



Item:	B-1
Minutes for:	09/15/2021
Adopted:	04/20/2022

Minutes of a Regular Meeting of the Madera City Council

September 15, 2021
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 enter ID: #861 9231 0224. When an agenda item you wish to comment on is discussed, press *9 on your phone to virtually raise your hand. Press *6 to un-mute yourself to speak when the last four digits of your phone number or your name is called. Comments were also 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 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

Absent: Vacant, District 5

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 Anthony Forestier, Fire Division Chief Matthew Watson, Director of Human Resources Wendy Silva, Information Services Manager Mark Souders, Planning Manager Gary Conte, Police Commander Giachino Chiaramonte, Interim Public Work Director Dan Foss, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Steve Bettencourt, Administrative Analyst (Engineering) Nicole Say, and Communication Specialist Joseph Carrello.

INVOCATION: Pastor Roger Leach, Valley West Christian Center

PLEDGE OF ALLEGIANCE: Police Commander Giachino Chiaramonte

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: NONE. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
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.

No public comment was given. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report Madera County Public Health Department)
2. Proclamation Recognizing Old Timers' Week
3. Proclamation Recognizing the 211th Anniversary of the Mexican Independence Day
4. Senator Anna Caballero's 2021 Young Legislators Program

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 GALLEGOS AND SECONDED BY MAYOR PRO TEM VILLEGAS, THE CONSENT CALENDAR WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: NONE. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

B-1 Minutes – 05/17/21

Recommendation: Approve the City Council Minutes of May 17, 2021

B-2 Informational Report on Register of Audited Demands for Aug. 21, 2021 to Sept. 3, 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 Assignment of Grant Administrator Classification to the Competitive Service

Recommendation: Waive Further Reading and Adopt an Ordinance Amending Subsection E of §2-2.305 of Title II of the Madera Municipal Code relating to Civil Service and Exceptions to the Competitive Service (Report by Wendy Silva)

ORD 978 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING SUBSECTION E OF §2-2.305 OF TITLE II OF THE MADERA MUNICIPAL CODE RELATING TO CIVIL SERVICE AND EXCEPTIONS TO THE COMPETITIVE SERVICE

B-5 Agreement with Quad Knopf Inc, dba QK for Professional Engineering Services for the Planning and Design of New Automatic Meter Reading (AMR) Water Meters

Recommendation: Adopt a Resolution Approving an Agreement with Quad Knopf Inc, dba QK in the Amount of \$281,862 for Professional Engineering Design Services for the Installation of New Automatic Meter Reading (AMR) Water Meters at Various Locations, City Project No. W-31, W-32, and W-33 (Report by Keith Helmuth)

RES 21-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH QUAD KNOPF, dba QK FOR PROFESSIONAL ENGINEERING SERVICES FOR CITY OF MADERA AMR WATER METER PROJECTS W-31, W- 32 AND W-33 IN THE AMOUNT OF \$281,862

B-6 Ellis & D Street Subdivision – Use of County Owned Ellis Street Basin

Recommendation: Authorize City Engineer to Sign and Transmit Letter to County of Madera Regarding Use of Ellis Street Basin (Report by Keith Helmuth)

B-7 Airport Access Agreement Renewal with Stephen J. and Nadine Sagouspe

Recommendation: Adopt a Resolution Clarifying Resolution No. 21-109 Regarding Property Description for Airport Access Agreement with Stephen J. and Nadine Sagouspe (Report by Daniel Foss)

RES 21-126 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA CLARIFYING RESOLUTION NO. 21-109 REGARDING PROPERTY DESCRIPTION FOR AIRPORT ACCESS AGREEMENT WITH STEPHEN J. AND V. NADINE SAGOUSPE

B-8 Appointment of Patricia Carreon to the Transit Advisory Board

Recommendation: Adopt a Resolution Appointing Patricia Carreon to Serve as a Member of the City of Madera Transit Board (TAB) (Report by Anthony Forestiere)

RES 21-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING MS. PATRICIA CARREON AS A MEMBER OF THE CITY OF MADERA TRANSIT ADVISORY BOARD AS DISTRICT FOUR NOMINEE

B-9 Transfer of Community Development Block Grant (CDBG) Funds form the City's Engineering to the Public Works Department and Approve Amendment to CDBG Subrecipient Agreement with City's Public Works Department

Recommendation: Adopt a Resolution Approving an Amendment to CDBG Subrecipient Agreement with City's Public Works Department, Rescinding Resolution No. 21-14 Approving Subrecipient Agreement for \$36,755 with City Engineering Department, and Approving a Transfer of \$36,755 in CDBG funds from the Engineering Department to Public Works(Report by Anthony Forestiere)

