

REGULAR CITY COUNCIL MINUTES
IN PERSON MEETING
February 23, 2023

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

CALL TO ORDER

Mayor S. Ayon called the meeting to order at 6:03 p.m.

ROLL CALL

Councilmembers Present: Mayor S. Ayon, Vice Mayor Cano, Councilmember A. Ayon, Councilmember Gonzalez, Councilmember Pérez.

Councilmembers Absent: None

OFFICIALS PRESENT

City Manager/Chief of Police Williams (Via Zoom), City Attorney Hodges, Community Development Director L. Ronk III, Interim Public Works Director Jacobs, Human Resources Director Arias, Finance Director Viramontes, City Clerk Alvarado

Officials Absent: None

INVOCATION

Pastor Daniel Arellano

PLEDGE OF ALLEGIANCE

Councilmember Pérez

PET OF THE WEEK

Is a feature that highlights a pet available for adoption from the McFarland Animal Shelter.

Community Development Director Larry Ronk III presented the featured pet of the week to City Council Members and the Community. He informed the community that Brownie was available for immediate adoption.

PRESENTATIONS, INTRODUCTIONS AND AWARDS

- Certificate of Recognition to McFarland High School Varsity Basketball Team Head Coach - Johnny Samaniego, Alyssa Medina-Assistant Coach, and Geno Barajas- Assistant Coach on behalf of Mayor Saul Ayon.
- Certificates of Recognition to the Following McFarland High School Varsity Basketball Team Players: Mari Gonzalez, Melina Gonzalez, Mia Samaniego, Emily Lopez, Sarah Lopez, Delilah Cervantes, Lindzee Garza, Olivia Samaniego, Annika Fernandez, and Bella Fernandez on behalf of Mayor Saul Ayon.

Mayor Saul Ayon presented recognitions. He expressed his admiration for the team and coaches.

PUBLIC COMMENTS

1. Mayela Bujanda (244 8th Street) & David Diaz- April 28, 2023-April 30, 2023 5 de Mayo Festival.
2. Phil Corr- Transparency
3. Nidia Alvarado 431 9th Street- Code Enforcement Letter

Public Comment Closed at 6:21 p.m.

DEPARTMENTAL REPORTS

None

CONSENT AGENDA

1. Approval of the Expense Report in the Amount of \$996,389.30 from January 11 to January 24, 2023.
2. Approval of the Regular Meeting Minutes for January 12, 2023.
3. Approval of the Regular Meeting Minutes for February 09, 2023.
4. Approval of the Special Meeting Minutes for December 22, 2022.
5. Approval of the Special Meeting Minutes for December 22, 2022.
6. Approval of **Resolution No. 2023-0019**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION FOR THE CHP CANNABIS GRANT POLICE ENFORCEMENT.

Item No 6. was pulled by member of the public Phil Corr he requested transparency and clarification. Staff addressed his concerns item was put to motion.

Motion was made by: Vice Mayor Cano to approve the entire consent agenda; 2nd by: Councilmember A. Ayon

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

PUBLIC HEARINGS

7. Second Reading and Adoption of **Ordinance No. 0001-2023**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AMENDMENT TO SECTIONS 17.84.020 B, 17.88.020 B, 17.92.020 B, 17.152.030, AND REMOVING SECTIONS 17.08.045 AND 17.08.050 OF TITLE 17. ZONING WILL PERMIT, BY-RIGHT COMMERCIAL CANNABIS PERMITS SUBJECT TO SECTION 19.04 COMMERCIAL CANNABIS ACTIVITY IN THE MCFARLAND MUNICIPAL CODE TO THE CITY COUNCIL.
 - a. Open Public Hearing and Receive Public Testimony; 6:26 p.m.
 1. Phil Corr- Stated his continued opposition to Ordinance No. 0001-2023.
 2. Carlos Torres 411 9th Street – Spoke in support of Ordinance No. 0001-2023.
 3. Steve Milicic 33344 Sherwood Ave- Spoke in support of legal well-regulated cannabis retailers.
 4. Manuel Lerma 6612 Gansler Court Bakersfield – Interested Cannabis retailer.
 5. Mayela Bujanda 244 8th Street- Expressed her concerns for the welfare of the Children of this Community.
 6. Victor Oropeza 310 4th Street- Spoke in support of legal well- regulated cannabis retailers.
 - b. Close Public Hearing; 6:37 p.m.
 - c. Motion was made by: Vice Mayor Cano to Waive the Reading of the Ordinance Text in Its Entirety, Read by Title Only, and adopt **Ordinance No.0001-2023**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AMENDING MCFARLAND MUNICIPAL CODE CHAPTERS 17.84.020 B, 17.88.020 B, 17.84.020 B, AND 17.152.030 AND REMOVAL OF CODE CHAPTERS 17.08.045 AND 17.08.050; 2nd by: Councilmember A. Ayon.

ROLL CALL VOTE: 5/0
AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez
NAYS: None
ABSTAIN: None
ABSENT: None
Full consensus

Community Development Director L. Ronk stated for the record that the agenda had a typo in the numbering of code chapters 17.84.020B was duplicated, correct number should read 17.92.020 B. This error was on the agenda. The staff report and ordinance was correct as written. There will be no Change to the Ordinance.

- d. Mayor Directed Staff to Within 15 days of its Passage Publish in at Least Three Public Places in the City.
- 8. Second Reading and Adoption of **Ordinance No. 0002-2023**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AMENDING TITLE 5, CHAPTER 5.04.045 AND ADDING TITLE 19, CHAPTERS 19.04.010 THROUGH 19.04.370 OF THE MCFARLAND MUNICIPAL CODE.
 - a. Open Public Hearing and Receive Public Testimony; 6:46 p.m.
 - 1. Phil Corr- Expressed his concerns and opposition to Ordinance No. 0002-2023.
 - b. Close Public Hearing; 6:48 p.m.
 - c. Motion was made by: Councilmember A. Ayon to Waive the Reading of the Ordinance Text in Its Entirety, Read by Title Only, and Adopt, **Ordinance No.0002-2023**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AMENDING TITLE 5, CHAPTER 5.04.045 AND ADDING TITLE 19, CHAPTERS 19.04.010 THROUGH 19.04.370 OF THE MCFARLAND MUNICIPAL CODE; 2nd by: Councilmember Pérez.

ROLL CALL VOTE: 5/0
AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez
NAYS: None
ABSTAIN: None
ABSENT: None
Full consensus

- d. Mayor Directed Staff to Within 15 days of its Passage Publish in at Least Three Public Places in the City.
- 9. Staff recommends City Council Conduct a Public Hearing for Consideration and Adoption of the Following **Resolution No. 2023-0020**, A RESOLUTION OF THE CITY COUNCIL OF MCFARLAND UPDATING AND ESTABLISHING CANNABIS APPLICATION FEES AND ANNUAL CANNABIS RENEWAL FEES.
 - a. Open Public Hearing and Receive Public Testimony: 6:50 p.m.
 - 1. Phil Corr- Background check requirements and concerns.
 - b. Close Public Hearing: 6:52 p.m.
 - c. Motion was made by: Vice Mayor Cano to Adopt **Resolution No. 2023-0020**, A RESOLUTION OF THE CITY COUNCIL OF MCFARLAND UPDATING AND ESTABLISHING CANNABIS APPLICATION FEES AND ANNUAL CANNABIS RENEWAL FEES; 2nd by: Councilmember A. Ayon.

ROLL CALL VOTE: 5/0
AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez
NAYS: None
ABSTAIN: None
ABSENT: None
Full consensus

ADMINISTRATIVE AGENDA

10. Motion was made by: Councilmember A. Ayon to approve **Resolution No. 2023-0021**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING AN ADDITIONAL ALLOCATION OF FUNDS FROM THE GENERAL FUND TO PURCHASE CIVICCLERK (AGENDA AND MINUTES MANAGEMENT SOFTWARE) AND APPROVAL OF THE AGREEMENT WITH CIVICPLUS WITH AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AGREEMENT; 2nd by: Vice Mayor Cano.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

11. Motion was made by: Councilmember A. Ayon to approve **Resolution No. 2023-0022**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ESTABLISHING A COMMUNITY GRANT PROGRAM TO BE GIVEN BY THE CITY COUNCIL OF THE CITY OF MCFARLAND FOR THE BENEFIT OF QUALIFYING NON-PROFIT GROUPS WITHIN CITY LIMITS OF THE CITY OF MCFARLAND; 2nd by: Councilmember Pérez.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

Public Comments:

1. Tim Gonzales- McFarland Panther Youth Football Program Grant Application
2. Mari Jauregui- Camp Keep Grant Application

12. Motion was made by: Vice Mayor Cano to approve **Resolution No. 2023-0023**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING A BUDGET AMENDMENT OF \$10,000.00 TO THE GENERAL FUND FOR THE COMMUNITY GRANT PROGRAM; 2nd by: Councilmember A. Ayon.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

13. Motion was made by: Councilmember A. Ayon to approve **Resolution No. 2023-0024**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, AUTHORIZING THE FUNDING OF THE CORPORAL POSITION; 2nd by: Councilmember Pérez.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

14. Motion was made by: Councilmember Pérez to approve **Resolution No. 2023-0025**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, AUTHORIZING A STANDBY STIPEND FOR THE CRIME SCENE TECHNICIAN; 2nd by: Councilmember Gonzalez.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

15. Motion was made by: Councilmember A. Ayon to approve **Resolution No. 2023-0026**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, AUTHORIZING THE CREATION OF THE MEASURE M OVERSIGHT COMMITTEE; 2nd by: Councilmember Cano.

ROLL CALL VOTE: 5/0

AYES: S. Ayon, R. Cano, A. Ayon, A. Gonzalez, M. Pérez

NAYS: None

ABSTAIN: None

ABSENT: None

Full consensus

REPORTS FROM CITY COUNCIL ON COMMITTEE/SPECIAL DISTRICT MEETINGS

- a. Kern Council of Governments (KCOG)
- b. Kern Economic Development Corp. (KEDC)
- c. Kern Local Agency Formation Commission (LAFCO)
- d. Delano Mosquito Abatement District (DMAD)
- e. Poso Creek (IRWMP)
- f. San Joaquin Valley Air Pollution Control District (SJV)
- g. Public Policy and Finance Committee
- h. Public Safety Committee
- i. Quality of Life Committee
- j. Ad Hoc Committee
- k. Cannabis Committee

COUNCIL STATEMENTS AND REPORTS

1. M. Perez- Thank everyone who attended the meeting. She expressed her excitement on the non-profit grant application
2. A. Ayon- Thanked the public for their attendance and assured the community that they are listening to their concerns. He asked the community for patience and assured that the issues will get resolved.
3. A. Gonzalez- Thanked the community for attending and assured them that they do take the community's comments and suggestions to heart.
4. R. Cano- Assured the community that they are addressing the pothole issues and concerns. He thanked the community for attending and insured the citizens that they are doing what ever they can to improve the city.
5. S. Ayon- Informed the community of the lack of infrastructure in our annexation area. He updated the community of the outcome of the utility bill issue and assured that the city was taking responsibility and working to correct the issue. He encouraged the community to communicate to staff as soon as possible if they ever notice any discrepancies on their bill moving forward.

CLOSED SESSION

1. Public Employment (Government Code §54957) Reportable Action: Direction was given to the City Manager to Finalize Employment Agreements and bring them back to Council for final approval.
2. Public Employment (Government Code §54957) Reportable Action: Direction was given to the City Manager to Finalize Employment Agreements and bring them back to Council for final approval.

ADJOURNMENT:

Closed session adjourned at 7:54 p.m.



Francisca Alvarado, City Clerk

