

Item:	B-1
Minutes for:	11/02/2022
Adopted:	02/01/2023

Minutes of a Regular Meeting of the Madera City Council

November 2, 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: 811 4179 2607#. 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
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Elsa Mejia, District 5 (Zoom then arrived at 6:27 p.m.)
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, Community Development Director Will Tackett, Interim Director of Financial Services Kingsley Okereke, Division Fire Chief Matt Watson, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Interim Public Works Director Jamie Hickman, Grant Program Manager David Huff, Wastewater Treatment Plant Manager Gabriel Bostan, and Communication Specialist Joseph Carrello.

INVOCATION: Pam Grewal, Madera Sikh Temple

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, 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**

**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.

Kirk Atamian submitted Public Comment. He brought to the Council's attention the issue of trucks parking on Highway 145 between Avenue 12½ and Avenue 13. If this issue is not addressed, they become a homeless camp, etc.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Proclamation Recognizing November as Lung Cancer Awareness Month
2. California Low-Cost Auto Insurance (Presentation by Richie M. Sayavong, California Department of Insurance)

INTRODUCTIONS: None

A. WORKSHOP:

A-1 Brown Act Workshop and Future Governance Presentations

Recommendation: Receive a presentation from the City Attorney focusing on the Brown Act and outlining future governance presentations; provide direction to City Attorney and City Manager regarding future governance presentations (Report by Hilda Cantu Montoy)

No Public Comment was presented. Public Comment was closed.

A-2 Discussion and Direction Regarding Developer Request to Add a Rolled Curb Standard to the City of Madera Standard Plans and Specifications

Recommendation: This report is submitted for Discussion and Direction regarding Developer Request to Add a Rolled Curb Standard to the 2005 City of Madera Standard Plans and Specifications (Standards) (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM A-2 TO HAVE A TWO (2) YEAR ROLLED CURB STANDARD WITH MITIGATION INCLUDING ANY LANDSCAPE CODE AMENDMENTS FAILED BY A 3/4 VOTE. NOES: MAYOR PRO TEM EVANS, COUNCILMEMBER MEJIA, COUNCILMEMBER VILLEGAS AND MAYOR GARCIA. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION FAILED WITH THE FOLLOWING VOTE:

**YES: 3 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES**

**NO: 4 - MAYOR PRO TEM EVANS
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

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 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – July 6, 2022, July 18, 2022, July 20, 2022

Recommendation: Approve the City Council Minutes of 7/6/22, 7/18/22, 7/20/22

B-2 Informational Report on Register of Audited Demands for October 8, 2022 to October 21, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Acceptance of Memorial Monuments at Thaddeus Sran Playground at Centennial Park and Harlen and Sharon Rippetoe Horseshoe complex at Rotary Park

Recommendation: Approve Minute Order Approving

- 1) Acceptance of the Construction of Memorial Monuments at Centennial Park and Rotary Park; 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 Joseph Hebert)

B-4 Re-appropriate Prior Year (FY 2021/22) Unused Community Development Block Grant (CDBG) Budget Allocation to the General Fund for Parks Senior Nutrition and Recreation Program

Recommendation: Adopt a Resolution Approving Reinstatement of Prior Year (FY2021/22) unused/unspent CDBG Public Service Funds Allocated to the General Fund in the amount of \$32,500, and Re-appropriate this same amount in the FY 2022/23 budget to the Parks and Community Services CDBG Senior Nutrition and Recreation Program (Report by Kingsley Okereke)

RES 22-180 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE REINSTATEMENT OF PRIOR YEAR (FY 2021/22) UNUSED/UNSPENT CDBG PUBLIC SERVICE FUNDS ALLOCATED TO THE GENERAL FUND IN THE AMOUNT OF \$32,500, AND REAPPROPRIATION OF THIS SAME AMOUNT IN THE FY 2022/23 BUDGET

TO THE PARKS AND COMMUNITY SERVICES CDBG SENIOR NUTRITION AND RECREATION PROGRAM

B-5 Consideration of a Request by Ramona Alvarez for Connection to the City's Water System

Recommendation: Adopt a resolution Approving Agreement for Outside City Limits Water Connection for 16164 Road 26 (APN 038-110-027) (Report by Keith Helmuth)

RES 22-181 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 16164 ROAD 26 (APN 038-110-027)

B-6 Consideration of a Request by Ramona Alvarez for Connection to the City's Water System

Recommendation: Adopt a Resolution Approving Agreement for Outside City Limits Water Connection for 16248 Road 26 (APN 038-110-026) (Report by Keith Helmuth)

RES 22-182 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 16248 ROAD 26 (APN 038-110-026)

B-7 Acceptance and Appropriation of the Federal Transit Administration (FTA) Grant Awards for Section 5307 and 5339 funds for Procurement of Four Gas Transit Vehicles

Recommendation:

- 1) Adopt a Resolution Amending the 2022/23 Budget to Appropriate the FTA Section 5307 and 5339 awarded grant funds in the FY 2022/23 Transportation Fixed Rout Revenue and Fixed Route Outlay Revenue Account; and
- 2) Adopt a Resolution Authorizing the Procurement of Transit Vehicles Utilizing Federal Transit Administration FTA Section 5307 Program Funds in the amount of \$689,053 and Section 5339 Program Funds in the amount of \$161,386 (Report by Kingsley Okereke)

A resolution for (2) was not included as part of the staff report. The first resolution included the information in (2), so there is only one resolution.

RES 22-183 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE 2022/23 BUDGET TO APPROPRIATE THE FTA SECTION 5307 AND 5339 AWARDED GRANT FUNDS IN THE FY22/23 TRANSPORTATION FIXED ROUTE REVENUE ACCOUNT (21295300 - 4421) AND MAX OUTLAY REVENUE ACCOUNT (21295500-4423) AND AUTHORIZING THE PROCUREMENT OF TRANSIT UTILIZING FEDERAL TRANSIT ADMINISTRATION (FTA SECTION 5307 PROGRAM FUNDS (\$689,053) AND SECTION 5339 PROGRAM FUNDS (\$161,386)

C. PUBLIC HEARINGS:

C-1 Public Hearing Regarding Annexation No. 13 (Tract 21-S-02 & S1-S-03/TSM 2020-04 Vineyard Estates Subdivision) into Community Facilities District No. 2005-1 (Public Services) Under the Mello Roos Community Facilities Act of 1982 and Related Actions

Recommendation:

- 1) Hold the Public Hearing; and

- 2) Adopt a Resolution Authorizing Annexation (Annexation No. 13) of Territory to Community Facilities (CFD) District No. 2005-1; Authorizing the Levy of a Special Tax; and Submitting the Levy of Tax to the Qualified Electors; and
- 3) Conduct the Election of the Qualified Electors of Annexation No. 13; and
- 4) Adopt a Resolution Making Certain Findings, Declaring and Certifying the Results of an Election, Adding the Territory Identified as Annexation No. 13 to CFD 2005-1 (Public Services), Annexation No. 13. (Report by Will Tackett)

ON MOTION BY MAYOR GARCIA AND SECONDED BY MAYOR PRO TEM EVANS, TO CONTINUE ITEM C-1 TO THE NOVEMBER 16TH COUNCIL MEETING WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

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

D-1 Amendment No. 1 to the Consultant Services Agreement Between the City and QK, Inc.

Recommendation: Adopt a Resolution Approving Amendment No. 1 to the Consultant Services Agreement between the City of Madera and QK, Inc. to Increase the Total Compensation for Services Allowable Under the Agreement from \$50,000 to \$65,000 (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 22-184 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF MADERA AND QK, INC.

D-2 Utilization of Three-Party Agreements for Professional Environmental Consultation Services

Recommendation: Adopt a Resolution Approving a Program for the City of Madera's Use of Three-Party Agreements for Purposes of Providing Professional Environmental Consultation Services for Projects (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

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

RES 22-185 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A PROGRAM FOR THE CITY OF MADERA'S USE OF THREEPARTY AGREEMENTS FOR PURPOSES OF PROVIDING PROFESSIONAL ENVIRONMENTAL CONSULTATION SERVICES FOR PROJECTS

D-3 Actions related to Reimbursement to Developer for Almond Park Improvements

Recommendation: Adopt a Resolution Approving Reimbursement to Joseph Crown Construction and Development for Almond Park (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-3 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 22-186 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING REIMBURSEMENT TO JOSEPH CROWN CONSTRUCTION DEVELOPMENT INC. FOR ALMOND PARK IMPROVEMENTS

E. ADMINISTRATIVE REPORTS:

E-1 Parks & Community Services Department FY 2022-23 Planned Improvement Projects

Recommendation: This report is submitted to provide the City Council an informational report on the status of the Parks & Community Services Department FY 2022-23 Planned Improvement Projects (Report by Joseph Hebert)

E-2 Appoint Councilmembers for the PG&E Working Group

Recommendation: Per Minute Order, appoint up to three Councilmembers to represent the City for the PG&E Working Group (Report by Arnoldo Rodriguez)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM E-2 TO APPOINT COUNCILMEMBERS RODRIGUEZ, GALLEGOS AND MEJIA TO THE AD-HOC WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: 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 congratulated Interim Parks & Recreation Director Joseph Hebert and his team for their hard work, particularly with the various recreation programs planned for residents. She mentioned the upcoming Veterans Day holiday and saluted all Veterans and armed forces members for their service.

Councilmember Montes thanked the community for hosting various Halloween events and highlighted the Día De Los Muertos event. He mentioned rolled or wedge curbs and requested front yard standards be included at a future meeting.

Councilmember Rodriguez reminded the public of mid-term elections and encouraged all residents to vote.

Mayor Pro Tem Evans thanked the Madera County Juvenile Services Division for inviting the City to participate in their Trunk or Treat event. She mentioned the Crunch with the Councilwoman event in which she engaged students from James Monroe Elementary to discuss local government. She stated she helped judge the Madera Community Hospital Halloween costume contest.

Councilwoman Mejia thanked those who attended and supported the Día De Los Muertos event. She expressed gratitude to Senator Anna Caballero for her support and advocacy for the \$5 million being awarded for the Pecan Avenue Sewer Line Project.

Councilmember Villegas had nothing to report.

Mayor Garcia thanked Dr. Angel Reyna, President of Madera Community College, for inviting him to the President's State of the College Breakfast and discussing the latest developments involving the campus and students. He mentioned attending a press conference hosted by the Madera County Sheriff concerning a coordinated effort by local law enforcement agencies that led to the arrest of 28 suspects for drug trafficking. This represents the largest drug bust in Madera County.


G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 9:20 p.m.

UPCOMING MEETING DATES:

- Wednesday, November 16, 2022
- Wednesday, December 7, 2022


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

