CITY OF AVENAL
"Pistachio Capital of the World®"
SPECIAL CITY COUNCIL MEETING
January 21, 2026 , 12:00 P.M.
AVENAL THEATER & EVENT CENTER, 233 E. KINGS ST., AVENAL, CA

MINUTES

CALL TO ORDER & PLEDGE OF ALLEGIANCE: by Mayor Preciado at 12:16 P.M.

ROLL CALL: Councilman David Reynosa, Ricardo Verdugo, Pablo Hernandez, Mayor Pro Tem Gamez, Mayor Alvaro Preciado.

ABSENT: None.

STAFF: Price, Curiel, Ortiz, Bermudez, López.

LEGAL COUNSEL: Moses Diaz (via Zoom).

CITY CLERK:
Government Code Section 54952.3: The members of the City Council/Successor Agency are entitled to receive a total of $450.00 per month because of being elected to the City Council. They receive no other compensation for sitting as a member of Successor Agency.

Council Member/Successor Agency Member Preciado motioned to move Closed Session before New Business. The motion was seconded by Council Member/Successor Agency Member Gamez and motion carried.

ROLL CALL VOTE:
AYES: Preciado, Gamez, Reynosa, Hernandez.
NOES: Verdugo.
ABSENT: None.
ABSTAIN: None

PUBLIC COMMENT/ANNOUNCEMENTS & UNSCHEDULED APPEARANCES:

This time is reserved for members of the audience to address the City Council on items of interest that are both on the Agenda or not on the Agenda, and are within the subject matter jurisdiction of the City Council/Successor Agency. State Law prohibits any member of the Council from commenting or acting on matters not on the agenda. The Council asks that you keep your comments concise and respectful. Criticism, concerns, or support are welcome, provided they are expressed with appropriate courtesy. Each speaker will be allowed three minutes. A timer will notify you when your time is expired. Please begin your comments by stating your name and place of residence.

Dalilah Barajas, Avenal resident, addressed ongoing concerns regarding alleged Brown Act violations. She referenced the District Attorney's lawsuit and stated there was an additional violation at the January 8 meeting involving Kings County Registrar of Voters Lupe Villa. She alleged that during Mr. Villa's public comment, City Council interrupted his time with combative questions, placing a member of the public in a vulnerable position and undermining the purpose of public comment. She asked City Council whether they are prepared in the event the civil lawsuit becomes a criminal matter.

Ginger Wallis, Avenal resident, raised concerns regarding a social media post made by Mayor Preciado on Facebook, stating that family members of Kings County Fire were involved in the recall. Wallis stated that this claim is false.

Maria "Angie" Ortiz, City Clerk, read a declaration statement into the record regarding recall election matters, in an effort to correct a previously signed declaration. Legal Counsel Moses asked the City Clerk to confirm that he did not ask her to prepare the declaration, which she confirmed. He also asked whether anyone else urged her to prepare it; she responded no. Legal Counsel then asked if she was aware of any ordinance authorizing the County to conduct election-related activities on behalf of the City. The City Clerk stated that such matters are typically approved by City Council through a resolution but alleged that all Kings County City Clerks were in agreement that the County would handle election-related matters for consistency purposes. Legal Counsel asked who made the agreement, and the City Clerk stated it was a verbal agreement among City Clerks. When asked if she was included, she responded yes. Legal Counsel asked when the agreement occurred; the City Clerk stated it was in 2024 but was unsure of the month. When asked if the agreement occurred during a sit-down meeting, she responded no and reiterated it was verbal. Legal Counsel asked whether the agreement was ever brought back to City Council for approval or ratification. The City Clerk responded that former City Manager Melissa Whitten was aware of the agreement and that there was consensus at that time. Legal Counsel requested clarification on the date, noting Melissa was not with the City in 2024. The City Clerk then corrected herself, stating it was not in 2024 and acknowledged that she did not bring the discussion to current City Manager Antony López. City Manager López stated he was aware of the discussion but was not part of the meeting and is not aware of any written agreement. Legal Counsel asked the City Clerk if she personally made the agreement, and she reiterated that all City Clerks were in consensus that the County would handle election matters for consistency purposes. Legal Counsel asked whether the agreement was ever formalized, to which the City Clerk responded no. When asked who was present, she stated all Kings County City Clerks were present but could not recall specific names. Legal Counsel asked whether a confirming letter was ever sent; the City Clerk could not recall. Legal Counsel stated that it appeared to be an informal consensus that was never brought before a governing body. The City Clerk stated that Mr. Villa was present at the meeting. Legal Counsel asked whether Mr. Villa ever sent a confirming letter; the City Clerk responded no but stated they proceeded under that understanding for the November 5, 2025 election. Legal Counsel asked whether there were additional terms or a sunset date for the agreement. The City Clerk stated there was no timeline.

Teresa Piere, Avenal resident, stated that she spoke with the City's Legal Counsel at the prior meeting and asked who he worked for. She stated that Legal Counsel said he takes direction from the majority of the Council and that it now appears the City is initiating lawsuits against County officials. She questioned why procedures were followed a certain way initially and why the City is now claiming those procedures were incorrect. She also stated that City Manager López is using City Council for his own personal gain.

Public comment was closed by Mayor Preciado and City Council went into Closed Session at 12:38 P.M.

CLOSED SESSION: (City/Successor Agency):

It is the intent of this governing body to meet in closed session to review its position and to instruct its designated representatives:

A. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning: Conference with legal counsel – ANTICIPATED LITIGATION (Government Code § 54956.9(d)). Significant exposure to litigation (Government Code § 54956.9(d)(2)). Number of potential cases is: 1.

Facts and circumstances clearly known to potential plaintiff (if any) that might result in litigation (Government Code § 54956.9(e)(2)):

a. *City of Avenal v. Lupe Villa, County of Kings, et al.,*

County's attempted to usurp and/or impersonate City Elections Official; Lupe Villa, County Elections Official confirmed at the 1/8/2026 Council meeting that no agreement exists for the County to provide any municipal recall election services on behalf of the City, stating he acted under prior City elections resolutions in handling municipal recall petitions.

City Council returned from Closed Session at 1:30 P.M. with nothing to report.

NEW BUSINESS:

A. Consideration of Request by the Kings County Registrar of Voters (ROV) for Recall Election (Discussion/Action).

City Manager, Antony López, presented report as submitted.

ADJOURNMENT:

City Council meeting was adjourned by Mayor Preciado at 1:36 P.M.

/s/ Karla Curiel
Karla Curiel, Deputy City Clerk