200-0000-1	33.43
Office Depot	INV 343157450001	01/09/2024	INV 343157450001 Office Sup...	30-500-57200-0000-1	33.42
Office Depot	INV 343157450001	01/09/2024	INV 343157450001 Office Sup...	32-510-57200-0000-1	33.42
Vendor Office Depot - Office Depot Total:					100.27
Vendor: Our Home Town, Inc - Our Home Town, Inc.					
Our Home Town, Inc.	28552	01/09/2024	28552	01-130-56000-0000-1	328.83
Our Home Town, Inc.	28759	01/09/2024	28759	01-130-56000-0000-1	328.83
Our Home Town, Inc.	28979	01/09/2024	28979	01-130-56000-0000-1	328.83
Vendor Our Home Town, Inc - Our Home Town, Inc. Total:					986.49
Vendor: PG&E COMPANY - PG&E COMPANY					
PG&E COMPANY	INV0025543	01/03/2024	4453174177-3	01-180-58000-0000-1	746.52
PG&E COMPANY	INV0025543	01/03/2024	9777659623-7	01-180-58000-0000-1	10.18
PG&E COMPANY	INV0025543	01/03/2024	0664171738-1	01-180-58000-0000-1	75.20
PG&E COMPANY	INV0025543	01/03/2024	0891499733-6	01-180-58000-0000-1	106.62
PG&E COMPANY	INV0025543	01/03/2024	2514556883-5	01-180-58000-0000-1	27.01
PG&E COMPANY	INV0025543	01/03/2024	7576987527-1	01-180-58000-0000-1	184.36
PG&E COMPANY	INV0025543	01/03/2024	4022268837-2	01-180-58000-0000-1	173.38
PG&E COMPANY	INV0025543	01/03/2024	4483764300-4	01-180-58100-0000-1	51.47
PG&E COMPANY	INV0025543	01/03/2024	1601672325-2	01-180-58100-0000-1	271.59
PG&E COMPANY	INV0025543	01/03/2024	5629608181-5	01-180-58100-0000-1	27.12
PG&E COMPANY	INV0025543	01/03/2024	2012021553-6	01-180-58100-0000-1	1,023.60
PG&E COMPANY	INV0025543	01/03/2024	7663752590-8	01-180-58100-0000-1	25.26
PG&E COMPANY	INV0025543	01/03/2024	5568620890-5	01-180-58100-0000-1	9.82
PG&E COMPANY	INV0025543	01/03/2024	5490736244-3	01-180-58100-0000-1	13.55
PG&E COMPANY	INV0025543	01/03/2024	356448726-8	01-180-58100-0000-1	7.64
PG&E COMPANY	INV0025543	01/03/2024	0741726506-8	01-180-58100-0000-1	509.18
PG&E COMPANY	INV0025543	01/03/2024	3877090180-9	01-180-58100-0000-1	425.81
PG&E COMPANY	INV0025543	01/03/2024	4191871709-5	01-185-58000-0000-1	1,154.56
PG&E COMPANY	INV0025543	01/03/2024	7668473786-9	01-190-58000-0000-1	2,350.72
PG&E COMPANY	INV0025543	01/03/2024	6372122228-7	20-200-58100-0000-1	710.68
PG&E COMPANY	INV0025543	01/03/2024	7336692458-4	20-200-58100-0000-1	1,448.26
PG&E COMPANY	INV0025543	01/03/2024	0979037755-1	20-200-58100-0000-1	22.21
PG&E COMPANY	INV0025543	01/03/2024	5794429226-7	20-200-58100-0000-1	225.17

Expense Approval Report

Payment Dates: 1/1/2024 - 1/12/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
PG&E COMPANY	INV0025543	01/03/2024	0309941756-4	20-200-58100-0000-1	312.42
PG&E COMPANY	INV0025543	01/03/2024	3047362805-2	20-200-58100-0000-1	205.21
PG&E COMPANY	INV0025543	01/03/2024	5842445837-8	30-500-58000-0000-1	200.66
PG&E COMPANY	INV0025543	01/03/2024	5490736244-3	30-500-58000-0000-1	13.55
PG&E COMPANY	INV0025543	01/03/2024	9048125100-8	30-500-58000-0000-1	207.18
PG&E COMPANY	INV0025543	01/03/2024	0843084856-7	32-510-58000-0000-1	248.63
PG&E COMPANY	INV0025543	01/03/2024	7699604118-2	32-510-58000-0000-1	233.74
PG&E COMPANY	INV0025543	01/03/2024	0425382282-1	32-510-58000-0000-1	120.08
PG&E COMPANY	INV0025543	01/03/2024	6395880662-0	32-510-58000-0000-1	27.10
PG&E COMPANY	INV0025543	01/03/2024	0382494192-0	32-510-58000-0000-1	10.18
PG&E COMPANY	INV0025543	01/03/2024	2687153110-4	32-510-58000-0000-1	20,550.98
Vendor PG&E COMPANY - PG&E COMPANY Total:					31,729.64
Vendor: Preferred Alliance - Preferred Alliance					
Preferred Alliance	INV 0191702-IN	01/03/2024	INV 0191702-IN Annual Fees ...	34-520-53200-0000-1	188.64
Vendor Preferred Alliance - Preferred Alliance Total:					188.64
Vendor: Quality Smog - Quality Smog					
Quality Smog	INV 112565	01/09/2024	INV 112565 Smog Inspection	01-165-56600-0000-1	70.00
Quality Smog	INV 113168	01/09/2024	INV 113168 Safety Inspection	34-520-56600-0000-1	60.00
Quality Smog	INV 113187	01/09/2024	INV 113187 Smog Inspection	01-180-56600-0000-1	70.00
Vendor Quality Smog - Quality Smog Total:					200.00
Vendor: PLATT - Rexel USA Supply					
Rexel USA Supply	Inv. 4S39176	01/09/2024	Inv. 4S39176 - Light Switch (An..	01-155-56400-0000-1	17.05
Vendor PLATT - Rexel USA Supply Total:					17.05
Vendor: 661 Communications - Rodger C Goodman JR					
Rodger C Goodman JR	Inv. 1837	01/09/2024	Inv. 1837 Unit 42 Car Radio/M..	01-150-56600-0000-1	416.31
Rodger C Goodman JR	Inv. 1838	01/09/2024	Inv. 1838 Unit 52 Antenna Rep..	01-150-56600-0000-1	123.18
Rodger C Goodman JR	Inv. 1839	01/09/2024	Inv. 1839 Dispatch Pedal Exte...	01-150-57400-0000-1	85.00
Vendor 661 Communications - Rodger C Goodman JR Total:					624.49
Vendor: SC SITES Services - SC SITES Services					
SC SITES Services	INV 51794	01/09/2024	INV 51794 Monthly Radio Dis...	01-180-53250-0000-1	210.00
Vendor SC SITES Services - SC SITES Services Total:					210.00
Vendor: Shania P - Shania Perry					
Shania Perry	INV0025638	01/09/2024	Rental Deposit 12.10.23 Shani...	01-24000-0000-1	350.00
Vendor Shania P - Shania Perry Total:					350.00
Vendor: Sierra Construction - Sierra Construction & Excavation, Inc.					
Sierra Construction & Excavati...	INV 2000-7109	09/27/2023	INV 2000-7109 Leak and Valve...	32-510-56410-0000-1	8,589.06
Vendor Sierra Construction - Sierra Construction & Excavation, Inc. Total:					8,589.06
Vendor: Statewide Safety - Statewide Saftey					
Statewide Saftey	INV 12018670	01/09/2024	INV 12018670 Street Repair	01-180-56500-0000-1	965.13
Statewide Saftey	INV 12018719	01/09/2024	INV 12018719 Streets Repair	01-180-56500-0000-1	303.29
Vendor Statewide Safety - Statewide Saftey Total:					1,268.42
Vendor: Supplyworks - Supplyworks Inc					
Supplyworks Inc	INV 753895515	01/11/2024	INV 753895515 Renown Cente...	01-185-57400-0000-1	91.67
Supplyworks Inc	INV 753895515	01/11/2024	INV 753895515 Renown Cente...	01-190-57400-0000-1	91.67
Supplyworks Inc	INV 753895515	01/11/2024	INV 753895515 Renown Cente...	20-200-57400-0000-1	91.69
Supplyworks Inc	INV 762114759	01/11/2024	INV 762114759 Renown Cente...	01-185-57400-0000-1	48.69
Supplyworks Inc	INV 762114759	01/11/2024	INV 762114759 Renown Cente...	01-190-57400-0000-1	9.74
Supplyworks Inc	INV 762114759	01/11/2024	INV 762114759 Renown Cente...	20-200-57400-0000-1	49.76
Supplyworks Inc	INV 763928975	01/11/2024	INV 763928975 URNL SCRNPk...	01-185-57400-0000-1	44.15
Supplyworks Inc	INV 763928975	01/11/2024	INV 763928975 URNL SCRNPk...	20-200-57400-0000-1	44.16
Supplyworks Inc	INV 769240672	01/11/2024	INV 769240672 Operating Su...	01-185-57400-0000-1	12.33
Supplyworks Inc	INV 769240672	01/11/2024	INV 769240672 Operating Su...	20-200-57400-0000-1	12.33
Supplyworks Inc	INV 770224970	01/11/2024	INV 770224970 Operational S...	01-185-57400-0000-1	26.23
Supplyworks Inc	INV 770224970	01/11/2024	INV 770224970 Operational S...	20-200-57400-0000-1	26.23
Vendor Supplyworks - Supplyworks Inc Total:					548.65

Expense Approval Report

Payment Dates: 1/1/2024 - 1/12/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: Tyler Technologies - Tyler Technologies					
Tyler Technologies	INV 025-449934	01/03/2024	INV 025-449934 Tyler Tutoring..	26-110-53100-8550-1	300.00
Vendor Tyler Technologies - Tyler Technologies Total:					300.00
Vendor: Ultrex Business - Ultrex Business					
Ultrex Business	Inv 3963533	01/09/2024	Inv 3963533 Contract Services ..	01-150-52200-0000-1	96.02
Vendor Ultrex Business - Ultrex Business Total:					96.02
Vendor: USA Waste of Califor - USA Waste of California, Inc.					
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Organic ...	01-100-41300-0000-1	-192.36
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Recycling..	01-100-41300-0000-1	-896.51
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Garbage ...	01-100-41300-0000-1	-3,362.58
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Garbage ...	31-505-52400-0000-1	67,251.58
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Organic ...	31-505-52400-0000-1	1,923.56
USA Waste of California, Inc.	December 2023 WM Monthly...	01/11/2024	December 2023 WM Recycling..	31-505-52500-0000-1	8,965.07
Vendor USA Waste of Califor - USA Waste of California, Inc. Total:					73,688.76
Vendor: Verizon - Police Dep - Verizon - Police Dep					
Verizon - Police Dep	CM0000375	01/03/2024	INV 9949178524 Oct23 Police...	01-105-57800-0000-1	-237.26
Verizon - Police Dep	CM0000375	01/03/2024	INV 9949178524 Oct23 Police...	01-140-57800-0000-1	-5.79
Verizon - Police Dep	CM0000375	01/03/2024	INV 9949178524 Oct23 Police...	01-160-57800-0000-1	-1.93
Verizon - Police Dep	CM0000375	01/03/2024	INV 9949178524 Oct23 Police...	01-165-57800-0000-1	-1.93
Verizon - Police Dep	INV 9949178524	01/03/2024	INV 9949178524 Oct23 Police...	01-105-57800-0000-1	1,029.67
Verizon - Police Dep	INV 9949178524	01/03/2024	INV 9949178524 Oct23 Police...	01-140-57800-0000-1	25.13
Verizon - Police Dep	INV 9949178524	01/03/2024	INV 9949178524 Oct23 Police...	01-160-57800-0000-1	8.37
Verizon - Police Dep	INV 9949178524	01/03/2024	INV 9949178524 Oct23 Police...	01-165-57800-0000-1	8.39
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	01-105-57800-0000-1	214.45
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	01-115-57800-0000-1	13.87
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	01-140-57800-0000-1	25.13
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	01-160-57800-0000-1	8.38
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	01-165-57800-0000-1	8.38
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	30-500-57800-0000-1	13.87
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	31-505-57800-0000-1	13.87
Verizon - Police Dep	INV 9951634613	01/03/2024	INV 9951634613 Nov 23 Police..	32-510-57800-0000-1	4.63
Vendor Verizon - Police Dep - Verizon - Police Dep Total:					1,127.23
Vendor: Visual Edge - Visual Edge IT, Inc.					
Visual Edge IT, Inc.	INV 24AR1393493	01/03/2024	INV 24AR1393493 Monthly C...	01-130-54800-0000-1	492.34
Vendor Visual Edge - Visual Edge IT, Inc. Total:					492.34
Vendor: waterworkforce - WaterWorkforce Inc					
WaterWorkforce Inc	INV 1107	01/11/2024	INV 1107 November 2023 Wa...	30-500-57400-0000-1	3,085.00
WaterWorkforce Inc	INV 1107	01/11/2024	INV 1107 November 2023 Wa...	32-510-57400-0000-1	3,085.00
Vendor waterworkforce - WaterWorkforce Inc Total:					6,170.00
Vendor: Rain for Rent - Western Oilfields Supply Company					
Western Oilfields Supply Com...	INV 1948274	01/09/2024	INV 1948274 Supplies- Parts	32-510-57400-0000-1	526.14
Vendor Rain for Rent - Western Oilfields Supply Company Total:					526.14
Vendor: Witcher Electric - Witcher Electric					
Witcher Electric	INV 40043AA	01/09/2024	INV 40043AA SCADA & PLC	32-510-56000-0000-1	700.00
Vendor Witcher Electric - Witcher Electric Total:					700.00
Grand Total:					156,659.64

Report Summary

Fund Summary

Fund	Payment Amount
01 - GENERAL FUND	18,650.73
20 - LIGHTING & LANDSCAPING-DISTRICT 1	4,106.86
25 - CAPITAL IMPROVEMENTS PROJECTS	647.50
26 - MISCELLANEOUS GRANTS	300.00
30 - SEWER	6,535.78
31 - REFUSE/RECYCLING	78,233.78
32 - WATER	47,936.35
34 - PUBLIC TRANSPORTATION	248.64
Grand Total:	156,659.64

Account Summary

Account Number	Account Name	Payment Amount
01-100-41300-0000-1	Franchise Fees	-4,451.45
01-105-57800-0000-1	Telephone & Communic...	1,035.95
01-110-57800-0000-1	Telephone & Communic...	54.41
01-115-57800-0000-1	Telephone & Communic...	90.02
01-130-54800-0000-1	Maintenance Agreements	492.34
01-130-56000-0000-1	Professional Services - O...	2,318.45
01-130-56100-0000-1	Legal Services	171.00
01-140-56000-8224-1	Professional Services - S...	2,800.16
01-140-57800-0000-1	Telephone & Communic...	85.51
01-150-52010-0000-1	Conference/Meeting/Tr...	259.00
01-150-52200-0000-1	Contract Services	254.02
01-150-56600-0000-1	Repairs & Maintenance -...	539.49
01-150-57400-0000-1	Supplies - Operating	85.00
01-150-57800-0000-1	Telephone & Communic...	258.40
01-155-56400-0000-1	Repairs & Maint - Build &..	17.05
01-155-57800-0000-1	Telephone & Communic...	19.50
01-160-57800-0000-1	Telephone & Communic...	34.32
01-165-56600-0000-1	Repairs & Maintenance -...	70.00
01-165-57800-0000-1	Telephone & Communic...	98.00
01-175-57800-0000-1	Telephone & Communic...	41.02
01-180-51800-0000-1	Clothing Allowance	349.29
01-180-53250-0000-1	Permits & Certificates	210.00
01-180-56410-0000-1	Repairs & Maintenance ...	111.38
01-180-56500-0000-1	Repairs/Maintenance St...	1,268.42
01-180-56600-0000-1	Repairs/Maintenance - ...	70.00
01-180-57200-0000-1	Supplies - Office	33.43
01-180-57400-0000-1	Supplies - Operating	432.46
01-180-57800-0000-1	Telephone & Communic...	36.00
01-180-58000-0000-1	Utilities	1,323.27
01-180-58100-0000-1	Street Lighting	2,365.04
01-185-56400-0000-1	Repairs & Maint - Build &..	480.00
01-185-57400-0000-1	Supplies - Operating	223.07
01-185-57800-0000-1	Telephone & Communic...	99.49
01-185-58000-0000-1	Utilities	1,154.56
01-190-56400-0000-1	Repairs & Maint - Build &..	720.00
01-190-57400-0000-1	Supplies - Operating	101.41
01-190-58000-0000-1	Utilities	2,350.72
01-24000-0000-1	Deposits	1,050.00
01-24600-8207-1	Deferred Revenue - McF...	2,000.00
20-200-51800-0000-1	Clothing Allowance	37.97
20-200-57400-0000-1	Supplies - Operating	1,144.29
20-200-57800-0000-1	Telephone & Communic...	0.65
20-200-58100-0000-1	Street Lighting	2,923.95
25-000-52960-8290-1	RSTP/HIP West Side - Har..	647.50
26-110-53100-8550-1	Grant Expenditure - ARP...	300.00

Account Summary

Account Number	Account Name	Payment Amount
30-500-51800-0000-1	Clothing Allowance	389.82
30-500-56410-0000-1	Repairs & Maintenance ...	120.00
30-500-57200-0000-1	Supplies - Office	33.42
30-500-57400-0000-1	Supplies - Operating	5,280.11
30-500-57800-0000-1	Telephone & Communic...	291.04
30-500-58000-0000-1	Utilities	421.39
31-505-52400-0000-1	Contract Services - Refus...	69,175.14
31-505-52500-0000-1	Contract Services - Recyc...	8,965.07
31-505-57800-0000-1	Telephone & Communic...	93.57
32-510-51800-0000-1	Clothing Allowance	182.23
32-510-56000-0000-1	Professional Services - O...	11,872.64
32-510-56410-0000-1	Repairs & Maintenance- ...	10,721.33
32-510-57200-0000-1	Supplies - Office	33.42
32-510-57400-0000-1	Supplies - Operating	3,611.96
32-510-57800-0000-1	Telephone & Communic...	324.06
32-510-58000-0000-1	Utilities	21,190.71
34-520-53200-0000-1	Dues & Subscriptions	188.64
34-520-56600-0000-1	Repairs & Maintenance -...	60.00
Grand Total:		156,659.64

Project Account Summary

Project Account Key	Payment Amount
None	156,659.64
Grand Total:	156,659.64

**REGULAR CITY COUNCIL MINUTES
IN PERSON MEETING**

January 11, 2024

**McFARLAND CITY COUNCIL
McFARLAND SUCCESSOR AGENCY
McFARLAND PUBLIC FINANCE AUTHORITY
McFARLAND IMPROVEMENT AUTHORITY
McFARLAND PARKING AUTHORITY**

CALL TO ORDER

Mayor S. Ayon called the meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers Present: Mayor S. Ayon, Vice Mayor Cano, Councilmember A. Ayon, Councilmember Gonzalez, Councilmember Pérez

Councilmembers Absent: None

OFFICIALS PRESENT

City Manager Williams, City Attorney Hodges, Finance Director Viramontes, Community Development Director Saldaña, Assistant Public Works Director Cabrera, Human Resources Director, City Clerk Alvarado

INVOCATION

Vice Mayor Cano

PLEDGE OF ALLEGIANCE

Ron Woods

INTERPRETATION: If you need an interpretation of your communications to the City Council into English, please contact the City Clerk Department at 661-792-3091 ext. 2135 at least 48 hours prior to the meeting.

Mariana Sanchez was present for any interpretation needs.

FEATURED PET

Is a feature that highlights a pet available for adoption from the McFarland Animal Shelter.

Presented by: City Manager Kenny Williams

PRESENTATIONS, INTRODUCTIONS AND AWARDS

None

PUBLIC COMMENT: 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. Council/Board Members may respond briefly to statements made or questions posed. They may ask a question for clarification; may refer the item to staff for further study or for placement on a future agenda.

Speakers are limited to two minutes for each person. Please state your name and address for the record prior to making a presentation. Fifteen minutes total will be allowed for any one subject.

1. Jose Hernandez Jr. – (General Comment) State of the City Meeting & (Agenda Item # 8) Ordinance
2. Phil Corr - (Agenda Item # 8) Pot Shop Ordinance & (Agenda Item #9) Pot Shop Permit
3. Terry Ruddell- (Agenda Item #8)

DEPARTMENTAL REPORTS

1. Finance Department, Finance Director Diego Viramontes: Scheduled Water Shutoffs for Delinquent Accounts – January 17, 2024. Finance Director Viramontes gave a brief update to the community regarding the reestablishing of scheduled water shutoff's.
2. McFarland Police Department, Chief Knox: 2023 Police Statistics Data- City Manager Kenny Williams presented MPD stats.

COUNCIL STATEMENTS AND REPORTS:

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 information. Alternatively, request staff to report 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.

1. Councilmember Pérez- Thanked everyone for their attendance.
2. Councilmember Gonzalez- Thanked everyone for their attendance and reminded the community to make the necessary arrangements for their delinquent utility bills before shutoff's on January 17, 2024.
3. Councilmember Ayon- Welcomed everyone back after the holiday season.
4. Vice Mayor Cano- Thanked the audience for their attendance and wished everyone a great new year. He stated he looked forward to all the progress to happen this year.
5. Mayor Ayon- Informed the audience of the reorganization of the Council Statements and Report section of the agenda he gave a brief overview of the recent meeting between the City of McFarland's Police Department and City of Delano's stating that he looks forward to a positive working collaboration between our Chief of Police and theirs. Mayor Ayon recognized Finance Director Diego Viramontes for his hard work, dedication, and success in advancing, organizing, and moving forward the finance department. He thanked Mr. Viramontes for his diligent work and commitment to the city. The Vice Mayor, Councilmembers, and City Manager followed with positive comments to Mr. Viramontes and his team.

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Council Member/ Board Member or Member from the Public requests to remove a particular item.

3. Approval of Expense Report in the Amount of \$1,010,373.63 from 12/2/2023 to 12/31/2023.

4. Approval of Payroll Report for the Month of December 2023 in the Amount of \$304,528.98.
5. Approval of December 14, 2023 Regular Meeting Minutes.

No comments from the public were presented.

A Motion was made by: Councilmember A. Ayon to approve the consent agenda; 2nd by: Vice Mayor Cano.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

PUBLIC HEARINGS

6. The City Council of the City of McFarland, California conducted a Public Hearing Requesting Input Regarding the Composition of District Elections.

Staff report was presented by: Community Development Director, Paul Saldaña. Dr. Justin Levit with National Demographics Corporation was present and held a power point presentation. Dr. Levit was available for any questions from the public and council.

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:39 p.m.

1. Phil Corr
2. Ron Woods

Mayor Ayon Closed the Public Hearing at: 6:43 p.m. Mayor Ayon instructed staff to place on the upcoming agenda for the next public hearing.

7. Introduction and First Reading of Ordinance No. 1-2024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.

Staff report was presented by: Community Development Director, Paul Saldaña

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:48 p.m.

1. Phil Corr

Mayor Ayon closed the Public Hearing at 6:49.

A Motion was made by: Councilmember Pérez to Waive the Reading of the Ordinance Text in its Entirety, Read by Title Only and Introduce Ordinance No. 1-2024 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION; 2nd by: Vice Mayor Cano.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

Mayor Ayon directed staff to schedule a second reading and adoption of Ordinance No. 1-2024.

8. Second Reading and Adoption of Ordinance No. 13-2023 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, APPROVING ADOPTING AN UNCODIFIED ORDINANCE, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MCFARLAND AND OTC MCFARLAND, LLC AND GUADALUPE F. GARCIA DIAZ FOR THE DEVELOPMENT OF A COMMERCIAL CANNABIS BUSINESS AT 981 FRONTAGE ROAD, MCFARLAND CA.

Staff was presented by: Community Development Director, Paul Saldaña. Matthew Jones with OTC McFarland, LLC was present to answer any questions from the public and city council.

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:52 p.m.

1. Jose Hernandez
2. Phil Corr
3. Terry Ruddle

Mayor Ayon closed the public hearing at 7:02 p.m.

A Motion was made by: Councilmember Pérez to waive the reading of the Ordinance Text in its entirety, read by title only, and adopt Ordinance No. 13-2023 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, APPROVING ADOPTING AN UNCODIFIED ORDINANCE, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MCFARLAND AND OTC MCFARLAND, LLC AND GUADALUPE F. GARCIA DIAZ FOR THE DEVELOPMENT OF A COMMERCIAL CANNABIS BUSINESS AT 981 FRONTAGE ROAD, MCFARLAND CA; 2nd by: Vice Mayor Cano.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

Mayor Ayon directed staff to post in designated posting locations within fifteen days of its passage.

ADMINISTRATIVE AGENDA

9. Motion was made by: Vice Mayor Cano to approve Resolution No. 2024-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE ISSUANCE OF A COMMERCIAL CANNABIS PERMIT FOR OTC MCFARLAND LLC AND APPROVING INDEMNIFICATION AGREEMENT; 2nd by: Councilmember Pérez.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None
ABSENT: None
Full consensus

Public Comment:

1. Phil Corr

10. Motion was made by: Vice Mayor Cano to approve Resolution No. 2024-2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING FUNDS FROM THE CITY'S GENERAL FUND TO PROVIDE A SALARY INCREASE FOR THE MCFARLAND POLICE DEPARTMENT CRIME SCENE TECHNICIAN; 2nd by: Councilmember A. Ayon.

ROLL CALL VOTE: 5/0
AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez
NAYS: None
ABSTAIN: None
ABSENT: None
Full consensus

No comments from the public were presented.

11. Motion was made by: Councilmember Pérez to approve Resolution No. 2024- 3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH FLOCK SAFETY TO EXTEND THE CONTRACT OF 20 FLOCK CAMERAS TO ASSIST WITH PUBLIC SAFETY; 2nd by: Councilmember A. Ayon.

ROLL CALL VOTE: 5/0
AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez
NAYS: None
ABSTAIN: None
ABSENT: None
Full consensus

Public Comment:

1. Jose Hernandez

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

- a. Kern Council of Governments (KCOG)
- b. Kern Economic Development Corp. (KEDC)
- c. Kern Local Agency Formation Commission (LAFCO)
- d. Delano Mosquito Abatement District (DMAD)
- e. Public Policy and Finance Committee
- f. Public Safety Committee
- g. Quality of Life Committee
- h. Cannabis Committee

A motion was made by: Vice Mayor Cano; 2nd by: Councilmember Pérez to adjourn the regular open session meeting at 7:29 p.m.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

CLOSED SESSION

12. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: APN 060-050-24

Agency Negotiators: Paul Saldana and Diego Viramontes

Negotiating Parties: San Joaquin Renewables LLC

Under Negotiation: Terms, price, and conditions of sale

Reportable Action: Council briefed on negotiations; Direction provided to Paul Saldana and Diego Viramontes

13. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)

Property: APN 201-070-31

Agency Negotiators: Paul Saldana, Kenny Williams and Diego Viramontes

Negotiating Parties: The Wonderful Company, LLC; County of Kern; City of McFarland

Under Negotiation: Terms, price, and conditions of lease

Reportable Action: Council briefed on negotiations; Direction provided to Paul Saldana, Kenny Williams, and Diego Viramontes

14. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation - Significant exposure to litigation pursuant to Government Code §54956.9(b)

City attorney provided summary of law; No reportable Action taken

ADJOURNMENT

Francisca Alvarado, City Clerk



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 3.
Section: PUBLIC HEARINGS
Meeting Date: January 25,
2024

TO: Honorable Mayor and Council Members
FROM: Paul Saldaña , Community Development Director
SUBJECT: Public Hearing Requesting Input Regarding the Composition of Potential Council Election Districts.

- a. Staff report: Community Development Director Paul Saldana
- b. Open public hearing and receive public testimony:

SUMMARY:

On November 9, 2023, the City Council adopted Resolution 2023- 141 initiating the process to transition from an at-large election system to a district-based election system. This change will create four (4) single-member districts, with each district having a single representative who must reside within that district. The Mayor will continue to be elected citywide. A key reason that the City is proceeding with district-based elections is the threat of significant litigation under the California Voting Rights Act (CVRA). Faced with potentially hundreds of thousands or even millions of dollars in legal fees and damages (as some cities have experienced), the Council decided to proceed with the creation of a district-based election system. This allows the City to retain its own ability to determine and adopt an appropriate district map instead of having the risk of a court doing so.

The first step in the transition process was to hold two public hearings to solicit input on the composition of City Council districts. These hearings were held at the December 14, 2023 and January 11, 2024 Regular City Council Meetings. The public was requested to provide testimony about the City's "communities of interest" and other local factors that should be considered while drafting district boundaries.

Tonight's hearing begins the second phase of the districting process, as required by California Elections Code Section 10010. In accordance with the law, the City must hold at least two public hearings on the proposed district boundary maps. Following tonight, the fourth Public Hearing will be held on February 8, 2024.

Furthermore, as required, the draft maps were made publicly available for at least seven days before the public hearing. Four draft maps were posted to the City website and available at City Hall by January 18. If Council requests modifications to any map or any public submissions are received, those will be posted no later than February 1, 2024. **The four draft maps are also included as a supplement to this staff report.**

Following the presentation, Staff recommends the Council take public comment. After public comment, Staff and NDC are available to answer any questions residents may have asked

during the public comment time.

Once public comment and Staff/NDC responses are concluded, Council can close the public hearing. Then, Councilmembers have the opportunity to ask any questions about this process of Staff and NDC, share their own thoughts regarding the maps. The Council has the opportunity at this time to remove maps from consideration, request additional maps or changes, and/or designate one or more “focus maps” to bring increased attention to those specific district plans (maps not designated as “focus maps” will continue to be available for discussion or consideration). Councilmembers have the opportunity to offer any reactions or responses to comments made during the public hearing.

In reviewing draft maps, the City must ensure compliance with the following state and federally-mandated criteria, according to the Fair Maps Act of 2023 (as modified):

Federal Laws

1. Each council district shall contain a nearly equal population.
2. Each council district shall be drawn in a manner that complies with the Federal Voting Rights Act. No council district shall be drawn with race as the predominate factor (*Shaw v. Reno*, 509 U.S. 630 1993).

California Criteria for Cities

Districts shall be drawn according to the following criteria, ordered by priority (Elections Code Sec. 21601):

1. Districts shall be geographically contiguous.
2. Districts shall be drawn in a manner that minimizes the division of neighborhoods and local “communities of interest.”
3. District boundaries shall be easily identifiable and understandable by residents.
4. Districts shall be drawn to encourage geographical compactness.

In addition, districts “shall not favor or discriminate against an incumbent, political candidate, or political party...”

FINANCIAL IMPACT:

No financial impact.

RECOMMENDATION:

Provide direction to the Demographer and City Staff on the draft Council election district maps and sequence of elections.

ATTACHMENTS:

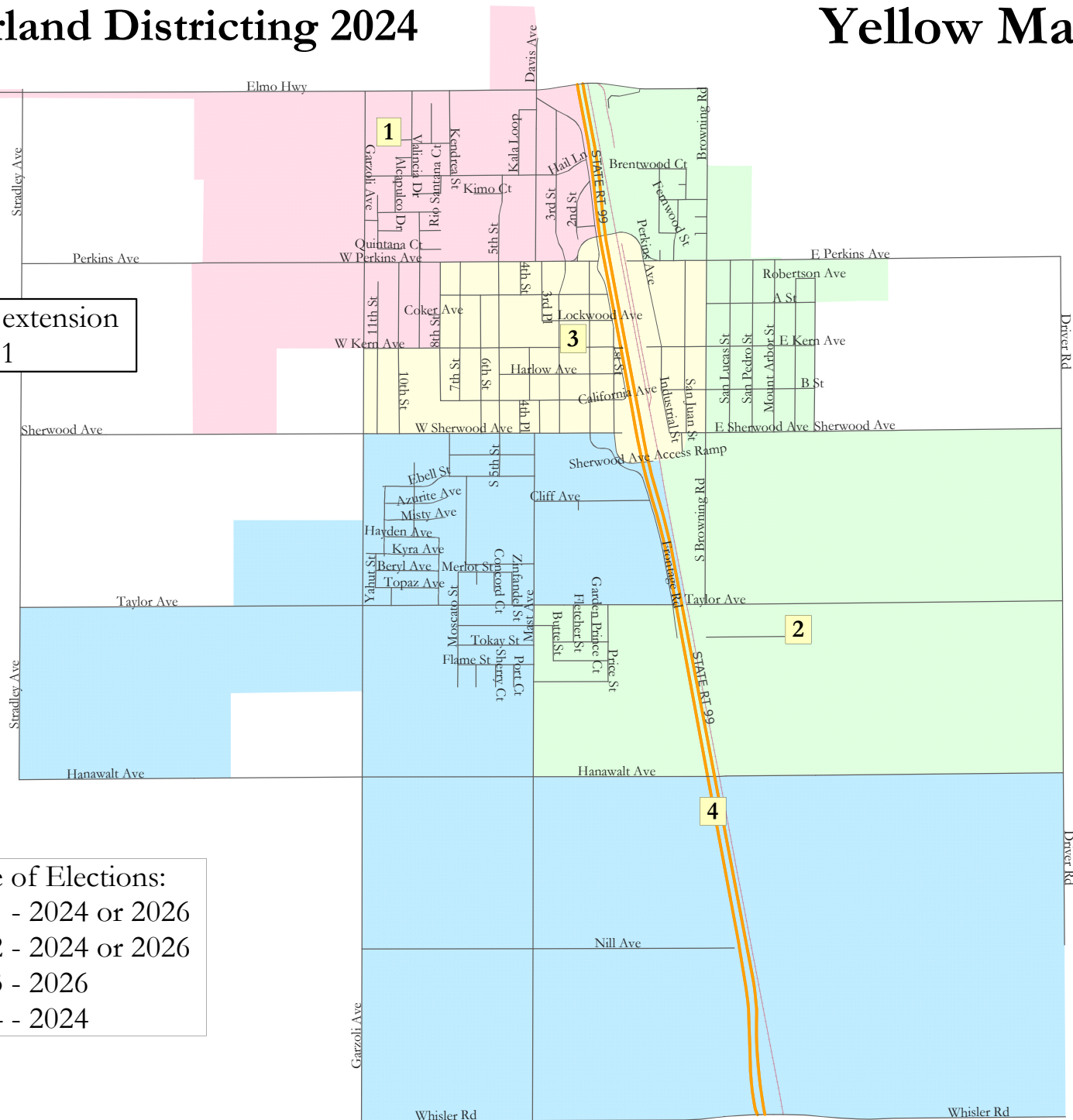
1. Yellow Alternative Map
2. Green Alternative Map
3. Purple Alternative Map
4. Orange Alternative Map

McFarland Districting 2024

Yellow Map

The western extension
is in District 1

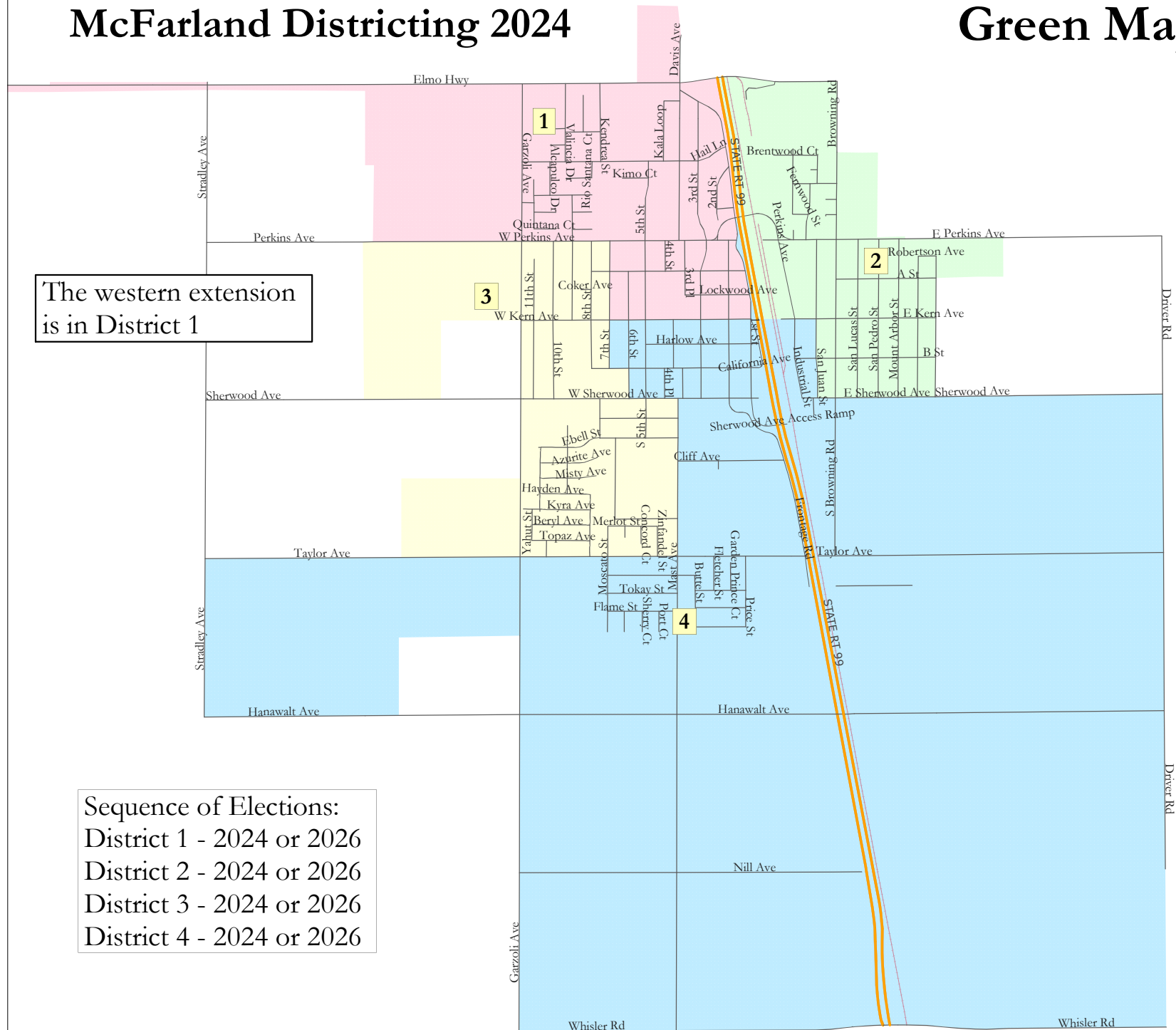
Sequence of Elections:
District 1 - 2024 or 2026
District 2 - 2024 or 2026
District 3 - 2026
District 4 - 2024



NDC Yellow						
District		1	2	3	4	Total
	Total Pop	3,429	3,673	3,488	3,345	13,935
	Deviation from ideal	-55	189	4	-139	328
	% Deviation	-1.58%	5.42%	0.11%	-3.99%	9.41%
Total Pop	% Hisp	95%	98%	96%	94%	96%
	% NH White	3%	1%	3%	4%	3%
	% NH Black	0%	0%	0%	1%	0%
	% Asian-American	1%	1%	0%	1%	1%
Citizen Voting Age Pop	Total	1,404	1,712	1,102	1,420	5,639
	% Hisp	90%	97%	81%	91%	91%
	% NH White	9%	3%	18%	4%	7%
	% NH Black	0%	0%	0%	1%	0%
	% Asian/Pac.Isl.	0%	0%	0%	3%	1%
Voter Registration (Nov 2022)	Total	1,115	1,301	1,101	1,092	4,610
	% Latino est.	97%	99%	97%	99%	98%
	% Spanish-Surnamed	97%	99%	97%	99%	98%
	% Asian-Surnamed	1%	0%	0%	0%	1%
	% Filipino-Surnamed	1%	2%	2%	2%	2%
	% NH White est.	0%	0%	1%	-1%	0%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2022)	Total	353	396	357	333	1,438
	% Latino est.	95%	95%	92%	95%	94%
	% Spanish-Surnamed	85%	86%	82%	85%	85%
	% Asian-Surnamed	0%	1%	0%	1%	0%
	% Filipino-Surnamed	2%	1%	1%	1%	2%
	% NH White est.	2%	1%	3%	2%	2%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	593	739	588	587	2,507
	% Latino est.	90%	95%	90%	90%	92%
	% Spanish-Surnamed	90%	95%	90%	90%	92%
	% Asian-Surnamed	1%	0%	0%	1%	0%
	% Filipino-Surnamed	2%	2%	2%	1%	2%
	% NH White est.	7%	3%	5%	11%	6%
	% NH Black est.	0%	1%	0%	0%	0%
ACS Pop. Est.	Total	3,301	4,118	3,555	3,080	14,054
Age	age0-19	45%	32%	45%	36%	39%
	age20-60	46%	57%	46%	55%	51%
	age60plus	9%	11%	10%	8%	10%
Immigration	immigrants	32%	30%	31%	38%	33%
	naturalized	27%	25%	27%	19%	24%
Language spoken at home	english	25%	25%	21%	26%	24%
	spanish	75%	74%	79%	72%	75%
	asian-lang	0%	1%	0%	2%	1%
	other lang	0%	0%	0%	0%	0%
Language Fluency	Speaks Eng. "Less than Very Well"	38%	48%	55%	49%	48%
Education (among those age 25+)	hs-grad	54%	50%	41%	61%	51%
	bachelor	2%	1%	1%	6%	2%
	graduatedegree	3%	1%	2%	2%	2%
Child in Household	child-under18	73%	55%	68%	63%	64%
Pct of Pop. Age 16+	employed	62%	54%	61%	54%	57%
Household Income	income 0-25k	25%	28%	24%	21%	25%
	income 25-50k	32%	35%	37%	40%	36%
	income 50-75k	24%	14%	18%	8%	16%
	income 75-200k	18%	20%	22%	30%	22%
	income 200k-plus	0%	3%	0%	1%	1%
Housing Stats	single family	68%	88%	86%	100%	85%
	multi-family	32%	12%	14%	0%	15%
	rented	48%	44%	55%	38%	46%
	owned	52%	56%	45%	62%	54%
Total population data from the California adjustment to the 2020 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2017-2021 American Community Survey and Special Tabulation 5-year data.						

McFarland Districting 2024

Green Map



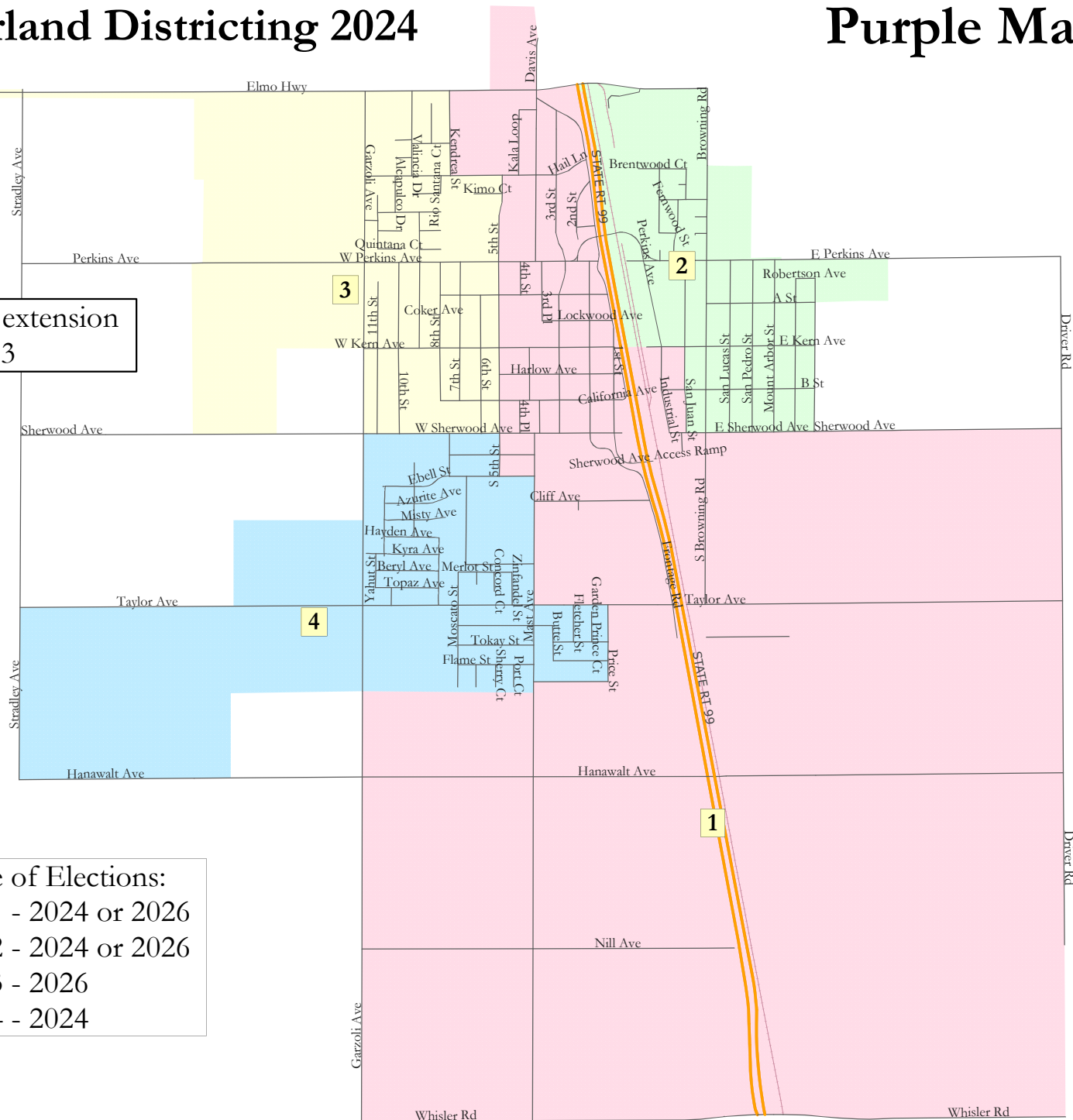
NDC Green						
District		1	2	3	4	Total
	Total Pop	3,435	3,521	3,535	3,444	13,935
	Deviation from ideal	-49	37	51	-40	100
	% Deviation	-1.41%	1.06%	1.46%	-1.15%	2.87%
Total Pop	% Hisp	94%	98%	95%	95%	96%
	% NH White	3%	1%	3%	3%	3%
	% NH Black	0%	0%	0%	1%	0%
	% Asian-American	1%	0%	1%	1%	1%
Citizen Voting Age Pop	Total	1,274	1,402	1,537	1,426	5,639
	% Hisp	90%	97%	83%	93%	91%
	% NH White	9%	3%	14%	4%	7%
	% NH Black	0%	0%	0%	1%	0%
	% Asian/Pac.Isl.	0%	0%	3%	0%	1%
Voter Registration (Nov 2022)	Total	1,018	1,213	1,221	1,157	4,610
	% Latino est.	98%	99%	98%	98%	98%
	% Spanish-Surnamed	98%	99%	98%	98%	98%
	% Asian-Surnamed	1%	0%	0%	1%	1%
	% Filipino-Surnamed	1%	2%	1%	2%	2%
	% NH White est.	0%	0%	0%	0%	0%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2022)	Total	321	369	381	368	1,438
	% Latino est.	95%	95%	93%	93%	94%
	% Spanish-Surnamed	86%	86%	84%	84%	85%
	% Asian-Surnamed	0%	1%	1%	0%	0%
	% Filipino-Surnamed	2%	1%	1%	2%	2%
	% NH White est.	1%	1%	4%	2%	2%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	539	656	691	621	2,507
	% Latino est.	89%	98%	93%	86%	92%
	% Spanish-Surnamed	89%	98%	93%	86%	92%
	% Asian-Surnamed	1%	0%	0%	0%	0%
	% Filipino-Surnamed	2%	2%	1%	3%	2%
	% NH White est.	7%	2%	9%	7%	6%
	% NH Black est.	0%	0%	0%	1%	0%
ACS Pop. Est.	Total	3,324	3,417	3,308	4,005	14,054
Age	age0-19	45%	37%	42%	34%	39%
	age20-60	47%	48%	48%	59%	51%
	age60plus	8%	15%	10%	6%	10%
Immigration	immigrants	32%	35%	36%	29%	33%
	naturalized	27%	27%	22%	22%	24%
Language spoken at home	english	17%	21%	34%	23%	24%
	spanish	83%	79%	65%	75%	75%
	asian-lang	0%	0%	1%	1%	1%
	other lang	0%	0%	0%	0%	0%
Language Fluency	Speaks Eng. "Less than Very Well"	49%	56%	36%	51%	48%
Education (among those age 25+)	hs-grad	53%	46%	54%	53%	51%
	bachelor	1%	1%	5%	2%	2%
	graduatedegree	1%	0%	4%	1%	2%
Child in Household	child-under18	73%	59%	66%	59%	64%
Pct of Pop. Age 16+	employed	65%	63%	54%	51%	57%
Household Income	income 0-25k	28%	34%	15%	21%	25%
	income 25-50k	33%	38%	39%	34%	36%
	income 50-75k	23%	11%	16%	15%	16%
	income 75-200k	16%	17%	31%	27%	22%
	income 200k-plus	0%	0%	0%	3%	1%
Housing Stats	single family	68%	84%	96%	94%	85%
	multi-family	32%	16%	4%	6%	15%
	rented	55%	56%	30%	41%	46%
	owned	45%	44%	70%	59%	54%
Total population data from the California adjustment to the 2020 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2017-2021 American Community Survey and Special Tabulation 5-year data.						

