



| | |
|--------------|------------|
| Item: | B-1 |
| Minutes for: | 02/02/2022 |
| Adopted: | 04/20/2022 |

Minutes of a Regular Meeting of the Madera City Council

Wednesday, February 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: 899 3003 0860#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

The City will observe the Madera County Public Health Department recommendations. This may limit seating in the Council Chamber; however, the City will have seating available in the foyer. All persons visiting City facilities shall observe health and safety protocols.

CALL TO ORDER: Meeting was called to order at 6:00 p.m.

ROLL CALL:

All 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
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Chief Building Official Steven Woodworth, City Engineer Keith Helmuth, Fire Chief Matt Watson, Interim Parks Director Joseph Hebert, Interim Director of Financial Services Anthony Forestiere, Information Services Manager Mark Souders, Police Chief Dino Lawson, Interim Public Work Director Dan Foss, Deputy City Engineer Ellen Bitter, Deputy City Engineer Randy Bell, Senior Civil Engineer Steve Bettencourt, Assistant Engineer Alexis Raymundo, Administrative Analyst (Engineering) Nicole Say, Administrative Analyst (Public Works) Adam Gonzales, Police Lieutenant Josiah Arnold, and Communication Specialist Joseph Carrello.

INVOCATION: Pastor John Pursell, Believer's Church

PLEDGE OF ALLEGIANCE: Hilda Cantu Montoy, City Attorney

APPROVAL OF AGENDA:

ON MOTION BY MAYOR PRO TEM EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, 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.

Ms. Alisha Brown addressed the Council and shared information regarding the non-profit Project Run and the upcoming fundraising event. She also handed out invitations to the Gala including sponsorship information.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)
Public Health Director Sara Bosse provided a COVID-19 report update.
2. Proclamation Recognizing February as Black History Month
Mayor Santos Garcia presented the Proclamation Recognizing February as Black History Month.

INTRODUCTIONS:

A. WORKSHOP:

A-1 Workshop on a Planned Caltrans Project on State Route 145 (SR 145)

Recommendation: Consider Workshop Presentation and Provide Direction to Staff (Report by Keith Helmuth)

City Engineer Keith Helmuth and Caltrans staff presented the report.

City Manager comments were heard.

City Council comments were heard.

City Attorney comments were heard.

Mayor called for a five-minute break at 7:07 p.m.

The meeting was reconvened at 7:13 p.m. with all Councilmembers present. Item C-1 was heard at this time.

The Caltrans workshop was continued at 8:15 p.m. following the Redistricting Public Hearing.

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.

ITEM B-7 WAS PULLED FOR DISCUSSION.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, THE CONSENT CALENDAR 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**

B-1 Minutes – May 20, 2021

Recommendation: Approve the City Council Minutes of May 20, 2021

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

Recommendation: No Action Required (Report by Anthony Forestiere)

B-3 Ratification of COVID-19 Emergency Policy Revisions

Recommendation: Adopt a Minute Order Ratifying Revisions to the following COVID-19 Emergency Policies issued by the City Manager in his role as Director of Emergency Services:

- 1) COVID-19 Emergency Policy No. 3: COVID-19 Prevention Program; and
- 2) COVID-19 Emergency Policy No. 4: COVID-19 Vaccine Incentive Pay (Report by Wendy Silva)

B-4 Bid Package 1 - Water Main Replacement at Dunham and Lewis Street, City Project No. W-40

Recommendation: Approve a Minute Order Approving:

- 1) Acceptance of Bid Package 1 – Water Main Replacement at Dunham and Lewis Street, City Project No. W-40
- 2) The Recording of Notice of Completion
- 3) The Release of Retention 35 days after Recording of the Notice of Completion (Report by Keith Helmuth)

B-5 Second Reading and Adoption of an Ordinance for Organic Waste Disposal Reduction, Recycling, and Solid Waste Collection per Senate Bill (SB) 1383

Recommendation: Waive the full reading and adopt an Ordinance Amending Title V “Sanitation and Health” of the Madera Municipal Code by Adding New Chapter 3A Relating to Organic Waste Disposal Reduction, Recycling, and Solid Waste Collection and Confirming a CEQA Categorical Exemption (Report by Arnolando Rodriguez)

ORD 983 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING TITLE V "SANITATION AND HEALTH" OF THE MADERA MUNICIPAL CODE BY ADDING NEW CHAPTER 3A RELATING TO ORGANIC WASTE DISPOSAL REDUCTION, RECYCLING, AND SOLID WASTE COLLECTION

B-6 Letter of Support for Senate Bill 843, Renters Tax Credit

Recommendation: Approve a Minute Order Approving a Letter of Support for Senate Bill 843, Renter’s Tax Credit (Report by Arnolando Rodriguez)

B-7 Appointments to the Civil Service Commission

Recommendation: Adopt a resolution appointing the following individuals to the Civil Service Commission:

1. Summer Gonzales
2. Celeste Voyles
3. Julius Washington
4. Nick Salinas
5. Muhammad Latif
6. Saim Mohammad

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM B-7 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**

RES 22-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPOINTING SUMMER GONZALES, CELESTE VOYLES, JULIUS WASHINGTON, NICK SALINAS, MUHAMMAD LATIF, AND SAIM MOHAMMAD TO THE CITY OF MADERA CIVIL SERVICE COMMISSION

C. PUBLIC HEARINGS:

C-1 7:00 p.m. - Redrawing of Council Member District Boundaries (Redistricting)

Recommendation:

- 1) Receive a report on the redistricting process, initial draft maps, and permissible criteria to be considered to redraw district boundaries; and
- 2) Conduct Public Hearing #3 on redistricting and receive public input; and
- 3) Provide feedback on preferred map or maps, and/or desired changes to draft maps (Report by Alicia Gonzales)

Joanna Gin Associate with BB&K provided a presentation and report.

Mayor Garcia opened the Public Hearing at 7:48 p.m.

Spoke:

Parksdale Community Member

Written Communication Received by:

Wallace Nishimoto

City Manager comments were heard.

City Council comments were heard.

City Attorney comments were heard.

COUNCILMEMBER RODRIGUEZ MOTIONED TO CONSIDER MAP OPTIONS 1 AND 2 AND WITH ANY MODIFICATIONS FROM THE WORKSHOP SCHEDULED ON SUNDAY, FEBRUARY 6, 2022, AND RETURN TO COUNCIL WITH A FINALIZED MAP. MOTION SECONDED BY COUNCILMEMBER GALLEGOS.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 4 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER MEJIA**

**NO: 3 - MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

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

D-1 Claims Settlement Authority Delegated to the City Manager

Recommendation: Waive Full Reading and Introduce an Ordinance of the City of Madera Amending Section 1-6.18 of Title I Chapter 6 of the Madera Municipal Code relating to City Manager Authority on Claims Against the City (Report by Wendy Silva)

Wendy Silva Human Resources Director provided a presentation and report.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 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**

D-2 Landscape and Lighting Assessment District Zones of Benefit: Engineer’s Report and Intention to Levy and Collect Annual Assessment for City Wide Landscape and Lighting Assessment District Zones of Benefit for Fiscal Year 2022/2023

Recommendation:

- 1) Adopt a Resolution Confirming the Diagram and Assessments for Annual Levy for Fiscal Year 2022-2023 for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 For Fiscal Year (FY) 2022/23; and
- 2) Adopt A Resolution of Intention To Levy And Collect Annual Assessments For City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 For FY 2022/23 and Setting Date for Public Hearing (Report by Keith Helmuth)

Nicole Say Administrative Analyst provided a presentation and report.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-2 (1) & (2) 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**

RES 22-14 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE ENGINEERS REPORT FOR FISCAL YEAR 2022-2023 FOR CITYWIDE LANDSCAPE AND LIGHTING DISTRICT ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-8, 7, 8, 9, 10-A, 10-8, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-8, 15-C, 16, 17-A, 17-8, 17-C, 17-D, 18, 20-A, 20-8, 20-C, 21-A, 21-B, 21-C, 21-0, 23, 24, 25-C, 25-D, 26, 26-8, 26-C,26-D, 27, 27-8, 28, 28-8, 29, 29-8, 29-C, 29-D, 29-E, 30, 31-A, 31-8, 32-A, 32-8, 33, 34, 34-8, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51

