



Item:	B-1
Minutes for:	05/18/2022
Adopted:	10/05/2022

Minutes of a Regular Meeting of the Madera City Council

Wednesday, May 18, 2022
6:00 p.m.

Council Chambers
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: 810 5476 9040#. 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 Santos Garcia
Mayor Pro Tem Anita Evans, District 4
Councilmember Cece Gallegos, District 1 – Zoom, attended in-person at 6:47 p.m.
Councilmember Jose Rodriguez, District 2 - Zoom
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, City Engineer Keith Helmuth, Interim Director of Financial Services Anthony Forestiere, Fire Division Chief Matt Watson, Grants Administrator Marcela Zuniga, Human Resources Director Wendy Silva, Interim Parks Director Joseph Hebert, Planning Manager Gary Conte, Police Chief Dino Lawson, Commander Gino Chiramonte, Interim Public Works Director Dan Foss, Grants Administrator Marcela Zuniga, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Steve Bettencourt, Assistant Planner Ricardo Olea, Senior Planner Robert Smith, Computer Technician Kevin Newsome, and Communication Specialist Joseph Carrello.

INVOCATION: Joyce Lane, Glory of Zion Ministry

PLEDGE OF ALLEGIANCE: Councilmember Elsa Mejia

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM EVANS, THE APPROVAL OF 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
COUNCILMEMBER 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.

Mayor Garcia announced that before Public Comment is opened, a presentation addressing the Fresno River Fire will be made by Arnolando Rodriguez City Manager, Chief Dino Lawson, and Chief Matt Watson.

Public comment was made by City residents Mark Meyers, DJ Becker, Michael Horalis, Baldwin Moy, Lisa, Mandy De La Pena, Mary Sandoval, Lydia, Diane, Daisy De La Pena, Johanna Torres, Sylvia, Jessica Melgoza, Pedro Rivera, Rosa Charboneau, and Elizabeth Yost.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Proclamation Recognizing Madera Rotary's Centennial Anniversary

Council recognized the Rotary Club of Madera for their centennial anniversary, honoring their 100-year service to the community of Madera. Mayor Garcia awarded the certificate for their commitment to provide humanitarian service, encourage high ethical standards and promote good will in their community. He proclaimed the 18th day of May as Madera Rotary Club Centennial Celebration Day. Rotary Club President, Alexis Hicks was in attendance to accept the award.

2. Certificate of Recognition - Thomas Jefferson Middle School 8th Grade Baseball 2022 CVAL Champions
3. Certificate of Recognition - Thomas Jefferson Middle School 7th Grade Softball 2022 CVAL Champions

Both Thomas Jefferson Middle School 7th and 8th grade teams were not in attendance due to a previously scheduled engagement and will be recognized at a future Council meeting.

4. Certificate of Recognition - Hilda Cantu Montoy, League of Women Voters 100 Notable Women of Fresno

Council honored City Attorney, Hilda Cantu-Montoy with a certificate of recognition for being selected as one of Fresno's 100 most Notable Women by the League of Women Voters. The organization pays tribute to women who have made a difference in their communities.

5. Madera County Mosquito & Vector Control - Mosquitos and Public Health Concerns

Trinidad Reyes, biologist with Madera County Mosquito Abatement and Vector Control, presented the County's efforts to protect Madera and Chowchilla residents from over infestation of mosquitos.

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.

Item B-4 was pulled from the Consent Calendar to be discussed separately. Councilmember Montes requested the community to be included in the cleanup efforts if and when possible. City Manager stated that staff will make an effort to include community members and to notify them of any actions taken regarding litter abatement in the Fresno River.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, THE CONSENT CALENDAR, WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED FOR ALL ITEMS EXCEPT B-4 WITH THE FOLLOWING VOTE:

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

B-1 Minutes – December 1, 2021

Recommendation: Approve the City Council Minutes of 12/01/21

B-2 Informational Report on Register of Audited Demands for April 23, 2022 to May 6, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Service provider agreement with O&E Transportation LLC, for litter abatement project in the Fresno River

Recommendation: Adopt a Resolution Approving a Service Provider Agreement with O&E Transportation LLC, for a Litter Abatement Project Addressing the Fresno River within the City limits (Report by Daniel Foss)

RES 22-67 **A RESOLUTION OF THE CITY COUNCIL OF MADERA, CALIFORNIA APPROVING A SERVICE PROVIDER AGREEMENT WITH O&E TRANSPORTATION LLC SERVICE PROVIDER AGREEMENT WITH O&E TRANSPORTATION LLC, FOR LITTER ABATEMENT PROJECT IN THE FRESNO RIVER**

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, THE CONSENT CALENDAR, WAS APPROVED BY A 7/0 VOTE. ITEM B-4 WAS PULLED FOR DISCUSSION. 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
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

B-5 Amendment No. 1 to Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc. for design services for shoulder paving and sidewalks

Recommendation: Adopt a Resolution Approving Amendments No. 1 to the Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc. (BCF) for Design Services for Shoulder Paving and Sidewalks (Report by Keith Helmuth)

RES 22-68 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT WITH BLAIR, CHURCH, AND FLYNN CONSULTING ENGINEERS, INC. (BCF) FOR DESIGN ENGINEERING FOR SHOULDER PAVING AND SIDEWALKS**

B-6 Agreement with Planet Bids, Inc. for Electronic Procurement Software

Recommendation: Adopt a Resolution Approving an Annual Software Services Agreement between the City and Planet Bids, Inc. for Electronic Procurement Software (Kingsley Okereke)

RES 22-69 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN ANNUAL SUPPORT SERVICE AGREEMENT BETWEEN THE CITY OF MADERA AND PLANETBIDS FOR COST EPROCUREMENT SOFTWARE IN THE AMOUNT OF \$5,875.00 FOR THE FIRST YEAR, \$6,021.88 FOR THE SECOND YEAR, \$6,172.42 FOR THE THIRD YEAR, \$6,326.73 FOR THE FOURTH YEAR, AND \$6,484.90 FOR THE FIFTH YEAR, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**

B-7 Amendment No. 2 to the City of Madera Transit System Procurement Guidelines

Recommendation: Adopt a Resolution Approving Amendment No. 2 to the City of Madera Transit System Procurement Guidelines, an Administrative Supplement to the City of Madera's Purchasing Policies and Procedures relating to the Leasing of FTA-assisted Assets to others for Transit Service (Report by Kingsley Okereke)

RES 22-70 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 2 TO THE CITY OF MADERA TRANSIT SYSTEM PROCUREMENT GUIDELINES, AN ADMINISTRATIVE SUPPLEMENT TO THE CITY OF MADERA'S PURCHASING POLICIES AND PROCEDURES RELATING TO THE LEASING OF FTA ASSISTED ASSETS TO OTHERS FOR TRANSIT SERVICE**

B-8 Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 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 22-71 **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**

B-9 Letter authorizing City Manager to act on behalf of the City of Madera in relation to signing the Official Claim Form for Excess Proceeds with the County of Madera

Recommendation: Approve a Minute Order Approving the letter Authorizing City Manager to act on behalf of the City in relation to signing the Official Claim Form for Excess Proceeds with the County of Madera (Report by Kingsley Okereke)

B-10 Agreement with CDM-Smith for Professional Engineering Services for the completion of design of Water Well 37, Project W-GW-001

Recommendation: Adopt a Resolution Approving an Agreement with CDM-Smith for \$50,312.00 for professional engineering services for the design of Water Well No. 37 Improvements, City Project No. W-GW-001 (Report by Keith Helmuth)

RES 22-72 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH COM-SMITH IN THE AMOUNT OF \$50,312.00 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF WATER WELL NO. 37, CITY PROJECT NO. W-GW-001**

C. PUBLIC HEARINGS: None

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS: None

E. ADMINISTRATIVE REPORTS:

E-1 Fiscal Year Budget 2022/2023 Presentation and Workshop

Recommendation: Presentation for Fiscal Year Budget 2021/2022, Council Review, Discuss and Provide Direction to Staff (Report by Kingsley Okereke)

Staff provided Council with an update on projected revenues for Fiscal Year Budget 2021-2022. This Item was informational only and required no specific action by Council.

E-2 Direction on future training opportunities for City Council and Community Engagement

Recommendation: Presentation, Council review, discuss and provide direction to staff (Report by Arnoldo Rodriguez)

Staff sought direction on trainings previously requested by Councilmembers. Hilda Cantu-Montoy City Attorney offered the following trainings for Council to consider: City Council Legal Powers & Obligations, Open Government and Conflicts of Interest, Governance and Success, Procedure for City Council Meetings, Land Use 101, CEQA Refresher, Public Hearings, and Relationship between Council, Manager and Staff.

Staff sought direction from Council on beginning a process to explore opportunities for civic engagement. The goal is to involve community members and offer a "Citizens Academy" in which residents can learn about the different aspects of local government. Suggestions for the informational sessions were City Governance for the Public, Citizens' Role in Meetings/Hearings, Public Engagement, Written Rules and Procedures for City Council Meetings and Events Policies and Protocols.

On the first item, Council would like to cover any and all trainings listed as time permits.

On the second item, Council expressed their approval in offering a Citizen's Academy for any residents who are interested in accessing the different governmental resources available to them.

E-3 Appointment of a 3rd Councilmember to Ad-Hoc Committee to participate in negotiations on a tax sharing agreement between the City and the County

Recommendation: Appoint a third Councilmember to serve on the Ad-Hoc Committee (Report by Arnoldo Rodriguez)

At the May 4, 2022 Council meeting, two Councilmembers were elected to serve on an Ad-Hoc Committee to negotiate tax sharing agreement with the County, with the possibility of adding an additional member pending agreement from the County. After the meeting, staff approached the County on the subject, and the County confirmed that it is agreeable with the additional appointment to the Committee.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, COUNCILMEMBER RODRIGUEZ IS APPOINTED AS THE THIRD COMMITTEE MEMBER, WAS APPROVED BY A 6/1 VOTE. NOES: MAYOR PRO TEM EVANS. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

NO: 1 - MAYOR PRO TEM EVANS

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.

Councilwoman Gallegos expressed her gratitude to Staff, police officers and firefighters who were present at the Riverview fire. Miracle Realty has set up a GoFundMe for both families affected by this fire.

Councilmember Montes voiced his sympathies to the families who lost their homes to the Riverview fire, and commended Fire and PD for their efforts. He also highlighted AB-1482 regarding rent protection and asked to involve all interested parties in the discussion in future meetings. He mentioned concerns on behalf of the Soccer Leagues of Madera which he would like to bring on the record at a future meeting.

Councilmember Rodriguez reviewed his meeting with Madera County Transportation Commission Steering Committee and their efforts to pass Measure T, which will provide funding that allows for road repairs. He also mentioned the "Walk the Trails" event at Town & Country Park and expressed his appreciation to Joseph Hebert and the PCS team for pursuing the funding and for executing this project. He expressed his sympathies to the families who were tragically affected by the Riverview Fires and thanked fire fighters and police officer who were there protecting the community. Lastly, Councilmember Rodriguez confirmed that the City and its partners have secured enough funding to finance a fireworks show for the public to enjoy for the 4th of July celebration.

Mayor Pro Tem Evans acknowledged Joseph Hebert and the Parks Staff for coordinating the reopening of the Frank Bergon Senior Center. She also highlighted the Madera County Law Enforcement Memorial Ceremony held on May 17th honoring local Madera County peace officers who gave their lives protecting our community. She also thanked Staff and first responders for their help covering the Riverview fire.

Councilwoman Mejia had nothing to report.

Councilmember Villegas conveyed his sympathies to the families who lost their homes and thanked the fire department and surrounding area responders for their responsiveness in the Riverview fire.

Mayor Garcia recognized citizens in attendance for voicing their frustrations and concerns and thanked the City Manager for securing an emergency verbal approval from the California Department of Fish and Wildlife to clean up the Fresno River.

G. CLOSED SESSION:

G-1 Liability Claim Pursuant to Section §54956.95

Agency Claimed Against: City of Madera

Claimant: David Davis

City Attorney Hilda Cantu Montoy made the closed session announcement at 8:28 p.m.

Council returned from Closed Session at 8:49 p.m. with all members of the Council present.

City Attorney announced City Council rejected the claim with a 7/0 vote.

ADJOURNMENT: Meeting was adjourned at 8:50 p.m.

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

