

REGULAR CITY COUNCIL MINUTES
February 27, 2020

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

CALL TO ORDER

Mayor Pro Tem McFarland called the meeting to order at 6:00 p.m. in the McFarland Council Chambers, 103 W. Sherwood Ave, McFarland, CA 93250

ROLL CALL

Council Member Present: McFarland, Melendez, Perez, Gonzalez
Council Member Absent: None

OFFICIALS PRESENT

Interim City Manager Pennell, City Attorney Schroeter, Interim Chief of Police/Interim Assistant City Manager Davis, Administrative Services Director Mosqueda, Community Development Director Lara, and Public Works Director Gonzales

INVOCATION

Mr. Bobby Sharp

PLEDGE OF ALLEGIANCE

Council Member Rafael Melendez

PRESENTATIONS AND PROCLAMATIONS

None

PUBLIC COMMENTS

Jim White, 364 Cliff Ave, McFarland, Ca. Mr. White expressed to council that the City needs the GEO facility to remain in the city and hopes the council makes the right decision. He is in support of GEO.

Amador Ayon, 976 Kala Loop, McFarland, Ca. Mr. Ayon thanked the council for giving him the opportunity to speak. He reminded council that they were elected to make the correct decisions and he hopes they make the right decision with GEO. He is in support of GEO.

David Diaz, 31139 Sherwood Ave, McFarland, Ca. Mr. Diaz talked to council about leadership and asked council not to look back and to move forward. He is in support of GEO.

Joan Mislant, 1832 Pierce Ave, Cambria, Ca. Ms. Mislant she is a nurse and is employed by GEO and she mentioned that they are there to help all inmates and she is there to help all inmates and none are being mistreated. She is in support of GEO.

Margie Martinez, 212 7th St, McFarland, Ca. Mrs. Martinez asked council to look at what's happening and reminded them they were elected for the community. She asked council to think about taking a tour to the GEO facility to see what it is about and not to go based on what others are saying. She is in support of GEO.

Alicia Conde, 130 Marshall St, McFarland, Ca. Ms. Conde expressed her concern with the city's situation and asked council to make the right decision and keep the GEO facility for the better of the community. She is in support of GEO.

Maria Teresa Figueroa, McFarland, Ca. Ms. Figueroa mentioned that it is not right what the council is doing. She doesn't agree with having a prison close to schools and she hopes the council thinks about what they are doing. She opposes GEO.

Larry Jennings, 611 Frontage Rd, McFarland, Ca. Mr. Jennings would like council to know that GEO goes through audits and inspections from the state and federal as well and many other inspections that they have to go through. He mentioned that his job is to make sure that everyone who is at the facility is safe. He is support of GEO.

Jennifer Martinez, 611 Frontage Rd, McFarland, Ca. Ms. Martinez let council know that audits are done to ensure the safety of all detainees. She is in support of GEO.

Melissa Barrientos, 611 Frontage Rd, McFarland, Ca. Ms. Barrientos let council know that all the needs of the detainees are met and makes sure they are all well taken care of. She is in support of GEO.

John Prentice, 611 Frontage Rd, McFarland, Ca. Mr. Prentice mentioned that the facility provides education and counseling for all the GEO population and stated how many received their diplomas, associate's degree, and bachelor's degree. He is support of GEO.

Bobby Bodirsky, 611 Frontage Rd, McFarland, Ca. Mr. Bodirsky stated that GEO makes sure that all employees and detainees are safe and all well taken care of. He is in support of GEO.

Eric Perez, 611 Frontage Rd, McFarland, Ca. Mr. Perez doesn't agree with local residents putting fear in all the community about ICE coming to town because that is not the reality. He is in support of GEO.

Arnulfo Gomez, 716 Cabo San Lucas, McFarland, Ca. Mr. Gomez expressed his concern with Planning Commissioners Ricardo Cano and Rudy Nuñez voting against GEO staying in town. He wishes that they would have gone based on the needs of the city and not religion. He is in support of GEO.

Tim Lee, 1718 N. Selina Ct, Visalia, Ca. Mr. Lee asked that council please accept the CUP's for GEO. He is in support of GEO.

Gerard Brochu, 611 Frontage Rd, McFarland, Ca. Mr. Brochu invited all council to tour the Golden State and Mesa Verde facilities. He is in support of GEO.

Veronica Trujillo, 611 Frontage Rd, McFarland, Ca. Ms. Trujillo stated that she too was an illegal and was detained but she was able to apply for her legal status and is now employed with GEO. She supports GEO. She is in support of GEO.

Esmeralda Gonzalez, Did not state her address. Ms. Gonzalez expressed that she would like the residents to choose the next councilmember for the vacant position and not only be appointed by the council.

Mariamae LaValle, 611 Frontage Rd, McFarland, Ca. Ms. LaValle expressed her support for the GEO facility.

Stephanie Devers, 611 Frontage Rd, McFarland, Ca. Ms. Devers let council know that the GEO Group has contributed the the schools for scholarships and for city events. She mentioned that these contributions and utilities will not only continue but will increase and this will be of great help for the city.

Diamond Hernandez, 611 Frontage Rd, McFarland, Ca. Mr. Hernandez expressed his support for the GEO facility.

Ruben Richer, 611 Frontage Rd, McFarland, Ca. Mr. Richer expressed his support for the GEO facility.

Jacqueline Bullock, 611 Frontage Rd, McFarland, Ca. Ms. Bullock stated that the schools, the city, fire, and police department will benefit greatly by GEO staying in McFarland and supports the GEO.

Jose Galvan, did not state his address. Mr. Galvan stated that GEO is not the future of the community and does not support GEO.

Hector Nuñez, 11845 Stradley Ave, McFarland, Ca. Mr. Nuñez stated that his family employs over ten thousand people in McFarland. He does not agree with a GEO facility and said that the town will be a ghost town if GEO is approved.

CONSENT AGENDA

1. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to approve the warrant register for \$267,252.07 from February 05, 2020 through February 19, 2020.

Vote: 3-0

Ayes: Melendez, Perez, McFarland

Nays: None

Absent: None

Abstentions: Gonzalez

Note: Council Member Gonzales recluses herself from item #1 due to conflict of interest.

2. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to approve the minutes of regular City Council meeting of February 13, 2020.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None
3. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to adopt Ordinance No. 001-2020 of the City Council of the City of McFarland adding Chapter 17.78 to the Municipal Code relating to a commercial residential mixed use (CRMU) zone district.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None
4. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to adopt Ordinance No. 002-2020 of the City Council of the City of McFarland amending Title 17 zoning code.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None
5. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to adopt Ordinance No. 003-2020 of the City Council of the City of McFarland amending the official zoning map for the Area.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None
6. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to adopt Ordinance No. 005-2020 of the City Council of the City of McFarland adopting Board of Supervisors Ordinance No. G-8866 regarding building codes and building regulations.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None
7. Motion by Council Member Melendez, seconded by Council Member Perez, and unanimously carried to adopt Ordinance No. 006-2020 of the City Council of the City of McFarland adopting a written policy for discontinuance of residential water service.
Vote: 4-0
Ayes: Melendez, Perez, Gonzalez, McFarland
Nays: None
Absent: None
Abstentions: None

PUBLIC HEARING

8. Mayor opened the public hearing at 7:13 pm. There were no comments. Mayor closed public hearing at 7:27 pm.

Motion by Council Member Melendez, seconded by Council Member Gonzalez, and unanimously carried to approve Resolution No. 2020-007, Resolution Of The City Council Annexing Territory (Kendrea Terrace) 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. 1.

Vote: 4-0
Ayes: Melendez, Gonzalez, Perez, McFarland
Nays: None
Absent: None
Abstentions: None

Motion by Council Member Melendez, seconded by Council Member Gonzalez, and unanimously carried to approve Resolution No. 2020-008, Resolution Of The City Council Annexing Territory (Kendra Terrace) 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. 1.

Vote: 4-0

Ayes: Melendez, Gonzalez, Perez, McFarland

Nays: None

Absent: None

Abstentions: None

Motion by Council Member Melendez, seconded by Council Member Gonzalez, and unanimously carried to approve Resolution No. 2020-009, 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. 1 (Kendra Terrace).

Vote: 4-0

Ayes: Melendez, Gonzalez, Perez, McFarland

Nays: None

Absent: None

Abstentions: None

Motion by Council Member Melendez, seconded by Council Member Gonzalez, and unanimously carried to approve Resolution No. 2020-010, 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. 1 (Kendra Terrace).

Vote: 4-0

Ayes: Melendez, Gonzalez, Perez, McFarland

Nays: None

Absent: None

Abstentions: None

DEPARTMENTAL REPORTS

- a. Administration – Mr. Pennell had nothing to report.
- b. Community Development Department- Ms. Lara reported that the animal shelter is 98% complete and staff is planning a grand opening in the next two weeks.
- c. Public Safety Department – Chief Davis had nothing to report.

ADMINISTRATIVE AGENDA

9. Public comments were taken for agenda item 9.

Humberto Topete, did not state his address. Mr. Topete suggested that the residents be the ones to appoint the Mayor and asked why it wasn't put on the March primaries.

Lanneise Oropeza, did not state her address. Ms. Oropeza asked council for a fair opportunity to appoint the Mayor or the councilmember vacant seat. She mentioned that there should be a special election and there's residents who are willing to pay for the special election.

Hector Nuñez, 11845 Stradley Ave, McFarland, Ca. Mr. Nuñez said he and his family are willing to pay for the election.

Evelyn Andrade, did not state her address. Ms. Andrade asked council to consider members of the community to be appointed to the council.

Ron Woods, did not state his address. Mr. Woods stated that there is policies and procedures of how a council meeting is run and it should be followed.

Sylvia Garcia, 349 3rd St, McFarland, Ca. Ms. Garcia requested a copy of the municipal code and asked for mechanisms that help the democracy which will show transparency.

Jose Galvan, did not state the address. Mr. Galvan stated that there's a law that states that the council does not have the right to appoint the mayor.

Amanda Burkeman, did not state her address. Ms. Burkeman said she respects the law and respects what the city chooses to do with the appointment of the Mayor and if anyone wishes to run they could do so in November.

Maria Trujillo, did not state her address. Ms. Trujillo asked how the council is handling the appointment of the Mayor. She mentioned that all she wants is respect and also see the city in a better place.

Erik Rodriguez, did not state his address. Mr. Rodriguez expressed his concern with what is happening now and would like to express his interest in the councilmember vacant seat.

Marcavio, did not state his last name or address. Mr. Marcavio would like to city to do the right thing.

Alejandro Garibay, did not state his address. Mr. Garibay asked if there will be an invitation for community members to appoint the Mayor.

Stephanie, did not state her last name or address. Ms. Stephanie stated that she will be voting to bring in someone who cares about the community.

- a) Motion by Council Member Gonzalez, seconded by Council Member Perez, and unanimously carried to table item 9 (a) to the next meeting to give the attorney enough time to review the correct process.

Vote: 4-0

Ayes: Gonzalez, Perez, Melendez, McFarland

Nays: None

Absent: None

Abstentions: None

- b) Motion by Council Member Gonzalez, seconded by Council Member Perez, and unanimously carried to advertise the council member vacancy, accept letters of interest, City Clerk will compile all letter and provide them to the City Council for review, and add to the next agenda for a possible minute action.

Vote: 4-0

Ayes: Gonzalez, Perez, Melendez, McFarland

Nays: None

Absent: None

Abstentions: None

10. Motion by Council Member Gonzalez, seconded by Council Member Melendez, and unanimously carried to approve the agreement with California Consulting, LLC for industrial and commercial development.

Vote: 4-0

Ayes: Gonzalez, Melendez, Perez, McFarland

Nays: None

Absent: None

Abstentions: None

ORAL REPORTS FROM CITY COUNCIL ON COMMITTEES

- a. Delano Mosquito Abatement District (DMAD) – None to report.
- b. Kern Council of Governments (KCOG) – None to report.
- c. McFarland Tri-Agency Partners (MTAP) – None to report.
- d. Kern Economic Development Corporation (KEDC) – None to report.
- e. Kern County Association of Cities (KCAC) – None to report.
- f. Poso Creek IRWMP- None to report.

COUNCIL STATEMENTS

Council Member Perez – Thanked audience for being present and together things will get done. She mentioned that seating in the council seat is very difficult but she knows the city needs to stay afloat.

Mayor Pro Tem McFarland – Asked for prayers for all McFarland Police Department and City because it is a difficult time. He appreciates Mr. Pennell, staff, and all council members.

Council Member Gonzalez – Thanked everyone and appreciates everyone's comments and will take them into consideration with any decision that council needs to make. Expressed her appreciation for all the city workers.

Council Member Melendez – Likes everyone's comments and they will be very helpful in making decisions and asked to be informed of any future Veteran's meetings.

CLOSED SESSION

1. Motion by Council Member Perez, seconded by Council Member Gonzalez, and unanimously carried to adopt the the closed session minutes held on February 13, 2020.

ADJOURNMENT

Motion to adjourn the meeting at 9:10 pm.



Claudia Ceja, City Clerk

