

Item:	B-1
Minutes for:	02/01/2023
Adopted:	04/05/2023

Minutes of a Regular Meeting of the Madera City Council

February 1, 2023
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: 850 0276 0321#. 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 Elsa Mejia, District 5 (Zoom)
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy (Zoom), City Engineer Keith Helmuth, Interim Director of Financial Services Joy Canfield, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Works Director Jamie Hickman, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Matt Bullis, Wastewater Treatment Plant Manager Gabriel Bostan, and Communication Specialist Joseph Carrello.

INVOCATION: Joyce Lane, Glory of Zion Ministries

PLEDGE OF ALLEGIANCE: Fire Battalion Chief Ralph Duran

APPROVAL OF AGENDA:

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

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

Joshua Babcock, Field Representative for Congressman John Duarte took a moment to introduce himself and invited all elected officials in Madera to meet and discuss priorities for the City and establish a working relationship.

David Ortiz spoke on behalf of closing off Hazel Avenue and turning the area into a botanical garden.

Will Mask spoke on behalf of Dolores Huerta Day. He would like the City of Madera to co-op the event. He also mentioned that Council is invited to another community event on March 23rd where they focus on women and women's history month. They want to highlight professional women in the community.

A community member that remained anonymous wanted to know what the hold up was on the barricade at Hazel Avenue. Mayor Garcia asked him to wait and make comments until that item was presented later during the meeting.

Cynthia Ortegon with the Madera ADA Advisory Council spoke on the issue of non-working elevators at Yosemite Manor. She stated this is a fire and safety hazard and asked who had the authority to inspect the site.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: 1. Proclamation Recognizing February as Black History Month

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 MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS,
THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE.
ABSENT: NONE. ABSTAIN: NONE.**

MOTION WAS PASSED WITH THE FOLLOWING VOTE:

YES: 7 –
COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES

**COUNCILMEMBER EVANS
MAYOR PRO TEM MEJIA
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

B-1 Minutes – November 2, 2022

Recommendation: Approve the City Council Minutes of November 2, 2022 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for January 7, 2022 to January 20, 2023 (Report by Joy Canfield)

B-3 Amendment to the Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2022/23

Recommendation: Adopt a Resolution Approving the Amendment to the Applications for TDA– LTF and STA Funds for FY 2022/23 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

RES 23-08 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) 2022/23 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE AND SUBMIT THE APPLICATIONS TO MADERA COUNTY TRANSPORTATION COMMISSION (MCTC)

C. PUBLIC HEARINGS:

C-1 Public Hearing on Annual Report on Development Impact Fees for the 2021-2022 Fiscal Year

Recommendation: Conduct a Public Hearing and Approve a Resolution Adopting the Annual Report on Development Impact Fees (AB 1600) for FY 21-22 and Making Findings Regarding the Continued Need for Certain Development Impact Fees (Report by Joy Canfield)

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

MOTION WAS PASSED WITH THE FOLLOWING VOTE:

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

RES 23-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING THE ANNUAL REPORT ON DEVELOPMENT

IMPACT FEES (AB 1600) FOR FY 2021-2022 AND MAKING FINDINGS
REGARDING THE CONTINUED NEED OF CERTAIN DEVELOPMENT
IMPACT FEES

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

D-1 Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Ratifying Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Arnoldo Rodriguez)

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

MOTION WAS PASSED WITH THE FOLLOWING VOTE:

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

RES 23-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RATIFYING DECLARATION PROCLAIMING THE EXISTENCE THE EXISTENCE OF A LOCAL EMERGENCY - JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

E. ADMINISTRATIVE REPORTS:

E-1 Mayor's Appointments to Outside Boards

Recommendation: Approve a Minute Order Approving the Mayor's Appointments to Outside Boards, Commissions, and Committees (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM E-1 WAS APPROVED UNANIMOUSLY 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
COUNCILMEMBER EVANS
MAYOR PRO TEM MEJIA
COUNCILMEMBER VILLEGAS
MAYOR GARCIA

E-2 Temporary Barricade Along Hazel Avenue

Recommendation: This report is submitted for informational purposes only, and no action is requested from City Council (Council) at this time (Report by Arnoldo Rodriguez)

David Ortiz spoke on behalf of closing off Hazel Avenue and turning the area into a botanical garden.

