



Item:	B-1
Minutes for:	04/05/2023
Adopted:	05/17/2023

Minutes of a Regular Meeting of the Madera City Council

April 5, 2023
6:00 p.m.

Council Chambers
City Hall

The Madera City Council meetings are 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: 879 0131 0546#. 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 (Arrived at 6:03 p.m.)
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, Chief Building Official Rafael Magallan, Community Development Director Will Tackett, Financial Services Manager Anthony Forestiere, 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, Assistant Engineer Jonathan Gramajo and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Anita Evans

PLEDGE OF ALLEGIANCE: Councilmember Gallegos

Mayor Garcia skipped to Public Comment and heard the first comment. He then addressed the approval of the agenda.

APPROVAL OF AGENDA:

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

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.

Pam Grewal representing Madera American Little League stated that they are fundraising utilizing the Madera Municipal Golf Course and just found out that the City of Madera owns the golf course. Ms. Grewal asked Council for a reduction in rental fees of the golf course so that they can put that money back into the community. She handed flyers regarding the fundraiser to City Clerk Alicia Gonzales for distribution to Council. Ms. Grewal indicated that she can be reached regarding her request by using the contact information on the flyer.

Arturo Martinez, Jr. introduced himself as a District Representative currently filling in for Joyce Dale in the office of Senator Anna M. Caballero. He asked Council to contact him if they had any questions. He handed business cards to City Clerk Alicia Gonzales for distribution to Council.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

INTRODUCTIONS: 1. Rafael Magallan, Chief Building Official

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

B-1 Minutes – February 1, 2023, and February 8, 2023

Recommendation: Approve the City Council Minutes of February 1, 2023, and February 8, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for March 4, 2023 – March 24, 2023 (Report by Anthony Forestiere)

B-3 Second Reading and Adoption of an Ordinance Updating Prima Facie Speed Limits on Designated City Streets

Recommendation: Waive the Full Reading and Adopt an Ordinance Amending Section 3-5.08 of Chapter 5 of Title 3 of the Madera Municipal Code to Update Prima Facie Speed Limits on City Streets (Report by Keith Helmuth)

ORD 997 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SECTION 3-5.08 OF CHAPTER 5 OF TITLE III OF THE MADERA

MUNICIPAL CODE RELATING TO INCREASING STATE SPEED LIMIT IN CERTAIN ZONES

B-4 Designation of Applicant's Agents for Federal Disaster Assistance and Grant Assistance

Recommendation: Adopt a Resolution Designating the City Manager, Director of Financial Services, Director of Human Resources, and Administrative Analyst (Human Resources) to act as Applicant's Agents on behalf of the City of Madera with the California Governor's Office of Emergency Services for a period of three years from the date of approval (Report by Wendy Silva)

RES 23-34 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DESIGNATING APPLICANT'S AGENTS TO ACT ON BEHALF OF THE CITY OF MADERA WITH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

B-5 Consideration of a Request by Filogonio Santiago and Isabel Perez for Connection to the City's Water System

Recommendation: Adopt a Resolution Approving an Agreement for Outside City Limits Water Connection for 26475 and 26479 Ellis Street (APN 038-070-010) (Report by Keith Helmuth)

RES 23-35 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 26475 ELLIS STREET AND 26479 ELLIS STREET (APN 038-070-010)

B-6 Letter of Support for Valley Children's Hospital

Recommendation: As the Letter of Support was provided at the time of request, this report is for informational purposes only; therefore, no action is being requested of Council (Report by Arnolando Rodriguez)

B-7 California Department of Resources Recycling and Recovery (CalRecycle) Tire Amnesty Grant Application

Recommendation: Adopt a Resolution Authorizing the submittal of grant applications to CalRecycle for the Local Government Waste Tire Amnesty Grant Program for a period of five years (Report by Dino Lawson)

RES 23-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO CALRECYCLE FOR THE LOCAL GOVERNMENT WASTE TIRE AMNESTY GRANT FOR A PERIOD OF FIVE YEARS

C. PUBLIC HEARINGS:

C-1 Public Hearing on the Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan Funding Allocation

Recommendation: Conduct the Public Hearing and, by Motion, Approve Tentative Allocations for the CDBG 2023/24 Action Plan in the amount of \$981,730 plus the reallocation of \$242,761.46 to Capital Projects/Public Improvements (Report by Anthony Forestiere)

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

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER EVANS, ITEM C-1 ADMINISTRATION TABLE 1 WITH ALLOTTED MAXIMUM WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER EVANS, ITEM C-1 PUBLIC SERVICES TABLE 3 TO INCLUDE \$25,000 TO REALTORS WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

Mayor Garcia called for a short recess at 7:32 p.m. Meeting reconvened at 7:39 p.m.

C-2 Initiation of Proceedings for the Annexation of the 22-S-02/TSM 2017-02 Subdivision into Community Facilities District No. 2005-1

Recommendation: Adopt a Resolution Declaring Its Intention to Annex Territory (22-S-02/TSM 2017-02 Subdivision) to Community Facilities District (CFD) No. 2005-1 (Public Services), to Authorize the Levy of Special Tax Therein, and Setting Public Hearing (Annexation 14) (Report by Will Tackett)

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

RES 23-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (22-S-02 /TSM 2017-02 SUBDIVISION) TO THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES), TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, AND SETTING PUBLIC HEARING (ANNEXATION NO. 14)

C-3 Repeal of Outdated Section 10-3.419 of the Madera Municipal Code, Telecommunications Towers, Antennas and Structures (OTA 2022-02)

Recommendation: Conduct a Public Hearing, Waive Full Reading, and Introduce Regulatory Ordinance (i) Repealing Section 10-3.419 of Title X, Chapter 3 of the Madera Municipal Code Relating to Telecommunications Towers, Antennas and Structures and (ii) Finding the Ordinance is not a Project Subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378, and alternatively, exempt from CEQA under CEQA Guidelines 15061(b)(3)(Common Sense) (Report by Will Tackett)

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

C-4 The Arc Fresno/Madera Counties Project General Plan Amendment (GPA 2022-03), Prezone, (REZ 2022-02), Annexation (ANX 2022-03), and Negative Declaration (ENV 2022-03)

- Recommendation** Conduct a public hearing and then consider the following:
1. Adoption of a Resolution adopting ENV 2022-03 (Negative Declaration) and approving GPA 2022-03 for The Arc Fresno/Madera Counties Project; and
 2. Waive full reading and introduce an Ordinance of the City Council approving REZ 2022-02 amending the official City of Madera Zoning Map to prezone the approximately 242 acres "Arc Annexation Area" generally bound by Martin Avenue on the north, North D Street on the East, Adell and Ellis Streets on the south, and the existing United States Bureau of Reclamation Canal and Road 26 (Report by Will Tackett)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER EVANS, ITEM C-4 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-38 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING ENV 2022-03 (NEGATIVE DECLARATION) AND APPROVING GPA 2022-03 FOR THE ARC FRESNO/MADERA COUNTIES PROJECT

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

D-1 Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for the purchase of a new Type 1 Fire Engine

- Recommendation:** Adopt a Resolution Approving the Fire Department to Apply for a Grant to Purchase a new Type 1 Fire Engine (Report by Justin Macomb)

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

RES 23-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING MADERA CITY FIRE TO APPLY FOR A SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT EMERGENCY VEHICLE REPLACEMENT GRANT AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF MADERA

D-2 Amendment to City Manager At-Will Employment Agreement

- Recommendation:** This report has been prepared at the direction of the City Council (Council); therefore, there is no staff recommendation provided. Council is asked to consider and determine whether to adopt the Resolution approving a Fourth Amendment to the City Manager At-Will Employment Agreement (Report by Wendy Silva)

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

RES 23-40

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING A FOURTH AMENDMENT TO THE CITY MANAGER AT-WILL
EMPLOYMENT AGREEMENT

D-3 Approval of Additional National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS

Recommendation:

1. Approve Settlement Agreements and Participation Forms for the City's participation in the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.
2. Approve the California State-Subdivision Agreements Regarding Distribution and Use of Settlement Funds relating to the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.
3. Adopt a Resolution approving and authorizing the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS, including signing necessary documents and transmittal thereof as necessary, as it pertains to these and all future settlements (as necessary and applicable) through the National Opioid Settlements process.

