

Item:	B-1
Minutes for:	02/15/2023
Adopted:	04/19/2023

Minutes of a Regular Meeting of the Madera City Council

February 15, 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: 820 6768 8175#. 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
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2 (Arrived at 6:07 p.m.)
Councilmember Steve Montes, District 3 (Arrived at 6:02 p.m.)
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, City Engineer Keith Helmuth, Fire Battalion Chief Ralph Duran, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, IS Manager Mark Souders, 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, Deputy City Engineer Randy Bell, Administrative Analyst (Parks) Gabriela Salazar, Financial Services Manager Anthony Forestiere, Parks Supervisor Hector Sanchez and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Evans

PLEDGE OF ALLEGIANCE: Michael Pistoresi

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, 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.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

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

B-1 Minutes – November 16, 2022

Recommendation: Approve the City Council Minutes of November 16, 2022 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for January 21, 2023 to February 3, 2023 (Report by Anthony Forestier)

B-3 Informational Report on Personnel Activity

Recommendation: This report is submitted for informational purposes only and there is no action requested from City Council (Report by Wendy Silva)

B-4 Informational Report on Contract City Attorney Services and Litigation Expenditures

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

B-5 Community Development Block Grant (CDBG) McNally Park Project 2022-2023 Agreement

Recommendation: Adopt a Resolution Approving the City of Madera Parks Department Subrecipient Agreement for the Allocation of Funds towards McNally Park in the amount of \$609,307 (Report by Anthony Forestiere)

RES 23-12 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2022/23 COMMUNITY DEVELOPMENT

BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$609,307)
WITH CITY OF MADERA, PARKS & COMMUNITY SERVICES

B-6 Rescinding Resolution 20-30 Proclaiming a Local Emergency within the City due to COVID-19

Recommendation: Adopt a Resolution Rescinding Resolution No. 20-30 Proclaiming a Local Emergency within the City due to COVID-19 (Report by Alicia Gonzales)

RES 23-13 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA RESCINDING RESOLUTION NO. 20-30 AND THEREBY TERMINATING THE PROCLAMATION OF A LOCAL EMERGENCY RELATED TO COVID-19 AND CERTAIN RELATED EMERGENCY POLICIES ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES AND RATIFIED BY THE CITY COUNCIL

C. PUBLIC HEARINGS: None

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

D-1 Clean California State Beautification Program – Madera Block Wall Enhancement Project Update

Recommendation: Adopt Resolutions:

- 1) Approving Transportation Arts Agreement between the Department of Transportation (Caltrans) and the City for the Madera Block Wall Enhancement Project in the amount of \$100,000; and
- 2) Approving Memorandum of Understanding between the City and Madera County Arts Council for the Madera Block Wall Enhancement Project; and
- 3) Establishing Arts Selection Committee and Appointing Council Member to Arts Selection Committee (Report by Joseph Hebert)

Mr. Montes commented that bushes have a tendency to attract the homeless and trash. He stated that planting vines may be a better option.

DJ Becker stated that oleanders are flammable, and the smoke is toxic and hazardous.

No further public comment was presented. Public comment was closed.

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

RES 23-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE TRANSPORTATION ART AGREEMENT IN THE AMOUNT OF \$100,000 BETWEEN THE CITY AND CALTRANS

RES 23-15 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN CITY AND THE MADERA COUNTY ARTS COUNCIL

RES 23-16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ESTABLISHING AN ARTS SELECTION COMMITTEE AND APPOINTING A REPRESENTATIVE COUNCIL MEMBER TO THE ARTS SELECTION COMMITTEE, AS IT PERTAINS TO THE MADERA BLOCK WALL ENHANCEMENT PROJECT

D-2 Amendment No. 1 to the Landscape Maintenance Services for the Downtown District, Certain Facilities, and Median Islands Agreement with EMTS Inc.

Recommendation: Adopt a Resolution Approving Amendment No. 1 to the Landscape Maintenance Services for the Downtown District, Certain City Facilities, and Median Islands Agreement with EMTS, Inc. (Report by Joseph Hebert)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-2 WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF MADERA AND EMTS INC. FOR LANDSCAPE MAINTENANCE SERVICES FOR THE DOWNTOWN DISTRICT, CERTAIN CITY FACILITIES, AND MEDIAN ISLANDS

E. ADMINISTRATIVE REPORTS:

E-1 Acceptance of the Audited Financial Statements for the Fiscal Year ended June 30, 2022

Recommendation: It is recommended City Council accept of Audited Financial Statements for Fiscal Year ended June 30, 2022 (Report by Anthony Forestiere)

E-2 Update on Temporary Barricade Along Hazel Avenue

Recommendation: This item is for informational purposes only. (Report by Jamie Hickman)

E-3 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #2

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

E-4 Yosemite Avenue Improvement Grant Opportunities

Recommendation: This report is submitted for City Council (Council) consideration of options in the pursuit of grants used to fund certain improvements presented in the State Route 145 Yosemite Avenue as Downtown Main Street Plan (Plan) (Report by Keith Helmuth)

DJ Becker of the ADA Committee spoke on behalf of having crosswalk lighting.

No further public comment was presented. Public comment was closed.

E-5 Update on Video Conferencing of Brown Act Meetings of City Council and City Boards, Commissions, and Committees

Recommendation: This is an informational report only. It summarizes that after February 28, 2023, the Council will not be able to continue to adopt Reauthorizing Resolutions to allow for videoconferencing under AB 361 for the Council and its Boards, Commissions, and Committees. It also summarizes the Brown Act Traditional Rules for

videoconferencing and new AB 2449 rules for limited videoconferencing (Report by Hilda Cantu Montoy)

E-6 City Contribution towards the Madera County Economic Development Commission (EDC) for Fiscal Year 2022/23 in the amount of \$ 181,437.86

Recommendation: The EDC recommends the City Council Adopt a Minute Order Approving the 2023/24 Basic Service Level Budget as Submitted (Report by Darren Rose, EDC Executive Director)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-6 WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

E-7 Consideration regarding the proposed Dolores Huerta Day a Community Event in Partnership with Madera Community College

Recommendation: This item is being brought for consideration and direction at the request of the City Council (Report by Arnoldo Rodriguez)

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 requested support for Staff to develop a policy for City-sponsored events for the future. She highlighted the Annual Curbside Cleanup Event that begins February 20th. Councilmember Gallegos mentioned Senate Bill 1383 which requires separate disposal of organic waste and encouraged the public to request a free organic compost bin from Mid Valley Disposal.

Councilmember Montes had nothing to report.

Councilmember Rodriguez recognized Staff and the public for their attendance and participation in the meeting.

Councilmember Evans highlighted the Black History Month celebration on February 19, 2023 at McNally Park. She mentioned that the African American Historical Museum is holding their Trailblazers Awards on February 24, 2023 in which she will be honored as a 2023 Trailblazer.

Mayor Pro Tem Mejia noted an increase in mattress dumping in town, so she encouraged the public to access www.buybuymattress.com to find out ways to discard unused mattresses. She also mentioned that Madera County is hosting a "Dump Day" event on March 11, 2023 at the Fairmead Landfill.

Councilmember Villegas had nothing to report.

Mayor Garcia reported a new addition to his family; a puppy named Hercules.

G. CLOSED SESSION:

G-1 Conference with Labor Negotiators - Pursuant to Government Code §54957.6

Agency Designated Representatives: Mayor Pro Tem Mejia and Councilmember Montes
Unrepresented Employee: City Manager

City Attorney Hilda Cantu Montoy made the closed session announcement at 10:08 p.m.

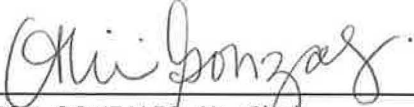
Council returned from Closed Session at 10:39 p.m. with all members of Council present.

City Manager Arnoldo Rodriguez stated there was no reportable action.


ADJOURNMENT: Meeting was adjourned at 10:30 p.m.

UPCOMING MEETING DATES:


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



ALICIA GONZALES, City Clerk



SANTOS GARCIA, Mayor



MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

