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, May 23, 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

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

APPROVE AGENDA AS TO FORM

PRESENTATIONS, INTRODUCTIONS AND AWARDS

1. Proclamation: Municipal Clerks Week May 5-11, 2024 in the City of McFarland.

2. Proclamation: National Public Works Week May 19-25, 2024 in the City of McFarland.

3. Recognition: McFarland Junior High Baseball Team

4. Recognition: McFarland High School Robotics Team

5. Recognition: McFarland High School Associated Student Body

MAYOR & COUNCIL COMMENTS

DEPARTMENTAL REPORTS

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.

6. APPROVAL OF EXPENSE REPORT IN THE AMOUNT OF $215,076.07 FROM 4/27/2024 TO 5/10/2024.

7. APPROVAL OF APRIL 25, 2024 REGULAR MEETING MINUTES.

8. APPROVAL OF MAY 9, 2024 REGULAR MEETING MINUTES.

9. APPROVAL OF RESOLUTION NO. 2024-66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AGREEMENT WITH QK FOR THE UPDATE OF THE CITY DEVELOPMENT STANDARDS.

10. APPROVAL OF RESOLUTION NO. 2024-65 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 5, 2024 FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF

CALIFORNIA RELATING TO GENERAL LAW CITIES AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN TO CONSOLIDATE THAT ELECTION WITH THE STATEWIDE GENERAL ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

PUBLIC HEARINGS

11. APPROVAL OF RESOLUTION NO. 2024-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND DECLARING CITY OWNED PROPERTY AS EXEMPT SURPLUS LAND PURSUANT TO CALIFORNIA GOVERNMENT CODE §§ 54221(f)(1)(C).

ADMINISTRATIVE AGENDA

12. APPROVAL OF RESOLUTION NO. 2024-62 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE EXPANDING THE DEFINITION OF HOTEL, AMENDING THE DEFINITION OF “TAX ADMINISTRATOR”AND APPROVING AN INCREASE OF THE TRANSIENT OCCUPANCY TAX FROM SIX PERCENT (6%) TO TWELVE PERCENT (12%) AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE.

13. APPROVAL OF RESOLUTION NO. 2024-63 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE TO ADD CHAPTER 3.25 TO THE CITY OF MCFARLAND MUNICIPAL CODE TO ESTABLISH A UTILITY USERS TAX AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE.

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

a. Kern Council of Governments (KCOG)

b. Kern Local Agency Formation Commission (LAFCO)

c. Delano Mosquito Abatement District (DMAD)

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.

CLOSED SESSION

14. Conference with Labor Negotiators (§54957.6): McFarland Police Officers Association MPOA: City Manager Diego Viramontes, Human Resources Director Serrena McCuan

ADJOURNMENT

This is to certify this agenda was posted at McFarland City Hall on May 20, 2024.

Francisca R. Alvarado

Francisca R. Alvarado, City Clerk

Diego Viramontes

Diego Viramontes, City Manager

Next Meeting: Regular City Council June 13, 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.

THE CITY OF McFarland
TRADITION • UNITY • EXCELLENCE

401 W. Kern Avenue
McFarland, CA 93250
661-792-3091 Office
661-282-0423 Cell
661-792-3093 Fax

Animal Intake Form

Animal #: 231031-0011
ACO: Rivera
Name: Carlos
Breed: Pit mix
Color: Caramel/Brown
Age: 3 yr 7 mnths
Weight: 45 lbs
Sex: Male
Status: Stray
Chip/Tag: None
DAPP Vaccine: 10/31/2023
Location of Impound: 353 Marshal
Available Date: 11/03/2023

Sticker Here:

NOTES: (Specify, Date and Initial)

Panacur: 11/01, 11/02, 11/03

MUNICIPAL CLERKS WEEK PROCLAMATION

May 5 - 11, 2024

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the link between the citizens, the local governing bodies, and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, The Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk; and

Now, Therefore, I, Saul Ayon, Mayor of the City of McFarland, do recognize the week of May 5 through 11, 2024, as Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Francisca Alvarado, and Deputy Clerk Paul Saldaña for the vital services they perform and their exemplary dedication to the communities they represent.

Under my Hand and Seal This 23rd day of May 2024.

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Saul Ayon, City of McFarland Mayor

National Public Works Week Proclamation

WHEREAS, National Public Works Week is observed during the third full week of May to recognize the importance of public works in an organized society. This year, it takes place from May 19-25th. The week-long observation also sheds light on the brave and essential role that the public works employees play in our lives; and

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of McFarland; and

WHEREAS, there are approximately 17 public works professionals employed by the City of McFarland who provide essential services to all our residents of McFarland; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in McFarland to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

NOW, THEREFORE, BE IT RESOLVED, that I, Saul Ayon, Mayor of the City of McFarland designate the week of May 19 – 25th, 2024 as National Public Works Week; and urge all residents to join us in paying tribute to our public works professionals and recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Under my Hand and Seal This 23rd day of May 2024.

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Saul Ayon, City of McFarland Mayor

CITY OF McFARLAND

Office of Mayor Saul Ayon

Recognition

Presented to

McFarland Junior High School Baseball Team

WHEREAS, the 2024 McFarland Junior High School Baseball Team went undefeated throughout the entire season, winning the South Yosemite Athletic Association league championship and marking the first baseball championship Sabercat history as well as the first title for boys' sports at McFarland Junior High; and

WHEREAS, team members Diego Villarreal, Derek Felix, Eric Perez, Adrian Ramirez, Ryan Hernandez, Julian Medina, Andres Jacinto, Carlos Pulido, Giovanni Rivera, Javier Bautista, Jose Saravia, Abel Lopez, and Ethan Becerra, under the skilled coaching of Abran Ayon Ontiveros, have demonstrated immense passion for the game and ahcieved remarkable success, creating a historic moment in sports; and

WHEREAS, this group of young champions aspires to leave an enduring legacy at McFarland Junior High School, inspiring future students to follow in their footsteps; and

NOW, THEREFORE, be it resolved, the I, Mayor Saul Ayon, on behalf of the McFarland City Council and all its residents, do hereby recognize and commend the 2024 McFarland Junior High School Baseball Champions for their outstanding season.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the City of McFarland, California, this 23rd day of May 2024

McFARLAND
Tradition • Unity • Excellence
1957

Mayor, Saul Ayon
Vice Mayor, Ricardo Cano
Councilmember, Amador Ayon
Councilmember, María T. Pérez
Councilmember, Anita Gonzalez

CITY OF McFARLAND
INCORPORATED
JULY 13, 1957
CALIFORNIA

CITY OF McFARLAND

Office of Mayor Saul Ayon

Recognition

Presented to

McFarland High School Robotics Team

WHEREAS, the McFarland High School Robotics Team became the first team from Kern County to reach the quarterfinals at the annual VEX Robotics World Championship; and

WHEREAS, the dedicated trio of Yasir Rubio, Francisco Vejar, and Eric Ontiveros began their journey in middle school and are now high school seniors; and

WHEREAS, under the mentorship of Teacher David Cisneros and Teacher Advisor Ryan Chavez, these students invested countless hours and immense passion into their craft, achieving remarkable success in multiple competitions, creating unforgettable experiences; and

WHEREAS, the Cougar Bots aspire to leave an enduring legacy at McFarland High School, inspiring future students with their innovative spirit and remarkable achievements; and

NOW THEREFORE, be it resolved, the I, Mayor Saul Ayon, on behalf of the City of McFarland City Council and all its residents, do hereby recognize and commend the 2024 McFarland High School Robotics Team for their exceptional creativity and innovation. We assure that their contributions will always be remembered as a shining example of engineering excellence.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the seal of the City of McFarland, California, this 23rd day of May 2024

Mayor, Saul Ayon
Vice Mayor, Ricardo Cano
Councilmember, Amador Ayon
Councilmember, María T. Pérez
Councilmember, Anita Gonzalez

City of McFarland

Certificate of Recognition

We recognize the McFarland High School Associated Student Body for their honesty, trustworthiness, responsibility, reliability, willingness to work hard, humility, respect for both adults and fellow students, and for their school pride! The City of McFarland City Council honors you for your accomplishments.

We hereby present:

May 23rd, 2024

Saul Ayon, Mayor

Expense Approval Report
By Vendor Name

City of McFarland, CA

Payment Dates 4/27/2024 - 5/10/2024

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: ADLERHORST INT. - ADLERHORST INTERNATIONAL LLC					
ADLERHORST INTERNATIONAL…	INV 121288	05/01/2024	Inv. 121288 - K9 Police Progr…	01-150-56000-0000-1	4,285.98
			Vendor ADLERHORST INT. - ADLERHORST INTERNATIONAL LLC Total:		**4,285.98**
Vendor: American Fidelity - American Fidelity					
American Fidelity	INV0026564	05/02/2024	American Fidelity Accident 1	01-22800-0000-1	19.34
American Fidelity	INV0026565	05/02/2024	Life 1	01-22900-0000-1	9.81
American Fidelity	INV0026566	05/02/2024	American Fidelity - Disability I…	01-22700-0000-1	148.58
American Fidelity	INV0026567	05/02/2024	Life 1	01-22900-0000-1	35.07
American Fidelity	INV0026568	05/02/2024	Life 2	01-22900-0000-1	24.00
American Fidelity	INV0026586	05/02/2024	Cancer 1 American Fidelity	01-22950-0000-1	13.53
			Vendor American Fidelity - American Fidelity Total:		**250.33**
Vendor: American Office Solu - American Office Solutions, LLC					
American Office Solutions, LLC	INV 22341	05/08/2024	INV 22341 Prorated Coverage …	01-310-52200-0000-1	118.40
			Vendor American Office Solu - American Office Solutions, LLC Total:		**118.40**
Vendor: Arredondo Automotive - Arredondo Automotive Group					
Arredondo Automotive Group	INV 291410	05/01/2024	Inv. 291410 Unit 19 - New Rim…	01-150-56600-0000-1	1,137.53
Arredondo Automotive Group	INV 291646	05/01/2024	Inv. 291646 Unit 23 - Oil Chan…	01-150-56600-0000-1	74.69
Arredondo Automotive Group	Inv. 291814	05/08/2024	Inv. 291814 Unit 38 - A/C Mot…	01-150-56600-0000-1	465.87
			Vendor Arredondo Automotive - Arredondo Automotive Group Total:		**1,678.09**
Vendor: At&t Mobility - At&t Mobility					
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-105-57800-0000-1	22.35
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-110-57800-0000-1	28.97
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-115-57800-0000-1	39.78
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-140-57800-0000-1	12.50
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-155-57800-0000-1	12.50
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-160-57800-0000-1	12.50
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-165-57800-0000-1	68.36
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	01-175-57800-0000-1	12.50
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	30-500-57800-0000-1	127.91
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	31-505-57800-0000-1	13.26
At&t Mobility	AT&T May 2024 Monthly 287…	05/08/2024	AT&T May 2024 Monthly 287…	32-510-57800-0000-1	127.93
			Vendor At&t Mobility - At&t Mobility Total:		**478.56**
Vendor: Auto Zone - Auto Zone					
Auto Zone	INV 6270854807	05/01/2024	INV 6270854807 Water Equi…	32-510-56410-0000-1	42.09
Auto Zone	INV 6270870732	05/08/2024	INV 6270870732 Transit Vehic…	34-520-56600-0000-1	64.35
			Vendor Auto Zone - Auto Zone Total:		**106.44**
Vendor: bootbarn - Boot Barn					
Boot Barn	INV00360971	05/08/2024	FY23-24 BOOT BARN-HERNA…	30-500-51800-0000-1	200.00
			Vendor bootbarn - Boot Barn Total:		**200.00**
Vendor: Bowman Asphalt, Inc - Bowman Asphalt, Inc.					
Bowman Asphalt, Inc.	INV 3625 2023 Street Rehab	05/08/2024	INV 3625 2023 Street Rehab- …	25-000-52960-2303-1	12,594.83
Bowman Asphalt, Inc.	INV 3625 2023 Street Rehab	05/08/2024	INV 3625 2023 Street Rehab- …	25-000-52960-2304-1	12,591.05
Bowman Asphalt, Inc.	INV 3625 2023 Street Rehab	05/08/2024	INV 3625 2023 Street Rehab- …	25-000-52960-2305-1	12,591.05
			Vendor Bowman Asphalt, Inc - Bowman Asphalt, Inc. Total:		**37,776.93**
Vendor: Brink's, Inc. - Brink's, Inc.					
Brink's, Inc.	INV 6542526	05/08/2024	INV 6542526 Billing Period 04…	01-130-51200-0000-1	164.40
Brink's, Inc.	INV 6542526	05/08/2024	INV 6542526 Billing Period 04…	30-500-51200-0000-1	164.41
Brink's, Inc.	INV 6542526	05/08/2024	INV 6542526 Billing Period 04…	31-505-51200-0000-1	164.41
Brink's, Inc.	INV 6542526	05/08/2024	INV 6542526 Billing Period 04…	32-510-51200-0000-1	164.41
			Vendor Brink's, Inc. - Brink's, Inc. Total:		**657.63**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: BSK ASSOCIATES - BSK ASSOCIATES					
BSK ASSOCIATES	INV AH08976	05/01/2024	INV AH08976 BOD Chloride Ni…	32-510-56000-0000-1	305.00
BSK ASSOCIATES	INV AH09437	05/01/2024	INV AH09437 Arsenic CA DW I…	32-510-56000-0000-1	122.50
BSK ASSOCIATES	INV AH09487	05/01/2024	INV AH09487 Coliform and E. …	32-510-56000-0000-1	396.75
BSK ASSOCIATES	INV AH09529	05/01/2024	INV AH09529 Nitrate-N TCP Di…	32-510-56000-0000-1	560.00
BSK ASSOCIATES	INV AH10030	05/01/2024	INV AH10030 BOD TSS	32-510-56000-0000-1	150.00
			Vendor BSK ASSOCIATES - BSK ASSOCIATES Total:		**1,534.25**
Vendor: Vulcan Materials Co - CalMat Co.					
CalMat Co.	INV 73966717	05/08/2024	INV 73966717 Cold Mix and P…	01-180-56500-0000-1	3,144.34
			Vendor Vulcan Materials Co - CalMat Co. Total:		**3,144.34**
Vendor: Cannon - Cannon Corporation					
Cannon Corporation	INV 87666	05/01/2024	INV 87666 WWTP Win-911 Tr…	30-500-56000-7820-1	387.50
			Vendor Cannon - Cannon Corporation Total:		**387.50**
Vendor: Nun-100 - Catalina Nunez					
Catalina Nunez	INV0026554	05/01/2024	Executive Assistant Course - T…	01-110-52000-0000-1	628.74
Catalina Nunez	INV0026557	05/01/2024	Office Supply Purchase- 4 Tab…	01-150-57200-0000-1	31.57
Catalina Nunez	INV0026557	05/01/2024	Office Supply Purchase- 4 Bin…	01-150-57200-0000-1	20.70
			Vendor Nun-100 - Catalina Nunez Total:		**681.01**
Vendor: Central Valley Offic - Central Valley Office Supply Inc					
Central Valley Office Supply Inc	INV 0348490-001	05/08/2024	INV 0348490-001 Retention B…	01-130-57200-0000-1	49.15
			Vendor Central Valley Offic - Central Valley Office Supply Inc Total:		**49.15**
Vendor: Cintas - Cintas Corporation No.3					
Cintas Corporation No.3	INV 4190120614	05/01/2024	INV 4190120614 Cintas	20-200-51800-0000-1	305.62
Cintas Corporation No.3	INV 4190120614	05/01/2024	INV 4190120614 Cintas	32-510-51800-0000-1	305.62
			Vendor Cintas - Cintas Corporation No.3 Total:		**611.24**
Vendor: Core & Main LP - Core & Main LP					
Core & Main LP	INV 0006831	05/01/2024	INV 0006831 Iron Reagent Po…	30-500-56410-0000-1	96.54
Core & Main LP	INV 006393	05/01/2024	INV 0006393 Hach DPD Total …	32-510-57400-0000-1	365.86
Core & Main LP	INV U510847	05/01/2024	INV U510847 Rolling Seal	32-510-56410-0000-1	186.40
Core & Main LP	INV U605891	05/01/2024	INV U605891 Fire Hydrant Wr…	32-510-57400-0000-1	767.06
Core & Main LP	INV U605893	05/01/2024	INV U605893 Water Supplies-…	32-510-56410-0000-1	88.77
Core & Main LP	INV U610819	05/01/2024	INV U610819 Water- Pipe Ma…	32-510-56410-0000-1	468.61
Core & Main LP	INV U629038	05/01/2024	INV U629038 Water- Shut off …	32-510-57400-0000-1	351.81
Core & Main LP	INV U663245	05/01/2024	INV U663245 Water- Supplies…	32-510-57400-0000-1	452.89
Core & Main LP	INV U670117	05/01/2024	INV U670117 Water- Meter S…	32-510-57400-0000-1	612.04
Core & Main LP	INV U682143	05/01/2024	INV U682143 Water- Equipme…	32-510-56410-0000-1	324.75
Core & Main LP	INV U719574	05/01/2024	INV U719574 Equipment Main…	32-510-56410-0000-1	260.23
Core & Main LP	INV U603218	05/08/2024	INV U603218 Repair Kit	32-510-57400-0000-1	484.64
Core & Main LP	INV U679355	05/08/2024	INV U679355 Well Pipes Repair	32-510-57400-0000-1	1,261.11
			Vendor Core & Main LP - Core & Main LP Total:		**5,720.71**
Vendor: CVSag LLC - CVSag LLC					
CVSag LLC	INV 11002253	05/01/2024	INV 11002253 Eliminating Sli…	30-500-52600-0000-1	4,860.00
			Vendor CVSag LLC - CVSag LLC Total:		**4,860.00**
Vendor: D/B/A USABLUEBOOK - D/B/A USABLUEBOOK					
D/B/A USABLUEBOOK	INV 00307122	05/01/2024	INV 00307122 Safety Equipm…	30-500-56800-0000-1	133.41
D/B/A USABLUEBOOK	INV 00326484	05/08/2024	INV 00326484 Well Sounder	32-510-56410-0000-1	1,591.49
			Vendor D/B/A USABLUEBOOK - D/B/A USABLUEBOOK Total:		**1,724.90**
Vendor: De Lage Landen - De Lage Landen Financial Services Inc					
De Lage Landen Financial Serv…	INV 82470965	05/01/2024	Inv. 82470965 04/20/24 500-…	01-150-52200-0000-1	150.47
			Vendor De Lage Landen - De Lage Landen Financial Services Inc Total:		**150.47**
Vendor: Dee Jaspar - Dee Jaspar & Associates, Inc					
Dee Jaspar & Associates, Inc	INV 24-0030	05/08/2024	INV 24-0030 SRF Grant App Pr…	32-510-56000-0000-1	6,049.25
			Vendor Dee Jaspar - Dee Jaspar & Associates, Inc Total:		**6,049.25**
Vendor: Delano Propane - Delano Propane					
Delano Propane	INV 146841	05/01/2024	INV 146841 7 Cylinders Propa…	32-510-54000-0000-1	349.16
			Vendor Delano Propane - Delano Propane Total:		**349.16**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: Delano Veterinary - Delano Veterinary					
Delano Veterinary	INV4338	05/01/2024	Inv. 4338 - Animal Care	01-155-51150-0000-1	268.01
			Vendor Delano Veterinary - Delano Veterinary Total:		**268.01**
Vendor: DOM Solar - DOM Solar Lessor LTD.					
DOM Solar Lessor LTD.	INV 32955974	05/08/2024	INV 32955974 April 24 Monthl…	32-510-58000-0000-1	7,101.68
			Vendor DOM Solar - DOM Solar Lessor LTD. Total:		**7,101.68**
Vendor: EDD - EDD					
EDD	INV0026590	05/02/2024	State Income Tax Withholding	01-22200-0000-1	3,492.42
EDD	INV0026590	05/02/2024	State Income Tax Withholding	30-22200-0000-1	7.17
EDD	INV0026590	05/02/2024	State Income Tax Withholding	32-22200-0000-1	7.16
EDD	INV0026591	05/02/2024	SDI - State Disability Insurance	01-22200-0000-1	962.67
EDD	INV0026591	05/02/2024	SDI - State Disability Insurance	30-22200-0000-1	1.92
EDD	INV0026591	05/02/2024	SDI - State Disability Insurance	32-22200-0000-1	1.92
EDD	INV0026592	05/02/2024	State Unemployment Insuran…	01-22250-0000-1	89.64
EDD	INV0026593	05/02/2024	Employment Training Tax	01-22275-0000-1	1.91
			Vendor EDD - EDD Total:		**4,564.81**
Vendor: Edison - Edison					
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700671762228	01-180-58100-0000-1	23.43
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700091551977	01-180-58100-0000-1	13.97
Edison	Edison April 2024 Monthly Bill…	05/08/2024	Late Fees	01-180-58100-0000-1	1.10
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700457158822	01-180-58100-0000-1	397.66
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700669486061	01-180-58100-0000-1	1,187.36
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700539630040	01-180-58100-0000-1	1,632.38
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700326486684	01-180-58100-0000-1	75.27
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700599695773	01-180-58100-0000-1	123.85
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700494850594	30-500-58000-0000-1	70.41
Edison	Edison April 2024 Monthly Bill…	05/08/2024	Late Fees	32-510-58000-0000-1	16.02
Edison	Edison April 2024 Monthly Bill…	05/08/2024	700468456995	32-510-58000-0000-1	3,251.78
			Vendor Edison - Edison Total:		**6,793.23**
Vendor: EFTPS - Electronic Federal Tax Payment System					
Electronic Federal Tax Paymen…	INV0026588	05/02/2024	Federal Income Tax Withholdi…	01-22050-0000-1	7,667.82
Electronic Federal Tax Paymen…	INV0026588	05/02/2024	Federal Income Tax Withholdi…	30-22050-0000-1	17.34
Electronic Federal Tax Paymen…	INV0026588	05/02/2024	Federal Income Tax Withholdi…	32-22050-0000-1	17.35
Electronic Federal Tax Paymen…	INV0026589	05/02/2024	Social Security	01-22100-0000-1	10,975.80
Electronic Federal Tax Paymen…	INV0026589	05/02/2024	Social Security	30-22100-0000-1	21.72
Electronic Federal Tax Paymen…	INV0026589	05/02/2024	Social Security	32-22100-0000-1	21.72
Electronic Federal Tax Paymen…	INV0026594	05/02/2024	Medicare	01-22150-0000-1	2,566.88
Electronic Federal Tax Paymen…	INV0026594	05/02/2024	Medicare	30-22150-0000-1	5.08
Electronic Federal Tax Paymen…	INV0026594	05/02/2024	Medicare	32-22150-0000-1	5.08
			Vendor EFTPS - Electronic Federal Tax Payment System Total:		**21,298.79**
Vendor: Elizabeth L. Bowman - Elizabeth L. Bowman					
Elizabeth L. Bowman	INV0026624	05/08/2024	Rental Deposit Elizabeth Bow…	01-24000-0000-1	350.00
			Vendor Elizabeth L. Bowman - Elizabeth L. Bowman Total:		**350.00**
Vendor: Fred C. Gilbert - Fred C. Gilbert					
Fred C. Gilbert	INV 311670	05/01/2024	INV 311670 Water Dept. Equip…	32-510-56410-0000-1	821.68
			Vendor Fred C. Gilbert - Fred C. Gilbert Total:		**821.68**
Vendor: Frontier - Frontier California Inc.					
Frontier California Inc.	Frontier April 24 5301982194…	05/08/2024	Frontier April 24 5301982194…	32-510-57800-0000-1	43.23
			Vendor Frontier - Frontier California Inc. Total:		**43.23**
Vendor: Jason E Furgason - Furgason Electric Inc					
Furgason Electric Inc	INV 253-1	05/08/2024	INV 253-1 Labor and Fuel	32-510-56000-0000-1	262.50
Furgason Electric Inc	INV 3227-1	05/08/2024	INV 3227-1 Labor and Fuel	30-500-56000-7820-1	137.50
Furgason Electric Inc	INV 3228-1	05/08/2024	INV 3228-1 Lift Stations at Hail…	30-500-56000-7820-1	1,025.00
			Vendor Jason E Furgason - Furgason Electric Inc Total:		**1,425.00**
Vendor: Gabriela Bravo - Gabriela Bravo					
Gabriela Bravo	Interpreting Inv 05/01/2024	05/08/2024	Interpreting Inv 05/01/2024 Ci…	01-105-52200-0000-1	450.00
			Vendor Gabriela Bravo - Gabriela Bravo Total:		**450.00**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: gotocom - GoTo Communications Inc					
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-105-57800-0000-1	8.60
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-110-57800-0000-1	26.87
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-115-57800-0000-1	30.09
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-140-57800-0000-1	30.09
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-150-57800-0000-1	257.96
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-155-57800-0000-1	8.60
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-160-57800-0000-1	8.60
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-165-57800-0000-1	24.29
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-175-57800-0000-1	30.09
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	01-180-57800-0000-1	35.90
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	20-200-57800-0000-1	0.64
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	30-500-57800-0000-1	153.28
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	31-505-57800-0000-1	63.41
GoTo Communications Inc	INV 7102922814	05/08/2024	INV 7102922814 GoTo Month…	32-510-57800-0000-1	138.44
			Vendor gotocom - GoTo Communications Inc Total:		**816.86**
Vendor: Grainger - Grainger					
Grainger	INV 2502210463	05/01/2024	Order #WEB2502210463 Safe…	01-180-56800-0000-1	282.38
Grainger	INV 9077582212	05/01/2024	INV 9077582212 Water- Oper…	32-510-57400-0000-1	86.16
Grainger	INV 9077806827	05/01/2024	INV 9077806827 Remote Cont…	32-510-57400-0000-1	66.95
Grainger	INV 9077806835	05/01/2024	INV 9077806835 Alkaline Batt…	32-510-57400-0000-1	111.24
			Vendor Grainger - Grainger Total:		**546.73**
Vendor: Granite Auto Parts I - Granite Auto Parts Inc					
Granite Auto Parts Inc	INV 842248	05/01/2024	INV 842248 Liquid Guage	32-510-56410-0000-1	20.56
Granite Auto Parts Inc	INV 842668	05/01/2024	INV 842668 Hose Clamp	32-510-56410-0000-1	12.39
Granite Auto Parts Inc	INV 842754	05/01/2024	INV 842754 LID Fillwell and Ba…	01-180-57400-0000-1	88.14
Granite Auto Parts Inc	INV 842915	05/01/2024	INV 842915 Water Equipment…	32-510-56410-0000-1	114.73
Granite Auto Parts Inc	INV 842933	05/08/2024	INV 842933 Water Dept. Equi…	32-510-56410-0000-1	23.73
Granite Auto Parts Inc	INV 842956	05/08/2024	INV 842956 Water Dept. Equi…	32-510-56410-0000-1	70.87
Granite Auto Parts Inc	INV 843061	05/08/2024	INV 843061 Water Dept. Equi…	32-510-56410-0000-1	633.25
			Vendor Granite Auto Parts I - Granite Auto Parts Inc Total:		**963.67**
Vendor: Gregs Petroleum - Gregs Petroleum					
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-105-54000-0000-1	2.44
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-110-54000-0000-1	12.49
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-111-54000-0000-1	2.44
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-115-54000-0000-1	2.44
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-140-54000-0000-1	3.73
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-150-54000-0000-1	936.35
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-155-54000-0000-1	37.46
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-160-54000-0000-1	12.49
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-165-54000-0000-1	18.66
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-175-54000-0000-1	1.29
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	01-180-54000-0000-1	149.72
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	20-200-54000-0000-1	49.95
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	30-500-54000-0000-1	93.59
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	32-510-54000-0000-1	37.46
Gregs Petroleum	Fuel INV 449632	05/08/2024	Fuel INV 449632 04/12/24	34-520-54000-0000-1	74.93
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-105-54000-0000-1	2.46
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-110-54000-0000-1	12.58
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-111-54000-0000-1	2.46
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-115-54000-0000-1	2.46
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-140-54000-0000-1	3.76
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-150-54000-0000-1	943.28
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-155-54000-0000-1	37.74
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-160-54000-0000-1	12.58
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-165-54000-0000-1	18.80
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-175-54000-0000-1	1.30
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	01-180-54000-0000-1	150.83
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	20-200-54000-0000-1	50.32

