

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

REGULAR MEETING– 6:00 P.M.

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

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

DATE/TIME: August 13, 2015 at 6:00 P.M.

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

REGULAR MEETING: – 6:00 P.M.

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS AND PROCLAMATIONS:

School Attendance Awareness Month Proclamation

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

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

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT:

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

CONSENT CALENDAR:

1. **Approval Of Warrants** – List of warrants in the amount of \$1,508,117.79 from July 7, 2015 through August 10, 2015 and the pre-issued payroll in the amount of \$130,115.33 for July, 2015.
2. **Approval of Minutes of Regular And / Or Special Council Meeting** – held on July 9, 2015.
3. **Garzoli Water Supply Well Pump Lowering** – The Garzoli well pump is producing large amounts of air and drawing suction when city staff flushes the well. It is recommended that the pump and motor be pulled from the well hole and inspected and then the pump lowered 100-ft extra to a depth of 520-ft.

Two proposals were received one from Farm Pump & Irrigation in the amount of \$31,710 and the second from SA Camp Pump Co., in the amount of \$51,943.00

Attachment(s): Staff Report, Proposals

Recommendation(s): Staff recommending awarding the pump lowering project to Farm Pump & Irrigation. Staff recommends a budget for this work in the amount of \$45000.00 which includes oil, disposal, well disinfection, well flushing and inspection.

4. **Garzoli Well Arsenic Removal Treatment System Project Grant** – Plans and specifications have been prepared for an Arsenic Removal treatment System to bring the well into compliance for arsenic and construction grant funding was applied for.

The construction grant funding has been approved and authorized from the State Water Board Proposition 84 in the amount of \$3,381,977.00. The funding agreement is anticipated to be issued by the State in August 2015.

Attachment(s): Staff Report, Resolution No. 2015-0235

Recommended Action(s): Staff recommends that the City Council approve executing and adopting Resolution No. 2015-0235 authorizing the Arsenic Removal Treatment System Project.

5. **Transit Connect Vehicle** – The City has received Public Transit Modernization, Improvement, and Service Enhancement Account (PTMISEA) fund for the purchase of a new vehicle. Staff is proposing the purchase of a 2015 Toyota Sienna Van which seats 5 passengers and one wheel chair accessibility.

This vehicle will be more economical for the City transit service and the purchase of the vehicle has been approved by council in the budget.

Attachment(s): Staff Report,

Recommended Action(s): Staff recommends City Council approve the purchase of the 2015 Toyota Sienna Van from Better Life Mobility Center in the amount of \$71,886.40

6. **Abatement, Document Execution** - It has been determined that the City's ordinance code does not have an emergency abatement provision allowing Code Enforcement to abate a nuisance that is creating a health and safety hazard. The attached ordinance allows for Code Enforcement to enter the property without notice to the property owner to abate such a nuisance. The matter must then be brought to the City Council at the next regular meeting to determine the reasonableness of the action. It has also been determined that there is no provision in the ordinance code for execution of documents in the Mayor's absence. This ordinance will allow for the Mayor Pro Tem to sign in the absence of the Mayor or the City Manager in the absence of both.

Attachment(s): Ordinance

Recommendation(s): Introduce Ordinance amending Ordinance No. 018-2012 and adding sections 1.14.130 and Chapter 2.10 to the McFarland Municipal Code regarding signing documents and emergency abatement procedures.

7. **Dresser Services Agreement** – An agreement with Dresser Services for hazardous material testing for the City owned property located on 361 W. Kern Ave.

Prior to demolition occurring the structure needs to be tested for hazardous materials such as lead and asbestos. If it has been determined that hazardous materials are in the structure then an abatement

Attachment(s): Staff Report, Agreement

Recommended Action(s): Staff recommends the City Council approve the attached agreement with Dresser Services in the amount of \$975.00.

8. **Housing Related Parks Program Funds** – The City of McFarland applied for a Housing Related Park (HRP) Program grant to assist with the construction of the Discovery Park. Included with this application was a resolution adopted by the City Council requesting the HRP Program funds. At the time the application was submitted the City was not sure how much money, if any, the City would be receiving, therefore the resolution did not include a dollar amount.

The City was notified in June of 2015 that it was awarded \$1,038,700.00 in HRP Program funding however prior to a Master Agreement between the State and City being finalized, the State is requiring that the City Council adopt a new resolution in support of the application with the \$1,038,700.00 figure included in the resolution

Attachment(s): Staff Report, Resolution No. 2015-0236.

Recommended Action(s): Staff recommends the City Council approve the Resolution No. 2015-0236.

9. **Facade Program Bids for Lopez Barbershop and Maria's Fashions** -Rejection of all submitted bids for the Business Façade Project- **Lopez Barbershop** and **Maria's Fashion** due to specific changes in wording on initial bid request.

When these projects were officially advertised City staff, via e-mail and regular mail, notified several contractors who had previously requested to be on the City's notification list. Shortly before the bids were due, the City received an inquiry from a potential bidder, not on the City's notification list who had recently heard about the project. This bidder would not be able to submit a bid prior to the bid deadline so they were granted an extension of one week to turn in the bid. This week long extension was not mentioned to the other persons who were initially notified of the construction which resulted in an unfair time advantage to the bidder who was granted the week extension.

Attachment(s): Staff Report

Recommended Action(s): Staff recommends rejecting all previously submitted bid proposals for the Lopez Barbershop and Maria's Fashions façade projects and re-opening the projects for bidding.

- 10. Tract Map 6416, Phase 7** – Report and Adoption of a Resolution accepting the Final Map, Securities, accept all dedications for public uses and authorize Recordation of the Final Map.

Attachment(s): Staff Report, Resolution and Final Map Tract 6416, Phase 7.

Recommended Action(s): Staff recommends the City Council of the City of McFarland take the following actions:

1. Approve the Final Map for Tract 6416 Phase 7
2. Accept the Securities required by Section 16.28.240 of the McFarland Municipal Code.
3. Accept for public use all dedications for the purposes for which they are offered.
4. Authorize the Mayor to execute this Resolution.
5. Authorize the Planning Director to endorse Final Map 6416, Phase 7.
6. Authorize the City Engineer to endorse Final Map 6416, Phase 7.
7. Authorize the City Clerk to endorse the Final Maps for Tract 6416 Phase 7.
8. Authorize the City Engineer to transmit Final Map 6416, Phase 7, to the County Clerk's Office for recordation.

END OF CONSENT CALENDER

PUBLIC HEARING

None

- 11. Monthly staff report to the City Council**

- a. Administration
- b. Police Department
- c. Finance Department

ADMINISTRATIVE MATTERS:

12. **Peddler Ordinance**-The City received a complaint about its ordinance regulating door-to-door solicitations. The letter was sent on behalf of Vivint, Inc. and was from its attorney. Vivint has solicited in the City in the past to sell alarm systems. The matter was referred to Richards Watson Gershon who has assisted the City on its internal bond issues and other specialized areas. This area involved in part a constitutional challenge. They determined that the complaints were justified in some respects and drafted an ordinance to correct the City's ordinance. The new ordinance now references the state Alarm Company Act and brings the City's ordinance in compliance with it.

Attachment: Staff Report, Ordinance

Recommendation(s): Introduce Ordinance Amending Chapter 5.32 of the McFarland Municipal Code Regarding Peddlers and Solicitors.

13. **City Mission Statement** – Report and Discussion regarding the Grand Jury review indicating one finding, that the City of McFarland does not have a City Mission Statement on the City website.

Attachment(s): Staff Report, Draft Mission Statement

Recommended Action(s): Staff has prepared a draft City Mission Statement for City Council review and possible approval.

14. **Compensation Survey and new Accounting Supervisor position** – Report and discuss possible approval of payroll changes resulting from compensation survey and new Accounting Supervisor position.

Attachment(s): Staff Report, Exhibit A & B

Recommended Action(s): Staff recommends that City Council approves the increases in pay, salary freezes, and the Account Supervisor position and new pay ranges for the Directors.

15. **Water Service requested by two residents** - The City of McFarland has two residents requesting emergency water from the city due to their wells having dried up. Mr. Albert Duran and Ms. Guadalupe Olmos. Mr. Duran's property is off of E. Elmo about a ½ mile out of town. Ms. Olmos's property is located on West side of Garzoli, north of W. Perkins. The City will have to supply LAFCO with a City Council approved contract, in order to consider the emergency water. Both citizens would pay for all the fees to be able to connect to the City water system.

Attachment(s): Staff Report, Letters from Mr. Duran and Ms. Olmos

Recommended Action(s): Staff is pursuing direction from the City Council.

16. Correspondence

Mrs. Melva Rosson,
Mr. Ben Garza –Chamber of Commerce
Sales Tax Update

Oral Reports from City Council on Committee / Special District Meetings

Delano Mosquito Abatement District (DMAD) – Councilmember Coker

Kern County Association of Cities (KCAC) – (Vice-President) –
Councilmember Melendez

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

Tri-Agency: Mayor Cantu or Alternate Member Councilmember Santillano

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

MAYOR AND COUNCIL MEMBERS STATEMENTS:

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

CLOSED SESSION:

1. Approval of the July 9, 2015 closed session minutes.
2. Conference with legal counsel regarding potential litigation per Government Code Section 54956.9(d)(2).
3. Conference with real property negotiator (city manager) re price and terms of payment for lease of portion of WWTP per GC 54956.8.

ADJOURNMENT