RES 21-128 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AMENDMENT TO CDBG SUBRECIPIENT AGREEMENT WITH CITY PUBLIC WORKS DEPARTMENT, RESCINDING RESOLUTION NO. 21-14, APPROVING SUBRECIPIENTAGREEMENT FOR \$36,755 WITH CITY ENGINEERING DEPARTMENT, AND APPROVING A TRANSFER OF \$36,755 IN CDBG FUNDS FROM THE ENGINEERING DEPARTMENT TOPUBLIC WORKS DEPARTMENT

C. PUBLIC HEARINGS:

C-1 Measure T Annual Expenditure Plan (AEP) for Fiscal Year 2021/22

Recommendation: Adopt a Resolution Approving the Expenditure Budget for the Various Funding Programs in the Measure T AEP for FY 2021/22 and Authorizing

Submission of Projects to Madera County Transportation Commission (MCTA) for Adoption (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM VILLEGAS, ITEM C-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: NONE. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

RES 21-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING THE MEASURE T ANNUAL EXPENDITURE PLAN (AEP) FOR FISCAL YEAR (FY) 2020/21 AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PLAN TO THE MADERA COUNTY TRANSPORTATION AUTHORITY (MCTA) FOR ADOPTION

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

D-1 Second Reading and Adoption of Ordinance Amending the City’s Municipal Code Relating to Cannabis and Adoption of Negative Declaration

Recommendation:

- 1) Waive full reading and Adopt an Ordinance of the City of Madera, California Amending Section 6-5.33 (D) Of Title VI, Chapter 5 of the Madera Municipal Code Relating to Location and Design of Cannabis Businesses [Relative to Lions Town & Country Community Park]
- 2) Adopt the Negative Declaration the determined that the Proposed Project will not have Significant Adverse Effects on the Environment (Report by Arnaldo Rodriguez)

Item was tabled for further discussion and review.

D-2 Initiation of Proceedings for the Annexation of the Omni Subdivision into Community Facilities District 2005-01

Recommendation:

- 1) Adopt a Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to City of Madera Community Facilities District No. 2005-01; and

- 2) Adopt a Resolution Declaring the City's Intention to Authorize the Annexation of Territory into City of Madera Community Facilities District No. 2005-01 (Report by Gary Conte)

Haley Gonzalez expressed her concern at having a dispensary centrally located in the City of Madera and close to a park.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY MAYOR PRO TEM VILLEGAS, ITEM D-2 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: NONE. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

The first resolution mentioned above was not included in the staff report; no resolution number was assigned to it.

RES 21-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (OMNI SUBDIVISION) TO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES) ANNEXATION NO. 10

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.

Councilmember Gallegos announced that the Madera Arts Council has an exhibit dedicated to agriculture and encouraged everyone to stop by and support the event.

Councilmember Rodriguez mentioned the City Council's participation in the Highway 99 widening project ribbon cutting ceremony and recognized his colleagues for their time and effort to ensure the completion of the project.

Councilmember Montes mentioned the successful Highway 99 widening project ribbon cutting ceremony. He asked staff to agendize altering the Cannabis Ad Hoc Committee.

Councilmember Evans mentioned the successful Highway 99 widening project and ceremony.

Mayor Pro Tem Villegas had nothing to report.

Mayor Garcia mentioned the Highway 99 widening project and the enjoyable and positive spirit of the ceremony.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation – Pursuant to Government Code Section §54957(b)(1)

Title: City Clerk

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

1) Workers Compensation: Lynn Hollier – Two (2) Claims

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

Agency Designated Representative: Arnoldo Rodriguez

Unrepresented Employee: Director of Parks & Community Services

G-4 Conference with Labor Negotiators - Pursuant to Government Code §54957.6

Agency Designated Representative: Arnoldo Rodriguez and Wendy Silva

Employee Groups: Mid Management Employee Group and Law Enforcement Mid Management Group

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 7:22 p.m.

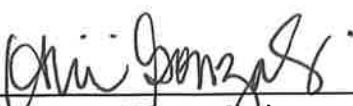
Council returned from Closed Session at 8:37 p.m. with all Council present.

City Manager Arnoldo Rodriguez stated that was no reportable action.

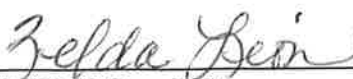
ADJOURNMENT: The meeting was adjourned at 8:37 p.m. Next regular meeting on October 6, 2021.

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



MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