RES 22-15 A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF MADERA TO LEVY AND COLLECT ASSESSMENTS AND SET PUBLIC HEARING DATE, TIME, AND PLACE FOR LANDSCAPE MAINTENANCE DISTRICT ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-1, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 FOR FISCAL YEAR 2022/23

D-3 Contract Award for the Sidewalk Improvements Maple Street – Santa Cruz Street – Monterey Street, CDBG Project No. B19MC060053, City Project No. R-84

Recommendation: Adopt a Resolution Approving the Contract Award for Sidewalk Improvements Maple Street – Santa Cruz Street – Monterey Street, CDBG Project No. B19MC060053, City Project No. R-84, in the amount of \$254,678 to Witbro, Inc. DBA Seal Rite Paving & Grading (Report by Keith Helmuth)

Alexis Raymundo Assistant Engineer provided a presentation and report.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM D-3 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**

RES 22-16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE SIDEWALK IMPROVEMENTS

MAPLE STREET- SANTA CRUZ STREET- MONTEREY STREET, CDBG PROJECT NO. B19MC060053, CITY PROJECT NO. R-84, IN THE AMOUNT OF \$254,678 TO WITBRO, INC. DBA SEAL RITE PAVING & GRADING AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

D-4 Contract Award for the Sidewalk Improvements Lilly Street – Vineyard Avenue, CDBG Project No. B19MC060053, City Project No. R-85

Recommendation: Adopt a Resolution Approving the Contract Award for the Sidewalk Improvements Lilly Street – Vineyard Avenue, CDBG Project No. B19MC060053, City Project No. R-85, in the amount of \$183,092 to Witbro, Inc. DBA Seal Rite Paving & Grading (Report by Keith Helmuth)

Alexis Raymundo Assistant Engineer provided a presentation and report.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM D-4 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**

RES 22-17 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE SIDEWALK IMPROVEMENTS LILLY STREET-VINEYARD AVENUE, CDBG PROJECT NO. B19MC060053, CITY PROJECT NO. R-85, IN THE AMOUNT OF \$183,092 TO WITBRO, INC. DBA SEAL RITE PAVING & GRADING AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

E. ADMINISTRATIVE REPORTS:

E-1 City Contribution toward the Madera County Economic Development Commission for FY 2022/2023 in the amount of \$179,428.99

Recommendation: The EDC recommends the City Council Adopt a Minute Order Approving the 2022/2023 Basic Service Level Budget as Submitted (Report by Bobby Kahn)

Bobby Kahn EDC Executive Director provided a presentation and report.

City Council comments were heard.

ON MOTION BY COUNCILMEMBER VILLEGAS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM E-1 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

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 agendaized and which meet other requirements for action.

Councilmember Villegas stated he noticed a lot of gang graffiti since the Christmas season and asked the Police Chief for additional patrol of the areas.

Councilwoman Gallegos thanked staff for being in attendance and showing up in the community during this COVID variant and cold temperatures.

Councilmember Rodriguez requested that staff share with the current Council the State Route 145 workshop that was previously presented by Mark Thomas. He also thanked Chief Lawson for his service and great work. Councilmember Rodriguez also thanked the attendees in the Council Chamber for their attendance at the meeting.

Mayor Pro Tem Evans thanked staff for their hard work and stated to please stay safe.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation

Pursuant to Government Code Section 54957(b)(1)

Title: City Manager

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 9:46 p.m.

Council returned from closed session at 10:52 p.m. with seven (7) Councilmembers present.

City Manager Arnolando Rodriguez stated there was no reportable action.

ADJOURNMENT: The meeting was adjourned at 10:53 p.m. Next regular meeting on February 16, 2022.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.

MINUTES PREPARED BY
ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor