



Item:	B-1
Minutes for:	01/19/2022
Adopted:	03/16/2022

Minutes of a Regular Meeting of the Madera City Council, Special Meeting of the Madera City Council as Successor Agency to the Former Madera Redevelopment Agency

**Wednesday, January 19, 2022
6:00 p.m.**

**Council Chambers
City Hall**

This meeting was conducted pursuant to the provisions of the Governor’s Executive Order which suspends certain requirements of the Ralph M. Brown Act. The City Council meeting was live streamed on the City’s website at www.madera.gov/live. Members of the public were able to participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 entering ID: 873 9769 9150# followed by *9 on their phone to speak. Comments were also accepted via email at 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 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.

This meeting is also being conducted by teleconference at the following location:

Mayor Santos Garcia
413 S. A Street
Madera, CA 93638

Mayor Pro Tem Anita Evans
1218 E. Cleveland Ave., Space #185
Madera, CA 93638

Councilmember Cece Gallegos
1177 Norwegian
Modesto, CA 95350

Mayor Garcia, Mayor Pro Tem Evans, and Councilmember Gallegos will participate via the listed teleconference locations. The teleconference locations are open to the public and any member of the public has an opportunity to address the City Council from the teleconference location in the same manner as if that person attended the meeting at City Hall. The City Council will control the conduct of the meeting and determine the appropriate order on public comments from the teleconference location. All votes during the teleconferenced meeting shall be by roll call.

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

ROLL CALL:

Present: Mayor Santos Garcia
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

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Chief Building Official Steven Woodworth, City Engineer Keith Helmuth, Interim Financial Services Director Anthony Forestiere, Fire Division Chief Matt Watson, Grants Administrator Marcela Zuniga, Human Resources Director Wendy Silva, Information Services Manager Mark Souders, Planning Manager Gary Conte, Interim Public Work Director Dan Foss, Deputy City Engineer Ellen Bitter, and Communication Specialist Joseph Carrello.

INVOCATION: Pastor Marc Unger, First Baptist Church

PLEDGE OF ALLEGIANCE: Chief Dino Lawson

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ. THE AGENDA WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: - NONE.

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.

No public comment was presented.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)
2. Proclamation Recognizing January as Human Trafficking Awareness and Prevention Month (CAPMC)

INTRODUCTIONS:

1. Marcela Zuniga, Grants Administrator (Introduction by Anthony Forestiere)

Interim Finance Director Anthony Forestiere introduced Marcela Zuniga who recently accepted the role of Grants Administrator. Marcela has a bachelor's degree in Liberal Studies and master's degree in Organizational Leadership. Over the last 15 years, Marcela has served the residents of Madera in the areas of housing, grants, and education. She mentioned her excitement for what is to come as she embarks in her new role as Grants Administrator.

A. WORKSHOP:

A-1 Update on Water, Sewer, Storm Drainage and Solid Waste Rate Studies

Recommendation: No Action Required (Report by Anthony Forestiere)

This item was an informational workshop. No formal action was requested of Council.

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 GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, THE CONSENT CALENDAR WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 7 –
COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA

ABSENT: None

B-1 Minutes – 05/19/21

Recommendation: Approve the City Council Minutes of May 19, 2021

B-2 Informational Report on Register of Audited Demands December 4, 2021 to January 7, 2022

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 Amendments to Lease Agreements at the Madera Intermodal Transit Center

Recommendation:

- 1) Adopt a Resolution Approving Amendment No. 1 to the Lease Agreement between the City and Madera Cab Company for the use of office space at the Intermodal Transit Center; and
- 2) Adopt a Resolution Approving Amendment No. 1 to the Lease Agreement between the City and Greyhound for the use of the Intermodal Transit Center (Report by Anthony Forestiere)

RES 22-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY AND MADERA CAB COMPANY FOR THE USE OF OFFICE SPACE AT THE MADERA INTERMODAL TRANSIT CENTER

RES 22-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY OF MADERA AND GREYHOUND LINES, INC. A DELAWARE CORPORATION FOR THE USE OF THE INTERMODAL TRANSIT CENTER

**B-5 Actions Related to Successor Agency Annual Budget Reporting to the Department of Finance
(Action on this item by the Successor Agency)**

Recommendation:

- 1) Adopt a Resolution Adopting the Recognized Obligation Payment Schedule (ROPS) Representing Period of July 1, 2022 to June 30, 2023, for the City of Madera as the Successor Agency of the Former Redevelopment Agency; and
- 2) Adopt a Resolution Approving the Administrative Budget for the City of Madera as the Successor Agency of the Former Madera Redevelopment Agency of the City of Madera for the Period of July 1, 2022 – June 30, 2023 (Report by Anthony Forestiere)

SA RES 22-01 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AS THE SUCCESSOR AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY OF THE CITY OF MADERA, ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 22-23 PURSUANT TO SECTION 34177 OF THE CALIFORNIA HEALTH AND SAFETY CODE FOR FISCAL YEAR 2022-2023 FOR THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2023

SA RES 22-02 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AS THE SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY OF THE CITY OF MADERA, APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR JULY 1, 2022 THROUGH JUNE 30, 2023

B-6 Request for Assignment of Hangar Lease Agreement

Recommendation: Adopt a Resolution Approving Assignment of Third Amended Lease Agreement from Madera Aviation Group, LLC to CA Pacific Investments LLC (Report by Daniel Foss)

RES 22-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE ASSIGNMENT OF THIRD AMENDED LEASE AGREEMENT FROM MADERA AVIATION GROUP, LLC TO CA PACIFIC INVESTMENTS, LLC

B-7 Airport Rescue Grant funding in the amount of \$59,000

Recommendation: Adopt a Resolution Approving the Airport Rescue Grant Agreement with the Federal Aviation Administration (Report by Daniel Foss)

RES 22-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AIRPORT RESCUE GRANT AGREEMENT WITH FEDERAL AVIATION ADMINISTRATION

B-8 Amendment to the Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2021/22

Recommendation: Adopt a Resolution Approving the Amendment to the Applications for TDA– LTF and STA Funds for FY 2021/22 and Authorizing the City Engineer to Execute and Submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

RES 22-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENTS TO THE APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) - LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS FOR FISCAL YEAR (FY) 2021/22 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE AND SUBMIT THE APPLICATIONS TO MADERA COUNTY TRANSPORTATION COMMISSION (MCTC)

B-9 Traffic Signal at the Intersection of Howard Road and Granada Drive

Recommendation: Adopt a Minute Order Approving:

- 1) Acceptance of Traffic Signal at the Intersection of Howard Road and Granada Drive, City Project No. TS-17; and
- 2) The Recording of Notice of Completion; and
- 3) The Release of Retention 35 days after Recording of the Notice of Completion (Report by Keith Helmuth)

B-10 Traffic Signal at the Intersection of Howard Road and Westberry Boulevard

Recommendation: Adopt a Minute Order Approving:

- 1) Acceptance of Traffic Signal at the Intersection of Howard Road and Westberry Boulevard, City Project No. TS-19; and
- 2) The Recording of Notice of Completion; and
- 3) The release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

B-11 Pedestrian Hybrid Beacon at the Intersection of Stadium Road and Gary Lane, CDBG No. B18MC060053, City Project No. TS-29

Recommendation: Adopt a Minute Order Approving:

- 1) Acceptance of Pedestrian Hybrid Beacon at the Intersection of Stadium Road and Gary Lane, CDBG No. B18MC060053, City Project No. TS-29; and
- 2) The Recording of Notice of Completion; and
- 3) The release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

B-12 Clean California Local Grant Program Funds – Fresno River Project

Recommendation: Adopt a Resolution Authorizing Submission of the Clean California Local Grant Program Funds Application for the Fresno River Project (Report by Arnoldo Rodriguez)

RES 22-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE APPLICATION(S) FOR CLEAN CALIFORNIA LOCAL GRANT PROGRAM

C. PUBLIC HEARINGS:

C-1 Public Hearing regarding Annexation No. 10 (Omni Subdivision) into Community Facilities District 2005-1 and Related Actions

Recommendation:

- 1) Adopt a Resolution Authorizing the Annexation of Territory (Omni Subdivision) to Community Facilities District (CFD) 2005-1 (Annexation No. 10) and Authorizing the Levy of a Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
- 2) Adopt a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 10 of the City's CFD 2005-1 Propositions Regarding the Annual Levy of Special Taxes within Annexation No. 10 to Finance Police Protection Services, Fire

Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance Within the District; and

- 3) Conduct a Special Election of the Qualified Electors of Annexation No. 10 of the City's CFD 2005-1 and Declaration and Certification of Results Thereof; and
- 4) Adopt a Resolution Making Certain Findings, Certifying Results of an Election and Adding Annexation No. 10 to CFD 2005-1 (Report by Gary Conte)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM C-1 (1-2) WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: None.

RES 22-07 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY (ANNEXATION NO. 10) TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS

RES 22-08 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF ANNEXATION NO. 10 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-1 THE PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 10 TO FINANCE POLICE PROTECTION SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND MAINTENANCE WITHIN THE DISTRICT

RES 22-09 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 10 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1

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

D-1 Establishment of Cannabis Business Tax Rates

Recommendation: Adopt a Resolution Setting the Cannabis Business Tax Rates for Various Types of Commercial Business Permits (Report by Arnoldo Rodriguez)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM EVANS, ITEM D-1 WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: None.

RES 22-10 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ESTABLISHING CANNABIS BUSINESS TAX RATES FOR VARIOUS TYPES OF COMMERCIAL CANNABIS BUSINESS PERMITS

E. ADMINISTRATIVE REPORTS:

E-1 Request by the Greater Madera Kiwanis to assist in the 4th of July Community Event

Recommendation:

- 1) Adopt a Resolution Waiving the Fees to Cover the Costs of Police Services in the Amount of \$2,869; and
- 2) Provide direction on the City's Involvement in the Community Event (Report by Dino Lawson)

ON MOTION BY MAYOR PRO TEM EVANS AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-1 (1-2) WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: None.

RES 22-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING THE FEES TO COVER COSTS OF POLICE SERVICES RELATING TO THE 4TH OF JULY

COMMUNITY EVENT FOR THE GREATER MADERA KIWANIS IN THE AMOUNT OF \$2,869.00

E-2 Seek Direction Regarding the 2022 Regular City Council Meeting Schedule

Recommendation: Deliberation and Direction Given from Council (Report by Arnaldo Rodriguez)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM EVANS, ITEM E-2 WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: None.

E-3 Remote City Council Meetings Under Brown Act Requirements (AB 361)

Recommendation:

- 1) Council to decide to allow Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City with the remote meeting requirements set forth by the Brown Act; or
- 2) Council to decide to Adopt a Resolution Authorizing 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 Arnaldo Rodriguez)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM EVANS, ITEM E-2 WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 7 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
MAYOR GARCIA**

ABSENT: None.

RES 22-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING 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

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.

F-1 Report Regarding Current Elective Mayor Process

Recommendation: This report has been prepared at the direction of the City Council. Therefore, there is no staff recommendation provided. Council may consider the report and determine whether or not it wishes to modify or repeal the current process for election of the Mayor at large. The Council may take no action, request further information, or direct City Clerk and City Attorney to return with appropriate action items (Report by Hilda Cantu Montoy)

This item was an informational item. No formal action was taken.

Councilwoman Gallegos expressed condolences to the families of Bud Smith who founded General Builders Supply and Senator Anna Caballero for the passing of her mother. She also recognized Councilmember Rodriguez for his hard work as Chair of the Madera County Transportation Commission (MCTC) and for handing over his position to Supervisor Wheeler.

Councilwoman Mejia asked all to take precautions to stay safe and reminded her colleagues to be cognizant of how COVID-19 is talked about.

Councilmember Rodriguez thanked all for the support he received as chair of the MCTC. Asked everyone to stay safe as we experience the current COVID surge.

Councilmember Montes echoed those comments made by Councilmember Rodriguez and thanked him for serving as chair of the MCTC.

Councilmember Villegas mentioned the increase of graffiti in his district and asked staff to monitor the situation. Additionally, he asked folks to stay safe as the pandemic persists.

Mayor Pro Tem Evans thanked staff and Councilmembers for all their hard work. She also expressed condolences for all who have lost loved ones recently. Lastly, told everyone to stay safe.

Mayor Garcia echoed similar remarks as his colleagues regarding staff working hard and Councilmember Rodriguez's MCTC position. He also thanked all first responders and congratulated his daughter as she continues her journey to become a nurse.

G. CLOSED SESSION: None.

ADJOURNMENT: The meeting was adjourned at 9:36 p.m. Next regular meeting on February 2, 2022.


MINUTES PREPARED BY
ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor

