

Item:	B-1
Minutes for:	12/07/2022
Adopted:	03/01/2023

Minutes of a Regular Meeting of the Madera City Council

December 7, 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: 870 9956 1866#. 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 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, City Engineer Keith Helmuth, Community Development Director Will Tackett, Division Fire Chief Matt Watson, Fire Battalion Chief Robert 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, Police Commander Giachino Chiamonte, Interim Public Works Director Jamie Hickman, Procurement Services Manager Jennifer Stickman, Financial Services Manager Anthony Forestiere, Deputy City Engineer Ellen Bitter, Engineering Administrative Analyst Nicole Say, Police Officer II Michael Powell and Communication Specialist Joseph Carrello.

INVOCATION: Rev. Sammie Neely III, Mount Zion Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Division Fire Chief Matt Watson

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, THE AGENDA WITH A 20 MINUTE RECESS FOLLOWING THE OATHS OF OFFICE 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**

COUNCIL REORGANIZATION:

1. City Council Oaths of Office and Annual Reorganization

Recommendation: That the City Council:

- 1) Conduct the Swearing in Ceremony and Oaths of Office for Councilmembers Cecelia "Cece" Gallegos (District 1), Steve Montes (District 3), Elsa Mejia (District 5); and
- 2) Approve a Minute Order making the Appointment of Mayor Pro-Tem to serve a one-year term (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM COUNCIL REORGANIZATION 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**

Recess at 6:17 p.m. Returned to session at 6:40 p.m.

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.

Brandon Robischon requested that Council establish a committee that focuses on the long-term recovery of the City and its residents. He stated that he would be honored to be a member of that committee.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Retirement Recognition – Matt Watson, Assistant Fire Chief

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 WITH THE REMOVAL OF ITEM B-6 FROM THE AGENDA WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – 9/21/22

Recommendation: Approve the City Council Minutes of September 21, 2022

B-2 Informational Report on Register of Audited Demands for November 5, 2022 to November 25, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Remote City Council Meetings Under Brown Act Requirements (AB 361)

Recommendation: Council to Decide to Adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnolando Rodriguez)

RES 22-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

B-4 Salary Range Assignments for Part Time Positions

Recommendation: Adopt a Resolution Approving the City of Madera Part-Time Salary Schedule Effective December 31, 2022 (Report by Wendy Silva)

RES 22-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING ASSIGNED PAV RANGES FOR PART-TIME POSITIONS ON CITY OF MADERA SALARY SCHEDULE P

B-5 Award of Agreement for Medical Services

Recommendation: Adopt a Resolution Approving a Medical Services Agreement with Occupational Health Centers of California (dba Concentra Medical Centers) (Report by Wendy Silva)

RES 22-204 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR MEDICAL SERVICES WITH OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA

B-6 Block Grant Commission (BGC) Bylaws

Recommendation: Adopt a Resolution Approving the Community Block Grant Commission

(BGC) Bylaws (Report by Kingsley Okereke)

This item was removed from the agenda during approval of the Consent Calendar.

B-7 Reimbursement Agreement with Origo Cold Madera Phase I LLC for Public Improvements

Recommendation: Adopt a Resolution Approving Reimbursement Agreement between City and Origo Cold Madera Phase I LLC, relating to Site Plan Review No. 2021- 41 (Report by Keith Helmuth)

RES 22-205 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING REIMBURSEMENT AGREEMENT BETWEEN CITY OF MADERA AND ORIGO COLD MADERA PHASE I LLC FOR PUBLIC IMPROVEMENTS (SITE PLAN REVIEW NO. 2021-41)

B-8 State General Fund Grant for \$5 Million for Avenue 13 Sewer Trunk Main Rehabilitation Project

Recommendation: Adopt a Resolution Designating the City Engineer as the Authorized Representative for the Avenue 13 Sewer Trunk Main Rehabilitation Project, City Project SS-00014 (Report by Keith Helmuth)

RES 22-206 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DESIGNATING THE CITY ENGINEER AS THE AUTHORIZED REPRESENTATIVE FOR THE AVENUE 13 SEWER TRUNK MAIN REHABILITATION PROJECT

B-9 Amendment No. 1 to the Professional Services Agreement between the City of Madera and Rincon Consultants, Inc.

