

REGULAR CITY COUNCIL MINUTES
IN PERSON MEETING
April 14, 2022

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

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: Mayor Tafoya, Mayor Pro-Tem Pérez, Councilmember S. Ayon, Councilmember Cano

Councilmembers Absent: Councilmember A. Ayon

OFFICIALS PRESENT

Chief of Police/City Manager Williams, Assistant City Manager Cosentini, Interim City Attorney Hodges, Interim Community Development Director Ronk, Public Works Director Gonzales, City Clerk Alvarado, Accounting Supervisor Lara

Officials Absent: None

INVOCATION

Councilmember Cano

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Pérez

PRESENTATIONS AND PROCLAMATIONS

- Proclamation Honoring the Month of April as “Donate Life California Month”
 - Development of the 2022 Regional Transportation Plan/Sustainable Communities Strategy, Key Land Use and Planning Assumptions and Public Outreach. Rob Ball, Director of Planning – Kern Council of Governments
 - Assemblyman Rudy Salas
- AB 2062 - Local Police Grant
- AB 2489 - Incentive Pay for Teachers

-AB 1941 - State Supplemental Payments for Seniors

PUBLIC COMMENTS

1. *Anais Lopez 786 Zinfandel Street- McFarland Library*
2. *Margie Martinez 212 7th Street- Blanco Park Dead Trees/ Trash Cans Walking Bridge*
3. *Estela Sanchez 3319 Maywood Dr. #c Bakersfield – Library*
4. *Veronica Gutierrez 135 Fernwood St McFarland – Library*

CONSENT AGENDA

1. Motion was made by: Councilmember S. Ayon to approve Expense Report in the Amount of **\$215,251.05** from March 16, 2022, to April 5, 2022; 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None
2. Motion was made by: Councilmember S. Ayon to approve Payroll Report in the Amount of **\$216,001.90** for March 2022; 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None
3. Motion was made by: Councilmember S. Ayon to approve February 10, 2022 Regular Meeting Minutes; 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None
4. Motion was made by: Councilmember S. Ayon to approve March 24, 2022 Regular Meeting Minutes; 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

PUBLIC HEARINGS

5. It is recommended that the City Council Conduct a Public Hearing to Receive Input Regarding the Consideration and Adoption of a Resolution of McFarland Urban Water Management Plan.

Curtis Staggs was present to answer any questions the public might have as well gave a brief overview on the Urban Water Management Plan.

- a. Open Public Hearing and Receive Public Testimony: 6:37p.m.
1 public comment – Jose Hernandez – asked about California well digging restrictions.
Close Public Hearing: 6:38 p.m.

- b. Motion was made by: Councilmember S. Ayon to Adopt **Resolution No. 2022-0019**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING A RESOLUTION ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN; 2nd by: Mayor Pro-Tem Pérez.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

6. Proposed **Ordinance No. 0004-2022** AN ORDINANCE OF THE CITY OF MCFARLAND AMENDING TITLE 17, CHAPTER 17.152 TO ADD SECTIONS 17.152.040 MODIFICATION OF CONDITIONAL USE PERMITS and 17.152.050 REVOCATION/SUSPENSION OF CONDITIONAL USE PERMITS TO THE MCFARLAND MUNICIPAL CODE.

- a. Opened the Public Hearing and Receive Public Testimony: 6:43 p.m. – No Comments
Closed: 6:43 p.m.

- b. Motion was made by: Councilmember Cano to Waive the Reading of the Ordinance Text in Its Entirety, Read by Title Only, and Introduce for Reading, **Ordinance No. 0004-2022**, AN ORDINANCE OF THE CITY OF MCFARLAND AMENDING TITLE 17, CHAPTER 17.152 TO ADD SECTIONS 17.152.040 MODIFICATION OF CONDITIONAL USE PERMITS and 17.152.050 REVOCATION/SUSPENSION OF CONDITIONAL USE PERMITS TO THE MCFARLAND MUNICIPAL CODE; 2nd by: Mayor Pro-Tem Pérez.

Vote: 4/0
Ayes: Cano, Pérez, S. Ayon, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

- c. Mayor Tafoya Directed Staff to Schedule Second Reading and Adoption of **Ordinance No. 0004-2022** For the April 28, 2022 Regular City Council Meeting.

