

AGENDA
MCFARLAND CITY COUNCIL
MCFARLAND SUCCESSOR AGENCY
MCFARLAND PUBLIC FINANCE AUTHORITY
MCFARLAND IMPROVEMENT AUTHORITY
MCFARLAND PARKING AUTHORITY

SPECIAL MEETING
CITY COUNCIL CHAMBERS
103 W. SHERWOOD AVE, MCFARLAND, CA

June 24, 2021
6:00 P.M.

In Person Meeting

PUBLIC COMMENT

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.

Americans with Disabilities Act:

In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by the City, please contact the City Clerk’s office, at (661) 792-3091 ext. 2135. Notification of at least 48 hours prior to the meeting, or time when services are needed, will assist the city staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting or services.

CALL TO ORDER

ROLL CALL:

Mayor/Chairman, Sally Gonzalez
Mayor Pro Tem, Maria T. Pérez
Council Member/Board Member, Saul Ayon
Council Member/Board Member, Ricardo Cano

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: The public may address the Council/Board Member on items that 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.**

CONSENT

1. Approve **Resolution No. 2021-0039**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, 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 2021/2022.
2. Approve **Resolution No. 2021-0040**, A 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 2021/2022.

ADJOURNMENT

This is to certify this agenda was posted at McFarland City Hall on June 23, 2021.

Francisca Alvarado

Francisca Alvarado, City Clerk

Next Meeting: Regular City Council Meeting June 24, 2021.

The City of McFarland does not discriminate on the basis of 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 one business day prior to the meeting to make reasonable arrangements to ensure accessibility to this meeting.

RESOLUTION NO. 2021-0039

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, 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 2021/2022.

The City Council of the City of McFarland, California (hereafter referred to as the "City Council") hereby finds, determines, resolves and orders as follows:

WHEREAS, The City Council, pursuant to the provisions of *Part 2 of Division 15 of the California Streets and Highways Code*, did by previous Resolution order the Engineer, Willdan Financial Services, to prepare and file a report in accordance with *Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22565*, in connection with the proposed levy and collection of assessments for the Landscaping and Lighting Assessment District No.1, (hereafter referred to as the "District") for the fiscal year commencing July 1, 2021 and ending June 30, 2022; and,

WHEREAS, The Engineer has prepared and filed with the City Clerk of the City of McFarland and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report, Landscaping and Lighting Assessment District No.1, Fiscal Year 2021/2022" (hereafter referred to as the "Engineer's Report"); and,

WHEREAS, The City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report; and,

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 The above recitals are true and correct.

Section 2 The Engineer's Report as presented, consists of the following:

- a) A Description of the District and Improvements.
- b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance)

- c) A Description of the Method of Apportionment resulting in an Assessment Rate per Equivalent Benefit Unit (EBU) within said District for fiscal year 2021/2022. Said Assessment Rate for fiscal year 2021/2022 is not above maximum assessment rate per Equivalent Benefit Unit. The maximum assessment rate is subject to the application of an assessment range formula that includes an annual inflationary adjustment. This inflation factor is applied to the maximum assessment rate each fiscal year.

Section 3 The Engineer's Report as presented is hereby approved and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 4 The City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation and final approval of the Engineer's Report.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2021.

Mayor
City of McFarland

City Clerk
City of McFarland

(STATE OF CALIFORNIA)
(COUNTY OF KERN) ss.
(CITY OF MCFARLAND)

I, _____, City Clerk of the City of McFarland, County of Kern, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of McFarland at a regular meeting of said council held on the _____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

City Clerk
City of McFarland

RESOLUTION NO. 2021-0040

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 2021/2022

The City Council of the City of McFarland, California (hereafter referred to as the "City Council") hereby finds, determines, resolves and orders as follows:

WHEREAS, The City Council has by previous Resolutions initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within the Landscaping and Lighting Assessment District No. 1, (hereafter referred to as the "District") for the fiscal year commencing July 1, 2021 and ending June 30, 2022; pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500* (hereinafter referred to as the "Act") to pay the costs and expenses of operating, maintaining and servicing of the improvements located within the District; and,

WHEREAS, The Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council the Engineer's Annual Levy Report (hereafter referred to as the Engineer's Report) in connection with the proposed levy and collection of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution approve such Report; and,

WHEREAS, The City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2021, and ending June 30, 2022, to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities located within the District; and,

WHEREAS, The City Council has previously conducted a property owner protest ballot proceeding for the District assessments proposed to be levied for Fiscal Year 2021/2022, and said assessments are described in the approved Engineer's Annual Levy Report, and the assessments as described comply with applicable provisions of the California State Constitution Article XIID.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving or amending the Engineer's Annual Levy Report prepared in connection with the levy

and collection of assessments, and has considered the oral and written statements, protests and communications made or filed by interested persons. The City Council has determined that the property owners in accordance with the requirements of the California State Constitution, Article XIID have approved the assessments so presented.

Section 2 Based upon its review (and amendments, as applicable) of the Engineer's Annual Levy Report, a copy of which has been presented to the City Council and which as been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within the District will receive special benefit by the operation, maintenance and servicing of the improvements within the boundaries of the District.
- b) The District includes the lands receiving such special benefit.
- c) The net amount to be assessed upon the lands within the District is in accordance with and apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2021, and ending June 30, 2022.

Section 3 The Engineer's Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

Section 4 The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance and operation of and the furnishing of services and materials for landscape maintenance areas, street lighting and other appurtenant facilities.

Section 5 The maintenance, operation and servicing of the improvements shall be performed pursuant to the Act and the County Auditor of Kern County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Treasurer shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Landscaping and Lighting Assessment District No. 1, and

such money shall be expended only for the maintenance, operation and servicing of the improvements as described in Section 4.

Section 7 The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2021, and ending June 30, 2022.

Section 8 The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2021.

Mayor
City of McFarland

City Clerk
City of McFarland

STATE OF CALIFORNIA)
COUNTY OF KERN) ss.
CITY OF MCFARLAND)

I, _____, City Clerk of the City of McFarland, County of Kern, State of California do hereby certify that the foregoing Resolution No. _____ was regularly adopted by the City Council of said City of McFarland at a regular meeting of said council held on the _____ day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

City Clerk
City of McFarland