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

RES 23-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE CITY OF MADERA TO ENTER INTO THE MASTER SETTLEMENT AGREEMENTS WITH CVS, ALLERGAN, TEVA, WALMART, AND WALGREENS (INCLUDING THE RELATED PARTICIPATION AGREEMENTS); AGREE TO THE TERMS OF THE RELATED STATE-SUBDIVISION AGREEMENTS AND AUTHORIZE ENTRY INTO THE RELATED STATE-SUBDIVISION ALLOCATION AGREEMENTS WITH THE ATTORNEY GENERAL; AND AUTHORIZING THE CITY MANAGER TO CARRY OUT FURTHER RELATED ACTS

E. ADMINISTRATIVE REPORTS:**E-1 Informational Report on the City's Cannabis Program**

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

E-2 Rental Housing Inspection Program Update

Recommendation: This report is submitted for informational purposes only, and no action is requested from the City Council (Report by Dino Lawson)

E-3 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #5

Recommendation: This report is submitted for informational purposes only, and no action is requested from the City Council (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.

Councilmember Gallegos commended Parks and Community Services Director Joseph Hebert and Police Chief Dino Lawson on a successful Easter event. She thanked the Planning Commissioners for attending the League of California Cities Conference. Councilmember Gallegos stated she attended a Madera County Board Meeting and it was difficult to follow the Zooming, so she thanked City Manager Arnolando Rodriguez and staff for making the City of Madera Council meetings more accessible for residents and viewers. Councilmember Gallegos reminded everyone in attendance of the upcoming Relay for Life event in May. She asked the public to partner with the City in reporting illegal activities occurring at parks and around town, such as graffiti and vandalism.

Councilmember Montes thanked the American Little League for inviting him to participate in their opening day. He expressed appreciation for the Parks and Community Services Department who hosted a very successful Community Cleanup Day event. He also mentioned other events such as Stop the Hate and the Madera Police Officers Association's Easter Egg Hunt. Councilmember Montes asked for an update on PLHA (Permanent Local Housing Allocation) activities being facilitated by the City in response to securing low-income housing.

Councilmember Rodriguez stated there was nothing to report.

Councilmember Evans thanked the Engineering Department for the new stop sign on Lake Street and Sherwood Way, near James Monroe Elementary. She mentioned her enjoyment in attending the recent event honoring Dolores Huerta. She and Councilmember Villegas traveled to Washington D.C. to represent the City at the NAHRO (National Association of Housing and Redevelopment Officials) Conference.

Mayor Pro Tem Mejia mentioned attending an event hosted by the Consulate of Mexico, honoring former Mexican President Benito Juarez Garcia. She thanked the Parks and Community Services Department for their involvement in a mobile healthcare clinic event that served more than 70 residents with medical, dental and acupuncture services. She mentioned local small businesses, El Patron and Jill & Jill for providing food for this event and encouraged the public to continue to support small business owners. Mayor Pro Tem Mejia mentioned other events such as Stop the Hate and the event honoring Dolores Huerta. She asked her fellow Councilmembers to support a bill that was recently introduced by State Senator Maria Elena Durazo that would allow undocumented workers who are currently paying taxes and are ineligible for unemployment due to their immigration status, to apply for these benefits should they lose their job. Staff was instructed to agendize this item for Council's discussion. She announced the upcoming Salt of the Earth event taking place at Madera Community college which aims to raise money to create a public education center in Madera.

Councilmember Villegas mentioned his participation in the NAHRO Conference in Washington D.C. He mentioned his enjoyment in being invited to attend a local soccer tournament.

Mayor Garcia stated that he also attended the Little Leagues' opening ceremonies. He highlighted Assemblywoman Esmerelda Soria for inviting the Women of the Year recipients at

the Madera Municipal Golf Course. He mentioned attending events honoring Dolores Huerta and Cesar Chavez as well as the Easter Egg Hunt hosted by the Madera Police Department. Mayor Garcia highlighted Madera County programs involving public health that are open to the community such the Mobile Health Vans that offer services such as diabetes checks, blood pressure, COVID vaccinations and a Suicide Prevention class on how to apply NARCAN in cases of overdose.

G. CLOSED SESSION: None

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

UPCOMING MEETING DATES:

- Wednesday, April 19, 2023
- Wednesday, May 3, 2023

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor

MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk