Item:	B-1
Minutes for:	07/06/2022
Adopted:	11/02/2022

Minutes of a Regular Meeting of the Madera City Council

July 6, 2022 **Council Chambers**
6:00 p.m. **City Hall**

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 830 1447 6149#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER: Meeting was called to order at 6:00 p.m.

ROLL CALL:

Present: Mayor Pro Tem Anita Evans, District 4
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Absent: Mayor Santos Garcia

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, City Engineer Keith Helmuth, Interim Director of Financial Services Kingsley Okereke, Fire Division Chief Matt Watson, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Dino Lawson, Police Lieutenant/Interim Director of Public Works Dan Foss, Interim Director of Public Works Jamie Hickman, Financial Services Manager Anthony Forestiere, Assistant Engineer Jonathan Gramajo, Deputy City Engineer Ellen Bitter, Police Officer II Michael Powell and Communication Specialist Joseph Carrello.

INVOCATION: Jesse Chavez, The Well Church

PLEDGE OF ALLEGIANCE: Councilmember Villegas

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, THE AGENDA WITH REMOVAL OF ITEM B-10 AND ITEM D-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:
YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 1 – MAYOR GARCIA

PUBLIC COMMENT:
The first 15 minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

DJ Becker spoke on illegal fireworks and asked Council to be proactive in updating essential ordinances.

Cynthia Ortegon thanked Interim Director of Public Works Dan Foss for his service.

Carmina Rodriguez spoke on blood donation and asked that citizens be informed through the City of Madera newsletter of the importance of blood donations.

Fire Division Chief Matt Watson gave a quick update on the Fresno River clean up. He stated that in addition to the Madera Irrigation District (MID) crews, City of Madera Public Works crews, City of Madera Parks and Community Services crews, and City of Madera Fire Department crews; CalFire fire fighter hand crews did about 680 hours' worth of work. He thanked City of Madera Public Works crews for providing the bathrooms; the City of Madera Parks and Community Services Department for chipping branches and Fire Station 58 for providing the logistical needs for those crews.

Fire Division Chief Matt Watson stated that the 4th of July was a very busy night for the City Fire Department. There were 52 total incidents within the City of Madera. City Fire Department responded to 24 fires within the City. Madera County Fire Department responded to 12 fires within the City. There were 14 additional calls for service and the City responded for the County with 3 additional fires. There were times where they couldn't respond to number of emergencies coming in. They staffed two additional engines for that night, but it still wasn't enough. The City helped County and County helped the City so they were able to cover those fires closely.

Fire Division Chief Matt Watson stated that the Madera Police Department had 20 additional officers on duty that night. There were 21 arrests and/or citations that night.

No further Public Comment was presented. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Fresno River Clean-up Update
2. Certificate of Recognition – Daniel Foss

INTRODUCTIONS: None

A. WORKSHOP: None

B. CONSENT CALENDAR:

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Council may request an item be removed from the Consent Calendar and it will be considered separately.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE CONSENT CALENDAR WITH REMOVAL OF ITEM B-10 DURING APPROVAL OF THE AGENDA, WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA AND COUNCILMEMBER GALLEGOS. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 5 - COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 2 - MAYOR GARCIA
COUNCILMEMBER GALLEGOS

B-1 Minutes – October 20, 2021

Recommendation: Approve the City Council Minutes of October 20, 2021

B-2 Informational Report on Register of Audited Demands for June 4, 2022 to June 24, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Informational Report on Contract City Attorney Services and Litigation Expenditures

Recommendation: This report is submitted for information purposes only and there is no action requested from the City Council (Report by Arnoldo Rodriguez)

B-4 Participation in the Madera County Multi-Jurisdictional Local Hazard Mitigation Plan Update

Recommendation: Adopt a Resolution Approving a Letter of Commitment as a participating jurisdiction in the Madera County Multi-Jurisdictional Local Hazard Mitigation Plan Update and Authorizing the City Manager to sign the letter (Report by Wendy Silva)

RES 22-89 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A LETTER OF COMMITMENT AS A PARTICIPATING JURISDICTION IN THE MADERA COUNTY MULTI-JURISDICTIONAL LOCAL

