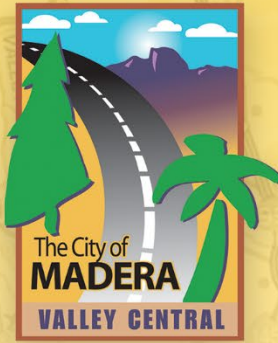


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## REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4<sup>th</sup> Street, Madera, California 93637

### NOTICE AND AGENDA

Wednesday, November 17, 2021  
6:00 p.m.

Council Chambers  
City Hall

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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](http://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: 844 4631 9057#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov) or by regular mail at 205 W. 4th Street, Madera, CA 93637.

The City will observe the Madera County Public Health Department physical distancing recommendations. This may limit seating in the Council Chamber; however, the City will have seating available in the foyer. All persons visiting City facilities shall observe health and safety protocols.

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#### **CALL TO ORDER:**

**ROLL CALL:** Mayor Santos Garcia  
Mayor Pro Tem Artemio Villegas, District 6  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Anita Evans, District 4  
Vacant, District 5

**INVOCATION:** Pastor Sammie Neely, Mt. Zion Missionary Baptist Church

#### **PLEDGE OF ALLEGIANCE:**

#### **APPROVAL OF AGENDA:**

#### **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.*

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Department of Public Health Update on COVID-19 (Report Madera County Public Health Department)
2. Proclamation Recognizing the Second Missionary Baptist Church 100<sup>th</sup> Anniversary
3. Proclamation Recognizing Building Trades Apprenticeship Day

**INTRODUCTIONS:** None

**A. WORKSHOP:**

**A-1** **Retails Sales Tax Update** (Report by Anthony Forestiere)

**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.*

**B-1** **Minutes – July 7, 2021**

**Recommendation:** Approve the City Council Minutes of July 7, 2021

**B-2** **Informational Report on Register of Audited Demands for October 23, 2021 to November 5, 2021**

**Recommendation:** No Action Required (Report by Anthony Forestiere)

**B-3** **Informational Report on Personnel Activity**

**Recommendation:** No Action Required (Report by Wendy Silva)

**B-4** **Accepting a Portion of the Improvements Required to be Installed in Connection with Varbella Estates II Subdivision**

**Recommendation:** Adopt a Resolution

- 1) Accepting a Portion of the Improvements for Varbella Estates II Subdivision; and
- 2) Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements; and
- 3) Authorizing staff to record the Notice of Acceptance of Subdivision Improvements (Report by Keith Helmuth)

**B-5** **Modification of Assigned Salary Ranges for Professional Civil Engineers**

**Recommendation:** Adopt a Resolution Modifying the Assigned Salary Ranges for the Classifications of Assistant Engineer, Associate Civil Engineer, Senior Civil Engineer, Deputy City Engineer, and City Engineer (Report by Wendy Silva)

**B-6 Side Letter Agreements with the Mid Management Employee Group and Law Enforcement Mid Management**

**Recommendation:** Adopt a Resolution Approving Side Letter Agreements with the Mid Management Employee Group and Law Enforcement Mid Management Group to change Current Pay Reported to the California Public Employees' Retirement System from Longevity Pay to Scheduled Compensation Retroactive to January 1, 2018 (Report by Wendy Silva)

**C. PUBLIC HEARINGS:** None

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

**D-1 Cannabis Business Permits - Consideration of Number of Cannabis Business Permits, Procedure Guidelines and Review Criteria, and Fees**

**Recommendation:** Adopt Resolutions

- 1) Determining the Number and Type of Cannabis Business Permits that may be Issued in the City; and
- 2) Establishing Fees for Cannabis Business Permits; and
- 3) Establishing Procedure Guidelines and Review Criteria to Govern the Application and Selection Process for Various Types of Cannabis Business Permits (Report by Arnoldo Rodriguez)

**D-2 Revisions to the Civil Service Commission Composition and Appointment Process**

**Recommendation:** Introduce an Ordinance Amending §2-2.303 of Title II of the Madera Municipal Code Relating to Number of Commissioners and Method for Making Appointments to Civil Service Commission (Report by Wendy Silva)

**D-3 Authorized Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions**

**Recommendation:** Adopt a Resolution

- 1) Approving the Standard Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions; and
- 2) Authorizing the City Manager to Execute Individual At-will Employment Agreements within the Parameters of the Standard Terms and Conditions; and
- 3) Authorizing the Director of Financial Services to Designate and Classify Reserves from the General Fund Unassigned Fund Balance into the Assigned Classification for the One-time Lump Sum Payments (Report by Arnoldo Rodriguez)

**E. ADMINISTRATIVE REPORTS:** None

**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.*

**G. CLOSED SESSION:**

**G-1 Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation - Pursuant to Government Code §54956.9(d)(2)**

Workers' Compensation: Manuel Macias – One (1) claim

**G-2 Conference with Legal Counsel – Anticipated Litigation Significant Exposure to Litigation Pursuant to Government Code Section §54956.9(d)(2)**

Potential litigation resulting from eviction proceedings by City against Jeffrey Streeter

**G-3 Conference with Labor Negotiators - Pursuant to Government Code §54957.6**

**Agency Designated Representative:** Arnaldo Rodriguez, Wendy Silva, and Anthony Forestiere  
**Employee Group:** Madera Police Officers' Association

**ADJOURNMENT:** – Next regular meeting on December 1, 2021

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- Please silence or turn off cell phones and electronic devices while the meeting is in session.
  - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
  - A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (559) 661-5405 or by email at [cityclerkinfo@madera.gov](mailto:cityclerkinfo@madera.gov).
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
  - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for November 17, 2021 near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 4:30p.m. on November 12, 2021.



Alicia Gonzales, City Clerk