

REGULAR CITY COUNCIL MINUTES
IN PERSON MEETING
January 11, 2024

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 6:00 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 Williams, City Attorney Hodges, Finance Director Viramontes, Community Development Director Saldaña, Assistant Public Works Director Cabrera, Human Resources Director, City Clerk Alvarado

INVOCATION

Vice Mayor Cano

PLEDGE OF ALLEGIANCE

Ron Woods

INTERPRETATION: If you need an interpretation of your communications to the City Council into English, please contact the City Clerk Department at 661-792-3091 ext. 2135 at least 48 hours prior to the meeting.

Mariana Sanchez was present for any interpretation needs.

FEATURED PET

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

Presented by: City Manager Kenny Williams

PRESENTATIONS, INTRODUCTIONS AND AWARDS

None

PUBLIC COMMENT: 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. 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.

1. Jose Hernandez Jr. – (General Comment) State of the City Meeting & (Agenda Item # 8) Ordinance
2. Phil Corr - (Agenda Item # 8) Pot Shop Ordinance & (Agenda Item #9) Pot Shop Permit
3. Terry Ruddell- (Agenda Item #8)

DEPARTMENTAL REPORTS

1. Finance Department, Finance Director Diego Viramontes: Scheduled Water Shutoffs for Delinquent Accounts – January 17, 2024. Finance Director Viramontes gave a brief update to the community regarding the reestablishing of scheduled water shutoffs.
2. McFarland Police Department, Chief Knox: 2023 Police Statistics Data- City Manager Kenny Williams presented MPD stats.

COUNCIL STATEMENTS AND REPORTS:

On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. In addition, Council Members may ask a question of staff or the public for clarification on any matter, provide a reference to staff or other resources for information. Alternatively, request staff to report to the City Council at a later meeting concerning any matter. Furthermore, the City Council, or any member thereof, may take action to direct staff to place a matter of business on a future agenda.

1. Councilmember Pérez- Thanked everyone for their attendance.
2. Councilmember Gonzalez- Thanked everyone for their attendance and reminded the community to make the necessary arrangements for their delinquent utility bills before shutoff's on January 17, 2024.
3. Councilmember Ayon- Welcomed everyone back after the holiday season.
4. Vice Mayor Cano- Thanked the audience for their attendance and wished everyone a great new year. He stated he looked forward to all the progress to happen this year.
5. Mayor Ayon- Informed the audience of the reorganization of the Council Statements and Report section of the agenda he gave a brief overview of the recent meeting between the City of McFarland's Police Department and City of Delano's stating that he looks forward to a positive working collaboration between our Chief of Police and theirs. Mayor Ayon recognized Finance Director Diego Viramontes for his hard work, dedication, and success in advancing, organizing, and moving forward the finance department. He thanked Mr. Viramontes for his diligent work and commitment to the city. The Vice Mayor, Councilmembers, and City Manager followed with positive comments to Mr. Viramontes and his team.

CONSENT AGENDA: The Consent Agenda consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Council Member/ Board Member or Member from the Public requests to remove a particular item.

3. Approval of Expense Report in the Amount of \$1,010,373.63 from 12/2/2023 to 12/31/2023.
4. Approval of Payroll Report for the Month of December 2023 in the Amount of \$304,528.98.
5. Approval of December 14, 2023 Regular Meeting Minutes.

No comments from the public were presented.

A Motion was made by: Councilmember A. Ayon to approve the consent agenda; 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

PUBLIC HEARINGS

6. The City Council of the City of McFarland, California conducted a Public Hearing Requesting Input Regarding the Composition of District Elections.

Staff report was presented by: Community Development Director, Paul Saldaña. Dr. Justin Levit with National Demographics Corporation was present and held a power point presentation. Dr. Levit was available for any questions from the public and council.

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:39 p.m.

1. Phil Corr
2. Ron Woods

Mayor Ayon Closed the Public Hearing at: 6:43 p.m. Mayor Ayon instructed staff to place on the upcoming agenda for the next public hearing.

- 7. Introduction and First Reading of Ordinance No. 1-2024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION.

Staff report was presented by: Community Development Director, Paul Saldaña

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:48 p.m.

- 1. Phil Corr

Mayor Ayon closed the Public Hearing at 6:49.

A Motion was made by: Councilmember Pérez to Waive the Reading of the Ordinance Text in its Entirety, Read by Title Only and Introduce Ordinance No. 1-2024 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND ADOPTING ZONING CODE AMENDMENTS TO TITLE 17 ZONING AMENDING TITLE 17, CHAPTER 17.16.060 AND CHAPTER 17.136.150 ADDITIONAL DWELLING UNITS AND ACCEPT CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) A NOTICE OF EXEMPTION; 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

Mayor Ayon directed staff to schedule a second reading and adoption of Ordinance No. 1-2024.

- 8. Second Reading and Adoption of Ordinance No. 13-2023 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, APPROVING ADOPTING AN UNCODIFIED ORDINANCE, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MCFARLAND AND OTC MCFARLAND, LLC AND GUADALUPE F. GARCIA DIAZ FOR THE DEVELOPMENT OF A COMMERCIAL CANNABIS BUSINESS AT 981 FRONTAGE ROAD, MCFARLAND CA.

Staff was presented by: Community Development Director, Paul Saldaña. Matthew Jones with OTC McFarland, LLC was present to answer any questions from the public and city council.

Mayor Ayon opened the Public Hearing and Received Public Testimony at: 6:52 p.m.

- 1. Jose Hernandez
- 2. Phil Corr
- 3. Terry Ruddle

Mayor Ayon closed the public hearing at 7:02 p.m.

A Motion was made by: Councilmember Pérez to waive the reading of the Ordinance Text in its entirety, read by title only, and adopt Ordinance No. 13-2023 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA, APPROVING ADOPTING AN UNCODIFIED ORDINANCE, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MCFARLAND AND OTC MCFARLAND, LLC AND GUADALUPE F. GARCIA DIAZ FOR THE DEVELOPMENT OF A COMMERCIAL CANNABIS BUSINESS AT 981 FRONTAGE ROAD, MCFARLAND CA; 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

Mayor Ayon directed staff to post in designated posting locations within fifteen days of its passage.

ADMINISTRATIVE AGENDA

- 9. Motion was made by: Vice Mayor Cano to approve Resolution No. 2024-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND AUTHORIZING THE

ISSUANCE OF A COMMERCIAL CANNABIS PERMIT FOR OTC MCFARLAND LLC
AND APPROVING INDEMNIFICATION AGREEMENT; 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 Comment:

- 1. Phil Corr

10. Motion was made by: Vice Mayor Cano to approve Resolution No. 2024-2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND APPROVING FUNDS FROM THE CITY’S GENERAL FUND TO PROVIDE A SALARY INCREASE FOR THE MCFARLAND POLICE DEPARTMENT CRIME SCENE TECHNICIAN; 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

No comments from the public were presented.

11. Motion was made by: Councilmember Pérez to approve Resolution No. 2024- 3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCFARLAND, CALIFORNIA AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH FLOCK SAFETY TO EXTEND THE CONTRACT OF 20 FLOCK CAMERAS TO ASSIST WITH PUBLIC SAFETY; 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 Comment:

- 1. Jose Hernandez

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. Public Policy and Finance Committee
- f. Public Safety Committee
- g. Quality of Life Committee
- h. Cannabis Committee

A motion was made by: Vice Mayor Cano; 2nd by: Councilmember Pérez to adjourn the regular open session meeting at 7:29 p.m.

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

CLOSED SESSION

12. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)
Property: APN 060-050-24
Agency Negotiators: Paul Saldana and Diego Viramontes
Negotiating Parties: San Joaquin Renewables LLC
Under Negotiation: Terms, price, and conditions of sale
Reportable Action: Council briefed on negotiations; Direction provided to Paul Saldana and Diego Viramontes
13. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code section 54956.8)
Property: APN 201-070-31
Agency Negotiators: Paul Saldana, Kenny Williams and Diego Viramontes
Negotiating Parties: The Wonderful Company, LLC; County of Kern; City of McFarland
Under Negotiation: Terms, price, and conditions of lease
Reportable Action: Council briefed on negotiations; Direction provided to Paul Saldana, Kenny Williams, and Diego Viramontes
14. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation - Significant exposure to litigation pursuant to Government Code §54956.9(b)
City attorney provided summary of law; No reportable Action taken

ADJOURNMENT

Closed Session Meeting Adjourned at 8:38 p.m.



Francisca Alvarado, City Clerk

