



Kern County
GRAND JURY

2014 – 2015

Dennis Mike Elliott
Foreperson

Ella Abrams

Loretta Avery

Weslie Brown

Gary Chaffin

Andrea Derriok

Sandra Essary

Richard Frank

Ray Grissom

Earlene Hightower

Judith House

Warren Jones

Mahlon Keel

Michael McNatt

Guy Porter

Barbara Rycerski

Donna Schaffel

Vaughn Shaw

Teresa Vasquez

June 11, 2015

John Wooner, General Manager
City of McFarland
100 2nd St
McFarland, CA 93250

Dear Mr. Wooner:

Attached is a copy of the 2014-2015 Grand Jury Final Report concerning **The City of McFarland – The Town Behind The Movie**, in accordance with the provisions of Penal Code Section 933.05(1) which states:

“A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No office, agency, department, or governing body of a public agency, shall disclose any contents of the report prior to the public release of the final report.”

Please note that this report is confidential until public release. The Grand Jury will be releasing this report to the public on **June 16, 2015**. Accordingly, you are **instructed not to disclose the contents of the report until that time.**

Thank you for your consideration and cooperation.

Respectfully,

Dennis Mike Elliott, Foreperson
2014-2015 Kern County Grand Jury

Attached: Response Instructions

THE CITY OF MCFARLAND THE TOWN BEHIND THE MOVIE

PREFACE:

Until now, “McFarland” has evoked images of a mid-1980s “cancer cluster” scare that primarily affected children, the rise of gang violence during the same time period¹, and scenes of immigrant workers toiling in the fields under a blazing sun – all issues covered by both local and national news.



City of McFarland Logo

Poverty, gang problems, even water that supposedly caused cancer – one would hardly think a Disney movie would be set in such a town. Yet that is exactly what happened. McFarland is the setting for the Disney movie, *McFarland USA*, which was released in February 2015, the year of this report. The movie tells the story of a championship cross-country team set against the backdrop of a largely agricultural, Hispanic community that has struggled with its overall image.

After the release of the movie, instead of thinking of McFarland as portrayed by the news, people might begin to think of young Latino runners rising above overwhelming challenges to win numerous consecutive cross country championships.

Neither the movie version nor the news version is complete or even wholly accurate. Just a few months after the release of *McFarland USA*, the 2014-2015 Kern County Grand Jury (Grand Jury) set out to discover the true nature of the City of McFarland (City).



McFarland USA
Movie Poster

PURPOSE OF INQUIRY:

The Cities and Joint Powers Committee (Committee) of the Grand Jury reviewed the City pursuant to California Penal Code §925a.

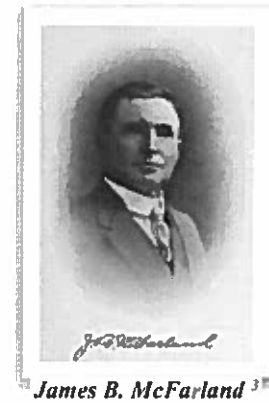
PROCESS:

On May 26, 2015, the Committee interviewed McFarland’s City Manager, Chief of Police, and Community Development Director. The Committee was given a copy of the City’s annual budget report. After the interview, the Committee toured the City.

BACKGROUND AND FACTS:

One’s initial impression of McFarland is of a typical, sleepy agricultural town in California’s San Joaquin Valley. Yet just below the surface boils a gathering force of progressive plans aimed at this burgeoning City’s future.

McFarland's beginning wasn't particularly auspicious. It began as a homesteaded area in the 1860's and grew into an area known as Hunt's Siding. There was no town there at that time, just 50 families and a number of livestock pens². Then in 1907, James B. McFarland purchased 160 acres of unimproved land on the present site of the City of McFarland and, with W.F. Laird, began to lay out and build a community in December of that year³. In 1908, McFarland was founded.



J.B. McFarland was the first in the area to irrigate crops with a pumping system and held an interest in a dairy farm southwest of town. He established a lumber mill in the Greenhorn mountain range, produced award-winning butter out of the McFarland creamery, and manufactured ice for local consumption. He raised prize Percheron Norman horses and sat on the board of directors of the First National Bank of McFarland. Mr. McFarland later went on to serve as a member of the Kern County Board of Supervisors and served on the Grand Jury.

By 1914, the City had grown to a population of 300. In 1957, the City was officially incorporated. Today, according to the City Manager, McFarland's population is 14,037.

FINDINGS:

F1. The City has completed the installation of solar panels at the wastewater facility as recommended by a previous Kern County Grand Jury⁴.

F2. The City's website needs to be updated.

F3. The City does not currently have a Mission Statement.

F4. During the filming of the movie, *McFarland USA*, Disney built a children's playground for the community in one day with 300 volunteers – 150 from Disney and 150 from the community.



F5. McFarland is a city of superlatives. The Police Department won the "Best Car of the West" in 2010 for state of the art equipment, weaponry, and electronics, beating out major cities such as Los Angeles and San Francisco. McFarland is one of the few California cities that have electric police motorcycles. McFarland High School's athletic teams have won numerous, consecutive cross country championships and continues to win state and national events. The City's high school Division VI baseball team took 1st place this year⁴.



F6. According to the Chief of Police, the Police Department is working with local gangs by actively talking with them. "We let them know we're here and we're not going anywhere."

F7. Relations continue to improve with community outreach such as “Cops with Candy” at Halloween, an Easter egg hunt with local police, a Neighborhood Watch program, and similar events and programs. “We want to let them know we have transparency,” stated the City Manager.

F8. The City has an 1800 acre “General Plan Amendment” that includes redoing sidewalks, curbs, and gutters on East Sherwood Avenue and also includes zoning for residential, industrial, and commercial construction. A twelve-acre park is planned on East Sherwood Avenue.



Discovery Park Plan A

F9. The City has a full-time grant writer.

F10. The City is planning to create an educational center that could provide the community access to tutoring, job training, accredited college classes, and possibly a library.

F11. The biggest challenges facing McFarland are: 1) enough funding to meet the City’s vision for itself, 2) economic development, and 3) expanded health services for the community.

F12. At the time of this report, \$20-\$30 million in City-funded construction projects were in progress, with many more planned.



City-Funded Street Development

COMMENTS:

The Committee found the City of McFarland to be in the hands of an enthusiastic, forward-looking City Government that has far-reaching plans for improvement of the City. The Committee would like to thank the City Manager, Chief of Police, and Community Development Director for their generous time, information, and for an informative, eye-opening tour of the City.

RECOMMENDATIONS:

The City should:

- R1. Update the City website:
 - a. Include a photo of the Police Chief and all department heads.
 - b. Identify names of anyone pictured on the website.
 - c. Expand on the history of McFarland.
(Finding 2)

- R2. Create a Mission Statement for the City. (Finding 3)

- R3. Continue to encourage improvement of health services in the City, such as forming McFarland's own hospital district. (Finding 11)

NOTES:

- The City of McFarland should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at www.co.kern.kern.ca.us/grandjury.
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**

DISCLAIMER:

This report was issued by the Grand Jury with the exception of a juror pursuant to PC §916.2(a). The juror recused her/himself from all parts of the inquiry/investigation, including interviews, deliberations, and the writing and approval of this report.

ENDNOTES:

¹ <http://www.bakersfield.com/News/2007/05/13/Gang-siege-terrorizes-McFarland-community.html>

² <http://www.kernsheriff.com/fieldops/substations/mcfarland/Pages/default.aspx>

³ Morgan, Wallace M. *History of Kern County, California*. Los Angeles: Historic Record Company, 1914.

⁴ <http://mediasvc.ancestry.com/v2/image/namespaces/60623/media/f5b48aa2-17ec-4398-b319-91241b082ee7.jpg?client=Boards>

⁴ Kern County Grand Jury 2013-2014 Final Reports, Cities and Joint Powers Committee, City of McFarland

§ 933. Findings and Recommendations (Excerpt)

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices.....

As used in this section "agency" includes a department.

§ 933.05. Responses to Findings (Excerpt)

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury **finding**, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

- (b) For purposes of subdivision (b) of Section 933, as to each grand jury **recommendation**, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.