



Item:	B-1
Minutes for:	04/03/2024
Adopted:	05/01/2024

**Minutes of a Regular Meeting of the Madera City Council
and Special Meeting of the Madera City Council as the Groundwater Sustainability Agency**

**April 3, 2024
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: 871 0554 9385#. 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 Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2 (Arrived at 6:06 p.m.)
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, Deputy City Clerk Zelda Leon, City Attorney Shannon L. Chaffin, Chief Building Official Rafael Magallan, City Engineer Keith Helmuth, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Wastewater Treatment Plant Manager Gabriel Bostan, Computer Technician Luis Ibarra and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Evans

PLEDGE OF ALLEGIANCE: Councilmember Montes

Deputy City Clerk Zelda Leon announced that the exhibit to the second resolution in Item B-8 JAG Award had been distributed to Council after agenda distribution. Copies had also been placed on the dais for Council and copies were on the podium for the public.

Councilmember Rodriguez arrived.

APPROVAL OF AGENDA:

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

Kyle Savage a representative for Congressman Duarte gave Council an update on events, projects and legislature that the Congressman and his staff have been participating in.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Proclamation Supporting the Recognition of Vaisakhi as National Sikh Day
2. Proclamation Recognizing April as Sexual Assault Awareness Month

This item was rescheduled to the next Council meeting.

Mayor Garcia called for a short recess.

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 MAYOR PRO TEM GALLEGOS 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 – March 20, 2024 and March 27, 2024

Recommendation: Approve the City Council Minutes of March 20, 2024 and March 27, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for March 9, 2024 to March 22, 2024 (Report by Michael Lima)

B-3 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 the City Council (Council) (Report by Arnoldo Rodriguez)

B-4 2018/19 through 2022/23 Five-Year AB 1600 Compliance Report

Recommendation: Approve Resolution Adopting the 2018/19 through 2022/23 Five-Year AB 1600 Compliance Report per the requirements of the Mitigation Fee Act, Government Code Section 66001 and Make Findings Regarding the Continued Need for Certain Development Impact Fees (Report by Keith Helmuth)

RES 24-45 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING THE 2018/19 THROUGH 2022/23 FIVE-YEAR AB 1600 COMPLIANCE REPORT ON DEVELOPMENT IMPACT FEES AND MAKING FINDINGS REGARDING THE CONTINUED NEED OF CERTAIN DEVELOPMENT IMPACT FEES

B-5 Insurance Claim for Water-Damaged Police Patrol Unit 6012

Recommendation: Adopt a Minute Order accepting \$73,745.68 in insurance proceeds for patrol unit 6012, deemed a total loss due to water damage (Report by Wendy Silva)

B-6 Continuing Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Continuing 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 Wendy Silva)

RES 24-46 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONTINUING THE DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY – JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

B-7 Second Reading and Adoption of an Ordinance to Rezone Property Located on 119 South I Street (REZ 2023-03)

Recommendation: Waive Full Reading and Adopt an Ordinance Amending the Official City of Madera Zoning Map to rezone ±0.23 Acres of Property Located at 119 South I Street (APN: 010-131-002) from the R3 (Residential, one unit per 1,800 square feet of site area) Zone District to the C1 (Light Commercial) Zone District, including CEQA Class 3 and 32 Categorical Exemptions (Report by Will Tackett)

ORD 1008 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.23 ACRES OF PROPERTY LOCATED AT 119 SOUTH I STREET (APN: 010-131-002) FROM THE R3 (RESIDENTIAL, ONE UNIT FOR EACH 1,800 SQUARE FEET OF SITE AREA) ZONE DISTRICT TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT, INCLUDING CEQA CLASS 3 AND 32 CATEGORICAL EXEMPTIONS

B-8 Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2023/24 Grant Award Acceptance

Recommendation: Adopt Resolutions:
1. Accepting the grant award in the amount of \$25,548; and
2. Amending the Police Grant Fund's 2023/24 Budget in the amount of \$31,798 to appropriate previously unspent JAG grants (Report by Giachino Chiaramonte)

RES 24-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE ACCEPTANCE OF THE EDWARD BYRNE MEMORIAL JUSTICE PROGRAM 2023/24 GRANT IN THE AMOUNT OF \$25,548

RES 24-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2023/2024 BUDGET

B-9 Request to Waive City Fees Relating to Madera High School's "Every 15 Minutes"

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, and Engineering Services for Madera High School's Educational Program in the Amount of \$1,009 (Report by Giachino Chiaramonte)

RES 24-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING THE FEES TO COVER THE COSTS OF POLICE, PUBLIC WORKS, AND ENGINEERING SERVICES FOR MADERA HIGH SCHOOL'S EDUCATIONAL PROGRAM IN THE AMOUNT OF \$1,009.00

B-10 Sunrise Rotary Sports Complex Rental for the Guelaguetza Event Fee Waiver Request

Recommendation: Adopt a Resolution Waiving the Rental Fees of Sunrise Rotary Sports Complex related to the Guelaguetza hosted by the Comité Guelaguetza Madera on October 13, 2024, at an anticipated fee rental of \$1,780 (Report by Joseph Hebert)

RES 24-50 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR SUNRISE ROTARY SPORTS COMPLEX RELATED TO THE GUELAGUETZA, HOSTED BY COMITÉ GUELAGUETZA MADERA ON OCTOBER 13, 2024

C. PUBLIC HEARINGS:

C-1 Public Hearing on the Community Development Block Grant (CDBG) 2024/2025 Annual Action Plan Funding Allocations

Recommendation: Conduct the public hearing and, by motion, approve the proposed allocations for the CDBG 2024/25 Annual Action Plan in the estimated amount of \$981,730 (Report by Michael Lima)

DJ Becker of the Block Grant Commission showed pictures of a sidewalk repair project and pictures of homeless issues in the City.

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

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM C-1 PUBLIC SERVICES WAS APPROVED AS REVISED BY A 4/3 VOTE. NOES:

COUNCILMEMBERS RODRIGUEZ, EVANS AND MAYOR GARCIA. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 4 – MAYOR PRO TEM GALLEGOS
COUNCILMEMBER MONTES
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS

NO: 3 - COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER EVANS
MAYOR GARCIA

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

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

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

D-1 Permanent Local Housing Allocation 2019 and Agreement with the Madera Rescue Mission for Homeless Emergency Shelter Services

Recommendation: Adopt a Resolution:

1. Approving the Permanent Local Housing Allocation (PLHA) Program 2019 allocation in the amount of \$422,319.00; and
2. Approving an Agreement with the Madera Rescue Mission for the operational costs of the homeless emergency shelter in the amount of \$401,202.05 (Report by Michael Lima)

Jesse Chavez, Executive Director of the Madera Rescue Mission spoke on behalf of this item.

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

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

RES 24-51 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM 20149 ALLOCATION IN THE AMOUNT OF \$422,319 AND THE SERVICE AGREEMENT BETWEEN THE CITY OF MADERA AND THE MADERA RESCUE MISSION IN THE AMOUNT OF \$401,202.05

D-2 Acceptance of Playground Area at Riverview Park & Exercise Equipment Along Vernon McCullough River Trail

Recommendation: Approve a Minute Order Approving:

1. Acceptance of the Playground Installation at Riverview Park, located at 1401 Riverview Drive, Madera, CA 93637; and
2. Approve Additional Change Order of \$7,730; and

3. Acceptance of the Exercise Equipment along the Vernon McCullough River Trail, specifically in the Westberry Boulevard to Caitlan Drive area; and
4. The Recording of Notice of Completion (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

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

D-3 Sunrise Rotary Sports Complex Rental for Cinco de PRM: Cars & Comida 3K Run Event Fee Waiver

Recommendation: Adopt a Resolution waiving the rental fees of Sunrise Rotary Sports Complex related to the Cinco de PRM: Cars & Comida 3K Run hosted by the Project Run Madera on May 4, 2024, at an anticipated fee rental of \$525 (Report by Joseph Hebert)

A member of the public spoke in favor of this item. She mentioned some of the events, food and entertainment they have lined up for the event and invited Council to participate.

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

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

RES 24-52 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR SUNRISE ROTARY SPORTS COMPLEX RELATED TO PRM: CARS & COMIDA 3K RUN, HOSTED BY PROJECT RUN MADERA ON MAY 4, 2024

D-4 Procure Server and Storage Area Network (SAN) Hardware under a State of California Government Contract with Dell Marketing L.P.

Recommendation: Adopt a Resolution approving the City of Madera's purchase of Information Technology equipment under a contract between the State of California and Dell Marketing L.P. in the amount of \$329,011.41 plus shipping costs (Report by Gary Price)

No Public Comment was presented. Public Comment was closed.

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

RES 24-53 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT IN THE AMOUNT OF \$329,011.41 PLUS SHIPPING UNDER THE DELL MARKETING L.P. NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) CONTRACT AND STATE OF CALIFORNIA PARTICIPATING ADDENDUM

D-5 Amendment No. 4 to Professional Services Agreement with Provost and Pritchard Consulting Group

Recommendation: Adopt a Resolution Approving Amendment No. 4 to Agreement for Professional Planning Services with Provost & Pritchard Consulting Group (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

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

RES 24-54 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 4 TO AGREEMENT FOR PROFESSIONAL PLANNING SERVICES WITH PROVOST & PRITCHARD CONSULTING GROUP

E. ADMINISTRATIVE REPORTS:

E-1 City's Annual ACFR FY 2022-23

Recommendation: File and Receive of the Audited Financial Statements for the Fiscal Year ended June 30, 2023 (Report by Michael Lima)

No Public Comment was presented. Public Comment was closed.

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

E-2 Madera Subbasin Joint Groundwater Sustainability Plan (GSP) – Council Update and Consideration of Five-Year Evaluation and Update of the GSP

Recommendation: Receive update and provide direction regarding information provided as part of this update to City Council (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM E-2 WITH A 5 YEAR ACREAGE & 3% DOMESTIC WELL MITIGATION WAS APPROVED UNANIMOUSLY BY A 6/1 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCILMEMBER MEJIA.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 – MAYOR GARCIA
MAYOR PRO TEM GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
COUNCILMEMBER VILLEGAS

ABSTAIN: 1 - COUNCILMEMBER MEJIA

E-3 Madera Municipal Golf Course Update 2024

Recommendation: City Council to receive an information report on the status of the Madera Municipal Golf Course and provide direction as appropriate (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

Staff was given direction to bring back a list of needed improvements and their cost.

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.

Mayor Pro Tem Gallegos had nothing to report.

Councilmember Rodriguez wants staff to bring a list of City owned properties with leases and their timeframes with expiration dates. Mayor Pro Tem Gallegos, Councilmember Mejia and Mayor gave a thumbs up on this request. Councilmember Rodriguez asked if Council agreed with him and Mayor Garcia stated they did.

Councilmember Montes thanked Director of Parks and Community Services Joseph Hebert.

Councilmember Evans wished everyone goodnight.

Councilmember Mejia mentioned she had attended the Police Department Extravaganza this past weekend and had a good time. She also mentioned that she was at the Riverview playground opening and it was good to see the kids having fun.

Councilmember Villegas had nothing to report.

Mayor Garcia didn't have anything to report.

G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 9:37 p.m.

UPCOMING MEETING DATES:

- Wednesday, May 1, 2024
- Wednesday, May 15, 2024



 ALICIA GONZALES, City Clerk



 CECE GALLEGOS, Mayor Pro Tem



 MINUTES PREPARED BY
 ZELDA LEÓN, Deputy City Clerk

