

**REGULAR CITY COUNCIL MINUTES**  
**IN PERSON MEETING**  
**September 22, 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 Sally Tafoya, Mayor Pro-Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Councilmembers Absent: None

**OFFICIALS PRESENT**

City Manager/Chief of Police Williams, Assistant City Manager Cosentini, Legal Counsel Chelsie Morgan, Community Development Director L. Ronk III, Finance Director Viramontes, Public Works Director Gonzales, City Clerk Alvarado

Officials Absent: None

**INVOCATION**

Councilmember Cano

**PLEDGE OF ALLEGIANCE**

Councilmember A. Ayon

**PRESENTATIONS, INTRODUCTIONS AND AWARDS**

None

**PUBLIC COMMENTS**

1. Phil Corr 117 5th Street McFarland- McFarland Library concerns
2. Joe Marcano- Shafter CA- County Board of Education
3. Jim White 364 Cliff Ave McFarland - Talk
4. Octavio Gonzalez – Bakersfield Ca, Union
5. Jose Medina – 382 Mt. Arbor St McFarland
6. Raul Lorta – East Side Housing

*\*Technical Difficulties microphones cutting in and out.*

*Public Comment Closed at 6:12 p.m.*

**CONSENT AGENDA**

1. Motion was made by: Mayor Pro Tem Pérez to approve the Expense Report in the Amount of \$316,580.33 from August 24, 2022, to September 06, 2022; 2<sup>nd</sup> by: Councilmember S. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None
2. Motion was made by: Mayor Pro Tem Pérez to approve the September 12, 2022, Regular Meeting Minutes; 2<sup>nd</sup> by: Councilmember S. Ayon  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None  
Absent: None  
Abstentions: None

## PUBLIC HEARINGS

### 3. Introduction and First Reading of Proposed Ordinance No.0007-2022, AN ORDINANCE OF THE CITY OF MCFARLAND AMENDING TITLE 13, CHAPTER 13.04.690 TO UPDATE THE APPLICATION FOR WATER SERVICE IN THE MCFARLAND MUNICIPAL CODE.

- Staff Report- was presented by: City Manager/Chief of Police Williams.
  - a. Open Public Hearing and Receive Public Testimony: 6:22 p.m.  
Close Public Hearing: 6:27 p.m.
    - 1. Jim White – stated that it does happen some tenants leave bills behind, and landlords need to pay them. He agrees with the preposed ordinance.
    - 2. Alma De Leon- 1<sup>st</sup> question will sending the pink bills (past due notices) help this situation. 2<sup>nd</sup> question: what the city will require for tenants to connect water services in their name.  
Answer to 1<sup>st</sup> question: CM Williams clarified that the proposed ordinance would allow a tenant to have the water bill under their name to relieves the property owner of any responsibly and liability.  
Answer to 2<sup>nd</sup> question: CM Williams answered that this is what council is currently discussing deposit amount and standard information.
  - b. Motion was made by: Councilmember S. Ayon to Waive the Reading of the Ordinance Text in its Entirety, Read by Title Only, and Introduce for Reading Ordinance No.0007-2022, AN ORDINANCE OF THE CITY OF MCFARLAND AMENDING TITLE 13, CHAPTER 13.04.690, TO UPDATE THE APPLICATION FOR WATER SERVICE IN THE MCFARLAND MUNICIPAL CODE; 2<sup>nd</sup> by: Councilmember A. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None
  - c. Council Directed Staff to Schedule Second Reading and Adoption of Ordinance No.0007-2022 For the Next Regular City Council Meeting of October 13, 2022.

Council instructed staff to bring this item back

### 4. Introduction and First Reading of Proposed Ordinance No.0008-2022, AN ORDINANCE OF THE CITY OF MCFARLAND ADDING TITLE 12, CHAPTERS 12.21.010 THROUGH 12.21.150 OF THE MCFARLAND MUNICIPAL CODE. Regarding Temporary Use Permits.

- Staff Report was presented by: City Manager/Chief of Police Williams.
  - a. Open Public Hearing and Receive Public Testimony: 6:31 p.m.  
Close Public Hearing: 6:31 p.m.

*No comments from the public were presented.*

- 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.0008-2022, AN ORDINANCE OF THE CITY OF MCFARLAND ADDING TITLE 12, CHAPTERS 12.21.010 THROUGH 12.21.150 OF THE MCFARLAND MUNICIPAL CODE; 2<sup>nd</sup> by: Councilmember S. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None

Abstentions: None

- c. Council Directed Staff to Schedule Second Reading and Adoption of Ordinance No. 0008-2022 For the Next Regular City Council Meeting of October 13, 2022.

5. It Is Recommended That the City Council of The City of McFarland Conduct a Public Hearing to Receive Public Input Regarding Its Intent to Consider the Annexation of Property (the “Annexation No. 2 and Annexation No. 3”) Into the City of McFarland Community Facilities District No. 2019-1 (Fire Protection Services), Community Facilities District No. 2017-1 (Police Services) and Community Facilities District No. 2017-2 (Landscaping and Street Maintenance) (the “CFDs”).

- Staff Report presented by: Community Development Director Larry Ronk III
- MAYOR: The public hearing is now open for any comments, protests, and questions from interested persons concerning the annexation of The Elmo Hwy Medical Office, The Sherwood Avenue Family Apartments, and Tract 7393, into Community Facilities District No. 2017-1 (Police Services), Community Facilities District No. 2017-2 (Landscaping and Street Maintenance), and Community Facilities District No. 2019-1 (Fire Protection Services).
- Mayor Opened Public Hearing and Took Public Testimony at: 6:36 p.m.  
Reopened at 6:36 p.m.
- MAYOR: City Clerk Have any Written Protest Been Received: *No written Protests were received.*
- Mayor Closed Public Hearing: 6:36 p.m.

*No Comments from the public were presented.*

- a. Motion was made by: Mayor Pro Tem Pérez to Adopt Resolution NO. 2022-0104 RESOLUTION OF THE CITY COUNCIL ANNEXING OF TERRITORY (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393) TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2017-1 (POLICE SERVICES) ANNEXATION NO. 3; 2<sup>nd</sup> by Councilmember A. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None

*\*Public Comment was opened at 6:37p.m.: No comments from the public were presented  
Closed at 6:37 p.m.*

- b. Motion was made by: Councilmember Cano to Adopt Resolution NO. 2022-0105 RESOLUTION OF THE CITY COUNCIL ANNEXING OF TERRITORY (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393) TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2017-2 (LANDSCAPING AND STREET MAINTENANCE) ANNEXATION NO. 3; 2<sup>nd</sup> by: Mayor Pro Tem Pérez.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None

*\*Public Comment was opened at 6:38p.m.: No comments from the public were presented*

*Closed at 6:38 p.m.*

- c. Motion was made by: Councilmember S. Ayon to Adopt Resolution NO. 2022-0106 RESOLUTION OF THE CITY COUNCIL ANNEXING OF TERRITORY (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393) TO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING LEVY OF TAX TO QUALIFIED ELECTORS, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2019-1 (FIRE PROTECTION SERVICES) ANNEXATION NO. 2; 2<sup>nd</sup> by: Councilmember A. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None

*\*Public Comment was opened at 6:39 p.m.: No comments from the public were presented  
Closed at 6:39 p.m.*

- MAYOR: “The City Council of the City of McFarland adopted the resolutions annexing territory into CFD No. 2017-1 (Police Services), CFD No. 2017-2 (Landscaping and Street Maintenance) and CFD No. 2019-1 (Fire Protection Services) and calling a special election and submitting to the qualified electors of the CFDs a Ballot Measure regarding the annual levy of special taxes within the CFDs. The results of the election authorizing the levy of special taxes within the CFDs shall now be declared.”
  - MAYOR: City Clerk to Announce the Election Results: ***47 votes were cast in favor of the Ballot Measure and 1 vote was cast in opposition***
- d. Motion was made by: Mayor Pro Tem Pérez to Adopt Resolution NO. 2022-0107 RESOLUTION OF THE CITY COUNCIL DECLARING RESULTS OF A SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2017-1 (POLICE SERVICES) ANNEXATION NO. 3 (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393); 2<sup>nd</sup> by: Councilmember S. Ayon.  
Roll call vote: 5/0  
Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon  
Nays: None  
Absent: None  
Abstentions: None

***\*47 votes were cast in favor of the Ballot Measure and 1 vote was cast in opposition to the Ballot Measure. There is at least a two-thirds majority vote in favor of the ballot measure. The resolution declaring election results and directing the recording of a Notice of Special Tax Lien shall be adopted.***

*\*Public Comment was opened at 6:42 p.m.: No comments from the public were presented  
Closed at 6:43 p.m.*

- e. Motion was made by: Mayor Pro Tem Pérez to Adopt Resolution NO. 2022-0108 RESOLUTION OF THE CITY COUNCIL DECLARING RESULTS OF A SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2017-2 (LANDSCAPING AND STREET MAINTENANCE) ANNEXATION NO. 3 (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393); 2<sup>nd</sup> by: Amador Ayon.

Roll call vote: 5/0

Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None

Absent: None

Abstentions: None

***\*47 votes were cast in favor of the Ballot Measure and 1 vote was cast in opposition to the Ballot Measure. There is at least a two-thirds majority vote in favor of the ballot measure. The resolution declaring election results and directing the recording of a Notice of Special Tax Lien shall be adopted.\****

***\*Public Comment was opened at 6:44 p.m.: No comments from the public were presented  
Closed at 6:44 p.m.***

- f. Motion was made by: Mayor Pro Tem Pérez to Adopt Resolution NO. 2022-0109 RESOLUTION OF THE CITY COUNCIL DECLARING RESULTS OF A SPECIAL ANNEXATION ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING RECORDING OF AMENDED NOTICE OF SPECIAL TAX LIEN, CITY OF MCFARLAND COMMUNITY FACILITIES DISTRICT NO. 2019-1 (FIRE PROTECTION SERVICES) ANNEXATION NO. 2 (THE ELMO HWY MEDICAL OFFICE, THE SHERWOOD AVENUE FAMILY APARTMENTS, AND TRACT 7393); 2<sup>nd</sup> by: Councilmember S. Ayon.

Roll call vote: 5/0

Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None

Absent: None

Abstentions: None

***\*47 votes were cast in favor of the Ballot Measure and 1 vote was cast in opposition to the Ballot Measure. There is at least a two-thirds majority vote in favor of the ballot measure. The resolution declaring election results and directing the recording of a Notice of Special Tax Lien shall be adopted.\****

***\*Public Comment was opened at 6:45 p.m.: No comments from the public were presented  
Closed at 6:45 p.m.***

## **ADMINISTRATIVE AGENDA**

6. Motion was made by: Mayor Pro Tem Pérez to approve Resolution No. 2022- 0110 A RESOLUTION OF THE CITY COUNCIL OF MCFARLAND APPROVING CITY MANAGER AS AUTHORIZED REPRESENTATIVE FOR A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD; 2<sup>nd</sup> by: Councilmember S. Ayon.

Roll call vote: 5/0

Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None

Absent: None

Abstentions: None

7. Motion was made by: Councilmember S. Ayon to approve Resolution No. 2022- 0111 A RESOLUTION OF THE CITY COUNCIL OF MCFARLAND AUTHORIZING CITY MANAGER TO APPLY, BORROW AND TO GRANT SECURITY; 2<sup>nd</sup> by: Councilmember Cano.

Roll call vote: 5/0

Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None

Absent: None

Abstentions: None

*\* No comments from the public were presented*

**Closed at 6:51 p.m.**

8. Motion was made by: Mayor Pro Tem Pérez to approve Resolution No. 2022-0112 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AMENDMENT #1 TO THE MEMORANDUM OF UNDERSTANDING WITH KERN COUNCIL OF GOVERNMENTS FOR ADDITIONAL FUNDING FOR EV CHARGING STATION; 2<sup>nd</sup> by: Councilmember Cano.

Roll call vote: 5/0

Ayes: Mayor Tafoya, Mayor Pro Tem Pérez, Councilmember S. Ayon, Councilmember Cano, Councilmember A. Ayon

Nays: None

Absent: None

Abstentions: None

*\* No comments from the public were presented*

**Closed at 6:52 p.m.**

#### **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 S. Ayon
- f. Kern Local Agency Formation Commission (LAFCO) – Councilmember S. Ayon

#### **COUNCIL STATEMENTS AND REPORTS**

Councilmember S. Ayon-

Informed he had attended SB 1383 Organics Presentation by R&F Disposal and would have liked to see more of the community present.

Requested flyers for the Mobile Clinic (Adventist Health -Jasmine Bains) be made available at City Hall.

Asked staff for an update on the installation of the nine network cameras.

City Manager/Chief of Police Williams gave an update that the quote received was in the amount of \$39,000.

Councilmember S. Ayon stated this project was an urgent item and that price should not be an issue he requested staff move forward with the process and if possible, use ARPA funds to cover the additional funds needed to complete the project timely. Mayor Tafoya agreed.

Chief Williams stated he would bring this item to next meeting for approval.

Maria Pérez- Thanked everyone present and online. Expressed her excitement for all the new projects coming to McFarland.

Ricardo Cano – No comment.

Councilmember Amador Ayon – Agreed with Mayor Pro Tem and thanked everyone for their hard work.

Mayor Sally Tafoya- Thanked the community for their patience and support.

#### **ADJOURNMENT**

Meeting adjourned at 7:05 p.m.



Francisca Alvarado, City Clerk