Recommendation: Adopt a Resolution Approving Amendment No. 1 to the Professional Services Agreement between the City of Madera and Rincon Consultants, Inc. to Increase the Total Compensation for Services Allowable Under the Agreement from \$50,000 to \$53,884.00 (Report by Will Tackett)

RES 22-207 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF MADERA AND RINCON CONSULTANTS, INC.

B-10 Purchasing Agent Agreement with County of Madera Relating to CalFresh Healthy Living Program

Recommendation:

- 1) Adopt a Resolution Approving a Purchasing Agent Agreement with County of Madera in the amount of \$23,604 relating to CalFresh Healthy Living Program; and
- 2) Adopt a Resolution Amending the City's Fiscal Year 2022/23 Budget Approving the Related Expenditure Line Item related to CalFresh Healthy Living Program (Report by Joseph Hebert)

RES 22-208 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A PURCHASING AGENT AGREEMENT WITH THE COUNTY OF MADERA IN THE AMOUNT OF \$23,604.00 RELATING

TO CALFRESH HEALTHY LIVING PROGRAM

RES 22-209 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2022/23 BUDGET APPROVING RELATED EXPENDITURE LINE ITEM RELATING TO CALFRESH HEALTHY LIVING PROGRAM

C. **PUBLIC HEARINGS:** None

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

D-1 Third Amendment to the City Clerk 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 Third Amendment to the City Clerk At-Will Employment Agreement and designating the source of funds for the proposed lump sum payments (Report by Wendy Silva)

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

RES 22-210 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A THIRD AMENDMENT TO THE CITY CLERK AT-WILL EMPLOYMENT AGREEMENT AND DESIGNATING THE SOURCE OF FUNDS FOR A THE LUMP SUM PAYMENTS

D-2 Award of Agreement for Professional Recruiting Services and Approval of a Budget Amendment to Pay for Two Recruitments

Recommendation: Adopt Resolutions

- 1) Approving a Professional Services Agreement with CPS HR Consulting; and
- 2) Approving a Budget Amendment to the Fiscal Year 2022-23 Operating Budget in the amount of \$49,000 for two recruitments (Report by Wendy Silva)

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 22-211 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CPS HR CONSULTING

RES 22-212 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROPRIATING \$49,000 TO THE CITY OF MADERA FISCAL YEAR 2022-23 ADOPTED BUDGET FOR TWO PROFESSIONAL RECRUITMENTS

D-3 Initiation of a Text Amendment to the Zoning Regulations of the Madera Municipal Code to Include Standards and Provisions Relating to the Quality, Quantity, and Design of Landscaping and Park Strips within Residential Zones

Recommendation: Adopt a Resolution to Initiate the Procedure to Amend Title X, Chapter 3 of the Madera Municipal Code Relating to Residential Zones in

Accordance with the Provisions of Section 10-3.1500 et seq. of the City Municipal Code (Report by Will Tackett)

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 22-213 A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MADERA INITIATING A TEXT AMENDMENT TO THE ZONING REGULATIONS OF THE MADERA MUNICIPAL CODE RELATING TO THE QUALITY, QUANTITY AND DESIGN OF LANDSCAPING AND PARK STRIPS WITHIN RESIDENTIAL ZONES

D-4 Acceptance of a Grant Award from the U.S. Department of Justice's Community Oriented Policing Services (COPS) Hiring Program

Recommendation: Adopt Resolutions

- 1) Accepting the FY 2022/23 COPS Hiring Program (CHP) in the amount of \$500,000 on behalf of the City; and
- 2) Amending the City's 2022/23 Budget to Reflect the Acceptance of the Grant in the amount of \$500,000 (Report by Kingsley Okereke)

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

RES 22-214 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ACCEPTING THE COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT AND APPROVING A BUDGET AMENDMENT TO THE COPS GRANT FUND FOR THE FY 2022/23 FUNDING ALLOCATION

RES 22-215 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A BUDGET AMMENDMENT TO THE COPS GRANTS FUND FOR THE FY 2022/23 FUNDING ALLOCATION

D-5 Consideration of New Purchasing Procedures Ordinance

Recommendation: Waive Full Reading and Introduce an Ordinance of the City of Madera Repealing Sections 2-2.501, 2-2.502, and 2-2.503 of the Madera Municipal Code and Adopting New Chapter 4 to Title II of the Madera Municipal Code Relating to Purchasing Procedures and Including Adoption of the Uniform Public Construction Cost Accounting Act (Report by Kingsley Okereke)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-5 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

E. ADMINISTRATIVE REPORTS:

E-1 Compliance with Senate Bill 1205; Fire and Life Safety Inspections

Recommendation: Receive an update on the City's efforts on becoming compliant with SB1205 and provide direction, if any (Report by Matt Watson)

E-2 Informational Report on the Fresno River Emergency Cleanup

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

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 thanked Sunrise Rotary for hosting Trees for Charity and Madera County Historical Society for hosting the Holiday Gala. She recognized the Parks and Public Works employees for working hard, late into the night, and clearing out leaves so that recent rainfalls would not cause storm drain flooding.

Councilmember Montes thanked the Evening Lions and staff for hosting the Holiday Lights Parade and the Madera Police Officers Association for the upcoming Cookies with a Cop event. He also advised that the Madera County Food Bank is hosting its food drive of the year and encouraged the public to volunteer and give back to the community.

Councilmember Rodriguez recognized Javier Alcala who completed 38 years as a letter carrier with the Madera Post Office before retiring in November. He also congratulated Chief Watson on his retirement and thanked him for his service. Councilmember Rodriguez encouraged residents to continue to take precautionary measures for COVID-19 as incidences are on the rise. He also thanked the law enforcement agencies of Madera for keeping the public safe.

Councilmember Evans congratulated Councilmembers Gallegos and Montes and Mayor Pro Tem Mejia on the renewal of their terms in office. She expressed her support for the Police Department's award of COPS funding for new hires and for expanding on the current policing strategies. She mentioned that she attended a Pearl Harbor memorial event at Tesoro Viejo. She congratulated Chief Watson for his years of dedicated service. Councilmember Evans thanked Madera Unified School District for their assistance in distributing toys as part of her Christmas Extravaganza event.

Mayor Pro Tem Mejia expressed her enjoyment in being part of the Holiday Lights Parade and congratulated Chief Watson on a well-deserved retirement. She highlighted the need for a Spanish interpreter at Council meetings, so that audience members are better able to participate in local government and understand the latest developments in the community.

Councilmember Villegas congratulated Councilmembers Gallegos and Montes and Mayor Pro Tem Mejia on the renewal of their terms in office. He stated that the Holiday Lights Parade was a success despite the rain. Councilmember Villegas congratulated Chief Watson on his retirement.

Mayor Garcia mentioned the Madera Islamic Center's weekly food drive, in which he and Councilmembers Evans and Villegas participated in the food distribution. He mentioned that he attended the Madera Community Hospital Christmas Tree Lighting event and the swearing-in of both Senator Anna Caballero and Assemblywoman Esmeralda Soria in Sacramento. Mayor Garcia stated that the Madera Police Officer's Association recently hosted a holiday event, which was a great success and enjoyed by all. He expressed gratitude to City Attorney, Hilda Cantu-Montoy and

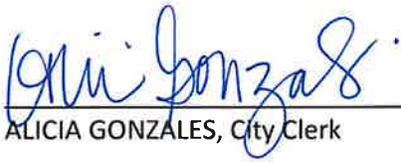
all City Staff for their hard work throughout the year as they approach the holidays.

G. CLOSED SESSION: None

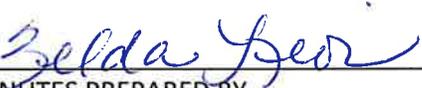
ADJOURNMENT: Meeting was adjourned at 8:33 p.m.

UPCOMING MEETING DATES:

- **Wednesday, December 21, 2022**
- **Wednesday, January 18, 2023**


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