ADMINISTRATIVE AGENDA

- 7. Motion was made by: Mayor Pro Tem Pérez to approve **Resolution No. 2022- 0020**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADDITIONAL ALLOCATION OF FUNDS FROM THE GENERAL FUND FOR THE FUNDING OF ROAD EXPANSION INFRONT OF CITY PROPERTY ELMO SUMP; 2nd by: Councilmember S. Ayon.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None
- 8. Motion was made by: Councilmember S. Ayon to approve **Resolution No. 2022-0026**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING

DEVELOPMENT IMPACT FEE CREDIT AGREEMENT FOR ELMO HWY MEDICAL PLAZA; 2nd by: Mayor Pro Tem Pérez.

Vote: 4/0

Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)

Nays: None

Absent: A. Ayon

Abstentions: None

9. Motion was made by: Councilmember Cano to approve **Resolution No. 2022-0027**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING EASEMENT AGREEMENT WITH SHAFTER MEDICAL PLAZA LLC; 2nd by: Mayor Pro Tem Pérez.

Vote: 4/0

Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)

Nays: None

Absent: A. Ayon

Abstentions: None

10. Motion was made by: Mayor Pro Tem Pérez to approve **Resolution No. 2022- 2021**; AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR THE FOLLOWING PROJECT(S): MCFARLAND TRANSIT STATION \$34,450.00; 2nd by: Councilmember S. Ayon.

Vote: 4/0

Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)

Nays: None

Absent: A. Ayon

Abstentions: None

11. Motion was made by: Mayor Pro Tem Pérez to **Table** item: Report, Discuss, and Possible Approval of **Resolution No. 2022- 0022**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING THE DESIGNATION OF CITY OWNED LAND AS SURPLUS AND BEING SURPLUS LAND PROCESS; 2nd by: Councilmember S. Ayon.

12. Motion was made by: Councilmember S. Ayon to approve **Resolution No. 2022-0023**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADDITIONAL ALLOCATION OF FUNDS FROM ARPA FOR THE PURCHASE AND INSTALLATION OF NINE HD NETWORK CAMERAS WITHIN THE CITY OF MCFARLAND; 2nd by: Councilmember Cano.

Vote: 4/0

Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)

Nays: None

Absent: A. Ayon

Abstentions: None

13. Motion was made by: S. Ayon to approve **Resolution No. 2022-0024**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADDITIONAL ALLOCATION OF FUNDS FROM ARPA FOR THE PURCHASE AND INSTALLATION OF A NEW DISPATCHER SWITCH; 2nd by: Mayor Pro Tem Pérez.

Vote: 4/0

Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)

Nays: None

Absent: A. Ayon

Abstentions: None

14. Motion was made by: Councilmember S. Ayon to Authorize City Staff to Proceed with the Creation of a Cannabis Ordinance That Would Potentially Apply to the Current City limits and/or the LAFCO Approved Annexation Area; and use Approach 1 on the staff report 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

15. **No motion was made.** Report, Discuss and Approve to Create a Cannabis Ordinance by Contractually Engaging Green Light who will Provide a Financial Deposit to Cover Costs of the Process for Something of Comparable Value. Using Approach 2, Identified in this Staff Report. – **with no motion item 15 died.**

Council recommended using approach 1 identified on the staff report.

16. Motion was made by: Mayor Pro Tem Pérez to approve Mr. Charles Baldwin's Employment Agreement as the New Finance Director for the City of McFarland; 2nd by: Councilmember Cano.

Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

17. Motion was made by: Councilmember S. Ayon to Approve **Resolution No. 2022- 0025, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING JOB DESCRIPTION CREATION OF PAYROLL CLERK IN THE FINANCE DEPARTMENT;** 2nd by: Councilmember Cano.
Vote: 4/0
Ayes: S. Ayon, Cano, Pérez, Tafoya (Mayor)
Nays: None
Absent: A. Ayon
Abstentions: None

Item approved with amendment of title from "Payroll Clerk" to "Payroll Clerk/AP Specialist".

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

- a. Delano Mosquito Abatement District (DMAD) – Ricardo Cano
- b. Kern Council of Governments (KCOG)- Mayor Tafoya or Mayor Pro-Tem Pérez
- c. Kern Economic Development Corp. (KEDC) – Mayor Tafoya or Mayor Pro-Tem Pérez
- d. Kern County Association of Cities (KCAC)
- e. Poso Creek (IRWMP)- Councilmember Ayon
- f. Kern Local Agency Formation Commission (LAFCO) – Councilmember Ayon

COUNCIL STATEMENTS AND REPORTS

CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to § 54956.9(b): One Case- No Reportable Action

ADJOURNMENT

Meeting adjourned at 7:23 p.m.

Francisca Alvarado, City Clerk