McFarland Districting 2024

Purple Map

The western extension
is in District 3

Sequence of Elections:
District 1 - 2024 or 2026
District 2 - 2024 or 2026
District 3 - 2026
District 4 - 2024



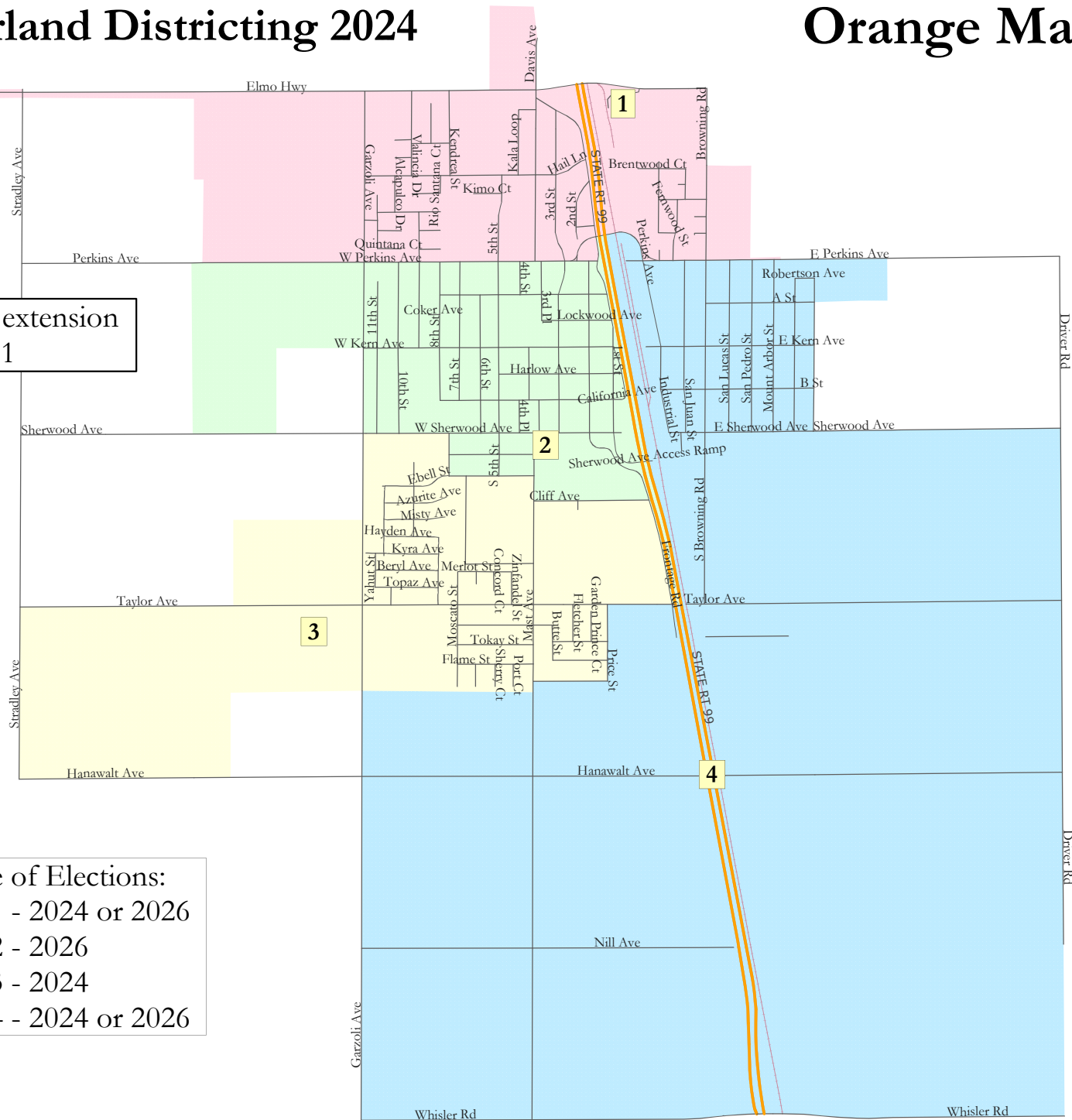
NDC Purple						
District		1	2	3	4	Total
	Total Pop	3,428	3,521	3,341	3,645	13,935
	Deviation from ideal	-56	37	-143	161	304
	% Deviation	-1.61%	1.06%	-4.10%	4.62%	8.73%
Total Pop	% Hisp	93%	98%	96%	96%	96%
	% NH White	5%	1%	2%	2%	3%
	% NH Black	1%	0%	0%	0%	0%
	% Asian-American	1%	0%	1%	1%	1%
Citizen Voting Age Pop	Total	1,146	1,402	1,481	1,610	5,639
	% Hisp	89%	97%	81%	95%	91%
	% NH White	7%	3%	19%	2%	7%
	% NH Black	1%	0%	0%	0%	0%
	% Asian/Pac.Isl.	0%	0%	0%	3%	1%
Voter Registration (Nov 2022)	Total	1,030	1,213	1,173	1,193	4,610
	% Latino est.	97%	99%	97%	99%	98%
	% Spanish-Surnamed	97%	99%	97%	99%	98%
	% Asian-Surnamed	1%	0%	1%	0%	1%
	% Filipino-Surnamed	1%	2%	1%	2%	2%
	% NH White est.	0%	0%	1%	-1%	0%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2022)	Total	329	369	378	363	1,438
	% Latino est.	93%	95%	93%	95%	94%
	% Spanish-Surnamed	84%	86%	83%	86%	85%
	% Asian-Surnamed	0%	1%	0%	1%	0%
	% Filipino-Surnamed	2%	1%	2%	1%	2%
	% NH White est.	1%	1%	4%	2%	2%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	539	656	648	664	2,507
	% Latino est.	84%	98%	91%	92%	92%
	% Spanish-Surnamed	84%	98%	91%	92%	92%
	% Asian-Surnamed	0%	0%	1%	0%	0%
	% Filipino-Surnamed	3%	2%	2%	1%	2%
	% NH White est.	10%	2%	5%	9%	6%
	% NH Black est.	0%	0%	0%	1%	0%
ACS Pop. Est.	Total	3,676	3,417	3,289	3,671	14,054
Age	age0-19	41%	37%	45%	34%	39%
	age20-60	51%	48%	44%	60%	51%
	age60plus	7%	15%	11%	6%	10%
Immigration	immigrants	30%	35%	32%	35%	33%
	naturalized	26%	27%	27%	19%	24%
Language spoken at home	english	15%	21%	34%	27%	24%
	spanish	84%	79%	66%	71%	75%
	asian-lang	0%	0%	0%	2%	1%
	other lang	0%	0%	0%	0%	0%
Language Fluency	Speaks Eng. "Less than Very Well"	59%	56%	29%	46%	48%
Education (among those age 25+)	hs-grad	48%	46%	50%	60%	51%
	bachelor	1%	1%	2%	5%	2%
	graduatedegree	1%	0%	5%	2%	2%
Child in Household	child-under18	67%	59%	71%	61%	64%
Pct of Pop. Age 16+	employed	60%	63%	57%	51%	57%
Household Income	income 0-25k	27%	34%	17%	20%	25%
	income 25-50k	34%	38%	33%	38%	36%
	income 50-75k	19%	11%	26%	10%	16%
	income 75-200k	20%	17%	23%	30%	22%
	income 200k-plus	1%	0%	0%	2%	1%
Housing Stats	single family	80%	84%	77%	100%	85%
	multi-family	20%	16%	23%	0%	15%
	rented	56%	56%	36%	35%	46%
	owned	44%	44%	64%	65%	54%
Total population data from the California adjustment to the 2020 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2017-2021 American Community Survey and Special Tabulation 5-year data.						

McFarland Districting 2024

Orange Map

The western extension
is in District 1

Sequence of Elections:
District 1 - 2024 or 2026
District 2 - 2026
District 3 - 2024
District 4 - 2024 or 2026



NDC Orange						
District		1	2	3	4	Total
	Total Pop	3,578	3,546	3,528	3,283	13,935
	Deviation from ideal	94	62	44	-201	295
	% Deviation	2.70%	1.78%	1.26%	-5.77%	8.47%
Total Pop	% Hisp	95%	95%	95%	97%	96%
	% NH White	3%	4%	2%	2%	3%
	% NH Black	0%	0%	1%	0%	0%
	% Asian-American	1%	0%	1%	0%	1%
Citizen Voting Age Pop	Total	1,373	1,257	1,607	1,401	5,639
	% Hisp	94%	76%	93%	97%	91%
	% NH White	5%	23%	2%	2%	7%
	% NH Black	0%	0%	1%	0%	0%
	% Asian/Pac.Isl.	0%	0%	3%	0%	1%
Voter Registration (Nov 2022)	Total	1,158	1,196	1,194	1,061	4,610
	% Latino est.	98%	96%	99%	99%	98%
	% Spanish-Surnamed	98%	96%	99%	99%	98%
	% Asian-Surnamed	1%	0%	0%	0%	1%
	% Filipino-Surnamed	2%	1%	2%	2%	2%
	% NH White est.	0%	1%	-1%	0%	0%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2022)	Total	362	390	365	321	1,438
	% Latino est.	96%	91%	95%	95%	94%
	% Spanish-Surnamed	86%	82%	85%	86%	85%
	% Asian-Surnamed	0%	0%	1%	1%	0%
	% Filipino-Surnamed	2%	1%	2%	1%	2%
	% NH White est.	1%	4%	2%	0%	2%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	614	655	656	582	2,507
	% Latino est.	92%	88%	91%	95%	92%
	% Spanish-Surnamed	92%	88%	91%	95%	92%
	% Asian-Surnamed	1%	0%	0%	0%	0%
	% Filipino-Surnamed	2%	2%	1%	2%	2%
	% NH White est.	6%	7%	8%	4%	6%
	% NH Black est.	0%	0%	1%	0%	0%
ACS Pop. Est.	Total	3,411	3,673	3,641	3,329	14,054
Age	age0-19	44%	45%	34%	34%	39%
	age20-60	48%	45%	60%	51%	51%
	age60plus	8%	9%	6%	15%	10%
Immigration	immigrants	33%	30%	34%	34%	33%
	naturalized	27%	26%	19%	26%	24%
Language spoken at home	english	18%	26%	27%	25%	24%
	spanish	82%	74%	71%	75%	75%
	asian-lang	0%	0%	2%	0%	1%
	other lang	0%	0%	0%	0%	0%
Language Fluency	Speaks Eng. "Less than Very Well"	48%	47%	46%	51%	48%
Education (among those age 25+)	hs-grad	56%	42%	60%	47%	51%
	bachelor	1%	2%	5%	1%	2%
	graduatedegree	1%	4%	2%	0%	2%
Child in Household	child-under18	73%	69%	61%	55%	64%
Pct of Pop. Age 16+	employed	65%	57%	50%	60%	57%
Household Income	income 0-25k	30%	15%	19%	33%	25%
	income 25-50k	34%	37%	38%	35%	36%
	income 50-75k	20%	21%	10%	13%	16%
	income 75-200k	16%	26%	30%	19%	22%
	income 200k-plus	0%	0%	2%	1%	1%
Housing Stats	single family	67%	90%	100%	86%	85%
	multi-family	33%	10%	0%	14%	15%
	rented	57%	42%	34%	51%	46%
	owned	43%	58%	66%	49%	54%
Total population data from the California adjustment to the 2020 Decennial Census.						
Surname-based Voter Registration and Turnout data from the California Statewide Database.						
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2017-2021 American Community Survey and Special Tabulation 5-year data.						



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 4.
Section: PUBLIC HEARINGS
Meeting Date: January 25,
2024

TO: Honorable Mayor and Council Members

FROM: Kenny Williams, City Manager
Paul Saldaña , Community Development Director

SUBJECT: Second Reading and Adoption of Ordinance No. 1-2024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.

- a. Staff Report: Community Development Director, Paul Saldaña
- b. Open Public Hearing and Receive Public Testimony:
- c. Motion to Waive the Reading of the Ordinance Text in its Entirety, Read by Title Only and Adopt Ordinance No. 1-2024 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.
- d. Direct staff to post in designated posting location within fifteen days of its passage.

SUMMARY:

The City of McFarland adopted Section 17.136.150 Additional Dwelling Units in 1969. This section permitted additional dwelling units in the R-1 residential zones upon the Planning Commission approving a Conditional Use Permit and complying with various other requirements. State law now requires all cities and counties to permit by right accessory dwelling units and junior accessory dwelling units in all zones that permit residential uses.

Upon adoption of the ADU ordinance by the City Council, Staff will forward the adopted ordinance to the State California Department of Housing and Community Development (HCD) for its comments which may require additional changes. The staff at HCD have 60 days in which to complete their review of the adopted ordinance and provide comments as to the adequacy of the adopted ordinance. If comments are received, the ordinance will need to be

further amended to address any changes. If HCD finds that any adopted ordinance enacted by a local jurisdiction is in any way inconsistent with state law, the ordinance is void. If this occurs, the ADU ordinance will require amending.

DISCUSSION

The attached Accessory Dwelling Unit Handbook published by the California Department of Housing and Community Development- Updated July 2022 provides a comprehensive review of the state legislation and HCD's interpretation. The handbook contains a section relating to questions and answers for use by local government and residents. It also contains legislative mandates requiring cities and counties to abide by in the implementation of the state laws. The following definitions provide a general overview of the Accessory Dwelling Unit legislation.

Structure: Accessory Dwelling Unit (ADU) is accessory to a primary residence and has complete independent living facilities for one or more persons and has a few variations: Detached – the unit is separated from the primary structure; Attached – the unit is attached to the primary structure; Converted Existing Space – Space (e.g., master bedroom, attached garage, storage area, or similar use, or an accessory structure) on the lot of the primary residence that is converted into an independent living unit.

Junior ADUs: We are required to allow these smaller ADUs, only in single-family homes, and less than 500 square feet of existing space.

Separate sale of JADUs: Government Code Section 65852.26 was added which allows, under certain circumstances, the separate sale of a JADU when the property is constructed and owned by a 501(c)(3) nonprofit. The JADU must, among other requirements, remain affordable for a minimum of 45 years, and the owner of the single-family home must reside within the home.

Fees:

Processing Fee: An ADU or JADU can only be charged for the cost of processing a new single-family dwelling (SFD). Impact/development fees can only be charged if the ADU is greater than 750 square feet. The fee must be prorated based on fees for the SFD.

Lot size: The state has removed any requirement for a minimum lot size.

Number of ADUs: Any lot where an ADU is permitted may have one ADU and one JADU. In situations where multi-family units exist, two detached ADUs are permitted plus additional units up to 25 percent of the existing unit total. These units can be constructed within existing unit space, subject to limitations. No JADUs are permitted in multi-family units.

Setbacks, Size and Height: A detached ADU can now have side and rear setbacks of just four feet, and the height of the building can be up to 16 feet. In McFarland's code, the height of the ADU may be the height permitted in the applicable zone district. An ADU must be at least 110 square feet based on the California Building Code.

Utility Meters: An ADU is not considered a new residential use for purposes of calculating connection fees unless constructed concurrent with a new SFD onsite.

Parking: A previous revision of the state's legislation allows parking within setback areas or as

tandem parking on driveways. Covered parking is not required. If a carport or garage is converted or demolished for the construction of an ADU, the primary home parking is no longer required.

Processing time: The overall time to process an ADU and/or JADU must be reduced to 60 days.

Nonconforming: The correction of nonconforming structures requesting conversion to accessory units shall not be a condition for ministerial permits.

Owner-occupied: If a JADU is constructed within a single-family home, the owner must reside in either the JADU or the primary home. A Covenant Agreement is required to be recorded. For an ADU, there is no requirement for the owner to occupy either the primary unit or the ADU.

The Planning Commission held a public hearing on December 12, 2023 and following the public hearing, the Commission adopted Resolution PC 2023-0004 recommending the City Council adopt the Ordinance and accept the CEQA Notice of Exemption.

ENVIRONMENTAL REVIEW

The proposed amendment to Title 17 Zoning, amending Chapters 17.16.060 by adding language and amending Section 17.136.150 to delete the language from subpart (A) and (B) and add 17.136.150.010 through 17.136.150.130 is exempt per Section 15061(b)(3) (General Rule) of the California Environmental Quality Act (CEQA) Guidelines because the project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed ordinance amendments are covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed ordinance amendments are to bring city regulations into compliance with state mandates and will not affect any scenic highway or resources, propose development on a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code, does not affect any site that could qualify as historical resources and no structures are to be demolished, nor would the project have a significant adverse impact on a historic resource.

FINANCIAL IMPACT:

None

RECOMMENDATION:

City Council conduct public hearing and motion to adopt Ordinance No. 14-2024 amending Title 17 of the McFarland Municipal Code related to Additional Dwelling Units and Accept California Environmental Quality Act (CEQA) A Notice of Exemption.

ATTACHMENTS:

None

ORDINANCE NO. 1-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.

Section 1. Recitals

WHEREAS, the City Council desires to amend Title 17 Zoning as follows: Chapter 17.16, Section 17.136.150 to delete 17.136.150(A) and (B) and to add 17.136.150.010-17.136.150.130.

WHEREAS, on December 12, 2023, at after a duly noticed public hearing, the Planning Commission considered the Proposed Amendments, including presentations from City staff, oral testimony, and written testimony; and

WHEREAS, after the above-mentioned public hearing, the Planning Commission adopted Resolution No.004-2023 which recommended that the City Council adopt this Ordinance; and

WHEREAS, on January 11, 2023, the City Council conducted a duly noticed public hearing regarding this Ordinance, where it received presentations from City staff, oral and written testimony from members of the public, and introduced the ordinance; and

WHEREAS, after the above-mentioned City Council public hearing, the City Council now desires to amend Title 17 Zoning by amending Chapters 17.16.060 and Section 17.136.150 to delete the language from subpart (A) and (B) and adding 17.136.150.010 through 17.136.150.130.

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

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

1. The Recitals set forth above are true and correct and incorporated herein.
2. Copies of the environmental document and full text of the deletion and addition to Title 17 Zoning were made available for public inspection during public review period at the City Clerk's office and the City of McFarland Community Development Department, 401 W Kern Avenue, McFarland, CA 93250 and on the City's website.
3. Based upon its own independent judgment and substantial evidence in the record of proceedings related to the Proposed Ordinance amendments, the City Council approves the Notice of Exemption.
4. This Ordinance establishes the opportunity for the efficient review and approval of accessory dwelling units.

Code Amendments are as follows:

1. AMEND TITLE 17 ZONING, CHAPTER 17.16.060 DWELLING UNITS PER LOT

Chapter 17.16 Single Family Residential Zone, Section 17.16.060 Dwelling units per lot.

Subject to the exceptions stated in Section 17.136 of this Code, not more than one dwelling unit shall be allowed on each lot.

1. AMEND Title 17 zoning, Chapter 17.136.150 Additional dwelling units:

Chapter 17.16 General Provisions, Section 17.136.150 Additional dwelling units.

1. ~~Notwithstanding any other provisions of this title, where a lot in the R-1 zone has an area of twelve thousand square feet or more and with adequate provisions for ingress and egress, a conditional use permit may be granted by the planning commission for the construction of additional one-family dwellings and allowable accessory buildings; however, the minimum site area shall be six thousand square feet of lot area per each one-family dwelling. Notwithstanding any other provisions of this title, where a lot in the R-2 zone has an area of nine thousand square feet or more and with adequate provisions for ingress and egress, a conditional use permit may be granted for the construction of additional family dwelling units and allowable accessory buildings; however, the minimum site area shall be three thousand square feet of lot area per each family dwelling unit.~~

2. ~~The procedure for filing of applications, filing fees, investigation, notices, public hearings and findings shall be the same as provided in this title for variances.~~

(Ord. 109 § 32.14, 1969)

17.136.150.010 – Purpose and Applicability.

- A. Purpose. The purpose of this chapter is to comply with Government Code Section 65852.2 (Accessory Dwelling Units), 65852.22 (Junior Accessory Dwelling Units), and 65852.26 (Sale or Conveyance of Accessory Dwelling Unit Separate from Primary Residence) as amended from time to time by the State, which provides for cities to set standards for the development of accessory dwelling units (ADUs) and Junior ADUs (JADUs) so as to increase the supply of smaller and affordable housing while ensuring that they remain compatible with the existing neighborhood. Accessory dwelling units are considered to be a residential use, consistent with the General Plan objectives and zoning regulations, and enhance housing opportunities, including near transit for residential lots zoned to allow single family, homes or multi-family units.
- B. This chapter is intended to implement the City's Housing Element of the General Plan and is adopted to comply with State law (Government Code Section 65852.2 and 65852.22), by allowing ADUs through ministerial review in all districts zoned to allow single-family, multi-family, or mixed uses, subject to meeting the standards prescribed below.
- C. Permitted Locations. The provisions included in this chapter are applicable to all lots that 1) are zoned to allow single-family, multi-family residential, or mixed uses; and 2) include a proposed or existing primary dwelling.

17.136.150.020 – Application Process.

- D. Permit Required. An Administrative Permit in compliance with Chapter 17.160 is required for ADUs along with a Building Permit.
- E. Review and Approval – Ministerial Review. An Administrative Permit in compliance with Chapter 17.160 for an ADU shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding California Government Code Sections 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits within 60 days of acceptance of a complete application.
 - 1. Exception: Should the permit application to create an ADU be submitted concurrently with a permit application to create a new single-family dwelling on the lot, in which case the City shall not act on the ADU permit application until the City acts on the permit application for the new single-family dwelling unit; or The applicant requests a delay, in which case the sixty (60)-day time period shall be tolled for the period of the delay. If the City has not acted upon the completed application for the ADU within 60 days, and neither of the above exceptions are met, then the application for the ADU shall be deemed approved.
- F. ADU shall be subject to this section and under subdivision (e) of Government Code 65852.2 shall not be subject to design and development standards except for those that are noted in this Chapter. ADUs that do not meet objective and ministerial development and design standards may still be permitted through an ancillary discretionary process, Conditional Use Permit, if the applicant chooses to pursue this route. In this scenario, the applicant assumes time and monetary costs associated with a discretionary approval process.

17.136.150.030 – Submittal Requirements.

- A. The completed application, Administrative Permit, shall be submitted to the Community Development Department on an application form prepared by the Community Development Director and shall include the submittal requirements as defined by Chapter 17.160. Upon approval of the Administrative Permit, the applicant shall submit a building permit application. Fees for an ADU shall be established by the City Council and said fees shall be, but not limited to, Administrative Permit Application, Building Plan Check Fees, Building Permit Fees, and state mandated fees relating to the issuance of building permits.

17.136.150.040 – Type of Accessory Dwelling Units.

- A. Types of Accessory Dwelling Units.
 - 1. Attached ADU. An ADU attached to an existing or proposed primary dwelling and located on the same lot as the proposed or existing primary dwelling, which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation. The attached ADU shall have an exterior entrance separate from the main house.
 - 2. Detached ADU. An ADU structurally independent and detached from an existing or proposed primary dwelling and located on the same lot as the proposed or existing primary dwelling, which provides complete independent living facilities for one (1) or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.
 - 3. Internal Conversion ADU. An ADU may be located within areas converted to habitable

space, such as:

1. An area within an existing single-family dwelling (e.g., attached garage) and on the same lot as the existing dwelling with a separate exterior entrance; or
2. An existing accessory structure (e.g., detached garage or pool house) located on the same lot as an existing single-family dwelling with a separate exterior entrance; or
3. Portions of existing multi-family structures that are not used as livable space including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

17.136.150.050 – Number and Types of ADUs Permitted Per Legal Parcel or Lot.

- A. Lots with a Single-Family Dwelling. The following number and types of ADUs shall be allowed per lot that is zoned to allow single-family residential uses and includes a proposed or existing single-family dwelling.
 1. One (1) attached ADU; or
 2. One (1) detached ADU; and
 3. One (1) JADU (See Section 17.136.150.120).
- B. Lots with a Multi-Family Dwelling(s). The following number and types of ADUs shall be allowed per lot that is zoned to allow multi-family residential uses and includes a proposed or existing multi-family dwelling.
 1. Conversion of non-livable spaces to create ADU(s). At least one (1) ADU within the portions of existing multi-family structures, from the conversion of non-livable area, shall be allowed per lot that is zoned to allow multi-family residential uses and includes an existing multi-family structure, so long as it does not exceed 25 percent of the total number of existing dwelling units. ADUs within multi-family structures must be converted from non-livable areas and if no non-livable areas exist, no ADUs will be permitted.
 2. Detached ADU(s). Not more than two (2) ADUs, conversion of existing accessory structures and/or new construction, that are located on a lot that is zoned to allow multi-family residential uses and includes an existing or proposed multi-family dwelling.

17.136.150.060 – Development Standards.

- A. Site/Location Requirements.
 1. Minimum Lot Size. ADUs that comply with this Chapter shall be permitted on all legally established parcels, regardless of parcel size.
 2. Lot Coverage. Not applicable.
 3. Space Between Buildings shall be established in the applicable zone district.
- B. Size and Floor Area.
 1. Detached ADU. The maximum floor area of a new construction of a detached ADU is 1,200 square feet.
 2. Attached ADU. The maximum floor area of an attached ADU shall not exceed 50 percent of the floor area of the existing primary dwelling for an attached ADU but is permitted to be at least 800 square feet.
- C. Height and Number of Stories. All ADUs shall comply with the minimum height restrictions as established in the applicable zone district.
- D. Setbacks. All ADU Setbacks shall ensure accessibility for health and safety emergency personnel

and shall provide site visibility at street and alley intersections. The side yard setbacks listed below ensure health and safety access by emergency personnel and site visibility at street intersections. Where utility easements exist, should the minimum setback encroach into the easement, the setback shall be increased to be equal to or greater than the width of the utility easement(s).

1. Front Yard Setbacks. All ADUs shall meet the minimum front yard setback as established in the applicable zone district.
 2. Rear and Side Yard Setbacks shall be the minimum as listed below, except where public utility easement(s) requires a greater setback.
1. Interior Side Yard Setbacks: Interior Side Yard shall be a minimum of four (4) feet.
 2. Corner Side Yard Setback – Corner yard setback shall be six (6) feet.
 3. Interior Rear Yard Setback: Interior Rear Yard Setback shall be a minimum of four (4) feet for interior lots.
 4. Corner Rear Yard Setback: Corner Rear Yard Setback for corner lot shall be a minimum of six (6) Feet.
3. When an existing structure is converted to an ADU, and the existing structure either has no setbacks or has setbacks of less than four (4) feet, then the ADU shall maintain the same setbacks as the existing structure or setbacks of four (4) feet from the side and rear yards, whichever is less, if the ADU is constructed in the same location and to the same dimensions as the existing structure.
1. Conversion of existing structures to an ADU not meeting the minimum setbacks shall be designed and/or retrofitted to meet the Fire and Building codes.

E. Parking Requirements.

1. One (1) parking space shall be provided per ADU, where applicable. This space may be provided as tandem parking on a driveway where the parking of vehicles do not block sidewalks nor pedestrian access. Parking of vehicles shall not be within four (4) feet of the interior side yard and shall not be within six (6) feet of a corner side yard setbacks. The four (4) foot and six (6) foot non-parking areas are to ensure health and safety access by emergency personnel and site visibility at street intersections.
2. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, replacement parking is not required. Off-street parking may be within the front yard setback area and may be designed as tandem parking or other design that accommodates off-street parking. The City code requires two (2) off-street parking spaces per dwelling unit but does not require garages nor carports for off-street parking. Therefore, two-off-street parking spaces are required and when required one off-street parking for the ADU. As noted, tandem parking shall not block sidewalks, landscape areas or public access.
3. Exceptions. No parking shall be required for ADUs in any of the following instances:
 1. The ADU is located within one-half mile walking distance of public transit.
 2. The ADU is located within an architecturally and historically significant historic district.
 3. The ADU is part of the proposed or existing primary residence or an accessory structure.
 4. When on-street parking permits are required but not offered to the occupant(s) of the ADU.
 5. There is a car share vehicle located within one (1) block of the ADU.

- F. Architectural Review. The construction of new ADUs shall be subject to Section 17.134.030 Single-family residential Standards.
- G. Access and Entry. An ADU shall have a separate entry from the primary residence and shall be from the side or rear yard.
- H. Density Limits. An ADU that conforms to the ordinance shall be deemed to be an accessory use or accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located and shall be deemed to be a residential use which is consistent with the existing general plan land use and zoning designations for the lot. The ADU shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

17.136.150.070 – Other Requirements.

- A. Availability of Utilities.
 - 1. Utility Connections. ADUs may be subject to utility connections as provided herein.
 - 2. Private Sewage Disposal System. ADUs not serviced by the City's wastewater system must receive clearance from the Kern County Public Health Services Department. The applicant shall provide clearance to the City Building Division prior to the issuance of a building permit.
- B. Addressing. The ADU shall be required to apply for and pay the adopted addressing fee for the proposed ADU(s), whether the ADU is an attached or detached. The address must be assigned prior to the issuance of the building permit.
- C. Fire Sprinklers. Installation of fire sprinklers may not be required in ADUs (attached, detached, or conversion) where sprinklers were not required by building codes for the existing primary residence. For example, a detached single-family home designed and constructed decades ago would not have been required to have fire sprinklers installed under the applicable building code at the time. However, if the same primary dwelling recently underwent significant alteration and is now required to have fire sprinklers, any ADU created after that alteration must be provided with fire sprinklers. (Government Code Section 65852.2, subs. (a)(1)(D)(xii) and (e)(3).) Please note, for ADUs created on lots with multifamily residential structures, the entire residential structure shall serve as the "primary residence" for the purposes of this analysis. Therefore, if the multifamily structure is served by fire sprinklers, the ADU can be required to install fire sprinklers. For additional guidance on ADUs and fire sprinkler system requirements, please consult the Office of the State Fire Marshal. If fire sprinklers are not required for the primary residence, then installation of fire sprinklers is not required in an ADU. However, if the primary residence undergoes significant remodeling and is required to install fire sprinklers, an ADU created after the remodel would also be required to install fire sprinklers.
- D. Solar Panels. New ADUs are subject to the California Energy Code requirement (excluding manufactured homes) to provide solar systems if the unit(s) is a newly constructed, non-manufactured, detached ADU (though some exceptions apply). Per the California Energy Commission (CEC), the solar systems can be installed on the ADU or on the primary dwelling unit. ADUs that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to the Energy Code requirement to provide solar systems.
- E. Flood Elevation Certification. All ADUs are required to comply with Chapter 15.12 Floodplain Management when the proposed ADU is located within the FEMA Flood Hazard area which has a one (1) percent annual chance for shallow flooding. If applicable, prior to the issuance of the

building permit, compliance with Section 15.12.170(C) of the McFarland Municipal Code and prior to the issuance of the building permit, a Flood Certification shall be provided.

- F. Building Code compliance is required for all ADUs. The Community Development Department will not issue final building permits for an ADU before approval of building permits for the primary dwelling.
- G. Kern County Fire Department Clearance shall be required prior to the issuance of a building permit for an ADU.
- H. Other Code compliance as may be applicable, such as but not limited to encroachment permits, lot mergers, lot line adjustments, etc.

17.136.150.080 – Occupancy, Rental, and Sale Limitations

- A. Owner Occupancy shall not be required for ADUs.
- B. Rental of ADUs shall be a minimum of 30 days.
- C. Separate Conveyance. An ADU may be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence, except when sold by a qualified nonprofit corporation to a qualified buyer in accordance with California Government Code Section 65852.26 with affordability restrictions.

17.136.150.090 – Fee Requirements.

- A. Connection Fees or Capacity Charges. An ADU shall not be considered to be a new residential use for the purposes of calculating connection fees or capacity chargers for utilities, including water and sewer service, unless the ADU was constructed with a new single-family dwelling. Where a new ADU and new residential unit is applied for and constructed, the new ADU and new residential unit shall pay the applicable Sewer Connection Fee in place at the time of submittal.
- B. Impact Fees. Impact fees shall not be imposed on an ADU that is less than 750 sf. in size. For ADUs that are greater than 750 sf. in size, impact fees charged shall be proportionate in relation to the square footage of the primary dwelling unit.
- C. Permit Processing Fee. Application fees shall be as established by resolution of the City Council for the processing of the planning and building permit applications. Other fees such as but not limited to file maintenance and technology fees shall be required. All state mandatory fees associated with building permits shall be required.
- D. Monthly Charges for Sewer and Water. ADUs shall be subject to the monthly utility fees for wastewater. Water service is provided by the City and as such an ADU may be subject to the monthly utility fees for domestic water service.

17.136.150.100 – Conditions for Non-Conforming Uses and Structures.

- A. Nonconforming Conditions. Notwithstanding Chapter 17.136.050, to the contrary, an owner of an ADU that receives a notice to correct violations or abate nuisance, in relation to the ADU, may request a delay for five years in enforcement of a building standard, as long as the violation is not a health and safety issue as determined by the City's Building Official, subject to compliance with the Health and Safety Code Section 17980.12 and the following conditions:
 - 1. The ADU was built before January 1, 2020.

2. The ADU was built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU was built, had a noncompliant ADU ordinance, but the ordinance is compliant at the time the request is made.

17.136.150.110 – Definitions Accessory Dwelling Units. For purposes of this section, the following terms have the following meanings.

- A. “Accessory dwelling unit” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:
 - a. An efficiency unit.
 - b. A manufactured home, as defined in Section 18007 of the Health and Safety Code.
- B. “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. “Efficiency unit” has the same meaning as defined in Section 17958.1 of the Health and Safety Code.
- D. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- E. “Local agency” means a city, county, or city and county, whether general law or chartered.
- F. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- G. “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
- H. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- I. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- J. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- K. “Impact Fee” has the same meaning as the term “fee” is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. “Impact Fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
- L. Multiple detached dwellings on a lot in the R-2, R-3, and R-4 Zones: A lot where there are currently multiple detached single-family dwellings is eligible for creation of one ADU per lot by converting space within the proposed or existing space of a single-family dwelling or existing structure and by building a new detached ADU subject to certain development standards. (Government Code Section 65852.2, subs. (e)(1)(A) and (B).)
- M. Multifamily dwelling under ADU Law is as follows: For the purposes of State ADU Law, a structure with two or more attached dwellings on a single lot is considered a multifamily dwelling structure. Multiple detached single-unit dwellings on the same lot are not considered multifamily dwellings for the purposes of State ADU Law.

17.136.150.120 – Junior Accessory Dwelling Units.

- A. Permitted one (1) junior accessory dwelling units (JADU) in single-family residential zones.
- B. An administrative permit shall be required for the creation of a JADU, and shall do all the following:
 - 1. One (1) JADU per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.
 - 2. Require owner-occupancy in the single-family residence in which the JADU will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.
 - 3. Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following.
 - 1. A prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.
 - 2. A restriction on the size and attributes of the JADU that conforms with this section.
 - 4. A permitted JADU shall be constructed within the walls of proposed or existing single-family residence.
 - 5. The JADU shall provide a separate entrance from the main entrance to the proposed or existing single-family residence.
 - 6. The JADU shall provide an efficiency kitchen, which shall include all of the following:
 - 1. A cooking facility with appliances.
 - 2. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
 - 7. A JADU shall not require additional parking as a condition to grant a permit.
- B. JADU shall be required to submit a building permit and pay adopted fees for planning clearance, Administrative Permit and Maintenance Fees, building fees relating to plan checks, building permit, inspection, including the imposition of a fee for that inspection, to determine if the JADU complies with applicable building standards.
- C. An application for a JADU, notwithstanding State of California Government Code, Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. The Planning Division shall act on a completed application to create a JADU within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a JADU is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the JADU until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the JADU shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.
- D. Fees for a JADU shall be established by the City Council and said fees shall be, but not limited to, Administrative Permit Application, Building Plan Check Fees, Building Permit Fees, and state mandated fees relating to the issuance of building permits.
- E. For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a

JADU so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a JADU or not.

- F. For purposes of providing service for water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit.
- G. This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a JADU, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a JADU.

Section 17.136.150.130 Definitions Junior Accessory Dwelling Unit (JADU). For purposes of this section, the following terms have the following meanings:

- A. “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.
- B. “Local agency” means a city, county, or city and county, whether general law or chartered.
- C. Effective January 1, 2020, Section 17980.12 was added to the Health and Safety Code, immediately following Section 17980.11, to read: For purposes of this section, the following terms have the following meanings:
 - a. “Junior accessory dwelling unit” means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.
 - b. “Local agency” means a city, county, or city and county, whether general law or chartered.
- D. Effective January 1, 2020 Section 17980.12 was added to the Health and Safety Code, immediately following Section 17980.11, to read:
 - a. 17980.12. (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:
 1. The accessory dwelling unit was built before January 1, 2020.
 2. The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.
 3. The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.
 4. The enforcement agency shall grant an application described in paragraph (2) if the enforcement determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to

Section 13146.

5. The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (3).
 - b. For purposes of this section, “accessory dwelling unit” has the same meaning as defined in Section 65852.2.
 - c. This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

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.

INTRODUCED, at a regular meeting of the City Council of the City of McFarland, California on 1/11/2024, by the following vote:

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on 1/25/2024 by the following vote:

	Aye	Nae	Abstain	Absent
Saul Ayon				
Ricardo Cano				
Amador Ayon				
Anita Gonzalez				
María T. Pérez				

Francisca Alvarado, City Clerk

I hereby certify that the foregoing Ordinance was duly and regularly adopted by the City Council of the City of McFarland by a regular meeting thereof held on January 25, 2024.

ATTEST:

Saul Ayon, Mayor

APPROVED AS TO FORM:

Francisca Alvarado, City Clerk



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 5.
Section: ADMINISTRATIVE
AGENDA
Meeting Date: January 25,
2024

TO: Honorable Mayor and Council Members

FROM: Kenny Williams, City Manager

SUBJECT: Approval of Resolution 2024-7 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND EXTENDING THE AGREEMENT WITH WATERWORKFORCE FOR CONSULTING SERVICES TO INCLUDE CHIEF PLANT OPERATOR AND REGULATORY CONTROL AND OVERSIGHT OF THE CITY'S WASTEWATER AND WATER SYSTEMS.

SUMMARY:

The City of McFarland has previously entered into an agreement with WaterWorkforce, which provides consultant services for the temporary chief plant operator, regulatory compliance expertise, and oversight of operations for the City's Wastewater System. The city now seeks to extend this agreement to encompass similar services for both the City's Domestic Water System and Water Treatment facilities (Wells).

Over recent periods, the City of McFarland has experienced significant turnover within the water system, particularly within key roles responsible for regulatory compliance, reporting, and overall operations. This ongoing turnover and demographic constraints limit the pool of qualified operators capable of readily managing the complex obligations associated with these systems. This has gradually eroded the city's capacity to retain and transfer institutional knowledge crucial for the effective operation of the water and wastewater systems.

The departure of lead, supervisory, and management staff members has left the city vulnerable in terms of fulfilling its obligations related to regulatory compliance and ensuring seamless operations for both the water and wastewater systems. WaterWorkforce, with its expertise, resources, and proven track record, has been selected to address these challenges.

WaterWorkforce will implement systems and provide experienced personnel to ensure that the City of McFarland's current and ongoing operations and reporting for both the water and wastewater systems remain in compliance with all relevant regulations. Additionally, they will facilitate the training of city staff to bridge any knowledge gaps created by the loss of operators due to turnover.

FINANCIAL IMPACT:

If approved the City will contract with waterworkforce for a period of five months which will be

at the end of the 2023/2024 fiscal year. The impact to the enterprise funds (water and wastewater) would be \$27,900- \$57,300 depending on the needs of the city.

RECOMMENDATION:

Staff recommends City Council Report, Discuss, and Possible Approval of Resolution 2024-7 a resolution of the city of McFarland extending an agreement with waterworkforce to provide consulting services ti include the Chief Plant Operator and regulatory control and oversight of the City's wastewater and water systems.

ATTACHMENTS:

1. City of McFarland_WaterWorkforce Scope of Work_Fee Schedule_ 01-10-24

RESOLUTION NO. 2024-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND EXTENDING THE AGREEMENT WITH WATERWORKFORCE TO PROVIDE CONSULTING SERVICES TO INCLUDE CHIEF PLANT OPERATOR AND REGULATORY CONTROL AND OVERSIGHT OF THE CITY'S WASTEWATER AND WATER SYSTEMS.

WHEREAS, the City Council of the City of McFarland has approved a fiscal year budget for 2023/2024; and

WHEREAS, the City Council recognizes the current budget does not allocate funds to provide for consulting services for a Chief Plant Operator (CPO) for the City's wastewater and water facilities; and

WHEREAS, The City Council recognizes the wastewater and water facilities are instrumental in providing appropriate utility services for the community; and

WHEREAS, The City Council recognizes that approving this resolution will provide continuity for the wastewater and water facilities and ensure the city complies with the mandates of the state; and

WHEREAS, The City Council recognizes waterworkforce possess the appropriate certification and, knowledge, skills, and abilities to provide the CPO oversight of the wastewater and water facilities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of McFarland that it hereby finds and determines as follows:

1. The foregoing recitals are true and correct and incorporated herein as if set forth in full.
2. The Council hereby determines that the City's wastewater and water facilities are a significant part of the City's infrastructure; and
3. The City Council hereby ratifies and approves the contract with waterworkforce in the amount of \$27,900-\$57,300.
4. The City Council acknowledges that the approval of the funds will assist the city in ensuring essential services of the community; and
5. The City Manager is authorized and is therefore directed to take those actions necessary to carry out the oversight of the wastewater and water facilities through the agreement with waterworkforce, for an amount not to exceed \$57,300 without further Council approval; and.
6. The City Clerk shall certify the passage and adoption of this resolution.
7. This resolution is effective immediately.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on January 25, 2024 by the following vote:

	Aye	Nae	Abstain	Absent
Saul Ayon				
Ricardo Cano				
Amador Ayon				
Anita Gonzalez				
María T. Pérez				

CITY OF MCFARLAND

Saul Ayon, Mayor

ATTEST:

Francisca Alvarado, City Clerk

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

Francisca Alvarado, City Clerk

Contract Services Quote

DATE: January 10, 2024

CLIENT: City of McFarland
401 W. Kern Ave
McFarland, CA 93250

CONTRACTOR: WATERWORKFORCE Inc.
1618 Couples Court
Upland CA 91784

SUBJECT: Scope of Services and Fee Schedule

1. **Project Name or Description:** CPO (Chief Plant Operator) coverage, regulatory control, emergency staffing, and oversight of operations
2. **Project Location**
McFarland Water and Wastewater Systems
3. **Contact/Project Manager for WaterWorkforce**
Bret Kadel
951-202-6604
bretk@Waterworkforce.com
4. **Duration of Services**
 - a) Start Date: January 2024
 - b) End Date: TBD
5. **Scope of Services:**

CLIENT seeks to obtain the services of WaterWorkforce to provide technical services to operate, maintain, and supply regulatory staff for their water and wastewater FACILITIES. This will include:

 - a) WaterWorkforce shall provide an operator(s), certified by the State Water Resources Control Board (SWRCB), to be the Chief Plant Operator, responsible for the overall operation and regulatory compliance of the water and wastewater systems.
 - b) WaterWorkforce shall oversee all necessary operational and laboratory analyses presently required by the Waste Discharge Requirements (WDR Permit), the monitoring and reporting program issued by the California Regional Water Quality Control Board (RWQCB), and all regulatory and reporting requirements issued by SWRCB.
 - c) WaterWorkforce shall maintain proper laboratory records and submit all required reports to the RWQCB/SWRCB and all other regulatory agencies as applicable. WaterWorkforce shall furnish CLIENT a copy of all reports submitted to the regulatory agency.
 - d) WaterWorkforce shall operate CLIENTS wastewater/water facilities in conformance with all operational requirements of the regulatory agency, so far as is physically possible and practical within the FACILITIES technical, economic, and staffing limitations.
 - e) WaterWorkforce shall furnish a monthly report to CLIENT reflecting the activities of WaterWorkforce under this agreement for the preceding month.

- f) WaterWorkforce will supply additional certified water/wastewater operators as needed with the written permission of CLIENT.
- g) Other Services - WaterWorkforce shall perform additional services requested in writing by CLIENT, provided the services are reasonably related to the purpose of this scope of work and provided additional funds are authorized by CLIENT. Verbal authorization shall be accepted only in the case of emergency and must be followed up within 5 working days with the usual written authorization regarding provision of service and funding at WaterWorkforce current rates.

6. Fee Schedule:

Positions	Regular Rate Per Hour	Overtime Rate Per Hour
Water/Wastewater Apprentice	\$65.00	\$97.50
Water/Wastewater Operator II	\$95.00	\$142.50
Instrumentation Technician	\$125.00	\$187.50
Electrician / Mechanic	\$125.00	\$187.50
Environmental Resource Analyst	\$120.00	NA
Engineer	\$145.00	NA
Director of Operations	\$155.00	NA
Administrative Assistance	\$85.00	NA

6.1 Budget Estimates (1 month):

Staffing	Cost/Price	Hours	Total
Water/Wastewater Operator II	\$95.00	50	\$4,750
Environmental Resource Analyst	\$120.00	8	\$960
CPO Coverage (Water & Wastewater)	Flat Rate	-	\$5,580
Administrative Assistance	\$85.00	2	\$170
Total Staffing Estimate Monthly	-	-	\$11,460



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 6.
Section: ADMINISTRATIVE
AGENDA
Meeting Date: January 25,
2024

TO: Honorable Mayor and Council Members

FROM: Kenny Williams, City Manager
Adam Cabrera , Assistant Public Works Director

SUBJECT: Approval of Resolution No. 2024-8 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING THE CITY'S AMENDED AND UPDATED TITLE VI PROGRAM.

SUMMARY:

Resolution No. 2023-147 regarding the Title VI Program was approved on November 30th, 2023. Since then, Title VI Program has been amended and updated. An introduction has been added, the order of the document has changed, and descriptions have been expanded upon.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. As a recipient of FTA funding, the City of McFarland is required to implement a Title VI Program that demonstrates that no transit program or service provided by the City creates discrimination toward any demographic of the population served by that program or service. The Title VI Program is required to be updated every three years and submitted to the Federal Transportation Agency (FTA) for review and approval. The City's current Title VI Program was adopted in August 2017 by the council.

Staff has prepared a Title VI Program in accordance with FTA Circular 4702.1A, date May 13, 2007 (see attached). The Title VI Program provides the City's commitment to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of its programs, activities, or services on the basis of race, color, or national origin. Specifically, the Title VI Program includes:

FINANCIAL IMPACT:

Adopting this program will have no direct impact on the City's General Fund.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 2024-8 amending and updating the Title VI Program and authorizing staff to submit the necessary documentation to the Federal Transit Administration (FTA) for review and approval.

ATTACHMENTS:

1. Updated Title VI Program

RESOLUTION NO. 2024-8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING THE CITY'S AMENDED AND UPDATED TITLE VI PROGRAM

WHEREAS, on November 30, 2023 the City Council of the City of McFarland approved Resolution No. 2023-147 Adopting the City's Title VI program and authorizing staff to submit the necessary documentation to the federal transit administration for review and approval; and

WHEREAS, City Council recognizes that staff has amended and updated Title VI Program in accordance with the requirements of Title VI; and

WHEREAS, City Council recognizes that the law requires amendments to the Title VI program and therefore approves the updated Title VI Program; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of McFarland that it hereby finds and determines as follows:

1. The foregoing recitals are true and correct and incorporated herein as if set forth in full.
2. The City Council of the City of McFarland hereby adopts the amended and updated City's Title VI Program and authorizes staff to submit the necessary documentation to the FTA for review and approval.
3. The City Council of the City of McFarland authorizes staff to make any necessary changes, amendments, or revisions to the Title VI Program in order to ensure compliance with the FTA Circular 4702.1A dated May 13, 2007.
4. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on January 25, 2024 by the following vote:

	Aye	Nae	Abstain	Absent
Saul Ayon				
Ricardo Cano				
Amador Ayon				
Anita Gonzalez				
María T. Pérez				

CITY OF MCFARLAND

Saul Ayon, Mayor

ATTEST:

Francisca Alvarado, City Clerk

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

Francisca Alvarado, City Clerk

City of McFarland FTA TITLE VI COMPLIANCE REPORT

November 11, 2023



401 West Kern Ave
McFarland, CA 93250
(661) 792-3091

Introduction to City of McFarland.

McFarland is a city in the San Joaquin Valley, in Kern County, California, United States. McFarland is located 25 miles north-northwest of Bakersfield and 6.5 miles south of Delano, at an elevation of 354 feet. It is a small farming community with most citizens speaking Spanish as a primary language.

CITY OF MCFARLAND McFarland Dial-A-Ride Title VI Notice & Complaint Process

The City of McFarland is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with the City.

Complaints may be filed with the City in writing and may be addressed to:

City Clerk
Title VI Compliance Coordinator
City of McFarland
401 West Kern Avenue
McFarland, CA 93250

A copy of the Title VI Complaint Form (in English or Spanish) and additional information may be obtained from the City's web site at "www.mcfarlandcity.org" (under Public Works-Transit or by calling (661) 792-3091. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English. If information is needed in another language, contact (661)792-3091. Si se necesita información en español, llame al (661)792-3091

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor- TCR, 1200 New Jersey Ave., S.E., Washington D.C. 20590

**LA CIUDAD DE MCFARLAND
DIAL-A-RIDE
Título VI Noticia y Proceso de Quejas**

La Ciudad de McFarland, se compromete a garantizar que ninguna persona sea excluida de participar o denegar los beneficios de servicios basado por raza, color, linaje, u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964. Cualquier persona que cree que él o ella ha sido objeto de discriminación en virtud del Título VI basado por raza, color u origen nacional puede

Las quejas pueden ser presentadas en la Ciudad por escrito y pueden ser dirigidas a:

City Clerk
Coordinador de Conformidad Título VI
Ciudad de McFarland
401 West Kern Avenue
McFarland, CA 93250

Una copia del Título VI Formulario de Queja (en Inglés o Español) y la información adicional se puede obtener desde el sitio web de la Ciudad en "www.mcfarlandcity.org" (en "Transportación") o llamando al (661) 792-3091. La Ciudad proveerá asistencia apropiada para los denunciantes que sean limitados en su capacidad de comunicarse en inglés. Si se necesita información en español, llame al (661)792-3091

Un demandante puede presentar una queja directamente con la Administración Federal de Tránsito mediante la presentación de una queja ante Title VI Program Coordinator, FTA Office of Civil Rights, East Building, 5th Floor- TCR, 1200 New Jersey Ave., S.E., Washington D.C. 20590

City of McFarland

U.S. Department of Transportation Title VI Complaint Procedure

City of McFarland has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter III and IV of the Federal Administration Circular 4702.1A, dated May 13, 2007. City of McFarland's Title VI is posted on City of McFarland's website at: www.mcfarlandcity.org and written copies are available at:

City of McFarland
401 West Kern Ave
McFarland, CA 93250

The complaint procedure has five steps outlined below:

1. Submission of Complaint: Any person who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color, national origin, age, sex, disability, religion, or low-income status has been excluded from or denied the benefits of, or subjected to discrimination under any program or activity receiving federal Financial assistance through City of McFarland may file a written complaint with the City Manager. Such complaint must be filed within 60 days after the date the person believes the discrimination occurred. If language or physical disabilities limit or prevent a person from filing a written complaint with City of McFarland, City of McFarland staff will provide technical assistance to ensure the complaint can be received and acted upon.

2. Referral to Review Officer: Upon receipt of the Complaint, the City Manager shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the Complaint, in consultation with the City Council. The staff review officer(s) shall complete their review no later than 45 calendar days after the date City of McFarland received the complaint. If more times required, the City Manager shall notify the Complainant of the estimated time-frame for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the Complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to City of McFarland processes relative to Title VI and environmental justice, as appropriate.

3. Request for Reconsideration: If the Complainant disagrees with the City Manager's response, he or she may request reconsideration by submitting the request, in writing, to the City Manager within 10 calendar days after receipt of the Executive Director's response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the City Manager. The City Manager will notify the Complainant of his or her decision to accept or reject the request for reconsideration within 10 calendar days. In

Cases where the City Manager agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Paragraph 2, above.

4. Appeal: If the request for reconsideration is denied, the Complainant may appeal the City Manager's response to the Complaint by submitting written appeal to City of McFarland's City Council no later than 10 calendar days after receipt of the City Manager's written decision rejecting reconsideration.

5. Submission of Complaint to the Department of Transportation: If the Complainant is dissatisfied with City of McFarland's resolution of the complaint, he or she may submit a complaint to the Department of Transportation for investigation. In accordance with Chapters III and IV, Title VI Discrimination Complaints, of FTA Circular 4702.1A, such complaint must be submitted within 180 calendar days after the date of the Alleged discrimination. Chapters III and IV of the FTA Circular 4702.1A, which outlines the complaint process to the Department of Transportation, may be obtained by requesting a copy from City of McFarland's Public Information Officer at (661) 792-3091.

Requirement to Post Notice of Title VI. The City is required to post a public notice of the protections against discrimination afforded by Title VI.

City of McFarland Locations Where Title VI Notice is Posted

The following is a list of locations where transit-related bilingual Title VI Public Notices are posted:

- Dial-A-Ride buses
- Dial-A-Ride bus stops/bus shelters
- City of McFarland website: www.mcfarlandcity.org
- City Hall (401 West Kern Avenue, McFarland CA 93250)

2. Requirement to Develop Title VI Complaint Procedures and Complaint Form.
The City is required to develop procedures for investigating and tracking Title VI complaints filed against the City and to make these procedures for filing a complaint available to the general public.

City of McFarland Title VI Complaint Procedures

Submission of Complaint: If a customer believes he/she has received discriminatory treatment by City of McFarland's transit system on the basis of race, color or national origin, the customer will have the right to file a complaint with the Transit Title VI Compliance Coordinator.

The complaint shall be in writing and signed by the complainant(s). Written complaints shall include:

- Date of the alleged discrimination.
- Date when the complainant(s) became aware of the alleged act of discrimination; or

- Date that conduct was discontinued or the latest instance of conduct.
- Detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.

The complaint can be mailed to: City of McFarland – CityClerk
 Title VI Compliance Coordinator
 401 West Kern Avenue McFarland, CA 93250

The complaint can be phoned to: (661)792-3091
 The complaint may be made in person at:
 City of McFarland
 401 West Kern Avenue McFarland, CA 93250

Investigation of Complaints

Upon receipt of the complaint, the Compliance Coordinator will review it to determine if the City of McFarland has jurisdiction. As appropriate, the complaint will be investigated and a determination made. Formal investigation will be confidential and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. The complainant will be notified in writing of the resolution.

The complainant has ten business days from the date of the letter to send requested information to the Compliance Coordinator. If the Coordinator is not contacted by the complainant or does not receive the additional information within ten (10) business days, the City of McFarland can administratively close the case.

Upon completion of the review, the Compliance Coordinator shall make a recommendation regarding the merit of the complaint, whether remedial actions are available to provide redress, and whether improvements to the City's Title VI process are needed.

A case can be administratively closed if the complainant no longer wishes to pursue their case. Following the investigation, the Title VI Compliance Coordinator will issue one of two letters to the complainant: (1) a closure letter, or (2) a letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

- Appeals Process

If the complainant is not satisfied with the resolution, he or she may appeal it to:

City of McFarland
 City Manager
 401 West Kern Avenue
 McFarland, CA 93250
 Phone: (661) 792-3091
 Fax: (661) 792-3093

- Submission of Complaint to the Department of Transportation The complainant may also file a complaint directly to:

FTA Office of Civil Rights
Title VI Program
Coordinator
East Building, 5th Floor – TCR, 1200
New Jersey Avenue, S.E.
Washington, D.C. 20590.

In accordance with FTA Circular 4702.1B, Chapter 9, Complaints, such a complaint must be filed within 180 calendar days after the date of the alleged discrimination.



CITY OF MCFARLAND DIAL-A-RIDE TITLE VI COMPLAINT FORM

Section I: (Please write legibly)

1. Name: _____
2. Address: _____
3. Telephone: _____ 3.a. Secondary Phone (Optional): _____
4. Email Address: _____
5. Accessible Format Requirements?
☐ Large Print ☐ Audio Tape ☐ TDD ☐ Other

Section II:

6. Are you filing this complaint on your own behalf? Yes* _____ No _____
*If you answered "yes" to #6, go to Section III.
7. If you answered "no" to #6, what is the name of the person for whom you are filing this complaint?
Name: _____
8. What is your relationship with this individual: _____
9. Please explain why you have filed for a third party: _____
10. Please confirm that you have obtained permission of the aggrieved party to file on their behalf. Yes _____ No _____

Section III:

11. I believe the discrimination I experienced was based on (check all that apply):
☐ Race ☐ Color ☐ National Origin
12. Date of alleged discrimination: (mm/dd/yyyy) _____
13. Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section IV:

14. Have you previously filed a Title VI complaint with the City of McFarland?
Yes _____ No _____

Section V:

15. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes _____ No _____

If yes, check all that apply:

[] Federal Agency [] State Agency _____

_____ [] Local Agency _____

[] Federal Court _____

[] State Court _____

16. If you answered "yes" to #15, provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____ Email: _____

Section VI:

Name of Transit Agency complaint is against:

Contact Person: _____

Telephone: _____

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date are required below to complete form:

Signature _____ Date _____

Please submit this form in person or mail this form to either address below:

City of McFarland – City Clerk
Title VI Compliance Coordinator
401 West Kern Avenue
McFarland, CA 93250

Federal Transit Administration
Title VI Program Coordinator,
FTA Office of Civil Rights,
East Building , 5th Floor-TCR 1200
New Jersey Ave, S.E. Washington DC 20590

1. **Obligación de Publicar Aviso del Título VI.** La Ciudad tiene la obligación de publicar un aviso público de las protecciones contra la discriminación que ofrece el Título VI .

Lugares donde la Ciudad de McFarland publica el aviso del Título VI.

La siguiente es una lista de los lugares en los que se publican noticias publicas relacionadas con el tránsito

- Autobuses del Dial-A-Ride
- Paradas/marquesinas del autobus Dial-A-Ride
- La pagina del la Ciudad de McFarland www.mcfarlandcity.org
- City Hall (401 West Kern Avenue, McFarland CA 93250)

2. **Requisito para el Desarrollo de Procedimientos de Quejas del Título VI y Formulario de Queja.** La Ciudad tiene la obligación de desarrollar los procedimientos para la investigación y el seguimiento de las denuncias presentadas en contra del Título VI de la ciudad y para hacer estos procedimientos para presentar una queja a disposición del público en general .

Procedimientos de Quejas Título VI de la Ciudad de McFarland

Presentación de Queja: Si un cliente cree que él / ella ha recibido un trato discriminatorio por parte de la Ciudad de sistema de tránsito de McFarland sobre la base de raza, color u origen nacional , el cliente tendrá el derecho de presentar una queja con el Coordinador de Tránsito Título VI.

La denuncia se hará por escrito y firmada por el denunciante (s) . Las quejas por escrito deben incluir :

- Fecha de la supuesta discriminación .
- Fecha en la que el denunciante(s) se dio cuenta del presunto acto de discriminación; o
- Fechas que la conducta fue descontinuado o el más reciente ejemplo de conducta.
- Detallada descripción de los problemas, incluidos los nombres y cargos de las personas que se perciben como partes en la queja.

La queja puede ser enviada correo:

City of McFarland – CityClerk
Title VI Compliance Coordinator
401 West Kern Avenue
McFarland, CA 93250

Para quejarse por teléfono:

(661)792-3091

Para quejarse en persona:

City of McFarland
401 West Kern Avenue
McFarland, CA 93250

Investigación de Quejas

Tras la recepción de la queja, el Coordinador de Cumplimiento la revisará para determinar si la Ciudad de McFarland tiene jurisdicción. En su caso, la queja será investigada y una determinación hecha. Investigación formal será confidencial e incluirá, pero no se limitan a, los detalles del incidente, la frecuencia específica y las fechas de los sucesos y los nombres de los testigos. El denunciante será notificado por escrito de la resolución.

El demandante tiene diez días hábiles a partir de la fecha de la carta a enviar la información solicitada a la Coordinadora de Cumplimiento. Si el coordinador no está en contacto con el reclamante o no recibe la información adicional dentro de los diez (10) días hábiles, la ciudad de McFarland puede cerrar administrativamente el caso..

Al terminar la revisión, el Coordinador de Cumplimiento deberá hacer una recomendación sobre el mérito de la queja, si las acciones correctivas se encuentran disponibles para proporcionar un reparción, y si se necesitan mejoras en proceso el título VI de la Ciudad.

Un caso puede ser administrativamente cerrado si el demandante ya no desea seguir su caso. Tras la investigación, el Coordinador del Título VI Cumplimiento emitirá una de las dos cartas a la denunciante: (1) una carta de cierre, o (2) una carta de hallazgo. Una carta de cierre resume las acusaciones y afirma que no había una violación del Título VI y que el caso se cerrará. Una carta de hallazgo se resume las alegaciones y las entrevistas sobre el supuesto incidente, y explica si alguna acción disciplinaria, la formación adicional del funcionario u otra acción.

- Proceso de Apelaciones

Si el demandante no está satisfecho con la resolución, él o ella puede apelar a:

City of McFarland
City Manager
401 West Kern Avenue
McFarland, CA 93250
Phone: (661) 792-3091
Fax: (661) 792-3093

- Presentación de Queja al Departamento de Transporte El demandante también puede presentar una queja directamente a:

FTA Office of Civil Rights
Title VI Program
Coordinator
East Building, 5th Floor – TCR, 1200
New Jersey Avenue, S.E.
Washington, D.C. 20590.

De conformidad con el acuerdo de libre comercio Circular 4702.1B, el Capítulo 9, Quejas, dicha queja se debe presentar dentro de los 180 días naturales después de la fecha de la supuesta discriminación.

Sección I: (Favor de escribir en forma legible)

1. Nombre: _____
2. Dirección: _____
3. Teléfono: _____ 3.a. Teléfono Secundario (Opcional): _____
4. Correo Electrónico: _____
5. Requisitos en formato accesible?
☐ Letra Grande ☐ Cinta de Audio ☐ TDD ☐ Otra Forma

Sección II:

6. Esta presentando esta queja en su propio nombre? Si* _____ No _____
*Si contesto "sí" al #6, baje a la Sección III.
7. Si contesto "no" al #6, cual es el nombre de la persona por cual usted esta representando la queja? Nombre: _____
8. Cual es la relación con este individuo: _____
Favor de explicar porque usted esta representando a una tercera persona: _____
9. Favor de confirmar que usted obtuvo permiso de someter una queja con la persona afectada. Si _____ No _____

Sección III:

10. Yo creo que la discriminación por la que pase fue basada por (Marque la que pertenezca):
☐ Raza ☐ Color ☐ Origen Nacional
11. Fecha de la presunta discriminación: (mm/dd/aaaa) _____
12. Explique lo mas claro posible lo que paso y porque cree que fue discriminado. Describe todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la persona(s) que lo discrimino (si se conoce), así como los nombres y la información de los testigos en contacto. Si se necesita mas espacio, por favor use el reverso de este formulario.

Sección IV:

13. Ha presentado anteriormente una queja del Título VI con la Ciudad de McFarland?

Si _____ No _____

Sección V:

14. Ha presentado esta queja con cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal?

Si _____ No _____

Si contesto si, marque el que aplique:

[] Agencia Federal _____ [] Agencia Estatal _____
[] Corte Federal _____ [] Agencia Local _____

[] Corte Estatal _____

15. Si contesto "si" al #15, favor de proveer información de una persona con la que usted tubo contacto con la agencia/corte donde se sometió la queja.

Nombre: _____

Título: _____

Agencia: _____

Dirección: _____

Teléfono: _____ Email: _____

Sección VI:

Nombre de la Agencia de Transito cual se inicio su queja: _____

Persona de Contacto: _____

Teléfono: _____

Usted puede adjuntar cualquier material escrito u otra información que crees que es relevante para su queja.

Firma y fecha es requerida para someter esta forma:

Firma _____ Fecha _____

Favor de someter esta forma en persona o por correo una de las siguiente direcciones:

City of McFarland – City Clerk
Title VI Compliance Coordinator
401 West Kern Avenue
McFarland, CA 93250

Federal Transit Administration
Title VI Program Coordinator,
FTA Office of Civil Rights,
East Building , 5th Floor-TCR 1200
New Jersey Ave, S.E. Washington DC 20590

Locations of Postings

List of Locations Where Title VI Notice is Posted

City of McFarland's Title VI Notice to the public is currently posted at the following locations:

Location	Address	City
McFarland City Hall	401 W. Kern Ave.	McFarland, CA 93250
McFarland Veterans Community Center	103 W Sherwood Ave	McFarland, CA 93250
McFarland City Website	www.mcfarlandcity.org/269/Transportation	
McFarland Transit Van	661-792-3091	

Investigations, Complaints, or Inquiries

McFarland Transit maintains a list of active investigations conducted by FTA and entries other than FTA, including lawsuits and complaints naming McFarland Transit that allege discrimination on the basis of race, color, or national origin. This list includes a date that the transit-related Title VI investigation, lawsuit, or complaint was filed; and actions taken by McFarland Transit in response, or final findings related to the investigation, lawsuit, or complaint. Below is the Title VI Investigations, Complaints, or Lawsuit Log.

File #	Incident Date	Summary of Complaint	Status	Action(s) Taken
None	N/A	N/A	N/A	N/A

As of the writing of this program, McFarland Transit has no complaints, investigations, or lawsuits which allege discrimination on the grounds of race, color or national or origins, or any other form of discrimination.

Public Participation Plan

Public participation is a fundamental process through which stakeholders can partake directly in agency decision-making, and express their concerns, desires, and values. It is the mission of this agency to "improve the lives of people with disabilities by creating opportunities to maximize their independence." At every opportunity through prescribed methods the agency will solicit input from stakeholders to best support persons served without creating disproportionately high and adverse human health or environmental effects on minority and/or low-income populations.

As a recipient of federal transportation funding from the Federal Transit Administration (FTA), the City of McFarland (COM) is required to develop a Public Participation Plan (PPP) that implements the goals and objectives of Title VI of the Civil Rights Act of 1964. The PPP is intended to provide guidance for public involvement activities to be conducted by COM in the expenditures of FTA funds in compliance with Title VI of the Civil Rights Act of 1964 and FTA Circular 4702.1B ("Title VI Requirements and Guidelines for Federal Transit Administration Recipients").

Public Outreach

- The City of McFarland also keeps in contact with all local schools and gives information of public transportation provided by the City of McFarland.
- Also hands out pamphlets at local events and advertises the program on our social media accounts.
- All information is published in Spanish as well, for our English Limited public, our Transit driver is fluent in Spanish to further assist transit riders.
- Public transportation program is also announced at Council Meetings to inform community of services provided by the City of McFarland.

Safe Harbor Provision

The Federal Transit Authority Circular 4702.1B states:

"DOT has adopted DOJ's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program."

CITY OF MCFARLAND LEP PLAN



City of McFarland Plan for Special Language Services to Limited English Proficient (LEP) Populations

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. One critical concern addressed by Title VI is the language barrier that Limited English Proficiency (LEP) persons face with respect to accessing information about and using transit service. Transit operators must ensure that this group has adequate access to the agency's programs and activities, including public participation opportunities.

Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," forbids funding recipients from "restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program," or from "utilize[ing] criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects to individuals of a particular race, color, or national origin."

FTA Circular 4702.1B was developed by the Federal Transit Administration (FTA) and details the administrative and reporting requirements for recipients of FTA financial assistance to comply with Title VI and related executive orders including on LEP.

In compliance with guidance and rules issued by US DOT, and Title VI of the Civil Rights Act of 1964, City of McFarland continues to take reasonable steps to ensure that all persons have meaningful access to its programs, services, and information, at no additional cost. This document is City of McFarland's Plan for Special Language Services to Limited English Proficient (LEP) Populations, referred to as the LEP Plan. In order to prepare this LEP Plan, City of McFarland undertook the US DOT's four-factor analysis, which considers the following:

1. The number and proportion of LEP persons served or encountered in the eligible service population.
2. The frequency with which LEP persons come in contact with City of McFarland programs, activities or services.
3. The importance to LEP Persons of City of McFarland's program, activities and services.
4. The resources available to City of McFarland and overall cost to provide LEP assistance.

The City of McFarland is the local planning organization for the city of McFarland and the local service area is approximately 2 square miles, with a population of 13,048 in a rural setting. The population is increasingly diverse, with a portion speaking a language other than English.

Part 1. Determination of Need

The following tables, drawn from The U. S. Census Bureau, identify those who speak English “less than very well” as Limited English Proficient persons.

Table 1 shows, by county, the ability to speak English and languages spoken at home for persons five years of age and older. The five most frequent languages in the region other than English are Spanish (72.6% percent), Tagalog (.26%), and Arabic (.23%). However, many of these people also speak English very well. Table 2 shows that Spanish-speakers are the only population representing more than five percent of the city's population, that is identified as not speaking English very well.

Table 1 – Language spoken at Home by Ability to Speak English for the Population 5 Years and Over

	McFarland city, California	
	Estimate	Margin of Error
Total:	13, 048	+/-305
Speak only English	3,247	+/-849
Spanish or Spanish Creole:	9,698	+/-896
Speak English "very well"	3,669	+/-619
Speak English less than "very well"	6,029	+/-828
Laotian:	13	+/-25
Speak English "very well"	13	+/-25
Speak English less than "very well"	0	+/-20
Tagalog:	54	+/-68
Speak English "very well"	46	+/-66
Speak English less than "very well"	8	+/-15
Other Pacific Island languages:	18	+/-71
Speak English "very well"	18	+/-70
Speak English less than "very well"	0	+/-22
Arabic:	19	+/-18
Speak English "very well"	19	+/-18
Speak English less than "very well"	0	+/-21
African languages:	10	+/-17
Speak English "very well"	10	+/-17
Speak English less than "very well"	0	+/-20

Table 2 – Populations speaking English Less than “Very Well” Regionally

Speak English less than "very well"							Speaks English "Very Well"	Speaks Only English	Total
Spanish	Laotian:	Tagalog:	Other Pacific Island languages	Arabic	African	Total speaking English less than "very well"			
6,004	0	8	17	0	0	6,029	3,669	3,247	13,048
72.6% of McFarland population	0.00% of McFarland population	0.26% of McFarland population	0.03% of McFarland population	0.23% of McFarland population	0.00% of McFarland population	45.48% of McFarland population	38.73% of McFarland population	27.1% of McFarland population	100%

Factor 2: frequency of LEP populations' contact with programs, activities, services.

City of McFarland's experience with LEP populations has been primarily with Spanish speakers. Outreach print materials for Regional Transportation Plan (RTP) workshops, unmet transit needs hearings, and

environmental justice focus groups have regularly been translated into Spanish. The City has a translator for the council meetings, which include the unmet transit needs hearings. Other meetings have been conducted with a staff member able to translate the meeting details into Spanish upon request.

Factor 3: Importance to LEP population of programs, services, activities.

City of McFarland is a direct provider of transportation services. The City of McFarland plans for transportation facilities, programs and services for the citizens of the City of McFarland. The City of McFarland encourages the citizens for their input on the LEP.

Factor 4: Resources available to City of McFarland and overall cost to provide LEP assistance.

City of McFarland provides publicity in Spanish for unmet transit needs hearings and offers translation into any language upon request to allow LEP populations to participate. City of McFarland provides translation services for community workshops to develop the City's long-range transportation plan. However, there has not been significant demand from LEP residents to participate in these discussions, unless City of McFarland actively works with community-based organizations to recruit participants from their LEP constituency and provide on-site language support. To the extent possible, City of McFarland staff also goes out to other organization's meetings or English as a Second Language (ESL) classes involving LEP persons, but unfortunately, the resources for doing this type of outreach are very limited.

City of McFarland has five staff members that speaks fluent Spanish, answers calls from the main telephone line that come in in Spanish, and has an outgoing voicemail message in both English and Spanish. However, in some cases, the cost to implement multiple language programs, especially to provide translated materials or simultaneous translation, is significant and unfunded.

Part 2. Implementation Plan on Language Assistance

1. LEP persons who need language assistance

As noted above, the most significant group requiring language assistance has been the Hispanic/Latino population, with 45.48 percent of the region's Spanish-speaking population speaking English less than very well. However, City of McFarland has also sought to identify other groups needing language assistance. City of McFarland continues to monitor the needs of LEP persons, and to determine its communications and public participation efforts to include people regardless of language barriers.

2. Providing language assistance

City of McFarland has a number of techniques or practices to provide meaningful opportunities for LEP residents to access transportation-related information and provide input that informs key decisions, including the following:

Regional Transportation Planning

- City of McFarland provided opportunities for public input at several stages of development of the recently-released Draft RTP/SCS. City of McFarland publicized community workshops through fliers in English and Spanish. Staff also worked with community-based organizations that serve LEP populations to support outreach and participation in the workshops. Translation services were

available at meetings.

City of McFarland plans to continue such measures to insure that those with limited English proficiency can obtain information about transportation services in the City of McFarland, provide meaningful comment on public transit services, and participate in City of McFarland transportation planning process.

3. Training staff

Many of City of McFarland's staff has experience communicating in an ethnically diverse environment. A number come to the job with multi-lingual skills. Agency training and internal planning will continue to note the need to consider persons with limited English proficiency in communicating transportation information, and providing or partnering for language assistance for LEP persons to support and encourage their participation in the RTP/SCS planning process and other key planning activities.

Given the proliferation of smart phone and expansion of Internet access, even among low-income populations, City of McFarland is also exploring the potential to use more online community education and engagement tools that allow people to participate in the planning process without having to physically attend workshops or meetings, and whether those tools can be cost-effectively translated into Spanish or other non-English languages.

4. Providing notice to LEP persons

City of McFarland will continue to inform the public and LEP persons of their rights under Title VI in a number of ways:

- Notification of Title VI rights on City of McFarland's website in English and Spanish.
- Complaint procedures and forms translated into Spanish that are posted on City of McFarland's website and available through City of McFarland's office.
- Continuing with routine use of both English and Spanish on printed or electronic announcements for Unmet Transit Needs Hearings and public workshops on key planning efforts that alert interested individuals on how to request translation services.
- Working with community-based organizations and other stakeholders to inform LEP individuals of City of McFarland's programs and services, including the availability of language services.

5. Monitoring/updating the plan

While maintaining a basic level of access by LEP populations to City of McFarland transportation information and services, and public input opportunities into key planning decisions, City of McFarland will monitor demographic shifts and translation requests and adjust to meet demand. City of McFarland LEP Plan will be updated as needs to reflect significant changes.

Transportation Information

- The City of McFarland's website contains local transportation information and links to transportation information, including KernCog's, 511 website and Kern Regional Transportation.
- Kern COG's 511 website for traffic, transit, rideshare and bicycling information can be accessed in all languages supported by Google translator, including Spanish and other local applicable

languages.

- By dialing 511, telephone information on transportation services in the Kern region is available in Spanish.
- As part of a study of transit needs to reach “lifeline” or essential destinations, City staff interviewed local organizations working with LEP populations to identify issues and concerns with public transit services and provide more transportation information.
- City staff has distributed transportation resource sheets to agencies working with low-income and LEP populations in the city, including where to find transit information in languages than English.
- City staff has distributed to labor contractors and potential drivers and riders the availability of reduced cost vanpools for agricultural workers in the Kern region.
- The City of McFarland holds Unmet Transit Needs hearings in both English and Spanish. City staff also sends press releases to and purchases advertisements in a non-English language newspaper publicizing the hearings. Spanish-speakers with comments by phone are directed to call the city, and written or E-mail comments are accepted in any language.
- Most of the City of McFarland’s transit operators already provide transit service information in Spanish. City of McFarland Transit also has staff to answer callers in Spanish language. The City of McFarland also maintains an awareness and sensitivity to LEP needs in developing Short- Range Transit Plans for the City of McFarland, including creating on-board surveys in languages other than English as needed, and developing new transit marketing strategies and recommendations for reaching relevant LEP populations in the transit operator’s area.

Membership of Non-Elected Committees and Councils

City of McFarland does not have a non-elected transit related advisory council at this time.

Title VI Equity Analysis

City of McFarland does not have transit related facilities



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 7.
Section: ADMINISTRATIVE
AGENDA
Meeting Date: January 25,
2024

TO: Honorable Mayor and Council Members

FROM: Kenny Williams, City Manager
Serrena McCuan , Human Resources Director

SUBJECT: Approval of Resolution 2024-9 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADJUSTMENT TO THE SALARY RANGE FOR THE SWEEPER/STREET MAINTENANCE I POSITION FROM RANGE 15 TO RANGE 21.

SUMMARY:

The position of Sweeper/ Street Maintenance I has remained vacant since May 15, 2023. Throughout this period, our recruitment efforts have encountered significant challenges, primarily due to the requirements of the role and the necessity of filling a position that encompasses responsibilities across multiple domains. Despite conducting interviews, it has become evident during the selection process that there is a need to reevaluate the compensation package to attract suitable candidates. Therefore, it is recommended by the staff to adjust the salary range for the Sweeper/Street Maintenance I position from its current classification in Range 15, \$17.72- \$22.69 to Range 21, \$20.56 - \$26.31. This adjustment is proposed as a strategic measure to enhance our recruitment capabilities and effectively fill the vacancy.

FINANCIAL IMPACT:

Additional cost of approximately \$8,858.57 to the Streets Division in the General Fund. However, this additional cost will be offset by vacancies in the division.

RECOMMENDATION:

Report, Discuss, and Possibly, approve resolution 2024-9 approving the appropriation of funds for the salary increase of the Sweeper/Street Maintenance I position.

ATTACHMENTS:

None

RESOLUTION NO. 2024-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADJUSTMENT TO THE SALARY RANGE FOR THE SWEEPER/STREET MAINTENANCE I POSITION FROM RANGE 15 TO RANGE 21

WHEREAS, the Sweeper/Street Maintenance I position has been vacant since May 15, 2023, presenting operational challenges in the maintenance and upkeep of municipal streets,

WHEREAS, the recruitment efforts to fill this vacancy have been consistently impeded by the specialized nature of the role and the high standards set for candidates, resulting in a prolonged vacancy,

WHEREAS, the current salary range for the position, Range 15, \$17.72 - \$22.69 has proven to be insufficient in attracting qualified candidates in a competitive job market.

WHEREAS, a comprehensive analysis indicates that an adjustment in the salary range to Range 21, \$20.56 - \$26.31 would align better with market standards and enhance our competitiveness in recruitment.

WHEREAS, the proposed salary adjustment aims to attract skilled and dedicated professionals, thereby filling the vacancy with more efficiency and maintaining the high standards of public service expected by our community.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of McFarland that it hereby finds and determines as follows:

1. The foregoing recitals are true and correct and incorporated herein as if set forth in full.
2. The job description and pay range has been approved in its entirety.
3. The City Manager has full approval to amend the current salary range for the Sweeper/Street Maintenance I Range 15 to Range 21.
4. The City Clerk shall certify to the passage and adoption of this resolution.
5. This resolution is effective immediately.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on

January 25, 2024 by the following vote:

	Aye	Nae	Abstain	Absent
Saul Ayon				
Ricardo Cano				
Amador Ayon				
Anita Gonzalez				
María T. Pérez				

CITY OF MCFARLAND

Saul Ayon, Mayor

ATTEST:

Francisca Alvarado, City Clerk

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

Francisca Alvarado, City Clerk