



Item:	B-1
Minutes for:	03/15/2023
Adopted:	05/03/2023

Minutes of a Regular Meeting of the Madera City Council

March 15, 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: 840 1595 0427#. 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: Mayor Santos Garcia
Mayor Pro Tem Elsa Mejia, District 5
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, City Engineer Keith Helmuth, Community Development Director Will Tackett, Division Fire Chief Justin McCombs, 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, Interim Public Works Director Jamie Hickman, Financial Services Manager Anthony Forestiere, Wastewater Treatment Plant Manager Gabriel Bostan, Administrative Analyst (P/W) Sergio Martinez Orozco, Assistant Engineer Jonathan Gramajo and Police Lieutenant Alicia Videgain.

INVOCATION: Pastor Marc Unger, First Baptist Church of Madera

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

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.

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**

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.

William Mack of Madera Community College spoke on how the City Council denied their request to participate in the Dolores Huerta event that the college coordinated. He stated the college will be celebrating and highlighting women on March 23rd.

Brian Mata, a resident near Villa Palmilla said he is not allowed to dump his trash on the curb during curbside pick-up. He tried to leave some items on Granada Drive and the Police showed up and told him he couldn't do so. He had to take his items to the landfill. He wants to know why he doesn't have the same opportunity as others. Mayor Garcia asked that Mr. Mata give his contact information to staff and they would contact him with information.

Mattie Mendez, Executive Director for (Community Action Partnership of Madera County) CAPMC thanked Council and City Staff as during winter storms there is usually flooding in on Gill, Pine and Noble Streets and it didn't happen this year with what has been one of the worst storms that has happened in Madera history.

Chief Justin McComb introduced himself as the newly appointed Assistant Fire Chief for Madera. He advised staff that he has the same contact phone number that Fire Chief Matt Watson used to have.

Olga Garcia, Vice President of the Democratic Club expressed disappointment that \$2,000 was not given to Madera Community College to help with their event when thousands of dollars are given in grants each year to others.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: 1. City of Madera Women of the Year

Recess was called at 7:03 p.m. and Council reconvened at 7:18 pm.

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 RODRIGUEZ, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – 01/18/23

Recommendation: Approve the City Council Minutes of January 18, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for February 18, 2023 to March 3, 2023 (Report by Anthony Forestiere)

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 Volume License Agreement Renewal with Microsoft/CDWG for Microsoft Software

Recommendation: Adopt a Resolution Approving a Three-Year Volume License Agreement between the City and Microsoft and Authorizing the Renewal Procurement of Microsoft Software from CDW-G (Report by Mark Souders)

RES 23-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A THREE-YEAR ANNUAL VOLUME LICENSE SOFTWARE AGREEMENT BETWEEN THE CITY OF MADERA AND MICROSOFT/CDWG IN THE AMOUNT OF \$98,547.82 PER YEAR

B-5 Encroachment into a Landscape and Public Utility Easement (PUE) for a Single-Family Home at 3 Via Cerioni (APN 009-460-002)

Recommendation: Adopt a Resolution Approving the Covenant Agreement to Allow a Limited Encroachment into a Landscape and Public Utility Easement (PUE) at the Property Owner’s Risk (Covenant) (Report by Keith Helmuth)

RES 23-24 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE COVENANT AGREEMENT TO ALLOW A LIMITED ENCROACHMENT INTO A LANDSCAPE AND PUBLIC UTILITY EASEMENT AT THE PROPERTY OWNER’S RISK

B-6 Procurement of a 26 Foot Transit Bus for Madera Metro

Recommendation: Adopt a Resolution Authorizing the Procurement of One Transit Bus Utilizing Federal Transit Administration Section 5307 and Local Transportation Funds in the amount of \$161,000 (Report by Anthony Forestiere)

RES 23-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING THE PROCUREMENT OF TRANSIT VEHICLE UTILIZING FEDERAL TRANSIT ADMINISTRATION (FTA SECTION 5307 PROGRAM FUNDS – AWARD# CA-2022-019)

B-7 Letter of Support for Senate Bill 37 (Caballero): Older Adults and Adults with Disabilities Housing Stability Act of 2023

Recommendation: Adopt a Minute Order Approving a Letter of Support for Senate Bill 37 (Caballero): Older Adults and Adults with Disabilities Housing Stability Act of 2023 (Report by Arnaldo Rodriguez)

B-8 Local State of Emergency Related to the Closure of Madera Community Hospital

Recommendation: Adopt a Resolution Continuing to Support Madera County's Proclamation of a Local Emergency due to the closure of Madera Community Hospital (Report by Arnaldo Rodriguez)

RES 23-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SUPPORTING THE COUNTY'S PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE CLOSURE OF MADERA COMMUNITY HOSPITAL FOR A PERIOD OF 30 DAYS

B-9 Extend Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Extending the Declaration Proclaiming the Existence of a Local Emergency-January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Keith Helmuth)

RES 23-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, EXTENDING THE DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY – JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

C. PUBLIC HEARINGS:

C-1 Updating Prima Facie Speed Limits on Designated City Streets in Compliance with Vehicle Code Regarding Speed Surveys on City Streets

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

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

INTRO ORD 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

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

D-1 Rejection of Bids Received for the Invitation for Bids (IFB) 202122-06 (Sidewalk Repairs)

Recommendation: Adopt a Resolution Rejecting the Single Bid Received for IFB 202122-06 and Authorizing the City to Perform the Project with City Staff (Report by Jamie Hickman)

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

RES 23-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA REJECTING ALL BIDS FOR CITY OF MADERA IFB 202122-06 SIDEWALK REPAIR VARIOUS LOCATIONS, CDBG

D-2 One-Year Contract Extension with Brandley Engineering, Inc. for Consulting Services related to the Airport and Approval of Adjusted and New Fees

Recommendation: Adopt a Resolution to Approving an Amendment to the Airport Engineering and Construction Management Services Agreement between the City and Brandley Engineering, Inc. for One-Year, including Rate Adjustments and the Addition of Positions that were not provided in the Original Agreement (Report by Jamie Hickman)

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

RES 23-29 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 1 TO AIRPORT ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF MADERA AND BRANDLEY ENGINEERING, INC.