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	30-500-54000-0000-1	94.29
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	32-510-54000-0000-1	37.74
Gregs Petroleum	Fuel INV 451715	05/08/2024	Fuel INV 451715 05/08/24	34-520-54000-0000-1	75.49
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-105-54000-0000-1	2.30
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-110-54000-0000-1	11.78
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-111-54000-0000-1	2.30
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-115-54000-0000-1	2.30
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-140-54000-0000-1	3.52
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-150-54000-0000-1	883.08
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-155-54000-0000-1	35.33
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-160-54000-0000-1	11.78
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-165-54000-0000-1	17.60
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-175-54000-0000-1	1.22
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	01-180-54000-0000-1	141.20
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	20-200-54000-0000-1	47.11
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	30-500-54000-0000-1	88.27
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	32-510-54000-0000-1	35.33
Gregs Petroleum	Fuel INV 452638	05/08/2024	Fuel INV 452638 04/26/24	34-520-54000-0000-1	70.67
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-105-54000-0000-1	2.99
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-110-54000-0000-1	15.31
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-111-54000-0000-1	2.99
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-115-54000-0000-1	2.99
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-140-54000-0000-1	4.58
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-150-54000-0000-1	1,148.02
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-155-54000-0000-1	45.93
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-160-54000-0000-1	15.31
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-165-54000-0000-1	22.88
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-175-54000-0000-1	1.58
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	01-180-54000-0000-1	183.56
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	20-200-54000-0000-1	61.25
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	30-500-54000-0000-1	114.75
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	32-510-54000-0000-1	45.93
Gregs Petroleum	Fuel INV 453148	05/08/2024	Fuel INV 453148 04/30/24	34-520-54000-0000-1	91.87
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-105-54000-0000-1	0.73
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-110-54000-0000-1	3.73
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-111-54000-0000-1	0.73
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-115-54000-0000-1	0.73
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-140-54000-0000-1	1.11
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-150-54000-0000-1	279.67
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-155-54000-0000-1	11.19
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-160-54000-0000-1	3.73
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-165-54000-0000-1	5.57
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-175-54000-0000-1	0.39
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	01-180-54000-0000-1	44.72
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	20-200-54000-0000-1	14.92
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	30-500-54000-0000-1	27.95
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	32-510-54000-0000-1	11.19
Gregs Petroleum	Fuel INV 453274	05/08/2024	Fuel INV 453274 04/30/24	34-520-54000-0000-1	22.38
				Vendor Gregs Petroleum - Gregs Petroleum Total:	**6,424.00**
Vendor: Haaker Equipment Co. - Haaker Equipment Co.					
Haaker Equipment Co.	INV C5A1EU	05/01/2024	INV C5A1EU Street Sweeper …	01-180-56440-0000-1	532.59
Haaker Equipment Co.	INV C5A1ES	05/08/2024	Document C5A1ES Maintenan…	01-180-56440-0000-1	221.18
				Vendor Haaker Equipment Co. - Haaker Equipment Co. Total:	**753.77**
Vendor: HDS WHITE CAP - HDS WHITE CAP					
HDS WHITE CAP	INV 58531227	05/01/2024	Receipt 58531227 Asphalt Ra…	01-180-56500-0000-1	194.83
				Vendor HDS WHITE CAP - HDS WHITE CAP Total:	**194.83**
Vendor: Home Depot - Home Depot					
Home Depot	INV 2062786	05/01/2024	INV 2062786 Streets Operatin…	01-180-57400-0000-1	352.29
Home Depot	INV 3970860	05/01/2024	INV 3970860 WW Equipment…	30-500-56410-0000-1	381.80

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Home Depot	INV 7093413	05/01/2024	INV 7093413 Water Operating…	32-510-57400-0000-1	124.44
Home Depot	INV 8903025	05/01/2024	INV 8903025 Solar Naturals	32-510-56400-8270-1	43.65
Home Depot	INV H8426-163863	05/01/2024	Order #H8426-163863 Buildin…	30-500-56400-0000-1	102.61
Home Depot	INV WM65513370	05/01/2024	Order #WM65513370 Facilitie…	01-190-56400-0000-1	111.78
Home Depot	INV 4540600	05/08/2024	INV 4540600 Streets- Operati…	01-180-57400-0000-1	165.51
Home Depot	INV 5523993	05/08/2024	INV 5523993 Water Dept. Sup…	32-510-57400-0000-1	314.11
Home Depot	INV 82432	05/08/2024	INV 82432 Breaker BR Quad	32-510-57400-0000-1	33.41
Home Depot	INV 970563	05/08/2024	INV 970563 WWTP Paint, Flap…	30-500-56410-0000-1	197.57
			Vendor Home Depot - Home Depot Total:		**1,827.17**
Vendor: Information Technolo - Information Technology					
Information Technology	Inv. 1160-07566	05/08/2024	Inv. 1160-07566 CJIS Access Li…	01-150-57800-0000-1	420.00
			Vendor Information Technolo - Information Technology Total:		**420.00**
Vendor: John Hancock - John Hancock					
John Hancock	INV0026562	05/02/2024	401K - Employer	01-20800-0000-1	4,389.96
John Hancock	INV0026562	05/02/2024	401K - Employer	30-20800-0000-1	16.43
John Hancock	INV0026562	05/02/2024	401K - Employer	32-20800-0000-1	16.42
John Hancock	INV0026563	05/02/2024	401K - Employee	01-20800-0000-1	3,548.33
John Hancock	INV0026570	05/02/2024	401K Loan 1	01-20800-0000-1	89.29
John Hancock	INV0026571	05/02/2024	401K Loan 1	01-20800-0000-1	117.75
John Hancock	INV0026572	05/02/2024	401k Contribution	01-20800-0000-1	306.37
John Hancock	INV0026573	05/02/2024	401k Contribution	01-20800-0000-1	347.28
John Hancock	INV0026574	05/02/2024	401k Contribution	01-20800-0000-1	184.70
John Hancock	INV0026575	05/02/2024	401k Contribution	01-20800-0000-1	297.28
John Hancock	INV0026576	05/02/2024	401k Contribution	01-20800-0000-1	260.48
John Hancock	INV0026577	05/02/2024	401k Contribution	01-20800-0000-1	603.55
John Hancock	INV0026578	05/02/2024	401k Contribution	01-20800-0000-1	283.12
John Hancock	INV0026579	05/02/2024	401k Contribution	01-20800-0000-1	281.52
John Hancock	INV0026580	05/02/2024	401k Contribution	01-20800-0000-1	792.50
John Hancock	INV0026581	05/02/2024	401K Contribition	01-20800-0000-1	400.00
John Hancock	INV0026582	05/02/2024	401K Contribition	01-20800-0000-1	400.00
John Hancock	INV0026583	05/02/2024	401K Contribition	01-20800-0000-1	400.00
John Hancock	INV0026584	05/02/2024	401K Contribition	01-20800-0000-1	400.00
John Hancock	INV0026585	05/02/2024	401K Contribition	01-20800-0000-1	400.00
			Vendor John Hancock - John Hancock Total:		**13,534.98**
Vendor: Jose R. Medina - Jose Rafael Medina					
Jose Rafael Medina	INV0026558	05/01/2024	Reimbursement Grade 2 Exam…	30-500-53250-0000-1	170.00
			Vendor Jose R. Medina - Jose Rafael Medina Total:		**170.00**
Vendor: Juan A Palma Porras - Juan A Palma Porras					
Juan A Palma Porras	INV0026625	05/08/2024	Rental Deposit Juan A Palma …	01-24000-0000-1	350.00
			Vendor Juan A Palma Porras - Juan A Palma Porras Total:		**350.00**
Vendor: Juan Munguia - Juan Munguia					
Juan Munguia	INV0026556	05/01/2024	Rental Deposit Juan Munguia …	01-24000-0000-1	350.00
			Vendor Juan Munguia - Juan Munguia Total:		**350.00**
Vendor: K.C. Waste - K.C. Waste					
K.C. Waste	April 2024 Gate Fee	05/08/2024	April 2024 Gate Fee	31-505-52800-0000-1	5,352.97
			Vendor K.C. Waste - K.C. Waste Total:		**5,352.97**
Vendor: Leaf - LEAF Capital Funding LLC					
LEAF Capital Funding LLC	INV 16462588	05/08/2024	INV 16462588 Xerox C8155 M…	01-130-52200-0000-1	360.48
			Vendor Leaf - LEAF Capital Funding LLC Total:		**360.48**
Vendor: Marco Perez - Marco Perez					
Marco Perez	Interpreting Inv 03/28/2024	05/08/2024	Interpreting Inv 03/28/2024 Ci…	01-105-52200-0000-1	150.00
			Vendor Marco Perez - Marco Perez Total:		**150.00**
Vendor: Matthew James M - Matthew James Munro					
Matthew James Munro	INV #2025	05/08/2024	INV #2025 Service/Install Live …	01-130-56000-0000-1	600.00
			Vendor Matthew James M - Matthew James Munro Total:		**600.00**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Vendor: Cougar Athletic Boos - McFarland High School Cougar Athletic Booster Club					
McFarland High School Cougar..	INV0026553	04/30/2024	McFarland High School Cougar..	01-105-57100-2406-1	2,500.00
			Vendor Cougar Athletic Boos - McFarland High School Cougar Athletic Booster Club Total:		**2,500.00**
Vendor: Harbor Freight - Multi Service Technology Solutions, Inc					
Multi Service Technology Solut..	INV 70a38457	05/01/2024	INV 70a38457 Seperator and ...	01-180-57400-0000-1	59.53
Multi Service Technology Solut..	INV0026555	05/01/2024	CC #9662 04.24.24 Equip. R&M	30-500-56410-0000-1	263.35
Multi Service Technology Solut..	INV0026560	05/01/2024	CC #9662 Harbor Freight 04.08..	30-500-56410-0000-1	56.28
			Vendor Harbor Freight - Multi Service Technology Solutions, Inc Total:		**379.16**
Vendor: Nutrien Ag Solutions - Nutrien Ag Solutions, Inc.					
Nutrien Ag Solutions, Inc.	INV 53557079	05/01/2024	INV 53557079 Weed Abatem...	30-500-56000-7820-1	1,542.56
			Vendor Nutrien Ag Solutions - Nutrien Ag Solutions, Inc. Total:		**1,542.56**
Vendor: Office Depot - Office Depot					
Office Depot	INV 360857210-001	05/01/2024	INV 360857210-001 Office Su...	01-160-57200-0000-1	15.73
Office Depot	INV 360857210-001	05/01/2024	INV 360857210-001 Office Su...	01-165-57200-0000-1	20.92
Office Depot	INV 360857210-001	05/01/2024	INV 360857210-001 Office Su...	01-175-57200-0000-1	23.75
Office Depot	INV360018213001	05/01/2024	INV 360018213001 PW Office ...	01-180-57200-0000-1	40.30
Office Depot	INV360018213001	05/01/2024	INV 360018213001 PW Office ...	30-500-57200-0000-1	39.12
Office Depot	INV360018213001	05/01/2024	INV 360018213001 PW Office ...	32-510-57200-0000-1	39.12
Office Depot	INV 359171369001	05/08/2024	INV 359171369001 Finance S...	01-115-57200-0000-1	20.09
Office Depot	INV 359171369001	05/08/2024	INV 359171369001 Finance S...	30-500-57200-0000-1	60.27
Office Depot	INV 359171369001	05/08/2024	INV 359171369001 Finance S...	31-505-57200-0000-1	60.27
Office Depot	INV 359171369001	05/08/2024	INV 359171369001 Finance S...	32-510-57200-0000-1	60.26
Office Depot	INV 359271437001	05/08/2024	INV 359271437001 File Magaz...	01-115-57200-0000-1	2.21
Office Depot	INV 359271437001	05/08/2024	INV 359271437001 File Magaz...	30-500-57200-0000-1	6.61
Office Depot	INV 359271437001	05/08/2024	INV 359271437001 File Magaz...	31-505-57200-0000-1	6.62
Office Depot	INV 359271437001	05/08/2024	INV 359271437001 File Magaz...	32-510-57200-0000-1	6.62
Office Depot	INV 363824112001	05/08/2024	INV 363824112001 Office Sup...	01-180-57200-0000-1	99.28
Office Depot	INV 363827197001	05/08/2024	INV 363827197001 Office Sup...	01-180-57200-0000-1	31.88
Office Depot	INV 363827205001	05/08/2024	INV 363827205001 Office Sup...	01-180-57200-0000-1	29.55
Office Depot	INV 364134243001	05/08/2024	INV 364134243001 Finance S...	01-115-57200-0000-1	15.64
Office Depot	INV 364134243001	05/08/2024	INV 364134243001 Finance S...	30-500-57200-0000-1	46.93
Office Depot	INV 364134243001	05/08/2024	INV 364134243001 Finance S...	31-505-57200-0000-1	46.92
Office Depot	INV 364134243001	05/08/2024	INV 364134243001 Finance S...	32-510-57200-0000-1	46.92
Office Depot	INV 364134465001	05/08/2024	INV 364134465001 Void Stam...	01-115-57200-0000-1	10.00
Office Depot	INV 364134465001	05/08/2024	INV 364134465001 Void Stam...	30-500-57200-0000-1	30.00
Office Depot	INV 364134465001	05/08/2024	INV 364134465001 Void Stam...	31-505-57200-0000-1	30.00
Office Depot	INV 364134465001	05/08/2024	INV 364134465001 Void Stam...	32-510-57200-0000-1	-11.72
Office Depot	Inv. 352520682001	05/08/2024	Inv. 352520682001 HR Office ...	01-112-57200-0000-1	140.64
Office Depot	Inv. 355009913001	05/08/2024	Inv. 355009913001 HR Office ...	01-112-57200-0000-1	135.30
Office Depot	Inv. 355010085001	05/08/2024	Inv. 355010085001 HR Office ...	01-112-57200-0000-1	73.45
			Vendor Office Depot - Office Depot Total:		**1,126.68**
Vendor: Our Home Town, Inc - Our Home Town, Inc.					
Our Home Town, Inc.	2440	05/14/2024	Our Home town May 2024 Inv...	01-130-56000-0000-1	338.53
			Vendor Our Home Town, Inc - Our Home Town, Inc. Total:		**338.53**
Vendor: Pegboard - Pegboard					
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	01-130-57200-0000-1	94.77
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	01-150-57200-0000-1	94.77
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	01-180-57200-0000-1	94.77
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	30-500-57200-0000-1	94.77
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	32-510-57200-0000-1	94.77
Pegboard	INV505552	05/08/2024	INV505552 - A/P Foil Checks	34-520-57200-0000-1	95.01
			Vendor Pegboard - Pegboard Total:		**568.86**
Vendor: Pitney Bowes - Pitney Bowes					
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-105-55600-0000-1	9.59
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-110-55600-0000-1	9.59
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-115-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-130-55600-0000-1	9.56
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-140-55600-0000-1	9.58

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-150-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-155-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-160-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-165-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	01-175-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	30-500-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	31-505-55600-0000-1	9.58
Pitney Bowes	8000-9000-0937-7825 5/05/24	05/08/2024	8000-9000-0937-7825 5/05/24..	32-510-55600-0000-1	9.58
			Vendor Pitney Bowes - Pitney Bowes Total:		**124.54**
Vendor: PLATT - Rexel USA Supply					
Rexel USA Supply	INV 5C21802	05/01/2024	INV 5C21802 LED, Photocell, E...	01-190-56400-0000-1	411.13
Rexel USA Supply	INV5c08362	05/01/2024	INV 5C08362 LED Canopy Light	01-190-56400-0000-1	127.77
Rexel USA Supply	INV5C40848	05/01/2024	INV 5C40848 Facilities Mainte...	01-190-56400-0000-1	32.12
Rexel USA Supply	INV 5D06473	05/08/2024	INV 5D06473 WWTP Duct Seal	30-500-56400-0000-1	16.66
Rexel USA Supply	Inv. 5D39489	05/08/2024	Inv. 5D39489 - Circuit Braker (...	01-155-56400-0000-1	86.86
			Vendor PLATT - Rexel USA Supply Total:		**674.54**
Vendor: San Joaquin Paint - San Joaquin Paint					
San Joaquin Paint	INV 131645	05/01/2024	INV 131645 White Gloss Wells...	32-510-56410-0000-1	186.48
			Vendor San Joaquin Paint - San Joaquin Paint Total:		**186.48**
Vendor: Meister Sealcoat & S - SealMaster Bakerfield					
SealMaster Bakerfield	INV 67833	05/01/2024	INV 67833 Asphalt Binder and...	01-180-56500-0000-1	885.36
			Vendor Meister Sealcoat & S - SealMaster Bakerfield Total:		**885.36**
Vendor: SECURE SYSTEMS - SECURE SYSTEMS					
SECURE SYSTEMS	INV R267689	05/01/2024	Secure Systems R267689 04.0...	01-150-52200-0000-1	74.40
SECURE SYSTEMS	INV R267689	05/01/2024	Secure Systems R267689 04.0...	01-185-52200-0000-1	74.40
SECURE SYSTEMS	INV R267689	05/01/2024	Secure Systems R267689 04.0...	01-190-52200-0000-1	74.40
SECURE SYSTEMS	INV R267689	05/01/2024	Secure Systems R267689 04.0...	30-500-52200-0000-1	74.40
SECURE SYSTEMS	INV R267689	05/01/2024	Secure Systems R267689 04.0...	32-510-52200-0000-1	74.40
SECURE SYSTEMS	Secure Systems 04.01.24 R26...	05/08/2024	Secure Systems 04.01.24 R26...	01-190-52200-0000-1	52.00
SECURE SYSTEMS	Secure Systems 05.01.24 R26...	05/08/2024	Secure Systems 05.01.24 R26...	01-190-52200-0000-1	52.00
SECURE SYSTEMS	Secure Systems R268642 05.0...	05/08/2024	Secure Systems R268642 05.0...	01-190-52200-0000-1	372.00
			Vendor SECURE SYSTEMS - SECURE SYSTEMS Total:		**848.00**
Vendor: Solar Energy - Solar Energy of America 1 LLC					
Solar Energy of America 1 LLC	INV 32955965	05/08/2024	INV 32955965 April 2024 Mon...	30-500-58000-0000-1	15,833.56
			Vendor Solar Energy - Solar Energy of America 1 LLC Total:		**15,833.56**
Vendor: SPD - SPD					
SPD	INV 3015	05/08/2024	INV 3015 White Window Enve...	01-115-57200-0000-1	292.28
			Vendor SPD - SPD Total:		**292.28**
Vendor: SpeakWrite - SpeakWrite					
SpeakWrite	Inv. eeff50d5	05/08/2024	Inv. eeff50d5 - Transcription S...	01-150-56000-0000-1	169.66
			Vendor SpeakWrite - SpeakWrite Total:		**169.66**
Vendor: CALTRANS - State of California Department of Transportation					
State of California Department..	INV SL240807	05/01/2024	INV SL240807 Signals and Ligh...	20-200-58100-0000-1	58.95
			Vendor CALTRANS - State of California Department of Transportation Total:		**58.95**
Vendor: SWRCB DFA - State Water Resources Control Board					
State Water Resources Control..	INV0026684	05/08/2024	SWRCB Extended Arrearage P...	26-24600-8610-1	35,965.05
			Vendor SWRCB DFA - State Water Resources Control Board Total:		**35,965.05**
Vendor: Statewide Safety - Statewide Saftey					
Statewide Saftey	INV 12019192	05/08/2024	INV 12019192 Street Signs and..	01-180-56500-0000-1	1,100.70
			Vendor Statewide Safety - Statewide Saftey Total:		**1,100.70**
Vendor: Stinson Stationers, - Stinson Stationers, Inc.					
Stinson Stationers, Inc.	INV 281133-0	05/01/2024	Inv. 281133-0 Office Supplies	01-150-57200-0000-1	114.04
Stinson Stationers, Inc.	INV 281133-0	05/01/2024	Inv. 281133-0 Nitrile Gloves	01-150-57400-0000-1	45.40
			Vendor Stinson Stationers, - Stinson Stationers, Inc. Total:		**159.44**
Vendor: Supplyworks - Supplyworks Inc					
Supplyworks Inc	INV 785279753	05/08/2024	INV 785279753 City Hall Repai...	01-190-56400-0000-1	981.72

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Supplyworks Inc	INV 785885054	05/08/2024	INV 785885054 City Hall Main...	01-190-56400-0000-1	77.94
				Vendor Supplyworks - Supplyworks Inc Total:	**1,059.66**
Vendor: tmobile - T Mobile USA Inc					
T Mobile USA Inc	INV0026561	05/01/2024	Acct# 992748243 - Police Dep...	01-150-57800-0000-1	1,437.66
T Mobile USA Inc	INV0026561	05/01/2024	Acct# 992748243 - Animal Con..	01-155-57800-0000-1	119.82
				Vendor tmobile - T Mobile USA Inc Total:	**1,557.48**
Vendor: Trinity Custom - Trinity Custom					
Trinity Custom	INV 218703	05/08/2024	INV 218703 Gas Clip Quad Mo...	30-500-56410-0000-1	1,201.58
				Vendor Trinity Custom - Trinity Custom Total:	**1,201.58**
Vendor: Tyler Technologies - Tyler Technologies					
Tyler Technologies	INV 025-463653	05/08/2024	INV 025-463653 Time & Atten...	01-310-52200-0000-1	420.00
				Vendor Tyler Technologies - Tyler Technologies Total:	**420.00**
Vendor: ultrex management - Ultrex Management Services LLC					
Ultrex Management Services L...	Inv 4065454	05/08/2024	Inv 4065454 CN27737-01 (Dis...	01-150-52200-0000-1	304.32
				Vendor ultrex management - Ultrex Management Services LLC Total:	**304.32**
Vendor: UNWIREDBROADBAND - unWired Broadband LLC					
unWired Broadband LLC	INV 01989402	05/08/2024	INV 01989402 Internet Month..	01-155-57800-0000-1	144.99
unWired Broadband LLC	INV 01989402	05/08/2024	INV 01989402 Internet Month..	30-500-57800-0000-1	145.00
				Vendor UNWIREDBROADBAND - unWired Broadband LLC Total:	**289.99**
Vendor: Visual Edge - Visual Edge IT, Inc.					
Visual Edge IT, Inc.	INV 24AR1708563	05/08/2024	INV 24AR1708563 Monthly C...	01-130-54800-0000-1	542.83
				Vendor Visual Edge - Visual Edge IT, Inc. Total:	**542.83**
Vendor: Rain for Rent - Western Oilfields Supply Company					
Western Oilfields Supply Com...	INV 1995190	05/01/2024	INV 1995190 Water- Vent, Ad...	32-510-56410-0000-1	186.68
Western Oilfields Supply Com...	INV 1987906	05/08/2024	INV 1987906 Water- Operatin...	32-510-57400-0000-1	12.95
				Vendor Rain for Rent - Western Oilfields Supply Company Total:	**199.63**
				Grand Total:	**215,076.07**

Report Summary

Fund Summary

Fund		Payment Amount
01 - GENERAL FUND		76,363.52
20 - LIGHTING & LANDSCAPING-DISTRICT 1		588.76
25 - CAPITAL IMPROVEMENTS PROJECTS		37,776.93
26 - MISCELLANEOUS GRANTS		35,965.05
30 - SEWER		28,117.12
31 - REFUSE/RECYCLING		5,747.44
32 - WATER		30,022.55
34 - PUBLIC TRANSPORTATION		494.70
	Grand Total:	**215,076.07**

Account Summary

Account Number	Account Name	Payment Amount
01-105-52200-0000-1	Contract Services	600.00
01-105-54000-0000-1	Fuel	10.92
01-105-55600-0000-1	Postage	9.59
01-105-57100-2406-1	Special Activities	2,500.00
01-105-57800-0000-1	Telephone & Communic…	30.95
01-110-52000-0000-1	Conferences/Meetings/T…	628.74
01-110-54000-0000-1	Fuel	55.89
01-110-55600-0000-1	Postage	9.59
01-110-57800-0000-1	Telephone & Communic…	55.84
01-111-54000-0000-1	Fuel	10.92
01-112-57200-0000-1	Supplies - Office	349.39
01-115-54000-0000-1	Fuel	10.92
01-115-55600-0000-1	Postage	9.58
01-115-57200-0000-1	Supplies - Office	340.22
01-115-57800-0000-1	Telephone & Communic…	69.87
01-130-51200-0000-1	Bank Charges	164.40
01-130-52200-0000-1	Contract Services	360.48
01-130-54800-0000-1	Maintenance Agreements	542.83
01-130-55600-0000-1	Postage	9.56
01-130-56000-0000-1	Professional Services - O…	938.53
01-130-57200-0000-1	Supplies - Office	143.92
01-140-54000-0000-1	Fuel	16.70
01-140-55600-0000-1	Postage	9.58
01-140-57800-0000-1	Telephone & Communic…	42.59
01-150-52200-0000-1	Contract Services	529.19
01-150-54000-0000-1	Fuel	4,190.40
01-150-55600-0000-1	Postage	9.58
01-150-56000-0000-1	Professional Services - O…	4,455.64
01-150-56600-0000-1	Repairs & Maintenance -…	1,678.09
01-150-57200-0000-1	Supplies - Office	261.08
01-150-57400-0000-1	Supplies - Operating	45.40
01-150-57800-0000-1	Telephone & Communic…	2,115.62
01-155-51150-0000-1	Dog Clinic	268.01
01-155-54000-0000-1	Fuel	167.65
01-155-55600-0000-1	Postage	9.58
01-155-56400-0000-1	Repairs & Maint - Build &..	86.86
01-155-57800-0000-1	Telephone & Communic…	285.91
01-160-54000-0000-1	Fuel	55.89
01-160-55600-0000-1	Postage	9.58
01-160-57200-0000-1	Supplies - Office	15.73
01-160-57800-0000-1	Telephone & Communic…	21.10
01-165-54000-0000-1	Fuel	83.51
01-165-55600-0000-1	Postage	9.58
01-165-57200-0000-1	Supplies - Office	20.92
01-165-57800-0000-1	Telephone & Communic…	92.65

Account Summary

Account Number	Account Name	Payment Amount
01-175-54000-0000-1	Fuel	5.78
01-175-55600-0000-1	Postage	9.58
01-175-57200-0000-1	Supplies - Office	23.75
01-175-57800-0000-1	Telephone & Communic…	42.59
01-180-54000-0000-1	Fuel	670.03
01-180-56440-0000-1	Repairs & Maintenance-…	753.77
01-180-56500-0000-1	Repairs/Maintenance St…	5,325.23
01-180-56800-0000-1	Safety Equipment	282.38
01-180-57200-0000-1	Supplies - Office	295.78
01-180-57400-0000-1	Supplies - Operating	665.47
01-180-57800-0000-1	Telephone & Communic…	35.90
01-180-58100-0000-1	Street Lighting	3,455.02
01-185-52200-0000-1	Contract Services	74.40
01-190-52200-0000-1	Contract Services	550.40
01-190-56400-0000-1	Repairs & Maint - Build &..	1,742.46
01-20800-0000-1	Pension Payable	13,502.13
01-22050-0000-1	Federal Withholding Pay…	7,667.82
01-22100-0000-1	FICA Payable	10,975.80
01-22150-0000-1	Medicare Payable	2,566.88
01-22200-0000-1	State Withholding Payab…	4,455.09
01-22250-0000-1	SUTA Payable	89.64
01-22275-0000-1	ETT Payable	1.91
01-22700-0000-1	Disablity LTD	148.58
01-22800-0000-1	Accident	19.34
01-22900-0000-1	Life	68.88
01-22950-0000-1	Cancer-American Fidelity	13.53
01-24000-0000-1	Deposits	1,050.00
01-310-52200-0000-1	Contract Services	538.40
20-200-51800-0000-1	Clothing Allowance	305.62
20-200-54000-0000-1	Fuel	223.55
20-200-57800-0000-1	Telephone & Communic…	0.64
20-200-58100-0000-1	Street Lighting	58.95
25-000-52960-2303-1	Street & Roads (Capital)	12,594.83
25-000-52960-2304-1	Street & Roads (Capital)	12,591.05
25-000-52960-2305-1	Street & Roads (Capital)	12,591.05
26-24600-8610-1	Deferred Revenue - SW…	35,965.05
30-20800-0000-1	Pension Payable	16.43
30-22050-0000-1	Federal Withholding Pay…	17.34
30-22100-0000-1	FICA Payable	21.72
30-22150-0000-1	Medicare Payable	5.08
30-22200-0000-1	State Withholding Payab…	9.09
30-500-51200-0000-1	Bank Charges	164.41
30-500-51800-0000-1	Clothing Allowance	200.00
30-500-52200-0000-1	Contract Services	74.40
30-500-52600-0000-1	Contract Services - Sewer	4,860.00
30-500-53250-0000-1	Permits & Certificates	170.00
30-500-54000-0000-1	Fuel	418.85
30-500-55600-0000-1	Postage	9.58
30-500-56000-7820-1	Professional Services - …	3,092.56
30-500-56400-0000-1	Repairs & Maint - Build &..	119.27
30-500-56410-0000-1	Repairs & Maintenance …	2,197.12
30-500-56800-0000-1	Safety Equipment	133.41
30-500-57200-0000-1	Supplies - Office	277.70
30-500-57800-0000-1	Telephone & Communic…	426.19
30-500-58000-0000-1	Utilities	15,903.97
31-505-51200-0000-1	Bank Charges	164.41
31-505-52800-0000-1	County Waste Managem…	5,352.97
31-505-55600-0000-1	Postage	9.58

Account Summary

Account Number	Account Name	Payment Amount
31-505-57200-0000-1	Supplies - Office	143.81
31-505-57800-0000-1	Telephone & Communic…	76.67
32-20800-0000-1	Pension Payable	16.42
32-22050-0000-1	Federal Withholding Pay…	17.35
32-22100-0000-1	FICA Payable	21.72
32-22150-0000-1	Medicare Payable	5.08
32-22200-0000-1	State Withholding Payab…	9.08
32-510-51200-0000-1	Bank Charges	164.41
32-510-51800-0000-1	Clothing Allowance	305.62
32-510-52200-0000-1	Contract Services	74.40
32-510-54000-0000-1	Fuel	516.81
32-510-55600-0000-1	Postage	9.58
32-510-56000-0000-1	Professional Services - O…	7,846.00
32-510-56400-8270-1	Repairs & Maint. Building..	43.65
32-510-56410-0000-1	Repairs & Maintenance- …	5,032.71
32-510-57200-0000-1	Supplies - Office	235.97
32-510-57400-0000-1	Supplies - Operating	5,044.67
32-510-57800-0000-1	Telephone & Communic…	309.60
32-510-58000-0000-1	Utilities	10,369.48
34-520-54000-0000-1	Fuel	335.34
34-520-56600-0000-1	Repairs & Maintenance -…	64.35
34-520-57200-0000-1	Supplies - Office	95.01
	Grand Total:	**215,076.07**

Project Account Summary

Project Account Key		Payment Amount
None		215,076.07
	Grand Total:	**215,076.07**

CITY COUNCIL MINUTES
APRIL 25, 2024
MCFARLAND CITY COUNCIL

CALL TO ORDER

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

ROLL CALL:

Councilmembers Present: Mayor Ayon, Vice Mayor Cano, Council Member Gonzales, Council Member Perez

Councilmembers Absent: Council Member Ayon

INVOCATION:

Invocation offered by Council Member Gonzales

PLEDGE OF ALLEGIANCE

Pledge of Allegiance offered by Council Member Perez.

INTERPRETATION

Gabriela Bravo introduced as the interpreter for the meeting.

FEATURED PET:

Chief Knox presented the featured pet Rocky.

APPROVE AGENDA AS TO FORM

Motion by Council Member Perez, Second by Vice Mayor Cano to approve the agenda as to form.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed

PRESENTATIONS, INTRODUCTIONS AND AWARDS

PUBLIC COMMENT:

Comments from the public were presented by:
1. Phil Corr

Public comment closed at 6:05

MAYOR AND COUNCIL COMMENTS

1. Mayor Ayon: Introduced and recognized City employees from the water and wastewater divisions in Public Works Department for the work and dedication of keeping the systems operational particularly during these challenging times.

2. Vice Mayor Cano: Provided additional commentary and appreciation for the City employees in the water and wastewater divisions.

3. Council Member Perez: Additionally thanked and recognized City employees.
4. Council Member Gonzales: Additionally thanked and recognized City employees

DEPARTMENTAL REPORTS

CONSENT AGENDA

1. APPROVAL OF EXPENSE REPORT IN THE AMOUNT OF $469,512.48 FROM 3/30/2024 TO 4/12/2024.

2. APPROVAL OF RESOLUTION NO. 2024-55 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MARTIN, PARIS, AND MULLINS INVESTIGATIONS FOR INTERNAL INVESTIGATIVE SERVICES

3. APPROVAL OF RESOLUTION NO. 2024-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE ENTERING INTO A FUNDING AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD AND AUTHORIZING AND DESIGNATING THE CITY MANAGER FOR THE BROWNING ROAD WELL NITRATE TREATMENT PROJECT.

4. APPROVAL OF RESOLUTION NO. 2024-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP).

5. APPROVAL OF RESOLUTION NO. 2024-50 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, ADOPTING AN UPDATED TRAVEL POLICY.

6. APPROVAL OF RESOLUTION NO. 2024-51 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE CITY MANAGER TO SIGN ON THE BEHALF OF THE CITY OF MCFARLAND.

Motion was made by: Council Member Gonzales to approve the CONSENT AGENDA; 2nd by: Vice Mayor Cano.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon

PUBLIC HEARINGS

ADMINISTRATIVE AGENDA

7. APPROVAL OF RESOLUTION NO. 2024-53 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND TO ACCEPT THE BID SUBMITTED BY CEN-CAL CONSTRUCTION FOR THE HSIP CYCLE 10 - PEDESTRIAN SAFETY IMPROVEMENTS - VARIOUS LOCATIONS - HSIPSL 5343 (018) PROJECT IN THE AMOUNT OF $149,146.99 AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE CONSTRUCTION AGREEMENT, ALLOCATE FUNDS FOR THE BASE BID AND BID OPTION 1, AND UP TO $44,446.01 FOR CONTINGENCY, CONSTRUCTION MANAGEMENT AND MATERIALS SAMPLING & TESTING.

Motion was made by: Vice Mayor Cano; 2nd by: Council Member Perez.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed by unanimous vote with Council Member Ayon absent.

8. APPROVAL OF RESOLUTION NO. 2024-54 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING A PROPOSAL FOR THE MCFARLAND EMERGING LEADERS, AN INTERNSHIP PROGRAM.
Motion was made by: Council Member Perez; 2nd by: Council Member Gonzales.

ROLL CALL VOTE: 4/0/1

AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed by unanimous vote with Council Member Ayon absent.

9. APPROVAL OF RESOLUTION NO. 2024-56 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND ADRIAN OLMOS FOR THE POSITION OF CAPTAIN
Motion was made by: Vice Mayor Cano; 2nd by: Council Member Perez.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed by unanimous vote with Council Member Ayon absent.

10. APPROVAL OF RESOLUTION NO. 2024-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND RATIFYING THE DECISION TO PROCEED WITH AN URGENCY PURCHASE FOR THE TEMPORARY REVERSE OSMOSIS WATER TREATMENT SYSTEM AT BROWNING ROAD WELL AND APPROVING AN ADDITIONAL APPROPRIATION TO THE WATER FUND.

Motion was made by: Vice Mayor Cano; 2nd by: Council Member Perez.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed by unanimous vote with Council Member Ayon absent.

11. UPDATE LIST OF COUNCIL MEMBERS ON SUBCOMMITTEES AND SPECIAL DISTRICT COMMITTEES.

The Mayor announced the following appointments to subcommittees and special district committees:

1. Kern Council of Governments (KCOG)
Primary: Saul Ayon - Alternate: Maria Pérez
2. Kern Economic Development Corp. (KEDC)
Primary: Saul Ayon - Alternate: Ricardo Cano
3. San Joaquin Valley Air Pollution Control District (SJV)

Primary: Amador Ayon - Alternate: Anita Gonzalez
4. Delano Mosquito Abatement District (DMAD)
Primary: Ricardo Cano - Alternate: Maria Pérez
5. Poso Creek (IRWMP)
Primary: Anita Gonzalez – Alternate: Ricardo Cano
6. Kern Local Agency Formation Commission (LAFCO)
Primary: Saul Ayon - Alternate: Ricardo Cano
7. Public Policy and Finance Committee
Saul Ayon & Anita Gonzalez
8. Public Safety Committee
Saul Ayon & Maria Pérez
9. Quality of Life Committee
Maria Pérez & Ricardo Cano
10. Ad Hoc Committee (not a brown act committee)
Saul Ayon & Maria Pérez
11. Cannabis Committee
Saul Ayon & Ricardo Cano

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

a. Kern Council of Governments (KCOG): Mayor Ayon provided update.
b. Kern Economic Development Corp. (KEDC): Paul Saldana provided update
c. Kern Local Agency Formation Commission (LAFCO): Mayor Ayon provided update.
d. Delano Mosquito Abatement District (DMAD): Vice Mayor Cano provided update.

COUNCIL STATEMENTS AND REPORTS

CLOSED SESSION

ADJOURNMENT

Motion was made by: Council Member Gonzales; 2nd by: Council Member Perez.

ROLL CALL VOTE: 4/0/1
AYES: S. Ayon, R. Cano, M. Perez, A. Gonzales
NAYS: None
ABSTAIN: None
ABSENT: A. Ayon
Motion passed by unanimous vote with Council Member Ayon absent.

Meeting adjourned at 6:35 PM

Paul M. Saldana

Paul Saldana
Deputy City Clerk

CITY COUNCIL MINUTES
May 9, 2024
MCFARLAND CITY COUNCIL

CALL TO ORDER

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

ROLL CALL

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

OFFICIALS PRESENT

City Manager Viramontes, City Attorney Hodges, Chief of Police Knox, Community Development Director/Deputy City Clerk Saldana, Public Works Director Hernandez, Human Resources Director McCuan,

INVOCATION

Council Member Gonzales

PLEDGE OF ALLEGIANCE

Council Member Perez

APPROVAL OF AGENDA AS TO FORM

Motion by Cano to approve agenda as amended, moving Public Comment to the end of the meeting, Second by Gonzales and approved by unanimous vote.

FEATURED PET

Chief Knox presented Shelby the featured pet available for adoption.

PRESENTATIONS, INTRODUCTIONS AND AWARDS

Motion by Perez to approve proclamations and recognitions, second by Gonzales and approved by unanimous vote. The following proclamation and recognition were presented.

1. Proclamation: National Police Week
2. Proclamation: Economic Development Week
3. Proclamation: National Mental Health Awareness Month
4. Proclamation: Community Action Month
5. Recognition: Lauren Cella, History Teacher, McFarland High School
6. Recognition: Henry Roblero, Pastor, Iglesia del Salvador Viviente
7. Recognition: Anthony Blanco, Associate Pastor, Iglesia del Salvador Viviente

COUNCIL COMMENTS

City Council members provided statements of appreciation to the audience for attending and congratulatory statements to those receiving proclamations and recognitions.

DEPARTMENTAL REPORTS

8. Finance Department - Utility Billing Platform Launch Presentation

CONSENT AGENDA

9. Approval of Expense Report in the Amount of $426,577.25 from 4/13/2024 to 4/26/2024.
10. Approval of Payroll Report for the Month of April 2024 in the Amount of $332,351.95.
11. Approval of April 11, 2024 Regular Meeting Minutes.

Recommended Action: Approve the Consent Calander
Public Comment: None
Council Action: It was moved Cano, second by Perez to approve the Consent Calander as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

PUBLIC HEARINGS

12. APPROVAL OF RESOLUTION NO. 2024-57 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO.1, AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2024/2025.
Recommended Action: Approve Resolution 2024-57
Presented by Diego Viramontes
Public Comments: Phil Corr
Council Action: It was moved Cano, second by Perez to approve Resolution 2024-57 as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

13. APPROVAL OF RESOLUTION NO. 2024-58 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA ORDERING THE LEVY AND

COLLECTION OF ASSESSMENTS WITHIN THE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, FOR FISCAL YEAR 2024/2025.
Recommended Action: Approve Resolution 2024-58
Presented by Diego Viramontes
Public Comments: Phil Corr
Council Action: It was moved Gonzales, second by Perez to approve the Resolution 2024-58 as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

ADMINISTRATIVE AGENDA
14. RECEIVE AND FILE THE CITY OF MCFARLAND AUDITED FINANCIAL STATEMENTS FOR THE PERIOD ENDED JUNE 30, 2023.
Recommended Action: Receive and file
Presented by City Auditor
Public Comments: Phil Corr
Council Action: It was moved Cano, second by Gonzeles to receive and file as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

15. APPROVAL OF RESOLUTION NO. 2024-59 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING THE TUITION ASSISTANCE PROGRAM POLICY
Recommended Action: Approve Resolution 2024-59
Presented by Serrena McCuan
Public Comments: None.
Council Action: It was moved by Cano, second by A. Ayon to approve the Resolution 2024-59 as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

16. APPROVAL OF RESOLUTION NO. 2024-52 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING STAFFING CHANGES TO THE MCFARLAND POLICE DEPARTMENT.

Recommended Action: Approve Resolution 2024-52
Presented by Chief Knox
Public Comments: Georgina Diaz
Council Action: It was moved by Cano, second by Perez to approve the Resolution 2024-52 as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

17. APPROVAL OF RESOLUTION NO. 2024-60 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING A RESTRUCTURING OF THE ANIMAL CONTROL AND CODE ENFORCEMENT STAFFING

Recommended Action: Approve Resolution 2024-60
Presented by Chief Knox
Public Comments: None.
Council Action: It was moved by Gonzales, second by A. Perez to approve the Resolution 2024-59 as presented.

AYES: S. Ayon, Cano, A. Ayon, Gonzalez, Pérez
NOES: None
ABSENT:
PASSED 5-0

PUBLIC COMMENT:

The following provided public comment:
1. Phil Corr – regarding cannabis.
2. Georgina Diaz – regarding police department.

COUNCIL STATEMENTS AND REPORTS:
Mayor highlighted the work of the city staff, particularly finance staff in attendance.

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS
a) Delano Mosquito Abatement District (DMAD): Vice Mayor Cano provided update.
b) Public Policy and Finance Committee: Council Member Gonzales provided update.
c) Public Safety Committee: Mayor Ayon provided update.
d) Quality of Life Committee: No update.

CLOSED SESSION
None

ADJOURNMENT

It was moved by Gonzales, second by A. Perez to adjourn the meeting. Motion passed unanimously. Meeting adjourned at 7:52 PM.

Paul M. Saldana

Paul Saldana
Deputy City Clerk

City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 9.
Section: CONSENT AGENDA
Meeting Date: May 23, 2024

TO: Honorable Mayor and Council Members

FROM: Diego Viramontes, City Manager
Paul Saldaña , Community Development Director

SUBJECT: APPROVAL OF RESOLUTION NO. 2024-66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AGREEMENT WITH QK FOR THE UPDATE OF THE CITY DEVELOPMENT STANDARDS.

SUMMARY:

The City received funding from the Kern Council of Governments from the Regional Early Action Planning (REAP) Program in the amount of $73,165.83. The City proposed to Kern COG to utilize the grant funding for qualified expenses related to the development of the Accessory Dwelling Units, updating the City's regulatory fee structure and for the update of the development standards.

The Public Works and Community Development Department reached out to the City's current contract engineers to determine who had the capacity and ability to complete the task by the grant deadline of June 30. QK was the only firm to respond with a specific proposal outlining the cost and proposal. Staff worked with QK to refine the proposal to only include the essential standards that required updating. The proposal meets the requirements of the City and is within the budget amount set aside for this task.

The update of development standards will streamline the development process and will ensure consistent application of the design and construction of infrastructure and other elements of the development of the City.

FINANCIAL IMPACT:

$41,000 paid from Regional Early Action Planning (REAP) Grant funds.

RECOMMENDATION:

Approval of RESOLUTION 2024-66 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AGREEMENT WITH QK FOR THE UPDATE OF THE CITY DEVELOPMENT STANDARDS AND MAKING AN APPROPRIATION THEREOF

ATTACHMENTS:

1. Attachment "A" QK Proposal

RESOLUTION NO. 2024-66

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AGREEMENT WITH QK FOR THE UPDATE OF THE CITY DEVELOPMENT STANDARDS

WHEREAS, On January 24, 2024 the City of McFarland received an allocation of $73,165.83 from the Kern Council of Governments for the Regional Early Action Planning (REAP) program; and

WHEREAS, the City proposed using a portion of the funding for the update of the City's Development Standards; and

WHEREAS, QK provided a timely proposal to update the development standards within the timeframe and budget; and

WHEREAS, the Public Works Director and Community Development Director have reviewed the proposal for essential updates to the City's Development Standards and recommends using QK for these services.

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

1. The City Manager, or designee, is authorized to execute a contract with QK to update the development standards, as outlined in Attachment "A", for the provision of development standards update services.
2. This resolution is to take effect immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on May 23, 2024 by the following vote:

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

CITY OF MCFARLAND

____
Saul Ayon, Mayor

ATTEST:

____
Francisca R. 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 R. Alvarado, City Clerk

901 East Main Street | Visalia, CA 93292 | (559) 733-0440

May 8, 2024

Adam Cabrera
Assistant Public Works Director
City of McFarland
401 W. Kern Ave.
McFarland, CA 93250

Subject: City of McFarland Improvement Standards
Update to City Standard Details - REVISED

Dear Adam:

Having discussed the City's needs for an expedited update to City Standard Details and receiving your list of details that you want to update or add, we offer a revised proposal for updating City Standard Details for your immediate approval and authorization to proceed.

We are pleased to present a focused proposal for essential updates to the City's standard details, bringing them into current standard of care practices and are compatible with updated Federal, State and local requirements. Please do not hesitate to contact John Krueger or Monique Mello with any questions, concerns, or suggestions.

Sincerely,

John Krueger
Senior Construction Manager

Monique Mello, PE
Branch Manager – Visalia/Porterville

Enclosures: Scope of Services and Fee Estimate
Professional Services Agreement
Charge Rate Schedule

cc: Monique Mello, QK
Courtney Lee, QK
John Doyel, QK
Greg Thompson, QK

P230574
GT/JK/MM

Revised Scope of Services and Fee Estimate

BACKGROUND

The City of McFarland's (City) goal is to update its standard details to updated management practices and to include missing elements of the current City Standards. QK understands the services would generally include:

- Preparing the engineering standard details in AutoCAD for each of the following as applicable from current standard plans:
    - General Purpose and Information updates
    - Street Design, Paving, Curb, Gutter, Sidewalk, ADA, Traffic, Street Lighting
    - Storm Drains, Catch Basins, Detention Basins
    - Miscellaneous: Landscaping, Fencing, Trash Enclosure, Lot Requirements

The City Standard Details should reflect not only common engineering best management practices but should also reflect current legislative policies and regulations from the local and State agencies. Furthermore, the City Standards should incorporate the provisions of the Zoning Ordinance and General Plan goals and policies into its design.

The City Standard Details are core components of the overall City standard plans, specifications, agreements, forms, and ordinances. This proposal addresses only the standard plans for the City, and does not address updates to the general provisions, design criteria, technical specifications, forms, environmental requirements, bond or insurance requirements, or any other requirements found in the City Improvement Standards. An updated listing is outlined in the scope identified herein.

PROJECT UNDERSTANDING

The City's current Standard Details date back to 2004, and although portions of the standard details have been updated in 2022 (Water and Sewer), those portions also require some update. The current standard details require design standards and code updates (e.g., ADA) as well as updated material standards and technology. With current and future development, the City would benefit from providing current standard details to developers and code enforcement staff so that upcoming work meets these up-to-date requirements. It has been communicated to QK by the City that no more than 60 details in-total are required to be modified or created.

APPROACH/SCOPE OF SERVICES

Based on the Project Understanding described above, QK has prepared the following scope of work to update the current City Standard Details.

TASK 1.0 PROJECT MANAGEMENT AND RESEARCH

Subtask 1.1 Research

Prior to a kick-off meeting with the City, QK will collect and collate existing available information from the City regarding the current standard details which may include formal and informal documentation. QK will also research and collect applicable local, State, federal, and industry standards for use in updating the current City Standards. This information will be provided at the kick-off meeting with the City (Subtask 1.2 below).

<u>Deliverable:</u>

- Memorandum regarding information collected and any recommendations in PDF format

Subtask 1.2 Kick-off Meeting

QK will attend a virtual project kick-off meeting with the City to review the scope of work, schedule, proposed deliverables, fees, and review process. The meeting will include the QK project team (up to four team members) and appropriate City staff. During the meeting, we will also review the memorandum from Subtask 1.1, confirm the number and type of standard details to be provided, confirm the State, federal and/or industry standards to be used for the design standards, and confirm the number and type of checklists/process flow diagrams to prepared.

Deliverables:

- Meeting notes with action items in PDF format
- Schedule matrix with milestones and deliverables in PDF format

Subtask 1.3 Project Management and Project Schedule

QK will provide overall project management for the project, including day-to-day oversight of work items in the scope of services, management of the project budget, responding to City staff questions/correspondence, preparing and submitting monthly invoices, and preparing and maintaining the project schedule.

Deliverables:

- Project schedule with milestones in PDF format
- Response to questions/correspondence as needed
- Invoices (monthly) in PDF format

TASK 2.0 UPDATE STANDARD DETAILS

Standard details will be prepared for the following Divisions in the City Standards and Details. The existing standards will be updated as applicable for updated compliance as shown below. This list was prepared in consultation with City Staff.

Update Existing Standards:

- Streets (R-1 – R-12) (12 details)
- Storm Drain (D 1 – D-4) (4 details)
- Miscellaneous (M-1) (1 detail)
- Water (3 details)
- Sanitary Sewer (2 details)

Supplemented by additional Standard Details similar to the City of Bakerfield (CoB) Standards:

- Street Lighting (4 details similar to CoB ST-23, -23.1, -23.2, -23.4)
- Traffic Details (15 details similar to CoB T-1, -2, -3, -10, -12, -14, -15, -16, -23, -24, -26, -27, -28, -29, -32)
- Storm Drain (additional 5 details similar to CoB D-11, -12, -13, -20, -21)
- Trash Enclosure details (2 Miscellaneous details similar to CoB ST-27, -28)
- Streets (additional 2 details similar to CoB ST-2, -31)

A total number of 50 details is assumed for this proposal which includes updating/replacing the existing 22 details as necessary and the development of up to 28 additional details. The proposed standards will also increase the number of Divisions from the existing three (3) Divisions to the proposed seven (7) Divisions listed above. The details will incorporate the local, State, federal, and best management practices identified in the kick-off meeting (Subtask 1.2).

If the City, during the course of QK's research or development of the details, determines it requires additional details then QK can perform this service as an additional service to the City.

Subtask 2.1 Prepare Draft Standard Details

Based on the kick-off meeting in Subtask 1.2, we will prepare digital drawings for each of the standard details. The details will be prepared in AutoCAD format. Based on discussions, we will prepare and complete a package of details for each of the Divisions and submit each Division package separately for review. Therefore, we will provide thirteen (13) separate submittal packages for the City's review and comment.

Deliverable:

- A package of draft details for each of the specified Divisions, a total of seven (7) packages, in PDF format

Subtask 2.2 Internal Conformance Review

Each of the detail packages prepared in Subtask 2.1, will be reviewed for conformance with the other applicable State and federal requirements, such as the Americans with Disabilities Act (ADA). They will also be reviewed for consistency with the City's applicable current documents, including the Zoning Ordinance, General Plan goals and policies, Circulation Element, and Land Use Element. Any comments received from this review will be addressed in the draft standard details (Subtask 2.1).

Subtask 2.3 City Review of Draft Standard Details

Following the City's review, QK will meet with the City staff virtually to review their comments, edits, and revisions, and confirm the modifications to be included in the final details, design standards, and any required guidance documents.

Deliverable:

- Summary log of City comments in PDF format

Subtask 2.4 Prepare Final Standard Details

Based on the input from City staff and confirmation of modifications in Subtask 2.3, QK will prepare the final standard detail packages for each Division.

Deliverable:

- A package of final details for each of the specified Divisions, a total of seven (7) submittal packages, in PDF format

Subtask 2.5 City Review of Final Standard Details

Following the City review, QK will meet with the City staff virtually to review their comments, minor edits and revisions, and confirm the modification to be included in the final detail package for City approval.

Deliverable:

- Updated summary log of City comments in PDF format

Subtask 2.6 Submit Final Standard Details Package for City Approval

Based on the input from City staff and confirmation of modifications in Subtask 2.5, QK will prepare the final standard detail packages for each Division appropriate for City approval.

Deliverable:

- A package of final details for each of the specified Divisions, a total of seven (7) submittal packages, in PDF format.

SCHEDULE

As stated above, the expected schedule is based on initial research and data-gathering in the first task and the remaining time will be devoted to updating the details as well as the review and approval process of the details.

Task	Description	Duration
1.0	Project Management and Research	2 weeks
2.0	Update Standard Details	*5 weeks
	Total Duration	7 weeks

* Depending on City review time. Achieving success will be highly dependent upon responsive collaboration between QK and the City of McFarland.

FEE ESTIMATE

Task	Description	Fee Type	Fee Amount
1.0	Project Management and Research	Fixed Fee	$9,000
2.0	Update Standard Details	Fixed Fee	$32,000
		Total Fee	$41,000

Notes:

1. Expenses for reproduction, mailing, mileage, etc. are billed separately per our attached Charge Rate Schedule.
2. Tasks billed by fixed fees will be invoiced monthly based on the percentage of work completed.
3. Additional Services requested in writing and approved by the client will be provided on a time-and-materials basis.
4. The Fee Estimate is good for a period of 90 days from the date of the proposal. After 90 days, the Fee Estimate is subject to change.

EXCLUSIONS AND ASSUMPTIONS

This proposal addresses updates to the Standard Details found in the City's current Improvement Standards and does not include updates or review of remaining items in the Improvement Standards such as General Provisions, Design Criteria, Technical Specifications, Forms, Environmental Requirements, Bond or Insurance requirements, or any other requirements found in the City Improvement Standards.

Any services not specifically identified are excluded from this scope of work.

AUTHORIZATION OF SERVICES

In order to authorize services described herein, please sign the attached Professional Services Agreement and send it back to us. Typically, we can begin our services within five business days of the time authorization is received depending on client need and schedule constraints. With the time constraints on the project QK will be prepared to commence immediately upon a Notice to Procced from the City.

Charge Rate Schedule

2024 CHARGE RATE SCHEDULE

	Current
TECHNICAL SERVICES	
Project Administrator	$100 hour
Assistant CADD Technician / Assistant CADD Designer / GIS Technician	$100 hour
Associate CADD Technician / Associate CADD Designer / Associate GIS Analyst	$115 hour
Senior Associate CADD Technician/ Senior Associate CADD Designer / Senior Associate GIS Analyst	$125 hour
Senior CADD Technician / Senior CADD Designer / Senior GIS Analyst	$155 hour
Landscape Architect Technician	$115 hour
PROFESSIONAL SERVICES	
Engineering	
Assistant Engineer	$125 hour
Associate Engineer	$155 hour
Senior Associate Engineer	$180 hour
Project Engineer	$205 hour
Senior Engineer / City Engineer / District Engineer	$235 hour
Principal Engineer	$275 hour
Planning / Environmental / Landscape Architecture	
Assistant Environmental Scientist	$100 hour
Assistant Planner	$110 hour
Associate Planner / Associate Environmental Scientist	$125 hour
Senior Associate Environmental Scientist	$145 hour
Senior Associate Planner	$150 hour
Senior Environmental Scientist	$185 hour
Senior Planner / Senior Landscape Architect	$180 hour
Principal Planner / Principal Environmental Scientist	$210 hour
Senior Principal Planner / Senior Principal Environmental Scientist	$225 hour
Construction and Project Management	
Field Construction Observer	$135 hour
Senior Field Construction Observer	$160 hour
Assistant Construction Manager / Assistant Project Manager	$125 hour
Associate Project Manager	$139 hour
Associate Construction Manager / Associate Field Construction Observer	$150 hour
Project Manager	$150 hour
Senior Associate Construction Manager / Senior Associate Project Manager	$165 hour
Senior Project Manager	$195 hour
Senior Construction Manager	$195 hour
Principal Construction Manager / Principal Project Manager	$225 hour
Surveying	
Assistant Surveyor	$120 hour
Associate Surveyor	$134 hour
Senior Associate Surveyor	$164 hour
Project Surveyor	$185 hour
Senior Surveyor	$205 hour
One-Person Survey Crew	$180 hour
Two-Person Survey Crew	$275 hour
Three-Person Survey Crew	$375 hour
UAV Pilot	$195 hour
UAV Flight Observer	$160 hour

Fees are based on the median hourly pay rate for employees in each classification, plus indirect costs, overhead, and profit.

EXPENSES	
Plotting, Printing and Reproduction, Equipment Rental, Postage and Shipping	1.15 x Cost
Transportation and per diem (QK will provide documented evidence of business travel, travel outside of work areas shall be pre-approved by Client)	1.15 x Cost
Mileage	$0.77 mile
Other Expenses – Including Subconsultants & Purchased Services through Subcontracts	1.15 x Cost

Rates are effective through December 31, 2024. If contract assignment extends beyond that date, a new rate schedule may be added to the contract.
Expert Witness/ Litigation support will be billed as quoted.

Rates based on "Prevailing Wage" (PW) for Construction Surveying will be determined by project and County per California law.

1/15/2024

QK Job No. ____________

AGREEMENT FOR PROFESSIONAL SERVICES

ENGINEERING ◆ LAND SURVEYING ◆ PLANNING ◆ ENVIRONMENTAL ◆ LANDSCAPE ARCHITECTURE ◆ CONSTRUCTION MANAGEMENT

☒ 901 East Main Street
Visalia, California 93292
(559) 733-0440

☐ 601 Pollasky Avenue, Suite 301
Clovis, California 93612
(559) 449-2400

☐ 5080 California Avenue, Suite 220
Bakersfield, California 93309
(661) 616-2600

☐ 2816 Park Avenue
Merced, California 95348
(209) 723-2066

☐ 150 West Morton Avenue
Porterville, California 93257
(559) 781-2700

☐ 609 North Irwin Street
Hanford, California 93230
(559) 582-1056

This Agreement, entered into by and between City of McFarland

hereinafter called the "Client", and QK is as follows:

A. QK agrees to perform professional services described below:

☐ Attachment A, setting forth the scope of service to be performed by QK; or

☒ Other: Provide engineering services to update the current Standard Details within the City Improvement Standards for the City of McFarland, California as described in the attached proposal dated May 8, 2024.

Project Engineer: Greg Thompson, PE #63219

B. Client agrees to pay QK, as compensation, for the above-described services, as follows:

1. Total fees to be based upon:

☐ Standard hourly rates and expenses, as indicated on the standard rate schedule attached hereto; or

☒ Other: Services described in the attached proposal dated May 8, 2024 will be provided for a fixed fee of $41,000.00. Exclusions and Assumptions apply.

2. Payment will be made:

☒ Monthly based upon work completed to date; or

☐ Other:

C. The standard provisions set forth upon the reverse side as Nos. 1 through 30 are incorporated herein and made a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have accepted, made, and executed this Agreement upon the terms, conditions, and provisions stated above and on the reverse side hereof, on the day and year written below.

QUAD KNOPF, INC., DBA QK	**CLIENT:** City of McFarland
Signature:	Signature:
Name: Amber Aguayo	Name/Title:
Title: CFO/COO	Address: 401 W. Kern Ave. McFarland, CA 93250
	Telephone:
Date:	Date:

05082024:P2430574/cl

Please execute and return all documents to QK.

03/2022

The Client and QK agree that the following provisions shall be a part of this Agreement:

1. The Client binds himself, his partners, successors, executors, administrators, and assigns to QK, to this Agreement in respect to all of the terms and conditions of this Agreement. This Agreement may be terminated by the Client or QK should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay QK for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.
2. Neither the Client nor QK shall assign his interest in this Agreement without the written consent of the other.
3. This Agreement may be amended from time to time by the mutual written consent of the parties hereto. "Mutual written consent" shall mean a written description of any revision(s) to the scope of services to be provided by QK, of any compensation to be paid by the Client to QK, of any modification in time of performance of the services being provided under this Agreement, and/or of any other changes in the terms and conditions set forth herein. There shall not be considered to be any amendment to this Agreement whatsoever, except for adjustment to QK's hourly fee schedule as provided for by Provision No. 24 unless such amendment, in writing, has been duly and fully executed by authorized representatives of both the Client and QK.
4. This agreement shall be governed by and construed in accordance with the laws of the State of California.
5. Client agrees that in the event Client institutes litigation to enforce or interpret the provisions of this agreement, such litigation is to be brought and adjudicated in the appropriate court in the county in which QK's principal place of business is located, and Client waives the right to bring, try or remove such litigation to any other county or judicial district.
6. QK shall only act as an advisor in all governmental relations.
7. QK makes no warranty, either expressed or implied, as to his findings, recommendations, plans specifications, or professional advice except that the services or work product were performed pursuant to generally accepted standards of practice in effect at the time of performance.
8. All tracings, survey notes, and other original documents as instruments of service are and shall remain the property of QK, except where by law or precedent these documents become public property.
9. QK is not responsible, and liability is waived by Client as against QK, for use by Client or any other person of any plans or drawings not signed by an authorized agent or employee of QK.
10. QK shall not be responsible for delays caused by factors beyond QK's control, including but not limited to, strikes, lockouts, accidents, acts of God, weather, ground conditions, or by reason of action, inaction, or changes in rules, regulations or policies of any governmental agency, district, utility company, or Client, its agents or any other person.
11. It is understood by Client that any quantity, time, and/or fee estimates which shall be prepared by QK are estimates only, are prepared only as a guide and do not constitute a lump sum or fixed fee.
12. QK makes no representation concerning the estimated quantities and probable costs made in connection with maps, plans, specifications, reports or drawings other than that all such costs are estimates only and actual costs will vary. It is the responsibility of the Client to verify costs.
13. Retainers, if any, shall be credited against the final invoice(s) submitted to the Client by QK for services provided hereinunder.
14. Client hereby agrees that the balance as stated on the billing from QK to Client is correct, conclusive and binding on the Client, unless Client, within ten (10) days from the date of the receiving of the billing, notifies QK in writing of the particular item that is alleged to be incorrect.
15. If any invoice is not paid within 30 days, QK may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service provided for by this Agreement.
16. A late payment LATE CHARGE will be computed at the periodic rate of 1.5% per month, which is an ANNUAL PERCENTAGE RATE of 18%, and shall be applied to the unpaid balance commencing 30 days after the date of the original invoice.
17. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorneys' fees.
18. In the event all or any portion of the work prepared or partially prepared by QK be suspended, abandoned, or terminated, the Client shall pay QK for the work performed to the point of such suspension.
19. In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and QK agree that all disputes between them arising out of or relating to this Agreement may be submitted to non-binding mediation if the parties mutually agree.

    Should litigation be necessary to enforce any term or provision of this Agreement, or to collect any portion of the amount payable under this Agreement, then all litigation and collection expenses, witness fees and court costs, and attorneys' fees shall be paid to the prevailing party.
20. In the event that Client institutes a suit against QK because of any failure or alleged failure to perform, error, omission or negligence, and if such suit is not successfully prosecuted, or if it is dismissed, or if verdict is rendered for QK, Client agrees to pay QK any and all costs of defense, including attorneys' fees, expert witnesses' fees, and court costs, and any and all other expenses of defense which may be needful, immediately following dismissal of the case or immediately upon verdict being rendered in behalf of QK.
21. QK agrees, to the fullest extent permitted by law, to indemnify and hold the Client harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by QK's negligent acts, errors or omissions in the performance of professional services under this Agreement and those of QK's subconsultants or anyone for whom QK is legally liable.

    The Client agrees, to the fullest extent permitted by law, to indemnify and hold QK harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the Client's negligent acts, errors and omissions and those of his or her contractors, subcontractors or consultants or anyone for whom the Client is legally liable, and arising from the project that is the subject of this agreement. QK is not obligated to indemnify the Client in any manner whatsoever for the Client's own negligence.

    Client agrees to limit the liability of QK, its principals and employees, to Client and to all contractors and subcontractors on the project, for any claim or action arising in tort or contract, to the sum of $50,000 or QK's fee, whichever is greater. However, if QK's fee exceeds $250,000, liability to Client and to all contractors and subcontractors shall not exceed $250,000.

22. Upon request, Client shall execute and deliver, or cause to be executed and delivered such additional instruments, documents, governmental fees and charges which are necessary to perform the terms of this agreement.

    Client shall pay the costs of checking and inspection fees, zoning and annexation application fees, assessment fees, soils engineering fees, soils testing fees, aerial topography fees, and all other fees, permits, bond premiums, title company charges, blue-prints and reproductions, and all other charges not specifically covered by the terms of this agreement.

23. Unless specifically stated elsewhere in this contract, the following items are not included in any fee estimate, are considered Extra Work, and shall be billed separately at QK's standard hourly rates:
    - Client requested services not specified pursuant to the scope of services described within this Agreement.
    - Additional work resulting from changes in governmental requirements or revisions requested by Client.
    - Special improvement designs - lift stations, off-tract improvements, landscaping, lakes and recreational facilities, irrigation canals and piping.
    - Assistance to Client in obtaining necessary owner and/or trustee signatures to documents and notarial certificates.
    - Legal documents (easements, CC&R's, homeowners reports).
    - Utility, right-of-way, and easement acquisitions.
    - Construction contract administration.
    - Restaking or staking for Extra Work.
    - Other: ______________________________________

      ____

24. In the event QK's fee schedule changes due to any increase of costs such as the granting of wage increases and/or other employee benefits to field or office employees due to the terms of any labor agreement, or rise in the cost of living, during the lifetime of this agreement, a percentage increase shall be applied to all remaining compensation.

25. The existence, location, type and size of any underground utilities, improvements and/or obstacles will be determined by QK only to the extent reasonably possible from visible surface observation or from utility company or governmental records made available to QK. QK makes no promise or warranty, express or implied, as to the existence, location, type or size of any underground utility, improvement or obstacle. Client agrees to include, as a condition of any construction contract relating to the project, the requirements that the Contractor verify the existence, location, type and size of any underground utilities improvements or obstacles, whether shown on any construction plan or not, and if such requirement is not included in such construction contract, or if the contractor fails to verify the existence, location, type and size of any underground utilities, improvements or obstacles, QK shall not be liable for any delays, expenses or liability suffered by Client or to any other person by reason of the existence of any underground utility, improvement or obstacle.

26. In the event any deviations from or changes to the plans and specifications are made by Client or by any person other than QK, Client assumes any and all risk and liability arising out of or resulting from such deviations or changes, and Client agrees to indemnify QK against all loss, damage, liability and costs, including attorneys' fees, as a result of such deviations or changes.

27. Except for the interpretation of QK's plans and specifications, Client agrees that QK will not perform on-site construction review or construction observation with respect to this project unless specifically provided for in the Agreement. Unless otherwise specifically provided by this Agreement, such construction observation will be performed by others, and Client agrees to indemnify QK against any and all liability arising from or relating to the performance of construction observation by such other persons.

28. It is understood and agreed that any on-site review during construction or construction observation provided by QK pursuant to express written Agreement shall be for the purpose of determining general compliance with the technical provisions of the project plans and specifications, and shall not constitute any form of guarantee with respect to the performance of work by a contractor or subcontractor. QK shall not assume responsibility for methods or equipment used by a contractor, for safety of construction work, or for compliance by contractors with laws and regulations.

29. QK makes no representations concerning soil conditions unless specifically included in writing in this Agreement, and is not responsible for any liability that may arise out of the making or failure to make soil surveys, or sub-surface soil tests, or general soil testing.

30. The work shown on any plans or specifications prepared under this agreement may be subject to changing regulations, standards or conditions and as a result may become outdated. In order to protect the Client and other parties, this notice is to advise that any such plans and documents may not be suitable for use in construction with the passage of time beyond the date of approval of those plans and documents. If the work covered by these plans and documents is not subject to start of construction, or a bid process if there is one, within twelve (12) months of the approval date shown on the plans and specifications, these plans and specifications are not authorized for use. In such cases, additional reviews and, or modification of designs and documents may be required.

City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 10.
Section: CONSENT AGENDA
Meeting Date: May 23, 2024

TO: Honorable Mayor and Council Members

FROM: Diego Viramontes, City Manager
Francisca Alvarado, City Clerk

SUBJECT: APPROVAL OF RESOLUTION NO. 2024-65 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 5, 2024 FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN TO CONSOLIDATE THAT ELECTION WITH THE STATEWIDE GENERAL ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

SUMMARY:

The calling of the 2024 General Municipal Election is necessary for the election of two City Council seats (one each for Districts 2 and 4) both 4- year terms will be held on Tuesday, November 5, 2024. The current terms of Council Member Cano (District 2) and Council Member Perez (District 1) are expiring. Currently, there is a vacancy in District (4). Therefore, it is necessary for the City Council to adopt a resolution calling and giving notice of the holding of a General Municipal Election in the City of McFarland on November 5, 2024.

At the regular meeting of the City Council of the City of McFarland held on February 22, 2024 the City Council directed staff to draft an ordinance adopting the voting district map known as the Red Map (attached hereto as Attachment A) and putting the Council Districts 2 and 4 on the 2024 ballot. Ordinance No. 3 -2024 was introduced, passed and adopted at the regular meeting of the City Council on March 14, 2024.

FINANCIAL IMPACT:

The financial impact is undetermined at this time. Election fees will be calculated by the Kern County Registrar of Voters and the City of McFarland will be invoiced. Funding will be requested during the FY 24-25 budget cycle.

RECOMMENDATION:

Adopt resolution No. 2024-65 pertaining to the November 5, 2024, General Municipal Election with respect to calling and noticing the election, consolidating the election with the County, as required by the California Elections Code.

ATTACHMENTS:

1. Attachment A Red Map

RESOLUTION NO. 2024-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 5, 2024 FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF KERN TO CONSOLIDATE THAT ELECTION WITH THE STATEWIDE GENERAL ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE.

WHEREAS, the City Council of the City of McFarland called a General Municipal Election to be held on November 5, 2024, for the purpose of election of two (2) members of the City Council (one each from Districts 2 and 4) for the full term of four years; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city the precincts, polling places, and elections officers of the two elections be the same, and that the county election department of the County of Kern canvass the returns of the General Municipal Election and that the election be held in all respects as if it were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MCFARLAND CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDERS AS FOLLOWS:

1. That, pursuant to the provisions of §10403 of the Elections Code, the Kern County Board of Supervisors is hereby requested to consent and agree to the consolidation of a General Municipal Election with a Statewide General Election on Tuesday, November 5, 2024, for the purpose of election of two (2) Members of the City Council (one each from Districts 2 and 4) of said City for the full term of four years.
2. That the County election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if it were only one election, and only one form of the ballot shall be used. The election will be held and conducted in accordance with the provisions of the laws regulating the statewide or special election.
3. That the ballots to be used at the election shall be in form and content as required by law.
4. The Kern County Clerk/Registrar of Voters shall give the appropriate notices for the election and shall conduct the election pursuant to appropriate provisions of state law. The City of McFarland acknowledges the Kern County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.
5. That the Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.
6. The City of McFarland requests that the Kern County Clerk/Registrar of Voters conduct the election and canvass the returns, and the City consents to reimburse the Registrar of Voters for all costs incurred by said services.
7. That the City of McFarland recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs upon presentation

to the City of a properly approved invoice.

8. That the City Clerk is directed to forward without delay to the Board of Supervisors and the County Registrar of Voters' offices a certified copy of this resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on May 23, 2024 by the following vote:

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

CITY OF MCFARLAND

____
Saul Ayon, Mayor

ATTEST:

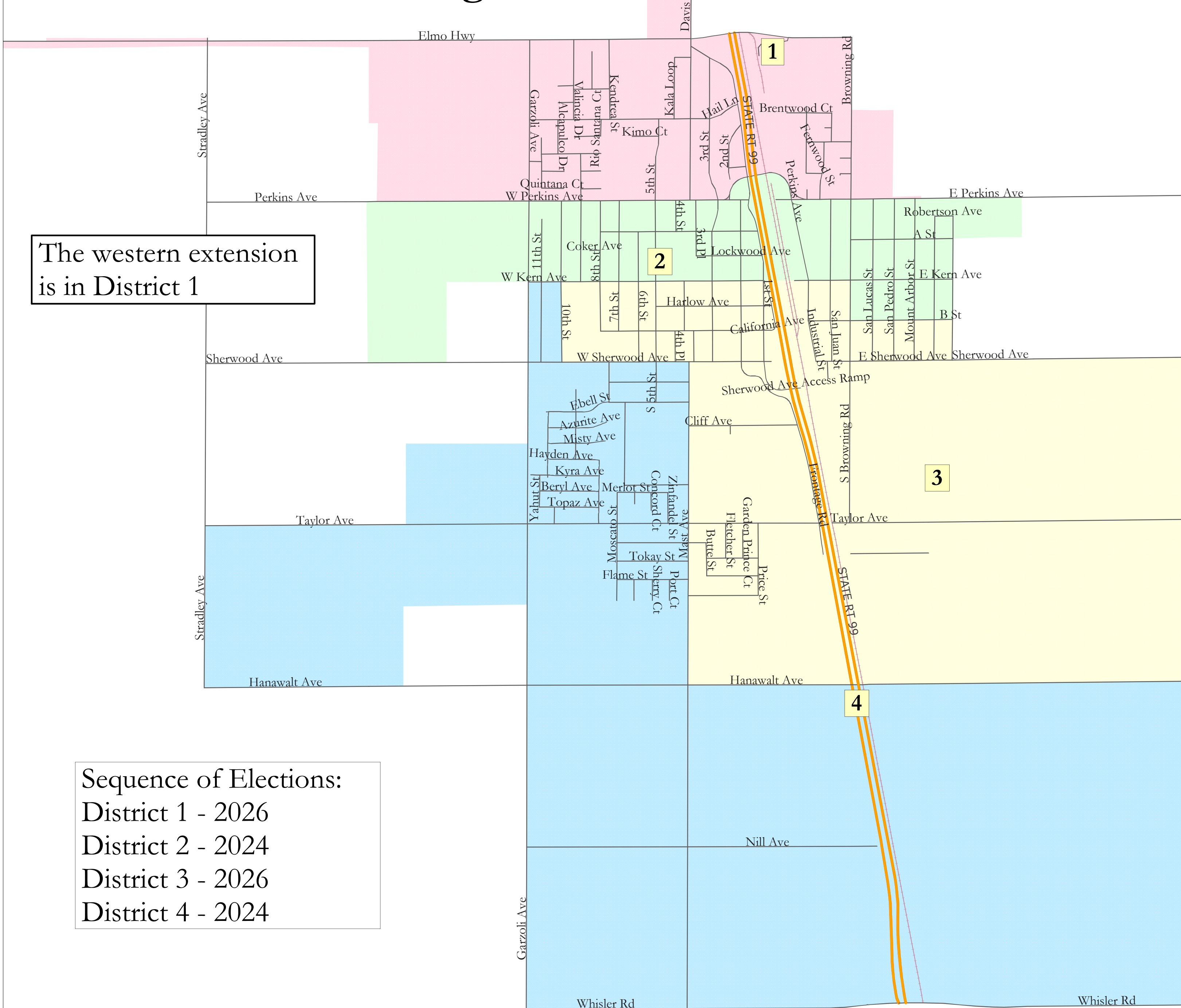
____
Francisca R. Alvarado, City Clerk

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 R. Alvarado, City Clerk

McFarland Districting 2024

Red Map



The western extension is in District 1

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

NDC Red						
District		1	2	3	4	Total
	Total Pop	3,578	3,507	3,382	3,468	13,935
	Deviation from ideal	94	23	-102	-16	196
	% Deviation	2.70%	0.66%	-2.93%	-0.46%	5.63%
Total Pop	% Hisp	95%	97%	95%	95%	96%
	% NH White	3%	2%	3%	3%	3%
	% NH Black	0%	0%	1%	0%	0%
	% Asian-American	1%	0%	1%	1%	1%
Citizen Voting Age Pop	Total	1,373	1,441	1,433	1,392	5,639
	% Hisp	94%	84%	90%	94%	91%
	% NH White	5%	16%	6%	3%	7%
	% NH Black	0%	0%	1%	0%	0%
	% Asian/Pac.Isl.	0%	0%	0%	3%	1%
Voter Registration (Nov 2022)	Total	1,158	1,197	1,133	1,121	4,610
	% Latino est.	98%	98%	97%	99%	98%
	% Spanish-Surnamed	98%	98%	97%	99%	98%
	% Asian-Surnamed	1%	0%	0%	0%	1%
	% Filipino-Surnamed	2%	1%	2%	2%	2%
	% NH White est.	0%	0%	0%	-1%	0%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2022)	Total	362	375	360	342	1,438
	% Latino est.	96%	93%	93%	95%	94%
	% Spanish-Surnamed	86%	84%	83%	85%	85%
	% Asian-Surnamed	0%	0%	0%	1%	0%
	% Filipino-Surnamed	2%	1%	1%	1%	2%
	% NH White est.	1%	2%	2%	2%	2%
	% NH Black	0%	0%	0%	0%	0%
Voter Turnout (Nov 2020)	Total	614	679	603	611	2,507
	% Latino est.	92%	94%	88%	92%	92%
	% Spanish-Surnamed	92%	94%	88%	92%	92%
	% Asian-Surnamed	1%	0%	0%	0%	0%
	% Filipino-Surnamed	2%	2%	2%	1%	2%
	% NH White est.	6%	4%	5%	11%	6%
	% NH Black est.	0%	0%	1%	0%	0%
ACS Pop. Est.	Total	3,411	3,505	4,030	3,108	14,054
Age	age0-19	44%	41%	35%	38%	39%
	age20-60	48%	46%	57%	53%	51%
	age60plus	8%	13%	8%	9%	10%
Immigration	immigrants	33%	33%	28%	39%	33%
	naturalized	27%	27%	24%	20%	24%
Language spoken at home	english	18%	25%	26%	27%	24%
	spanish	82%	75%	73%	71%	75%
	asian-lang	0%	0%	1%	2%	1%
	other lang	0%	0%	0%	0%	0%
Language Fluency	Speaks Eng. "Less than Very Well"	48%	49%	48%	47%	48%
Education (among those age 25+)	hs-grad	56%	44%	49%	60%	51%
	bachelor	1%	1%	1%	6%	2%
	graduatedegree	1%	2%	1%	3%	2%
Child in Household	child-under18	73%	62%	57%	65%	64%
Pct of Pop. Age 16+	employed	65%	60%	52%	55%	57%
Household Income	income 0-25k	30%	26%	23%	20%	25%
	income 25-50k	34%	38%	32%	41%	36%
	income 50-75k	20%	16%	18%	9%	16%
	income 75-200k	16%	20%	24%	30%	22%
	income 200k-plus	0%	0%	3%	0%	1%
Housing Stats	single family	67%	86%	90%	99%	85%
	multi-family	33%	14%	10%	1%	15%
	rented	57%	48%	42%	38%	46%
	owned	43%	52%	58%	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.

City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 11.
Section: PUBLIC HEARINGS
Meeting Date: May 23, 2024

TO: Honorable Mayor and Council Members

FROM: Diego Viramontes, City Manager
Paul Saldaña , Community Development Director

SUBJECT: APPROVAL OF RESOLUTION NO. 2024-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND DECLARING CITY OWNED PROPERTY AS EXEMPT SURPLUS LAND PURSUANT TO CALIFORNIA GOVERNMENT CODE §§ 54221(f)(1)(C).

SUMMARY:

Background: Alberto Duran ("Duran") owns 2.34 acres of property located at Frontage Road (the "Duran Parcel"). The City of McFarland ("City") is the owner of 5 acres of property located at Elmo Highway and 5 acres of property located at Elmo Highway of which an approximate 200 square foot portion of that property would be subject to this finding of exemption ("City Parcels"). The Duran Parcel and City Parcels are more particularly identified on the assessor parcel map attached to this report as Attachment 1.

The City and Duran have been discussing the exchange of the Parcels, which would take place pursuant to a future agreement governing the exchange and would require the approval of the City Council at a later meeting.

The City has undertaken master planning of the community and enclosed as Attachment 2 to this report is the most recent plan. The contemplated exchange of the City Parcels and Duran Parcel would significantly improve the layout of the City and aid in the implementation of the most recent plan. Thus, the Duran Parcel to be acquired by the City could be utilized more effectively than the City Parcels to be disposed of. California Government Code § 65402(a) provides that if a general plan has been adopted, no real property shall be acquired or disposed of by the City until the location, purpose, and extent of such disposal has been submitted to and reported upon by the planning agency as to the conformity the adopted general plan. On May 21, 2024, the City of McFarland Planning Commission considered the proposed disposal of the City Parcels and acquisition of the Duran Parcel by the City of McFarland and determined that said actions were consistent with and conform with the McFarland General Plan.

Discussion: The Surplus Land Act, California Government Code §§54220 et.seq., establishes procedures for the disposition of "surplus land" owned by a "local agency" which generally requires "surplus land" to be made available for affordable housing purposes, park and recreation purposes or open-space purposes before disposition. However, as provided by Section 54222.3, these procedures do not apply to the disposal of "exempt surplus land" as defined in Section 54221 (f)(1)(A) through 54221 (f)(1)(S).

The City's proposed disposition of the City Parcels is "exempt surplus land" pursuant to Section 54221(f)(1)(C) because the properties (i.e. the City Parcels) are being exchanged for another property (i.e. the Duran Parcel) necessary for the City's use.

CEQA: The adoption of the attached Resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) as it: (1) involves a land acquisition that is contingent on future CEQA compliance per §15004; (2) does not constitute a "project" "approval" under CEQA; (3) it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment per §15061; and (4) is the sale of surplus government property per §15312.

FINANCIAL IMPACT:

Fiscal Impact: There is no fiscal impact associated with the recommended action.

RECOMMENDATION:

Recommended Action: Adopt a resolution declaring the property located at Elmo Highway, McFarland, California, designated as Kern County Assessor's Property Number 060-030-25-1, and real property located at Elmo Highway McFarland, California, designated as Kern County Assessor's Property Number 201-01-36, a portion of which is subject to this Agreement to be exchanged for the real property located at Frontage Road, McFarland, California, designated as Kern County Assessor's Property Number 201-031-04 by and between the City of McFarland and Alberto Duran, as exempt surplus land pursuant to California Government Code §54221(f)(1)(C).

ATTACHMENTS:

1. Attachment 1

RESOLUTION NO. 2024-61

RESOLUTION DECLARING THE PROPERTY LOCATED AT ELMO HIGHWAY, MCFARLAND, CALIFORNIA, DESIGNATED AS KERN COUNTY ASSESSOR'S PROPERTY NUMBER 060-030-25-1, AND REAL PROPERTY LOCATED AT ELMO HIGHWAY MCFARLAND, CALIFORNIA, DESIGNATED AS KERN COUNTY ASSESSOR'S PROPERTY NUMBER 201-01-36, A PORTION OF WHICH IS SUBJECT TO THIS AGREEMENT TO BE EXCHANGED FOR THE REAL PROPERTY LOCATED AT FRONTAGE ROAD, MCFARLAND, CALIFORNIA, DESIGNATED AS KERN COUNTY ASSESSOR'S PROPERTY NUMBER 201-031-04 BY AND BETWEEN THE CITY OF MCFARLAND AND ALBERTO DURAN, AS EXEMPT SURPLUS LAND PURSUANT TO CALIFORNIA GOVERNMENT CODE §54221(F)(1)(C).

WHEREAS, Alberto Duran ("Duran") is the fee owner of 2.34 acres of real propertyis the owner of certain real property located at Frontage Road, McFarland, California, designated as Kern County Assessor's Property Number 201-031-04 ("Duran Parcel"); and

WHEREAS, the City of McFarland ("City") is the fee owner of certain real property located at Elmo Highway, McFarland, California, designated as Kern County Assessor's Property Number 060-030-25-1 ("City Parcel 1"), and real property located at Elmo Highway McFarland, California, designated as Kern County Assessor's Property Number 201-01-36 ("City Parcel 2"); and

WHEREAS, Duran and the City have been discussing the exchange of the Duran Parcel for City Parcel 1 and that portion of City Parcel 2, which is more particularly identified as the section highlighted in yellow in the Aerial View Map attached hereto as Exhibit 1; and

WHEREAS, California Government Code section 65402(a) requires that if a general plan has been adopted, no real property shall be acquired or disposed of until the location, purpose, and extent of such acquisition or disposal has been submitted to and reported upon by the planning agency as to the conformity with said adopted general plan; and

WHEREAS, on May 21, 2024, the City of McFarland Planning Commission considered the proposed disposal of the City Parcels and acquisition of the Duran Parcel by the City of McFarland and determined that said actions were consistent with and conform with the McFarland General Plan; and

WHEREAS, the Surplus Land Act, California Government Code §§54220 et.seq., establishes procedures for the disposition of "surplus land" owned by a "local agency" which generally requires said "surplus land" to be made available for affordable housing purposes, park and recreation purposes or open-space purposes before disposition; however, as provided by Section 54222.3, these procedures do not apply to the disposal of "exempt surplus land" as defined in Section 54221 (f)(1)(A) through 54221 (f)(1)(S); and

WHEREAS, the City Parcels are "exempt surplus land" pursuant to Section 54221 (f)(1)(C) because the property (i.e. the City Parcels) are being exchanged for another property (i.e. the Duran Parcel) necessary for the City's use;

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

SECTION 1. The City Council hereby finds that all the facts set forth in the recitals above of this Resolution are true, correct, and incorporated herein.

SECTION 2. The Duran Parcel to be acquired by the City is to be used and developed by the City to enhance affordable housing, public parking and commercial development.

SECTION 3. The Planning Commission has reviewed and considered the proposed exchange of the Duran Parcel and City Parcels by and between Duran and the City and determined the City's proposed acquisition of the Duran Parcel and disposition of the City Parcel 1 and portion of City Parcel 2 is consistent with the McFarland General Plan.

SECTION 4. The adoption of this Resolution, which relates to the City's determination that the City Parcels are "exempt surplus land" pursuant to California Government Code §54221 (f)(1)(C), is categorically exempt from the requirements of the California Environmental Quality Act pursuant to State CEQA Guidelines §§15061, and 15312.

SECTION 5. The City Parcel 1 and portion of City Parcel 2 is exempt surplus land pursuant to California Government Code § 54221 (f)(1)(C), because the property (i.e. the City Exchange Parcel) is being exchanged for another property necessary for the City's use, and therefore as provided by California Government Code §54222.3 the provisions of the Surplus Land Act do not apply to the disposition of the City Parcel 1 or portion of City Parcel 2.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on May 23, 2024 by the following vote:

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

CITY OF MCFARLAND

____
Saul Ayon, Mayor

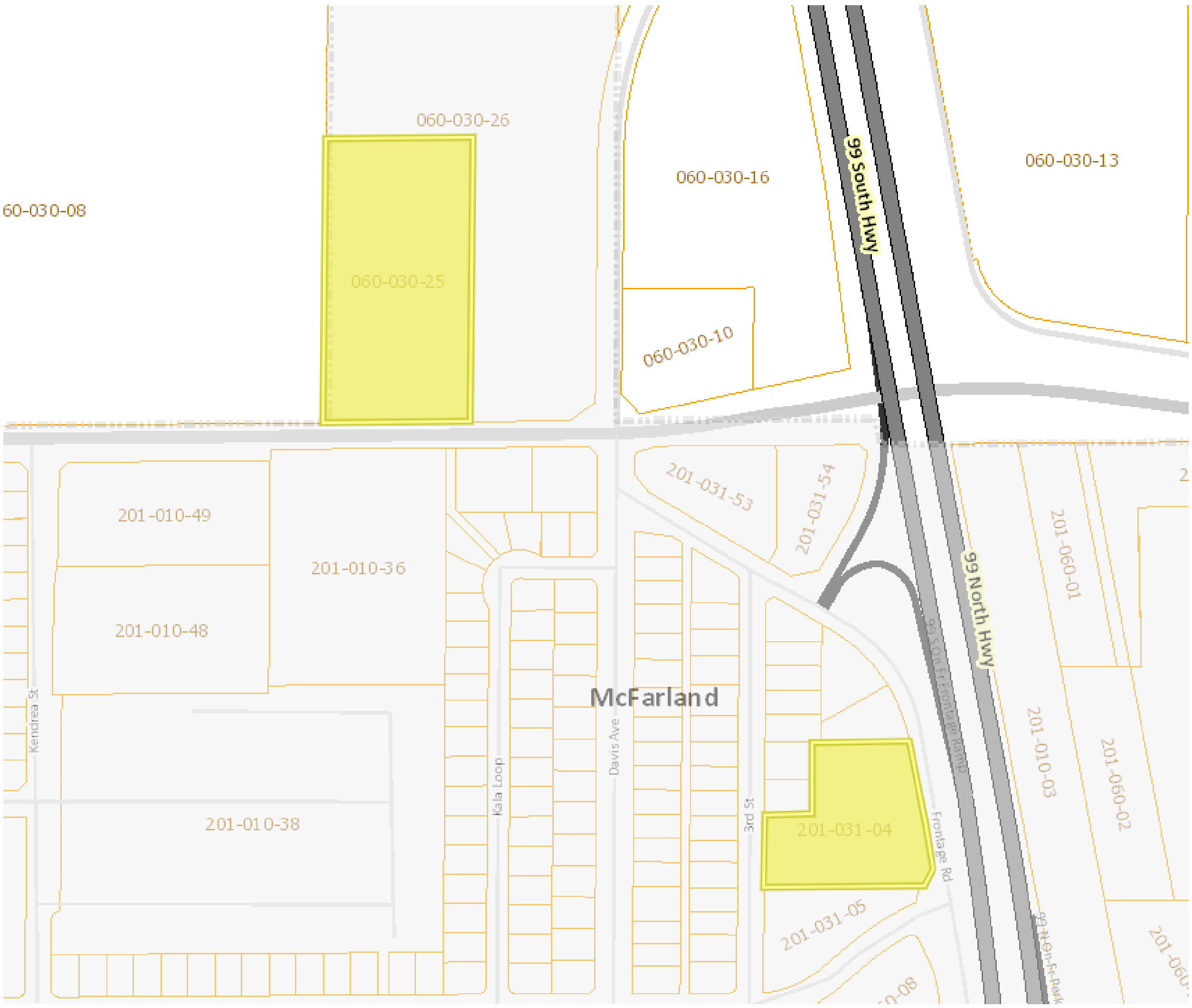
ATTEST:

____
Francisca R. 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 R. Alvarado, City Clerk

Attachment 1



City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 12.
Section: ADMINISTRATIVE AGENDA
Meeting Date: May 23, 2024

TO: Honorable Mayor and Council Members

FROM: Diego Viramontes, City Manager
Paul Saldaña , Community Development Director

SUBJECT: APPROVAL OF RESOLUTION NO. 2024-62 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE EXPANDING THE DEFINITION OF HOTEL, AMENDING THE DEFINITION OF "TAX ADMINISTRATOR"AND APPROVING AN INCREASE OF THE TRANSIENT OCCUPANCY TAX FROM SIX PERCENT (6%) TO TWELVE PERCENT (12%) AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE.

SUMMARY:

One of the fiscal means to maintain essential services in the City of McFarland is the Transient Occupancy Tax (TOT). Paid by hotel, motel, and short-term rental guests staying in McFarland, the TOT provides a modest but reliable source of funding for some City services, doing so without any tax burden on McFarland residents, unless staying at a local hotel, motel, or short-term rental. The City's TOT was first implemented by a City ordinance in 1964 at a rate of 6% and has not changed since and likewise has not kept pace with marketplace increases. Likewise, some changes to the definitions are necessary to ensure the effectiveness of the TOT collection system.
The TOT could be updated through a voter-approved ballot measure that would increase the TOT paid by hotel, motel, and short-term rental guests by an amount to be determined. An increase to the TOT would provide locally controlled revenue that would help the City plan for long-term budgeting of key City functions, including:

- Supporting Public Safety (fire and police)
- Supporting road and street repair
- Park maintenance

The City's current TOT is subject to mandatory accountability requirements and a potential ballot measure to increase it would include the same provisions, including:

- All money raised by the potential measure could only be used to fund local services and infrastructure within McFarland City limits.
- A clear system of accountability would be required, including annual independent audits

and public disclosure of spending.

While there is no current TOT being collected in the City, the opportunity to increase hotel, motel and short-term rentals within the City provides an opportunity to bring the current ordinance up to date.
Adopting the resolution will provide the time necessary for the measure to be included on the November 5, 2024 ballot.

FINANCIAL IMPACT:

The financial impact is unknown at this time. The City currently does not have any TOT generators.

RECOMMENDATION:

City Council adopt Resolution No. 2024-62, A resolution of the City Council of the City of McFarland submitting a ballot measure text for the City of McFarland Transient Occupancy Tax to the voters at the November 5, 2024 general municipal election; directing the City Attorney to prepare an impartial analysis; establishing requirements for filing arguments regarding the City of McFarland TOT measure.

ATTACHMENTS:

1. Exhibit A to Resolution - TOT Proposed Ordinance

RESOLUTION NO. 2024-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE EXPANDING THE DEFINITION OF HOTEL, AMENDING THE DEFINITION OF "TAX ADMINISTRATOR"AND APPROVING AN INCREASE OF THE TRANSIENT OCCUPANCY TAX FROM SIX PERCENT (6%) TO TWELVE PERCENT (12%) AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a General Municipal Election shall be held in the City of McFarland on November 5, 2024, for the election of Municipal Officers; and

WHEREAS, the City Council also desires to submit to the voters at the election a question relating to the definitions of "Hotel" and "Tax Administrator" and the increase of the Transient Occupancy Tax from six percent (6%) to twelve percent (12%); and

WHEREAS, the City of McFarland provides essential public safety and park services to the residents of McFarland; and

WHEREAS, a vibrant and healthy downtown promotes economic well-being and growth for the City and encourages new business development in the City; and

WHEREAS, the City General Fund lacks funds for basic repairs and maintenance to streets, storm drains and facilities, construction of senior center and police station, and other similar projects, as well as downtown revitalization; and

WHEREAS, keeping the City clean, safe and well-maintained attracts families to the community and maintains our quality of life and local property values; and

WHEREAS, the City Council has reviewed its economic forecast and determined that without an additional revenue source, the City will be unable to maintain high-quality essential city services, repair potholes and maintain local streets and ensure the City has enough police officers to respond quickly to 9-1-1 emergencies; and

WHEREAS, such a measure will also allow the City to provide police services including neighborhood police patrols, crime prevention and investigations and expand and improve the number of services provided locally to seniors; and

WHEREAS, the State cannot take away funds from a local transient occupancy tax measure and a measure will have a clear system of fiscal accountability with annual audits to ensure funds are spent properly and all funds stay local; and

WHEREAS, at its meeting of May 23, 2024, the Council considered a staff report, public testimony, and deliberated on the matter regarding submitting a ballot measure to the voters concerning the Transient Occupancy Tax; and

WHEREAS, Revenue and Taxation Code section 7280 et seq. authorizes the City Council to levy a transient occupancy tax for general purposes, if the ordinance proposing the tax is approved by a two thirds vote of all members of the City Council and the tax is approved by a majority vote of the qualified voters of the city voting in an election on the issue; and

WHEREAS, the City Council wishes to approve the attached transient occupancy tax ordinance and submit it to the voters in the form of the McFarland Transient Occupancy Tax Measure, which imposes a twelve percent (12.00%) transient occupancy tax, subject to adoption by the voters of the City; and

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

SECTION 1. The recitals set forth above are true and correct.

SECTION 2. The City Council submits to the voters of the City of McFarland at its next regular municipal election to be held on November 5, 2024, a ballot measure for consideration of an ordinance to amend the definitions of “Hotel” and “Tax Administrator” and increase the Transient Occupancy Tax from six percent (6%) to twelve percent (12.00%).

SECTION 3. The City Council requests the Kern County Board of Supervisors that the election for this measure be consolidated with the statewide election also held on November 5, 2024, and the general municipal election to be held on that same date.

SECTION 4. The question to be submitted to the voters with respect to the ballot measure shall be printed on the election ballot with the title and in the form set forth as follows:

MEASURE ___ To maintain local funding for essential services including: Police and Fire/Emergency Medical Service response, street/road repair, and park maintenance in the City of McFarland, shall a measure expanding the definition of hotel to include campgrounds, amending the definition of “Tax Administrator” to the Finance Director, and increasing the existing Transient Occupancy Tax (paid by hotel/lodging guests) from 6% to 12%, providing an estimated $500,000 annually, with independent audits, until ended by voters, be adopted?	YES NO

SECTION 5. The following constitutes the synopsis of the measure to be voted on for purposes of meeting the publication requirements of Elections Code Section 12111:

MEASURE TO BE VOTED ON

Notice is hereby given that the following measure is to be voted on at the general municipal election to be held in the City of McFarland, on Tuesday, the 5th day of November, 2024. ADOPTION OF ORDINANCE EXPANDING THE DEFINITION OF HOTEL TO INCLUDE CAMPGROUNDS, AND INCREASING THE TRANSIENT OCCUPANCY TAX FROM SIX PERCENT (6%) to TWELVE PERCENT (12%). Ordinance No. __________ would amend Chapter 3.24.020 of the McFarland Municipal Code to expand the definition of Hotel to include campgrounds, amend the definition of “Tax Administrator” to mean “Finance Director,” and increase the Transient Occupancy Tax from six percent (6%) to twelve percent (12%) and generate approximately $500,000 annually. To become effective, Ordinance No. __________ as a general tax measure must be approved by a majority of the City’s voters at the November 5, 2024, regular municipal election. If approved by the voters, the ordinance would continue until ended by the voters. The ordinance would allow the City to provide funding for essential city services and projects such as: police patrols, crime prevention, and quick 9-1-1 emergency response; fire service; repairing roads, potholes, maintaining streets, repairing infrastructure, revitalizing the downtown area, and improving community facilities, parks, senior services, and other general city services. The ordinance requires annual independent audits.

Dated: ___________ ___________________________________

City of McFarland, City Elections Official

SECTION 6. The full text of the ordinance submitted to the voters is attached as Exhibit 'A' and incorporated by reference. The full text of the proposed ordinance is not required to be printed in the Sample Ballot and Voters Pamphlet. However, the full text of the measure shall be made available to the public and to any voter at the Office of the Kern County Clerk/Registrar of Voters and the McFarland City Clerk's Office.

SECTION 7. Passage of this measure requires a majority (50% plus 1) of votes cast at the election.

SECTION 8. The City of McFarland requests that the Kern County Clerk/Registrar of Voters conduct the election and canvass the returns, and the City consents to reimburse the Registrar of Voters for all costs incurred by said services.

SECTION 9. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. Arguments in favor or against the proposed measure are permissible and shall be filed with the Kern County Clerk/Registrar in accordance with Elections Code Section 9282. The Mayor and Vice Mayor are authorized to prepare and file a written argument in favor of the proposed measure not to exceed 300 words on behalf of the City Council. The City Manager and City Clerk are authorized to provide input to the Kern County Clerk/Registrar in determining a letter designation for this measure. In the event that an argument is filed against the Measure, the Mayor and Vice Mayor are also authorized to submit a rebuttal argument on behalf of the City Council.

SECTION 11. The Kern County Clerk/Registrar of Voters shall give the appropriate notices for the election and shall conduct the election pursuant to appropriate provisions of state law. The City of McFarland acknowledges the Kern County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.

SECTION 12. The City Attorney shall prepare an impartial analysis of the measure in accordance with Elections Code Section 9280 and file it with the Kern County Clerk/Registrar of Voters.

SECTION 13. The City Clerk shall file a certified copy of this resolution with the Kern County Clerk/Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Kern County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure on the ballot.

SECTION 14. The City Clerk and City Attorney are authorized to make any typographical, clerical, non-substantive corrections to this resolution as may be deemed necessary by the Kern County Clerk/Registrar of Voters.

SECTION 15. This Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) of the CEQA guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on May 23, 2024 by the following vote:

	Aye	**Nae**	**Abstain**	**Absent**

Saul Ayon				
Ricardo Cano				
Amador Ayon				
María T. Pérez				
Anita Gonzalez				

CITY OF MCFARLAND

____
Saul Ayon, Mayor

ATTEST:

____
Francisca R. 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 R. Alvarado, City Clerk

ORDINANCE NO.

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MCFARLAND, CALIFORNIA, AMENDING THE DEFINITION OF HOTEL AND TAX ADMINISTRATOR AND AMENDING THE TRANSIENT OCCUPANCY TAX RATE BY REPEALING AND REENACTING SECTIONS 3.24.020 AND 3.24.030 OF CHAPTER 3.24 OF THE MCFARLAND MUNICIPAL CODE REGARDING TRANSIENT OCCUPANCY TAX

The People of the City of McFarland do ordain as follows:

SECTION 1. Section 3.24.020 of Chapter 3.24 of the McFarland Municipal Code is hereby repealed and replaced in its entirety as follows:

3.24.020 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

A. "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

B. "Hotel" means any structure, or any portion of any structure which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer, or campground at a fixed location or other similar structure or portion thereof.

C. "Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

D. "Transient" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior to and subsequent to the effective date of this chapter may be considered.

E. "Rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

F. "Operator" means the person who is the proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee or any other capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for purposes of this chapter and shall have the same duties and liabilities as his principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.

G. "Tax administrator" means the Finance Director.

SECTION 2. Section 3.24.030 of Chapter 3.24 of the McFarland Municipal Code is hereby repealed and replaced in its entirety as follows:

3.24.030 Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of twelve percent of the rent charged by the operator. The tax constitutes a debt owed by the transient to the city which is extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator.

SECTION 3. Majority Voter Approval. The tax imposed by this ordinance is a general tax. This tax shall be effective only if approved by a majority (50% plus 1) of the City's voters voting thereon at the November 5, 2024, City election.

SECTION 4. Effective Date. This ordinance relates to the levying and collecting of the City transient occupancy tax shall take effect immediately.

SECTION 5. Certification and Publication. The City Clerk shall certify the final approval of this Ordinance, publish the same as required by law.

The foregoing ordinance was passed and approved for placement on the ballot by a 2/3 vote of the City Council at a Regularly Noticed Meeting of the City Council held on __________ 2024, by the following vote:

AYES: ____

NOES: ____

ABSENT: ____

ABSTAIN: ____

I HEREBY CERTIFY that the foregoing Ordinance was adopted by the voters of the City of McFarland at the regular election held on November 5, 2024, by the following vote:

YES: _____________

NO: ______________

ATTEST

____
Francisca Alvarado, City Clerk

CITY OF MCFARLAND

By: _________________________________
Saul Ayon, Mayor

APPROVED AS TO FORM:

By: _________________________________
Nathan M. Hodges, City Attorney
Hodges Law Group

City of McFarland

City Council Meeting

STAFF REPORT

Agenda Item No. 13.
Section: ADMINISTRATIVE AGENDA
Meeting Date: May 23, 2024

TO: Honorable Mayor and Council Members

FROM: Diego Viramontes, City Manager
Paul Saldaña , Community Development Director

SUBJECT: APPROVAL OF RESOLUTION NO. 2024-63 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE TO ADD CHAPTER 3.25 TO THE CITY OF MCFARLAND MUNICIPAL CODE TO ESTABLISH A UTILITY USERS TAX AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE.

SUMMARY:

One of the fiscal means to maintain essential services in the City of McFarland is the Utility Users Tax (UUT). The Utility User Tax (UUT) may be imposed by the voters of a city on the consumption of utility services, including (but not limited to) electricity, gas, water, sewer, telephone (including cell phone and long distance), sanitation
and cable television. As of 1/1/2021, 158 cities in California have a UUT, covering approximately 54% of the state population. State and federal government agencies and gas and water used by utility companies to generate electricity are exempt from utility user taxes. Regionally, cities such as Firebaugh, Lindsay, Porterville, Orange Cove, Tulare, Exeter, and several others have a utility tax. These cities generate 14% to 30% of their general fund revenues from UUT's.

The establishment of the UUT would provide locally controlled revenue that would help the City plan for long-term budgeting of key City functions, including:

- Supporting Public Safety (fire and police)
- Supporting road and street repair
- Park maintenance

The UUT is subject to mandatory accountability requirements and a potential ballot measure to increase it would include the same provisions, including:

- All money raised by the potential measure could only be used to fund local services and infrastructure within McFarland City limits.
- A clear system of accountability would be required, including annual independent audits

and public disclosure of spending.

While there is no current UUT being collected in the City, particularly among industrial users, the opportunity to increase revenue within the City provides an opportunity to bring the measure for consideration to the voters. Adopting the resolution will provide the time necessary for the measure to be included on the November 5, 2024 ballot.

FINANCIAL IMPACT:

Passage of the UUT will result in an estimated increase of general fund revenue of approximately $750,000.

RECOMMENDATION:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, SUBMITTING TO CITY VOTERS AT THE NEXT REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 5, 2024, A BALLOT MEASURE TO ADOPT AN ORDINANCE TO ADD CHAPTER 3.25 TO THE CITY OF MCFARLAND MUNICIPAL CODE TO ESTABLISH A UTILITY USERS TAX AND REQUESTING THAT THE BOARD OF SUPERVISORS CONSOLIDATE THAT ELECTION WITH THE STATEWIDE ELECTION AND REGULAR MUNICIPAL ELECTION HELD ON THAT SAME DATE

ATTACHMENTS:

1. Exhibit A to Resolution Utility User Tax

RESOLUTION NO. 2024-63

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND CALLING AN ELECTION TO BE HELD ON NOVEMBER 5, 2024, FOR VOTER CONSIDERATION OF A BALLOT MEASURE SEEKING VOTER AUTHORIZATION TO ADD CHAPTER 3.25 TO THE CITY OF MCFARLAND MUNICIPAL CODE TO ESTABLISH A UTILITY USERS TAX; DIRECTING THE CITY ATTORNEY TO PREPARE AN AN IMPARTIAL ANALYSIS; ESTABLISHING REQUIREMENTS FOR FILING ARGUMENTS REGARDING THE CITY OF MCFARLAND UUT MEASURE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California a General Municipal Election shall be held in the City of McFarland on November 5, 2024, for the election of Municipal Officers; and

WHEREAS, the City Council also desires to submit to the voters at the election a question relating to the imposition of a five percent (5%) Utility Users Tax; and

WHEREAS, the City of McFarland provides essential public safety and park services to the residents of McFarland; and

WHEREAS, a vibrant and healthy downtown promotes economic well-being and growth for the City and encourages new business development in the City; and

WHEREAS, the City General Fund lacks funds for basic repairs and maintenance to streets, storm drains and facilities, construction of senior center and police station, and other similar projects, as well as downtown revitalization; and

WHEREAS, keeping the City clean, safe and well-maintained attracts families to the community and maintains our quality of life and local property values; and

WHEREAS, the City Council has reviewed its economic forecast and determined that without an additional revenue source, the City will be unable to maintain high-quality essential city services, repair potholes and maintain local streets and ensure the City has enough police officers to respond quickly to 9-1-1 emergencies; and

WHEREAS, such a measure will also allow the City to provide police services including neighborhood police patrols, crime prevention and investigations and expand and improve the number of services provided locally to seniors; and

WHEREAS, the State cannot take away funds from a local transient occupancy tax measure and a measure will have a clear system of fiscal accountability with annual audits to ensure funds are spent properly and all funds stay local; and

WHEREAS, at its meeting of May 23, 2024, the Council considered a staff report, public testimony, and deliberated on the matter regarding submitting a ballot measure to the voters concerning the Transient Occupancy Tax; and

WHEREAS, California Government Code §37100.5. authorizes the City Council to levy a Utility User Tax for general purposes, if the ordinance proposing the tax is approved by a two thirds vote of all members of the City Council and the tax is approved by a majority vote of the qualified voters of the city voting in an election on the issue; and

WHEREAS, the City Council wishes to approve the attached Utility User Tax ordinance and submit it to the voters in the form of the McFarland Utility User Tax Measure, which imposes a five percent (5.00%) utility user tax on gas, electricity, video, and telecommunication services, subject to adoption by the voters of the City; and

SECTION 1. The recitals set forth above are true and correct.

SECTION 2. The City Council submits to the voters of the City of McFarland at its next regular municipal election to be held on November 5, 2024, a ballot measure for consideration of an ordinance to establish a Utility User Tax of five percent (5%).

SECTION 3. The City Council requests the Kern County Board of Supervisors that the election for this measure be consolidated with the statewide election also held on November 5, 2024, and the general municipal election to be held on that same date.

SECTION 4. The question to be submitted to the voters with respect to the ballot measure shall be printed on the election ballot with the title and in the form set forth as follows:

MEASURE ___ To maintain local funding for essential services including: Police and Fire/Emergency Medical Service response, street/road repair, and park maintenance in the City of McFarland, shall a measure establishing a 5% utility user tax on gas, electricity, video, telecommunication services, providing an estimated $750,000 annually, with independent audits, until ended by voters, be adopted?	YES NO

SECTION 5. The following constitutes the synopsis of the measure to be voted on for purposes of meeting the publication requirements of Elections Code Section 12111:

MEASURE TO BE VOTED ON

Notice is hereby given that the following measure is to be voted on at the general municipal election to be held in the City of McFarland, on Tuesday, the 5th day of November, 2024. ADOPTION OF ORDINANCE APPROVING A FIVE PERCENT (5%) UTILITY USER TAX. Ordinance No. __________ would add Chapter 3.25 to the McFarland Municipal Code establishing a four percent (5%) utility user tax on gas, electricity, video, and telecommunication services and generate approximately $750,000 annually. To become effective, Ordinance No. __________ as a general tax measure must be approved by a majority of the City's voters at the November 5, 2024, regular municipal election. If approved by the voters, the ordinance would continue until ended by the voters. The ordinance would allow the City to provide funding for essential city services and projects such as: police patrols, crime prevention, and quick 9-1-1 emergency response; fire service; repairing roads, potholes, maintaining streets, repairing infrastructure, revitalizing the downtown area, and improving community facilities, parks, senior services, and other general city services. The ordinance requires annual independent audits.

Dated: ___________ ____________________________________

City of McFarland, City Elections Official

SECTION 6. The full text of the ordinance submitted to the voters is attached as Exhibit 'A' and incorporated by reference. The full text of the proposed ordinance is not required to be printed in the Sample Ballot and Voters Pamphlet. However, the full text of the measure shall be made available to the public and to any voter at the Office of the Kern County Clerk/Registrar of Voters and the McFarland City Clerk's Office.