A community member that remained anonymous spoke on behalf of closing off Hazel Avenue.

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

E-3 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #1

Recommendation: This report is submitted as an update to the January 18 City Council (Council) meeting made a finding of an emergency relating to sewer failures on the sewer main at Avenue 13 and Granada Drive, affirming the emergency actions taken by the City Manager to make emergency repairs on the sanitary sewer main, and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main (Report by Keith Helmuth)

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 condolences to the Selma Police Department, the family and friends of Officer Gonzalo Carrasco Jr. who was killed in the line of duty on Tuesday, January 31st.

Councilmember Montes thanked staff for all the work that is currently being done in different areas of the City. He offered his condolences to the Selma Police Department and the family of Officer Gonzalo Carrasco Jr. He expressed his appreciation to our own Madera Police Department for protecting their community despite the dangers our officers face daily. Councilmember Montes stated that he participated in the Point in Time (PIT) count with the Fresno/Madera Continuum of Care and articulated the importance of community involvement for the purpose of obtaining data that could be used to benefit homelessness programs and services in our community.

Councilmember Rodriguez congratulated the many new businessowners who have recently opened their ventures in Madera, including the owners of Rio Acai Bowls and Waxology. He reported that he met with staff regarding the State Route 145 and that the California Transportation Commission may host a meeting in the Central Valley. He requested that in a future meeting, staff bring before Council an item concerning Reconnecting Communities: Highways to Boulevards Program.

Councilwoman Evans welcomed Rio Acai Bowls to the community. She stated that she visited the residents of Yosemite Manor who were temporarily without elevator services. She expressed her condolences to the family of a deceased woman who was discovered in the Fresno River when the water flow recently receded.

Mayor Pro Tem Mejia mentioned that she began Water Education for Leaders, a selective 6-month program which provides elected officials with resources to make an impact on local water policy while focusing on the individual challenges in their communities. She was also in attendance at the League of California Cities New Councilmembers Academy. Mayor Pro Tem Mejia congratulated the owners of a new business, El Epazote restaurant. She offered her condolences to the family of Selma Officer Carrasco. She expressed her approval for the City honoring Black history month and emphasized the need for acknowledging the contributions of African Americans in our community.

Councilmember Villegas mentioned his appreciation for being invited to the Martin Luther King Jr. Day celebration and the Pequeños Empresarios event and noted them as particularly inspiring.

Mayor Garcia requested that the Council consider supporting Madera Community College in honoring Dolores Huerta, an influential labor rights and civil rights activist who co-founded what is now the United Farm Workers Association. This item will return to a future meeting.

G. CLOSED SESSION:

G-1 Conference with Real Property Negotiators - Pursuant to Government Code §54956.8

Property: 1 Parcel

City of Madera APN: 038-030-028

City Negotiators: Keith Helmuth, City Engineer

Negotiating Parties: Francisco A. & Antonia H. Holguin

Under Negotiation: Price and Terms

G-2 Conference with Real Property Negotiators - Pursuant to Government Code §54956.8

Property: 1 Parcel

City of Madera APN: 038-100-008 & 009

City Negotiators: Keith Helmuth, City Engineer

Negotiating Parties: Valley West Christian Center

Under Negotiation: Price & Terms

G-3 Public Employee Performance Evaluation - Pursuant to Government Code §54957(b)(1)

Title: City Manager

City Attorney Hilda Cantu Montoy made the closed session announcement at 7:41 p.m.

Ms. Cantu Montoy and Council returned from Closed Session at 8:15 p.m. with all members of Council present.


Ms. Cantu Montoy stated the performance evaluation on the City Manager has been concluded. She stated there is an Ad-Hoc Committee comprised of Mayor Pro Tem Mejia and Councilmember Montes who will be working with the City Manager on terms and conditions.

ADJOURNMENT: Meeting was adjourned at 8:17 p.m.

UPCOMING MEETING DATES:

- Wednesday, February 15, 2023
- Wednesday, March 1, 2023


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