D-3 Amendment to Extend Consulting Services Agreement for Hearing Officer Services for David Austin

Recommendation: Adopt a Resolution Approving an Extension to the Agreement for Services with David Austin to serve as the Administrative Hearing Officer (Report by Arnoldo Rodriguez)

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

RES 23-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A ONE-YEAR EXTENSION TO THE AGREEMENT FOR SERVICES BETWEEN THE CITY OF MADERA AND DAVID AUSTIN FOR ADMINISTRATIVE HEARING OFFICER SERVICES WITH THE EXPIRATION DATE OF FEBRUARY 16, 2024

D-4 Federal Transit Administration Grant Application for Transit Capital Assistance

Recommendation: Adopt a Resolution Authorizing the Submittal of a Federal Transit Administration (FTA) Section 5307 Grant Application in the amount of \$1,222,588 (Report by Anthony Forestiere)

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

RES 23-31 RESOLUTION AUTHORIZING THE FILING OF APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION

OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53; TITLE 23, UNITED STATES CODE, OR OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

D-5 Department of Housing and Community Development Affordable Housing and Sustainable Communities (HCD AHSC) Program Subordination Documents for Esperanza Village

Recommendation: Adopt a Resolution Authorizing Execution of Subordination Documents in Conformance with AHSC Regulatory Agreement between HCD and Downtown Madera Housing Associates, a California Limited Partnership Relating to the Esperanza Village Project (Report by Anthony Forestiere)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-5 WAS APPROVED BY A 6/1 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCILMEMBER GALLEGOS.

RES 23-32 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING EXECUTION OF SUBORDINATION AGREEMENTS IN CONFORMANCE WITH AFFORDABLE HOUSING AND SUSTAINABILITY COMMUNITIES (AHSC) REGULATORY AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND DOWNTON MADERA HOUSING ASSOCIATES, A CALIFORNIA LIMITED PARTNERSHIP RELATING TO ESPERANZA VILLAGE PROJECT

E. ADMINISTRATIVE REPORTS:

E-1 Lions Town & Country Park Update #2

Recommendation: This report is submitted for City Council (Council) consideration of options in the pursuit of funding for the Lions Town & Country Park trail system conditions and rehabilitation plans (Report by Joseph Hebert)

E-2 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #4

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-3 Informational Item on the Progress of the Madera Transit Plan – Fixed Route System Revision

Recommendation: Information item on the revision of the City’s Transit (Madera Metro) Fixed Route System. No action is being requested; however, this item will be presented to Council once documents are finalized. (Report by Anthony Forestiere)

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 commended City Directors for being mindful of a succession plan and allowing staff to present during meetings. She mentioned a meeting with Assemblywoman Soria in which the various needs were addressed, including the need for a full-service hospital.

Councilmember Montes announced the Volunteer Income Tax Program and the upcoming Sexual Assault Awareness Wear Teal Day event on April 4, 2023, both headed by Community Action Partnership of Madera County. He also commented on the 16th Annual Walk a Mile In Her Shoes event on April 14, 2023 and thanked and congratulated all the women in the community for their contributions.

Councilmember Rodriguez requested staff to bring back the Rental Inspection Ordinance for discussion at a future meeting. He and other leaders met with the Transportation Commission to identify strategies to get Measure T passed. He expressed concern with the projects that may have lost funding due to the rejection of Measure T. He extended his appreciation to all women in honor of Women's History Month.

Councilwoman Evans thanked Councilmember Gallegos for coordinating the Women of the Year awards and saluted all the recipients. She mentioned a request from Senator Caballero's office for a letter of support regarding a \$1.5 billion relief package for healthcare solutions for California. She also thanked Fire, Police Department and Public Works for their work during the recent storms.

Mayor Pro Tem Mejia noted her participation at the Read Across America event at local elementary schools. She expressed appreciation for Senator Caballero and Assemblywoman Soria and their advocacy for providing necessary healthcare to Maderans. She announced the Free Healthcare Services Mobile Clinic on March 26th, at the John Wells Youth Center, which will be hosted by Tzu Chi Medical Foundation of Fresno. She announced the upcoming Stop the Hate event to be held at the Pan Am Center on March 28th for anyone interested in information regarding hate crimes.

Councilmember Villegas congratulated all the Women of the Year recipients. He also noted the work being done by Public Works during the recent rainstorms.

Mayor Garcia saluted the women working for the City and thanked them for all their efforts throughout the year.

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 9:00 p.m.

Ms. Cantu Montoy and the Council returned from Closed Session at 9:17 p.m. with all members of Council present.

Ms. Cantu Montoy stated there was no reportable action.

ADJOURNMENT: Meeting was adjourned at 9:17 p.m.

UPCOMING MEETING DATES:

- Wednesday, April 5, 2023
- Wednesday, April 19, 2023

Alicia Gonzales

ALICIA GONZALES, City Clerk

Zelda León

MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

Santos Garcia

SANTOS GARCIA, Mayor