SECTION 7. Passage of this measure requires a majority (50% plus 1) of votes cast at the election.

SECTION 8. The City of McFarland requests that the Kern County Clerk/Registrar of Voters conduct the election and canvass the returns, and the City consents to reimburse the Registrar of Voters for all costs incurred by said services.

SECTION 9. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. Arguments in favor or against the proposed measure are permissible and shall be filed with the Kern County Clerk/Registrar in accordance with Elections Code Section 9282. The Mayor and Vice Mayor are authorized to prepare and file a written argument in favor of the proposed measure not to exceed 300 words on behalf of the City Council. The City Manager and City Clerk are authorized to provide input to the Kern County Clerk/Registrar in determining a letter designation for this measure. In the event that an argument is filed against the Measure, the Mayor and Vice Mayor are also authorized to submit a rebuttal argument on behalf of the City Council.

SECTION 11. The Kern County Clerk/Registrar of Voters shall give the appropriate notices for the election and shall conduct the election pursuant to appropriate provisions of state law. The City of McFarland acknowledges the Kern County Clerk/Registrar may conduct the election in accordance with Elections Code 10418.

SECTION 12. The City Attorney shall prepare an impartial analysis of the measure in accordance with Elections Code Section 9280 and file it with the Kern County Clerk/Registrar of Voters.

SECTION 13. The City Clerk shall file a certified copy of this resolution with the Kern County Clerk/Registrar of Voters as required by applicable law. The City Clerk is hereby authorized and directed to work with the Kern County Clerk/Registrar of Voters and take all steps necessary to cause placement of the Measure on the ballot.

SECTION 14. The City Clerk and City Attorney are authorized to make any typographical, clerical, non-substantive corrections to this resolution as may be deemed necessary by the Kern County Clerk/Registrar of Voters.

SECTION 15. This Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) of the CEQA guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, and Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly

PASSED AND ADOPTED at a regular meeting of the City Council of the City of McFarland on May 23, 2024 by the following vote:

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

CITY OF MCFARLAND

____
Saul Ayon, Mayor

ATTEST:

____
Francisca R. 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 R. Alvarado, City Clerk

ORDINANCE NO. ###-2024

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MCFARLAND TO ADD CHAPTER 3.28 TO THE CITY OF MCFARLAND MUNICIPAL CODE TO ESTABLISH A UTILITY USERS TAX

The People of the City of City of McFarland do ordain as follows:

SECTION 1. Chapter 3.28 is added to the McFarland Municipal Code as follows:

CHAPTER 3.28 - UTILITY USERS TAX

3.28.010 - Ordinance title.

This Chapter shall be known as the "Utility Users Tax" of the City of City of McFarland.

3.28.020 - Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this section.

"Ancillary telecommunication services" mean services that are associated with or incidental to the provision, use or enjoyment of telecommunications services, including but not limited to the following services:

A. ***"Conference bridging service"*** means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

B. ***"Detailed telecommunications billing service"*** means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

C. ***"Directory assistance"*** means an ancillary service of providing telephone number information and/or address information.

D. ***"Vertical service"*** means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

E. ***"Voice mail service"*** means an ancillary service that enables the customer to store, send, or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

"Ancillary video services" mean services that are associated with or incidental to the provision or delivery of video services, including but not limited to electronic program guide services, search functions, recording services, or other interactive services or communications that are associated with or incidental to the provision, use or enjoyment of video services.

"Billing address" means the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.

"City" means the City of City of McFarland.

"City Manager" shall mean the City Manager, or his or her authorized representative.

"Gas" means natural or manufactured gas or any alternate hydrocarbon fuel that may be substituted therefore.

"Mobile telecommunications service" means commercial mobile radio service, as defined in Section 20.3 of Title 47 of the Code of Federal Regulations and as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124) and the regulations there under.

"Month" means a calendar month.

"Non-utility service supplier" means the following:

A. A service supplier, other than a provider of electric distribution services to all or a significant portion of the City that generates electricity for sale to others, including, but not limited to, any publicly-owned electric utility, investor-owned utility, co-generator, distributed generation provider, exempt wholesale generator, municipal utility district, federal power marketing agency, electric rural cooperative, or other supplier or seller of electricity.

B. An electric service provider (ESP), electricity broker, marketer, aggregator (including a community choice aggregator), pool, operator, or other electricity supplier other than a provider of electric distribution services to all or a significant portion of the City that sells or supplies electricity or supplemental services to electricity users within the City.

C. A gas service supplier, aggregator, marketer or broker, other than a provider of gas distribution services to all or a significant portion of the City that sells or supplies gas or supplemental services to gas users within the City.

"Paging service" means a telecommunications service that provides transmission of coded radio signals for the purpose of activating specific pagers; such transmissions may include messages and/or sounds.

"Person" means, without limitation, any natural individual, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, joint power authority, limited liability company, corporation (including foreign, domestic, and non-profit), municipal district or municipal corporation (other than the City), special district, school district, cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

"Place of primary use" means the street address where the customer's use of a taxable service primarily occurs, which must be the residential street address or the primary business street address of the customer.

"Post-paid telecommunication service" means the telecommunication service obtained by making a payment on a telecommunication-by-telecommunication basis either through the use of a payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.

"Prepaid telecommunication service" (including prepaid mobile telecommunication service) means the right to access telecommunication services, which must be paid for in advance and which enables the origination of communications using an access number or authorization code, whether manually or electronically dialed.

"Private telecommunication service" means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A communications channel is a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points (i.e., the location where the customer either inputs or receives the communications).

"Service address" means the residential street address or the business street address of the service user. For a telecommunication service user, "service address" means either:

A. The location of the service user's communication equipment from which the communication originates or terminates, regardless of where the communication is billed or paid; or

B. If the location in subsection (A) of this definition is unknown (e.g., mobile telecommunications service or VoIP service), the service address means the location of the service user's place of primary use.

C. For prepaid telecommunication service, "service address" means the point of sale of the services where the point of sale is within the City, or if unknown, the known address of the service user (e.g., billing address or location associated with the service number), which locations shall be presumed to be the place of primary use.

"Service supplier" means any entity or person, including the City, that provides or sells telecommunication, video, gas, or electrical service to a user of such service within the City.

"Service user" means a person required to pay a tax imposed under the provisions of this chapter.

"Tax Administrator" means the finance director of the City or his or her designee.

"Telecommunications service" means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, whatever the technology used. The term "telecommunications services" includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such services are referred to as voice over internet protocol (VoIP) services or are classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that is functionally integrated with "telecommunication services". "Telecommunications services" include, but are not limited to the following services, regardless of the manner or basis on which such services are calculated or billed; ancillary telecommunication services; intrastate, interstate, and international telecommunication services; mobile telecommunications service; prepaid telecommunication service; post-paid telecommunication service; private telecommunication service; paging service; 800 service (or any other toll-free numbers designated by the Federal Communications Commission); 900 service (or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers who call in to pre-recorded or live service).

"Video programming" means those programming services commonly provided to subscribers by a "video service supplier" including but not limited to basic services, premium services, audio services, video games, pay-per-view services, video on demand, origination programming, or any other similar services, regardless of the content of such video programming, or the technology used to deliver such services, and regardless of the manner or basis on which such services are calculated or billed.

"Video services" mean video programming and any and all services related to the providing, recording, delivering, use or enjoyment of video programming (including origination programming and programming using Internet Protocol, e.g., IP-TV and IP-Video) using one or more channels by a "video service supplier," regardless of the technology used to deliver, store or provide such services, and regardless of the manner or basis on which such services are calculated or billed, and includes ancillary video services, data services, telecommunication services, or interactive communication services that are functionally integrated with video services.

"Video service supplier" means any person or service that provides or sells video programming, or provides or sells the capability to receive video programming, including any telecommunications that are ancillary, necessary or common to the provision, use or enjoyment of the video programming, to or from a business or residential address in the City, where some fee is paid, whether directly or included in dues or rental charges for that service, whether or not public rights-of-way are utilized in the delivery of the video programming or telecommunications. A "video service supplier" includes, but is not limited to, multi-channel video programming distributors (as defined in 47 U.S.C.A. Section 522(13); open video systems (OVS) suppliers; and suppliers of cable television; master antenna television; satellite master antenna television; multi-channel multipoint distribution services (MMDS); video services using Internet Protocol (e.g., IP-TV and IP-Video, which provide, among other things, broadcasting and video on demand), direct broadcast satellite to the extent federal law permits taxation of its video services, now or in the future; and other suppliers of video services (including two-way communications), whatever their technology.

"VoIP (Voice over Internet Protocol)" means the digital process of making and receiving real-time voice transmissions over any Internet Protocol network.

"800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name "800," "855," "866," "877" or "888" toll-free calling, and any subsequent numbers designated by the Federal Communications Commission.

"900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. "900 service" does not include the charge for: collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name "900" service, and any subsequent numbers designated by the Federal Communications Commission for pay for services calls.

3.28.30 - Statutory, Constitutional and Other Exemptions

A. Consistency with State and Federal Law. Nothing in this chapter shall be construed as imposing a tax upon any person or service when the imposition of such tax upon such person or service would be in violation of a federal or state statute, the Constitution of the United States or the Constitution of the State of California.

B. Exemption Application. Any service user that is exempt pursuant to subsection (A) from any tax imposed by this chapter pursuant shall file an application with the Tax Administrator for an exemption; provided, however, this requirement shall not apply to a service user that is a state or federal agency or subdivision (such as a public school district or a community college district) with a commonly recognized name for such service. Said application shall be made upon a form approved by the Tax Administrator and shall state those facts declared under penalty of perjury which qualify the applicant for an exemption and shall include the names of all utility service suppliers serving that service user. If deemed exempt by the Tax Administrator such service user shall give the Tax Administrator timely written notice of any change in utility service suppliers so that the Tax Administrator can properly notify the new utility service supplier of the service user's tax exempt status. A service user that fails to apply and obtain an exemption pursuant to this section shall not be entitled to a refund of utility user taxes collected and remitted to the Tax Administrator from such service user as a result of such noncompliance. The decision of the Tax Administrator may be appealed pursuant to Section 3.28.190(A) of this chapter. Filing an application with the Tax Administrator and appeal to the City Manager pursuant to Section 3.28.190(B) of this chapter is a prerequisite to a suit thereon.

C. The City. Nothing in this chapter shall be construed as imposing a tax upon the City of City of McFarland.

D. Low Income Exemptions.

1. A residential service user shall be exempt from the gas, electric, telecommunications, and video tax of this chapter if he or she is qualified and is enrolled in Pacific Gas and Electric Company's (PG&E) CARE Program ("California Alternate Rates for Energy" program). Individuals receiving the exemption granted by this subsection must reside at the location receiving the service; the exemption shall not apply to any nonresidential service location. A residential service user that is qualified and is enrolled in the CARE Program shall be exempted from the gas, electric, telecommunications and video tax of this chapter upon presentation to the Tax Administrator of a written request for such exemption. The Tax Administrator will advise such service suppliers of the exempt status of its customer.

E. Application Processing.

1. The Tax Administrator shall within sixty days of receipt of an application for exemption determine whether the exemption is granted, and if so notify the service supplier. The exemption shall apply from the date of the Tax Administrator's determination that the household qualifies.

2. If the Tax Administrator determines that an application for exemption is faulty, that the applicant has failed to truthfully set forth facts, or that the facts do not support the application for exemption, the application shall be denied in writing to the applicant. The applicant shall thereafter have a right to file an amended application, or to appeal the Tax Administrator's decision to the City Manager within a ten-day period after the mailing date of the Tax Administrator's notification. In the case of an appeal, the City Manager shall review the facts in consultation with the City Attorney, and shall render a final determination on such appeal.

F. Effective Date of Exemption. The exemption granted to a person pursuant to this section shall become effective on the beginning of the first regular billing period which commences after the Tax Administrator has notified the service supplier that an exemption has been granted. Upon a showing of hardship by a service supplier, the Tax Administrator may, as an alternative implement this section by requiring the exempt person to pay the tax and seek a refund under Section 3.28.180. The Tax Administrator shall provide a refund claim form for this purpose.

G. Continuing Eligibility. The Tax Administrator in his or her sole discretion may require annual written verification from the service user of his or her continuing eligibility for any exemption granted under this section.

3.28.040 - Telecommunications users tax.

A. Telecommunications User's Tax Rate. There is hereby imposed a tax upon every person in the City using telecommunication services. The tax imposed by this section shall be at the rate of five percent of the charges made for such services and shall be collected from the service user by the telecommunication services supplier or its billing agent. There is a rebuttable presumption that telecommunication services, which are billed to a billing or service address in the City, are used, in whole or in part, within the City's boundaries and such services are subject to taxation under this chapter. There is also a rebuttable presumption that prepaid telecommunication services sold within the City are used, in whole or in part, within the City and are therefore subject to taxation under this chapter. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the telecommunication services.

B. Sourcing Rules. "Mobile telecommunications service" shall be sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124). The Tax Administrator may issue and disseminate to communication service suppliers, which are subject to the tax collection requirements of this chapter, sourcing rules for the taxation of other communication services, including but not limited to post-paid communication services, prepaid communication services, VoIP and private communication services. In promulgating any sourcing rules hereunder the Tax Administrator shall take into account but shall not be legally bound by custom and common practice that furthers administrative efficiency and minimizes taxation by more than one state of the same service usage, commonly referred to as multi-jurisdictional taxation. In doing so the Tax Administrator may refer to and/or rely upon the Streamlined Sales and Use Tax Agreement, and/or any other reasonable precedent or resource.

C. Authority for Administrative Rulings. The Tax Administrator may issue and disseminate to telecommunication service suppliers which are subject to the tax collection requirements of this chapter, an administrative ruling identifying those telecommunication services, or charges therefore, that are subject to the tax of subsection (A) above.

D. Specific Inclusions in Telecommunication Services. As used in this section, the term "telecommunication services" shall include, but are not limited to, charges for the following: connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including, but not limited to, call waiting, call forwarding, caller identification, and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; all fees, charges and surcharges, including those mandated by state or federal regulatory agencies to fund such agencies or various mandated programs (whether such charges or surcharges are imposed on the service supplier or the customer); local number portability charges; and text and instant messaging.

E. Specific Exclusions from Telecommunications Services. As used in this section, "telecommunications services," shall not include digital downloads that are not ancillary telecommunications services such as books, music, ringtones, games, and similar digital products.

F. Multi-Jurisdictional Taxation. To prevent actual multi-jurisdictional taxation of telecommunication services subject to tax under this section, any service user, upon proof to the Tax Administrator that the service user has previously paid the same tax in another state or local jurisdiction on such telecommunication services, shall be allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or local jurisdiction; provided, however, the amount of credit shall not exceed the tax owed to the City under this section.

G. Collection of Telecommunication Users Tax. The telecommunication user tax imposed by this section shall be collected from the service user by the service supplier. The amount of tax collected in one month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth day of the following month.

3.28.50 - Video users tax.

A. Video Users Tax Rate. There is hereby imposed a tax upon every person in the City using video services from a video provider. The tax imposed by this section shall be at the rate of five percent of the charges made for such services and shall be collected from the service user by the video service supplier or its billing agent. There is a rebuttable presumption that video services that are billed to a billing or service address in the City, are used, in whole or in part, within the City's boundaries, and such services are subject to taxation under this chapter. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax.

B. Video Charges. As used in this section, the term "charges" shall include, but is not limited to, charges for the following:

1. Regulatory fees and surcharges, franchise fees, and access fees (e.g., "PEG" fees), whether designated on the customer's bill or not, or whether they are imposed on the service provider or the customer.

2. Initial installation of equipment necessary for provision and receipt of video services.

3. Late fees, collection fees, bad debt recoveries, and return check fees.

4. Activation fees, reactivation fees, and reconnection fees.
5. Video programming and video services.

6. Ancillary video services (e.g., electronic program guide services, recording functions, search functions, or other interactive services or communications that are ancillary, necessary or common to the use or enjoyment of video services).

7. Equipment leases (e.g., remote, recording or search devices, converters, remote devices).

8. Service calls, service protection plans, name changes, changes of services, and special services.

C. Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the video services.

D. Authority for Administrative Rulings. The Tax Administrator may issue and disseminate to video service suppliers which are subject to the tax collection requirements of this chapter an administrative ruling identifying those video services or charges therefor that are subject to or not subject to the tax of subsection (A) above.

E. Collection of Video Users Tax. The tax imposed by this section shall be collected from the service user by the video service supplier, its billing agent, or a reseller of such services. In the case of video service, the service user shall be deemed to be the purchaser of the bulk video service (e.g., an apartment owner), unless such service is resold to individual users, in which case the service user shall be the ultimate purchaser of the video service. The amount of tax collected in one month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth day of the following month.

3.28.60 - Electricity users tax.

A. Electricity Users Tax Rate. There is hereby imposed a tax upon every person in the City using electricity. The tax imposed by this section shall be at the rate of five percent of the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service users that are provided by a service supplier or non-utility service supplier to a service user.

B. Electricity Charges. As used in this section, the term "charges" shall include, but is not limited to, the following charges:

1. Energy charges.

2. Distribution or transmission charges.

3. Metering charges.

4. Stand-by, reserves, firming, ramping, voltage support, regulation,

emergency or other similar minimum charges for services.

5. Customer charges, late charges, service establishment or reestablishment charges, demand charges, fuel or other cost adjustments, power exchange charges, independent system operator (ISO) charges, stranded investment or competitive transition charges (CTC), public purpose program charges, nuclear decommissioning charges, trust transfer amounts (bond financing charges), franchise fees, franchise surcharges, annual and monthly charges, and other charges, fees, or surcharges which are necessary for or common to the receipt use or enjoyment of electric service; and

6. Charges, fees, or surcharges for electric services or programs, which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing, or whether they are imposed on the service provider or the customer.

C. Electricity Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the electricity or services related to the provision of such electricity.

D. Survey of Electricity Service Suppliers - Authority for Administrative Rulings. The Tax Administrator shall, from time to time, survey the electric service suppliers in the City to identify the various unbundled billing components of the electric retail service that are being offered to customers within the City, and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such electric service. The Tax Administrator, thereafter, may issue and disseminate to such electric service suppliers an administrative ruling identifying those components and items that are: (1) necessary for or common to the receipt, use and enjoyment of electric service; or (2) currently are or historically have been included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (A) above.

E. "Using Electricity" Further Defined. As used in this section the term "using electricity" shall not include the mere receiving of such electricity by an electrical corporation or governmental agency at a point within the City for resale.

F. Collection of Electricity Users Tax. The tax on electricity provided by self-production or by a non-utility service supplier not under the jurisdiction of this chapter shall be collected and remitted in the manner set forth in Section 3.28.080 of this chapter. All other taxes on charges for electricity imposed by this section shall be collected from the service user by the electric service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the Tax Administrator and must be received by the Tax Administrator on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user which must be received by the Tax Administrator on or before the twentieth day of the following month provided that such person shall submit an adjusted payment or request for credit as appropriate within sixty days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

3.28.70 - Gas users tax.

A. Gas Users Tax Rate. There is hereby imposed a tax upon every person in the City using gas that is delivered through a distribution system or by mobile transport. The tax imposed by this section shall be at the rate of five percent of the charges made for such gas, including all services related to the storage, transportation and delivery of such gas, and shall apply to all uses of gas, including but not limited to, heating, electricity generation, or the use of gas as a component of a manufactured product.

B. Gas Charges. As used in this section, the term "charges" shall apply to all services components and items for gas service that are: (1) necessary for or common to the receipt, use, or enjoyment of gas service; or, (2) currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. The term "charges" shall include, but is not limited to, the following charges:

1. The commodity charges for purchased gas, or the cost of gas owned by the service user (including the actual costs attributed to chilling, production, lifting, storage, gathering, trunk-line, pipeline, and other operating costs associated with the production and delivery of such gas), which is delivered through a gas pipeline distribution system or by mobile transportation.

2. Gas transportation charges (including interstate charges to the extent not included in commodity charges).

3. Storage charges; provided, however, that the service supplier shall not be required to apply the tax to any charges for gas storage services when the service supplier cannot, as a practical matter, determine the jurisdiction where such stored gas is ultimately used; but it shall be the obligation of the service user to self-collect the amount of tax not applied to any charge for gas storage by the service supplier and to remit the tax to the appropriate jurisdiction.

4. Capacity or demand charges, late charges, service establishment or reestablishment charges, transition charges, customer charges, minimum charges, annual and monthly charges, and any other charges, which are necessary or common to the receipt, use and enjoyment of gas service.

5. Charges, fees, or surcharges for gas services or programs, which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing, or whether they are imposed on the service provider or the customer.

C. Gas Charges Further Defined. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the gas or services related to the delivery of such gas.

D. Survey of Gas Service Suppliers; Authority for Administrative Rulings. The Tax Administrator from time to time may survey the gas suppliers to identify the various unbundled billing components of gas retail service that they commonly provide to residential and commercial/industrial customers in the City and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such gas service. The Tax Administrator, thereafter, may issue and disseminate to such gas service suppliers an administrative ruling identifying those components and items which are: (1) necessary for or common to the receipt use or enjoyment of gas service, or, (2) currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (A) above.

E. Exclusion for Resale. There shall be excluded from the calculation of the tax imposed in this section charges made for gas which is to be resold and delivered through a pipeline distribution system.

F. Collection of Gas Users Tax. The tax on gas provided by self-production or by a non- utility service supplier not under the jurisdiction of this chapter shall be collected and remitted in the manner set forth in Section 3.28.080 of this chapter. All other taxes on charges for gas imposed by this section shall be collected from the service user by the gas service supplier or its billing agent. The amount of tax collected in one month shall be remitted to the Tax Administrator and must be received by the Tax Administrator on or before the twentieth day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the Tax Administrator on or before the twentieth day of the following month provided that such person shall submit an adjusted payment or request for credit as appropriate within sixty days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

3.28.080 - Collection of Tax from Service Users Receiving Direct Purchase of Gas or Electricity.

A. Report to Tax Administrator. Any service user subject to the tax imposed by Sections 3.28.060 or 3.28.070 that produces gas or electricity for self-use, that receives gas or electricity, including any related supplemental services, directly from a non-utility service supplier not under the jurisdiction of this chapter, or that, for any other reason, is not having the full tax collected and remitted by its service supplier, a non-utility service supplier, or its billing agent on the use of gas or electricity, including any related supplemental services, in the City, shall report said fact to the Tax Administrator and shall remit the tax due directly to the Tax

Administrator within thirty days of such use. In lieu of paying said actual tax, the service user may, at its option, remit to the Tax Administrator within thirty days of such use an estimated amount of tax measured by the tax billed in the previous month, or upon the payment pattern of similar customers of the service supplier using similar amounts of gas or electricity, provided that the service user shall submit an adjusted payment or request for credit, as appropriate, within sixty days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent tax bill that becomes due.

B. Investigation. The Tax Administrator may require said service user to identify its non- utility service supplier and provide, subject to audit, invoices, books of account or other satisfactory evidence documenting the quantity of gas or electricity used, including any related supplemental services, and the cost or price thereof. If the service user is unable to provide such satisfactory evidence, or, if the administrative cost of calculating the tax in the opinion of the Tax Administrator is excessive, the Tax Administrator may determine the tax by applying the tax rate to the equivalent charges the service user would have incurred if the gas or electricity used, including any related supplemental services, had been provided by the service supplier that is the primary supplier of gas or electricity within the City. The rate schedule for this purpose shall be available from the City.

3.28.090 - Bundling taxable items with non-taxable items.

If any non-taxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are non-taxable and taxable through the service supplier's books and records kept in the regular course of business, and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. If the service supplier offers a combination of taxable and non-taxable services, and the charges are separately stated, then for taxation purposes, the values assigned the taxable and non-taxable services shall be based on its books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper valuation of the taxable and non-taxable services.

3.28.100 - Substantial nexus/minimum contacts.

For purposes of imposing a tax or establishing a duty to collect and remit a tax under this chapter, "substantial nexus" and "minimum contacts" shall be construed broadly in favor of the imposition collection and/or remittance of the utility users tax to the fullest extent permitted by state and federal law, and as it may change from time to time by judicial interpretation or by statutory enactment. Any telecommunication service (including VoIP) used by a person with a service address in the City which service is capable of terminating a call to another person on the general telephone network shall be subject to a rebuttable presumption that "substantial nexus/minimum contacts" exists for purposes of imposing a tax or establishing a duty to collect and remit a tax under this chapter. A service supplier shall be deemed to have sufficient activity in the City for tax collection and remittance purposes if its activities include but are not limited to any of the following maintains or has within the City directly or through an agent, affiliate, or subsidiary, a place of business of any nature; solicits business in the City by employees, independent contractors, resellers, agents, or other representatives; solicits business in the City on a continuous regular, seasonal, or systematic basis by means of advertising that is broadcast or relayed from a transmitter within the City or distributed from a location within the City; or advertises in newspapers or other periodicals printed and published within the City or through materials distributed in the City by means other than the United States mail; or if there are activities performed in the City on behalf of the service supplier that are significantly associated with the service supplier's ability to establish and maintain a market in the City for the provision of services that are subject to a tax under this chapter.

3.28.110 - Duty to collect—Procedures.

A. Collection by Service Suppliers. The duty of service suppliers to collect and remit the taxes imposed by the provisions of this chapter shall be performed as follows:

1. The tax shall be collected by service suppliers insofar as practicable at the same time as, and along with, the collection of the charges made in accordance with the regular billing practice of the service supplier. Where the amount paid by a service user to a service supplier is less than the full amount of the charge and tax which was accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid. In those cases where a service user has notified the service supplier of refusal to pay the tax imposed on said charges, Section 3.28.120 shall apply.

2. The duty of a service supplier to collect the tax from a service user shall commence with the beginning of the first regular billing period applicable to the service user where all charges normally included in such regular billing are subject to the provisions of this chapter. Where a service user receives more than one billing, one or more being for different periods than another, the duty to collect shall arise separately for each billing period.

B. Filing Return and Payment. Each person required by this chapter to remit a tax shall file a return to the Tax Administrator, on forms approved by the Tax Administrator, on or before the due date. The full amount of the tax collected shall be included with the return and filed with the Tax Administrator. The Tax Administrator is authorized to require such additional information as he or she deems necessary to determine if the tax is being levied, collected, and remitted in accordance with this chapter. Returns are due immediately upon cessation of business for any reason. Pursuant to Revenue and Tax Code Section 7284.6, the Tax Administrator, and its agents, shall maintain such filing returns as confidential information that is exempt from the disclosure provisions of the Public Records Act.

3.28.120 - Collection penalties—Service suppliers.

A. Due Date for Taxes—Delinquencies. Taxes collected from a service user are delinquent if not received by the Tax Administrator on or before the due date. Should the due date occur on a weekend or legal holiday, the return must be received by the Tax Administrator on the first regular working day following the weekend or legal holiday. A direct deposit, including electronic fund transfers and other similar methods of electronically exchanging monies between financial accounts, made by a service supplier in satisfaction of its obligations under this subsection shall be considered timely if the transfer is initiated on or before the due date, and the transfer settles into the City's account on the following business day.Failure to Collect or Remit. If the person required to collect and/or remit a tax imposed pursuant to this chapter fails to collect the tax (by failing to properly assess the tax on one or more services or charges on the customer's billing) or fails to remit the tax collected on or before the due date, the Tax Administrator shall attach a penalty for such delinquencies or deficiencies at the rate of fifteen percent of the total tax that is delinquent or deficient in the remittance, and shall pay interest at the rate of and 75/l00ths percent per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent, until paid.

B. Penalties for Fraud or Gross Negligence in Reporting or Remitting. The Tax Administrator shall have the power to impose additional penalties upon persons required to collect and remit taxes pursuant to the provisions of this chapter for fraud or gross negligence in reporting or remitting at the rate of fifteen percent of the amount of the tax collected and/or required to be remitted, or as recomputed by the Tax Administrator.

C. Penalties Due as Tax. For collection purposes only, every penalty imposed and such interest that is accrued under the provisions of this section shall become a part of the tax herein required to be paid.

D. Authority to Modify Due Dates. Notwithstanding the foregoing, the Tax Administrator may, in his or her discretion, modify the due dates of this chapter to be consistent with any uniform standards or procedures that are mutually agreed upon by other public agencies imposing a utility users tax, or otherwise legally established, to create a central payment location or mechanism.

3.28.130 - Actions to collect.

Any tax required to be paid by a service user under the provisions of this chapter shall be deemed a debt owed by the service user to the City. Any such tax collected from a service user which has not been remitted to the Tax Administrator shall be deemed a debt owed to the City by the person required to collect and remit and shall no longer be a debt of the service user. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount, including penalties and interest as provided for in this chapter, along with any collection costs incurred by the City as a result of the person's noncompliance with this chapter, including, but not limited to, reasonable attorneys' fees. Any tax required to be collected by a service supplier or owed by a service user is an unsecured priority excise tax obligation under 11 U.S.C.A. Section 507(a)(8)(C). Service suppliers who seek to collect charges for service in bankruptcy proceedings shall also include in any such claim the amount of taxes due the City for those services, unless the Tax Administrator determines that such duty is in conflict with any federal or state law, rule, or regulation or that such action would be administratively impractical.

3.28.140 - Deficiency determination and assessment—Tax application errors.

A. Tax Deficiency Determinations. The Tax Administrator shall make a deficiency determination if he or she determines that any service user or service supplier required to pay or collect taxes pursuant to the provisions of this chapter has failed to pay, collect, and/or remit the proper amount of tax by improperly or failing to apply the tax to one or more taxable services or charges. Nothing herein shall require that the Tax Administrator institute proceedings under this section if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

B. Notice of Deficiency. The Tax Administrator shall mail a notice of such deficiency determination to the person or entity allegedly owing the tax, which notice shall refer briefly to the amount of the taxes owed, plus interest at the rate of 75/100ths percent per month, or any fraction thereof, on the amount of the tax from the date on which the tax should have been received by the City. Within fourteen calendar days after the date of service of such notice, the person or entity allegedly owing the tax may request in writing to the Tax Administrator a hearing on the matter.

C. Hearing on Deficiency. If the person or entity allegedly owing the tax fails to request a hearing within the prescribed time period, the amount of the deficiency determination shall become a final assessment, and shall immediately be due and owing to the City. If such person or entity requests a hearing, the Tax Administrator shall cause the matter to be set for hearing, which shall be scheduled within thirty days after receipt of the written request for hearing. Notice of the time and place of the hearing shall be mailed by the Tax Administrator to such person at least ten calendar days prior to the hearing, and, if the Tax Administrator desires said person to produce specific records at such hearing, such notice may designate the records requested to be produced.

D. Determination after Hearing. At the time fixed for the hearing, the Tax Administrator shall hear all relevant testimony and evidence, including that of any other interested parties. At the discretion of the Tax Administrator, the hearing may be continued from time to time for the purpose of allowing the presentation of additional evidence. Within a reasonable time following the conclusion of the hearing, the Tax Administrator shall issue a final assessment (or non-assessment), thereafter, by confirming, modifying or rejecting the original deficiency determination, and shall mail a copy of such final assessment to person or entity owing the tax. The decision of the Tax Administrator may be appealed pursuant to Section 3.28.160 of this chapter. Filing an application with the Tax Administrator and appeal to the City Manager pursuant to Section 3.28.160 of this chapter is a prerequisite to a suit thereon.

E. Delinquencies. Payment of the final assessment shall become delinquent if not received by the Tax Administrator on or before the thirtieth day following the date of receipt of the notice of final assessment. The penalty for delinquency shall be fifteen percent on the total amount of the assessment, along with interest at the rate of 75/100ths percent per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date of delinquency, until paid. The applicable statute of limitations regarding a claim by the City seeking payment of a tax assessed under this chapter shall commence from the date of delinquency as provided in this subsection.

F. Notice of Delinquency. All notices under this section may be sent by regular mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

3.28.150 - Administrative remedy—Non-paying service users.

A. Administrative Remedies for the Obligation to Collect Tax. Whenever the Tax Administrator determines that a service user has deliberately withheld the amount of the tax owed by the service user from the amounts remitted to a person required to collect the tax, or whenever the Tax Administrator deems it in the best interest of the City, he or she may relieve such person of the obligation to collect the taxes due under this chapter from certain named service users for specific billing periods. To the extent the service user has failed to pay the amount of tax owed for a period of two or more billing periods, the service supplier shall be relieved of the obligation to collect taxes due. The service supplier shall provide the City with the names and addresses of such service users and the amounts of taxes owed under the provisions of this chapter. Nothing herein shall require that the Tax Administrator institute proceedings under this section if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

B. Delinquency Penalty. In addition to the tax owed, the service user shall pay a delinquency penalty at the rate of fifteen percent of the total tax that is owed, and shall pay interest at the rate of 75/l00ths percent per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the due date, until paid.

C. Notice to Non-Paying Service User. The Tax Administrator shall notify the non-paying service user that the Tax Administrator has assumed the responsibility to collect the taxes due for the stated periods and demand payment of such taxes, including penalties and interest. The notice shall be served on the service user by personal delivery or by deposit of the notice in the United States mail, postage prepaid, addressed to the service user at the address to which billing was made by the person required to collect the tax; or, should the service user have a change of address, to his or her last known address.

D. Additional Penalties. If the service user fails to remit the tax to the Tax Administrator within thirty days from the date of the service of the notice upon him or her, the Tax Administrator may impose an additional penalty of fifteen percent of the amount of the total tax that is owed.

3.28.160- Additional powers and duties of the Tax Administrator.

A. Enforcement by Tax Administrator. The Tax Administrator shall have the power and duty, and is hereby directed, to enforce each and all of the provisions of this chapter.

B. Administrative Regulations Regarding Payment. The Tax Administrator may adopt administrative rules and regulations consistent with provisions of this chapter for the purpose of interpreting, clarifying, carrying out, and enforcing the payment, collection, and remittance of the taxes herein imposed. A copy of such administrative rules and regulations shall be on file in the Tax Administrator's office. To the extent that the Tax Administrator determines that the tax imposed under this chapter shall not be collected in full for any period of time from any particular service supplier or service user, that determination shall be considered an exercise of the Tax Administrator's discretion to settle disputes and shall not constitute a change in taxing methodology for purposes of Government Code Section 53750 or otherwise. The Tax Administrator is not authorized to amend the City's methodology for purposes of Government Code Section 53750, and the City does not waive or abrogate its ability to impose the utility users tax in full as a result of promulgating administrative rulings or entering into agreements.

C. Administrative Agreements Regarding Billing Procedures. Upon a proper showing of good cause, the Tax Administrator may make administrative agreements, with appropriate conditions, to vary from the strict requirements of this chapter and thereby: (1) conform to the billing procedures of a particular service supplier so long as said agreements result in the collection of the tax in conformance with the general purpose and scope of this chapter; or (2) to avoid a hardship where the administrative costs of collection and remittance greatly outweigh the tax benefit. A copy of each such agreement shall be on file in the Tax Administrator's office, and are voidable by the Tax Administrator or the City at any time.

D. Compliance Audits. The Tax Administrator may conduct an audit, to ensure proper compliance with the requirements of this chapter, of any person required to collect and/or remit a tax pursuant to this chapter. The Tax Administrator shall notify said person of the initiation of an audit in writing. In the absence of fraud or other intentional misconduct, the audit period of review shall not exceed a period of three years next preceding the date of receipt of the written notice by said person from the Tax Administrator. Upon completion of the audit, the Tax Administrator may make a deficiency determination pursuant to Section 3.28.140 of this chapter for all taxes (and applicable penalties and interest) owed and not paid, as evidenced by information provided by such person to the Tax Administrator. If said person is unable or unwilling to provide sufficient records to enable the Tax Administrator to verify compliance with this chapter, the Tax Administrator is authorized to make a reasonable estimate of the deficiency. Said reasonable estimate shall be entitled to a rebuttable presumption of correctness.

E. Extension of Time. Upon receipt of a written request of a taxpayer, and for good cause, the Tax Administrator may extend the time for filing any statement required pursuant to this chapter for a period of not to exceed forty-five days, provided that the time for filing the required statement has not already passed when the request is received. No penalty for delinquent payment shall accrue by reason of such extension. Interest shall accrue during said extension at the rate of 75/100ths percent per month, prorated for any portion thereof.

F. Eligibility for Exemption. The Tax Administrator shall determine the eligibility of any person who asserts a right to exemption from, or a refund of, the tax imposed by this chapter.

G. Waiver of Penalties and Interest. Notwithstanding any provision in this Chapter 3.28 to the contrary, the Tax Administrator may waive any penalty or interest imposed upon a person required to collect and/or remit for failure to collect the tax imposed by this Chapter 3.28 if the non-collection occurred in good faith. In determining whether the non-collection was in good faith, the Tax Administrator shall take into consideration the uniqueness of the product or service, industry practice or other precedence, or whether the person offers to voluntarily disclose its tax liability. The Tax Administrator may also participate with other utility users tax public agencies in conducting coordinated compliance reviews with the goal of achieving administrative efficiency and uniform tax application determinations, where possible. To encourage voluntary full disclosure and on-going cooperation on tax collection and remittance, the Tax Administrator, and its agents, may enter into agreements with the tax-collecting service providers and grant prospective only effect on any changes regarding the taxation of services or charges that were previously deemed by the service provider, in good faith and without gross negligence, to be non-taxable. In determining whether the non-collection was in good faith and without gross negligence, the Tax Administrator shall take into consideration the uniqueness of the product or service, industry practice or other precedence, and whether the disclosure was voluntarily made by the service provider or its agent.

3.28.170 - Records.

A. Retention of Necessary Tax Records. It shall be the duty of every person required to collect and/or remit to the City any tax imposed by this chapter to keep and preserve, for a period of at least three years, all records as may be necessary to determine the amount of such tax as he/she may have been liable for the collection of and remittance to the Tax Administrator, which records the Tax Administrator shall have the right to inspect at a reasonable time.

B. Administrative Subpoenas. The City through the City council may issue an administrative subpoena to compel a person to deliver to the Tax Administrator copies of all records deemed necessary by the Tax Administrator to establish compliance with this chapter, including the delivery of records in a common electronic format on readily available media if such records are kept electronically by the person in the usual and ordinary course of business. As an alternative to delivering the subpoenaed records to the Tax Administrator on or before the due date provided in the administrative subpoena, such person may provide access to such records outside the City on or before the due date, provided that such person shall reimburse the City for all reasonable travel expenses incurred by the City to inspect those records, including travel, lodging, meals, and other similar expenses, but excluding the normal salary or hourly wages of those persons designated by the City to conduct the inspection.

C. Non-Disclosure Agreements. The Tax Administrator is authorized to execute a non- disclosure agreement approved by the City Attorney to protect the confidentiality of customer information pursuant to California Revenue and Tax Code Sections 7284.6 and 7284.7.

D. Use of Billing Agents. If a service supplier uses a billing agent or billing aggregator to bill, collect, and/or remit the tax, the service supplier shall: (1) provide to the Tax Administrator the name, address and telephone number of each billing agent and billing aggregator currently authorized by the service supplier to bill, collect, and/or remit the tax to the City; and (2) upon request of the Tax Administrator, deliver, or effect the delivery of, any information or records in the possession of such billing agent or billing aggregator that, in the opinion of the Tax Administrator, is necessary to verify the proper application, calculation, collection and/or remittance of such tax to the City.

E. Access to Necessary Records. If any person subject to record-keeping under this section unreasonably denies the Tax Administrator access to such records, or fails to produce the information requested in an administrative subpoena within the time specified, then the Tax Administrator may impose a penalty of five hundred dollars on such person for each day following: (1) the initial date that the person refuses to provide such access; or (2) the due date for production of records as set forth in the administrative subpoena. This penalty shall be in addition to any other penalty imposed under this chapter.

<u>3.28.180 - Refunds.</u>

Whenever the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter from a person or service supplier, it may be refunded as provided in this section as follows:

A. Tax Administrator Authority. The Tax Administrator may refund any tax that has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter from a service user or service supplier provided that no refund shall be paid under the provisions of this section unless the claimant or his or her guardian, conservator, executor, or administrator has submitted a written claim to the Tax Administrator within one year of the overpayment or erroneous or illegal collection of said tax. Such claim must clearly establish claimant's right to the refund by written records showing entitlement thereto. To the extent allowed by law, nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim under penalty of perjury as provided by this subsection.

B. Action on Claim for Refund. The Tax Administrator, where the claim is within his or her settlement authority as established by ordinance or by resolution of the City council from time to time, or the City council where the claim is in excess of that amount, shall act upon the refund claim within forty-five calendar days of the initial receipt of the refund claim. Said decision shall be final. If the Tax Administrator/city council fails or refuses to act on a refund claim within the forty-five calendar day period, the claim shall be deemed to have been rejected by the Tax Administrator/city council on the forty-fifth day. The Tax Administrator shall give notice of the action in a form which substantially complies with that set forth in Government Code Section 913.

C. Written Claim for Refund. The filing of a written claim pursuant to Government Code Section 935 is a prerequisite to any suit thereon. Any action brought against the City pursuant to this section shall be subject to the provisions of Government Code Section 945.6 and 946.

D. Refunds to Service Suppliers. Notwithstanding subsections (A) through (C) above, the Tax Administrator may, at his or her discretion, give written permission to a service supplier, who has collected and remitted any amount of tax in excess of the amount of tax imposed by this chapter, to claim credit for such overpayment against the amount of tax which is due the City upon a subsequent monthly return(s) to the Tax Administrator, provided that: (1) such credit is claimed in a return dated no later than one year from the date of overpayment or erroneous collection of said tax; (2) the Tax Administrator is satisfied that the underlying basis and amount of such credit has been reasonably established; and, (3) in the case of an overpayment by a service user to the service supplier that has been remitted to the City, the Tax Administrator has received proof, to his or her satisfaction, that the overpayment has been refunded by the service supplier to the service user in an amount equal to the requested credit.

3.28.190 - Appeals.

A. Administrative Appeals. The provisions of this section apply to any decision (other than a decision relating to a refund pursuant to Section 3.28.180 of this chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator. Any person aggrieved by any decision (other than a decision relating to a refund pursuant to Section 3.28.180 of this chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator, shall be required to comply with the appeals procedure of this section. Compliance with this section shall be a prerequisite to a suit thereon. (See Government Code Section 935(b)). To the extent allowed by law, nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers.

B. Appeal to City Manager. If any person is aggrieved by any decision (other than a decision relating to a refund pursuant to Section 3.28.180 of this chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator, he or she may appeal to the City Manager by filing a notice of appeal with the City clerk within fourteen days of the date of the decision, deficiency determination, assessment, or administrative ruling of the Tax Administrator which aggrieved said person.

C. Scheduling of Administrative Appeal Hearing. The matter shall be scheduled for hearing before an independent hearing officer selected by the City Manager, no more than thirty days from the receipt of the appeal. The appellant shall be served with notice of the time and place of the hearing, as well as any relevant materials, at least five calendar days prior to the hearing. The hearing may be continued from time to time upon mutual consent. At the time of the hearing, the appealing party, the Tax Administrator, and any other interested person may present such relevant evidence as he or she may have relating to the determination from which the appeal is taken.

D. Notice of Decision. Based upon the submission of such evidence and the review of the City's files, the hearing officer shall issue a written notice and order upholding, modifying or reversing the determination from which the appeal is taken. The notice shall be given within fourteen days after the conclusion of the hearing and shall state the reasons for the decision. The notice shall specify that the decision is final and that any petition for judicial review shall be filed within ninety days from the date of the decision in accordance with Code of Civil Procedure Section 1094.6.

E. Manner of Notice. All notices under this section may be sent by regular mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

3.28.200 - No injunction/writ of mandate.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this city or against any officer of the City to prevent or enjoin the collection under this chapter of any tax or any amount of tax required to be collected and/or remitted.

3.28.210 - Notice of changes to ordinance.

If a tax under this chapter is added repealed, increased, reduced, or the tax base is changed, the Tax Administrator shall follow the notice requirements of California Public Utilities Code Section 799.

3.28.220 - Effect of state and federal reference—Authorization.

Unless specifically provided otherwise, any reference to a state or federal statute in this chapter shall mean such statute as it may be amended from time to time, provided that such reference to a statute herein shall not include any subsequent amendment thereto, or to any subsequent change of interpretation thereto by a state or federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would require voter approval under California law, or to the extent that such change would result in a tax decrease (as a result of excluding all or a part of a utility service, or charge therefore, from taxation). Only to the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute (or interpretation) shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute (or new interpretation) shall be applicable to the maximum possible extent.

To the extent that the City's authorization to collect or impose any tax imposed under this chapter is expanded or limited as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this chapter.

3.28.230 – Independent Audit.

A. Independent Audit. The City shall annually verify that the taxes owed under this chapter have been properly applied, collected, and remitted in accordance with this chapter, and properly expended according to applicable law. The annual verification shall be performed by a qualified, independent third party, and the review shall employ reasonable, cost-effective steps to assure compliance, including the use of sampling audits. The verification shall not be required of tax remitters where the cost of the verification may exceed the tax revenues to be received.

<u>3.28.240 - Remedies cumulative.</u>

All remedies and penalties prescribed by this chapter or which are available under any other provision of law or equity, including but not limited to the California False Claims Act (Government Code Section 12650 et seq.) and the California Unfair Practices Act (Business and Professions Code Section 17070 et seq.), are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter.

SECTION 2. Majority Voter Approval. The tax imposed by this ordinance is a general tax. This tax shall be effective only if approved by a majority (50% plus 1) of the City's voters voting thereon at the November 5, 2024, City election.

SECTION 3. Effective Date. This ordinance relates to the levying and collecting of the City transient occupancy tax shall take effect immediately.

SECTION 4. Certification and Publication. The City Clerk shall certify the final approval of this Ordinance, publish the same as required by law.

The foregoing ordinance was passed and approved for placement on the ballot by a 2/3 vote of the City Council at a Regularly Noticed Meeting of the City Council held on ___________ 2024, by the following vote:

AYES: ____

NOES: ____

ABSENT: ____

ABSTAIN: ____

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I HEREBY CERTIFY that the foregoing Ordinance was adopted by the voters of the City of McFarland at the regular election held on November 5, 2024, by the following vote:

YES: _____________

NO: ______________

ATTEST

____
Francisca Alvarado, City Clerk

CITY OF MCFARLAND

By: __________________________________
Saul Ayon, Mayor

APPROVED AS TO FORM:

By: __________________________________
Nathan M. Hodges, City Attorney
Hodges Law Group