HAZARD MITIGATION PLAN UPDATE AND AUTHORIZING THE MAYOR TO SIGN THE LETTER OF COMMITMENT

B-5 Approval of Employee Health and Welfare Plans for Calendar Year 2023

Recommendation: Adopt a Minute Order

1) Approving the Renewal of the City's Health and Welfare Plans for Calendar Year 2023; and

2) Authorizing the City Manager to execute any documents necessary to effectuate the plan renewals (Report by Wendy Silva)

B-6 Temporary Authority for the City Manager to offer higher than C-step for Senior Civil Engineer and Senior Planner candidates

Recommendation: Adopt a Resolution providing the City Manager temporary authority to offer candidates considered for Senior Civil Engineer and Senior Planner positions higher than C-step on the assigned salary range for the classification (Report by Wendy Silva)

RES 22-90 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA PROVIDING THE CITY MANAGER TEMPORARY AUTHORITY TO OFFER SENIOR CIVIL ENGINEER AND SENIOR PLANNER CANDIDATES HIGHER THAN C-STEP ON THE ASSIGNED SALARY RANGE

B-7 Agreement for Continued Participation in the Central Valley Employment Relations Consortium

Recommendation: Adopt a Minute Order Approving the Agreement for Special Services with Liebert Cassidy Whitmore in the amount of $2,466 and authorize the City Manager to Execute the Agreement (Report by Wendy Silva)

B-8 Adoption of Updated Salary Schedule

Recommendation: Adopt a Resolution Approving the Revised City of Madera Full Time Salary Schedule Reflecting the Two Percent Cost-of-living Adjustment for Applicable Positions and Reducing the Assigned Salary Range for Director of Community Development (Report by Wendy Silva)

RES 22-91 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SETTING THE RATE OF COMPENSATION FOR THE DIRECTOR OF COMMUNITY DEVELOPMENT CLASSIFICATION AND ADOPTING THE CITY OF MADERA FULL TIME SALARY SCHEDULE EFFECTIVE JUNE 18, 2022

B-9 Contract Award for Bid Package 1 - RRFB and Safety Improvements at George Washington Elementary School, AHSC Agreement No. 19-AHSC-12761, City Project No. R-94

Recommendation: Adopt a Resolution Approving the Contract Award for Bid Package 1 – RRFB and Safety Improvements at George Washington Elementary School, AHSC Agreement No. 19-AHSC-12761, City Project No. R-94, in the amount of $177,210.00 to Bush Engineering, Inc. (Report by Keith Helmuth)

RES 22-92 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR BID PACKAGE 1-RRFB AND SAFETY IMPROVEMENTS AT GEORGE WASHINGTON ELEMENTARY SCHOOL, AHSC AGREEMENT NO. 19-AHSC-12761, CITY PROJECT NO. R-94, IN THE AMOUNT OF $177,210 TO BUSH ENGINEERING, INC. AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

B-10 Agreement for Design Services for Olive Park

Recommendation: Adopt a Resolution Awarding a contract under Request for Qualifications (RFQ) No. 202122-15 to O'Dell Engineering for design services of Olive Park and approving a Consultant Services Agreement in the amount of $238,013.00 (Report by Joseph Hebert)

This item was removed during approval of the agenda.

B-11 Contract Award for Building Demolition at 651 East 4th Street and 16557 Austin Street

Recommendation: Adopt a Resolution Approving the Contract Award in the amount of $118,432.00 to MAG Engineering, Inc. (Report by Mathew Watson)

RES 22-93 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR BUILDING DEMOLITIONS AT 651 EAST 4TH STREET AND 16557 AUSTIN STREET (PROJECT) IN THE AMOUNT OF $118,432.00. AND AUTHORIZE CONSTRUCTION CONTINGENCIES RELATED TO THE CONTRACT

B-12 Remote City Council Meetings Under Brown Act Requirements (AB 361)

Recommendation: Council to decide to adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnoldo Rodriguez)

RES 22-94 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

C. PUBLIC HEARINGS:

C-1 Public Hearing Relating to Annexation of Pecan Square into the Citywide Landscape and Lighting Assessment District (LMD)

Recommendation: Adopt a Resolution Approving Annexation No. 2022-03 for Annexation of Pecan Square Subdivision (Tract No. 20-S-02) into Zone of Benefit 8, Confirming the Diagram and Assessment for Citywide Lighting and Landscaping Assessment District Zone of Benefit 8 for FY 2023/24; and

Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM C-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 - **COUNCILMEMBER GALLEGOS**
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 1 - **MAYOR GARCIA**

RES 22-95 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION NO. 2022-03 FOR ANNEXATION OF PECAN SQUARE SUBDIVISION (TRACT NO. 20-S-02) INTO ZONE OF BENEFIT 8; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITYWIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 8 FOR FISCAL YEAR (FY) 2023/24; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

C-2 Measure T Renewal on the November General Election

Recommendation: Adopt a Resolution:

1) Supporting the Madera County Transportation Authority for the continued countywide imposition of a one half of one percent (0.5%) sales tax to fund transportation improvements in Madera County; and

2) Approving the Proposed Transportation Measure T Renewal Investment Plan and Associated Implementing Guidelines; and

3) Extending the life of the Madera County Transportation Authority perpetually or until the Authority no longer has debt or other contractual obligations outstanding relating to Measure T or any subsequently commencing sales tax (Report by Arnoldo Rodriguez)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM C-2 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 - **COUNCILMEMBER GALLEGOS**
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS

COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 1 - MAYOR GARCIA

RES 22-96 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CALIFORNIA, APPROVING THE MEASURE T RENEWAL INVESTMENT PLAN

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:

D-1 Contract Extension with Mid-Valley

Recommendation: Item continued to future City Council Meeting (Report by Arnoldo Rodriguez)

D-2 Receive and File – Update on the State Water Board's emergency resolution to reduce water demand and improve water conservation

Recommendation: Receive and file an update on the State Water Resources Control Board (State Water Board) Emergency Resolution to reduce water demand and improve water conservation in response to the Governor's declared statewide drought (Report by Daniel Foss)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-2 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 1 - MAYOR GARCIA

E. ADMINISTRATIVE REPORTS:

E-1 Report Regarding Tenant Protection Rights

Recommendation: Receive Report on The California Tenant Protection Act of 2019 (AB 1482), the City's Authority to enforce, and Options for Council Consideration, discuss, and provide direction to staff, if any (Report by Arnoldo Rodriguez)

City Attorney Hilda Cantu Montoy presented this report.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM E-1 TO HAVE STAFF COORDINATE A MEETING WITH STAKEHOLDERS, AGENCIES, TENANTS AND LANDLORDS IN ORDER TO ENGAGE IN CONVERSATION WITH THE

OPTIONS PRESENTED AS WELL AS OTHERS THAT THEY MAY HAVE WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.
THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

ABSENT: 1 - MAYOR GARCIA

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items., and (iv) to take action on matters initiated under this section of the agenda. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.

Councilmember Gallegos highlighted Procurement Services Manager Jennifer Stickman, the Parks and Community Services Department and the Police Department on their work for the recent Car Seat and Helmet Giveaway, in which 30 car seats and 50 helmets were provided to Madera families. She also mentioned the Fair Camp hosted by the Parks and Community Services Department, Madera District Fair and MAD Kid Camp hosted by the Police Department. Councilmember Gallegos thanked the Madera Kiwanis Club and City Staff for their diligent efforts in trying to secure a replacement vendor for the Fireworks Spectacular.

Councilmember Rodriguez mentioned that he attended the 4th of July Golf Tournament and praised the Parks and Community Services Department for hosting the event. He stated his team placed 3rd in the competition. He urged Staff and the public to attend next year. Councilmember Rodriguez asked for guidance from the Police Department regarding the strains that could arise on Police Department staff if a potential Fireworks Ordinance were put into effect regarding illegal fireworks.

Councilmember Montes praised City Staff for their efforts in responding to resident concerns.

Mayor Pro Tem Evans acknowledged her colleagues and City Staff for being pleasant and cooperative to work with. She reiterated her appreciation for those who are working in the Fresno River Cleanup Project.

Councilmember Mejia mentioned she and Councilmember Montes attended the Madera Soccer League's recent tournament in support of local teams.

Councilmember Villegas announced that the Madera County Art Authority has approved a logo as MCAA and will have signage for their future building. They are currently considering sites for their new location.

G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 8:30 p.m.

UPCOMING MEETING DATES:

- Wednesday, July 20, 2022
- Wednesday, August 3, 2022

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.

_____
ALICIA GONZALES, City Clerk

_____
SANTOS GARCIA, Mayor

_____
MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk