



Item:	B-1
Minutes for:	07/03/2024
Adopted:	07/17/2024

Minutes of a Regular Meeting of the Madera City Council

July 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: 878 9125 8869#. 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 Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Absent: Councilmember Anita Evans, District 4

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, Chief Building Official Rafael Magallan, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiamonte, Public Works Director Ismael Hernandez, Deputy City Engineer Ellen Bitter, Senior Planner Robert Smith, Neighborhood Preservation Supervisor Claudia Mendoza, Lieutenant Mark Adams and Communication Specialist Joseph Carrello.

INVOCATION: Brandon Hopkins, Grace Community Church

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Gallegos

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

PRESENTATIONS: 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.

No Public Comment was presented. Public Comment was closed.

A. PUBLIC HEARINGS:

A-1 Public Hearing to Consider Declaration of Nuisances and Abatement Order for Overgrown Weeds

Recommendation: Conduct a Public Hearing and adopt a Resolution ordering the abatement of weed nuisances in the City (Report by Gino Chiamonte)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM A-1 WITH THE REMOVAL OF APN: 013-012-009 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 24-103 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ABATE WEED NUISANCES EXISTING WITHIN THE CITY OF MADERA

A-2 Consideration of an application for Prezone (REZ 2023-04), pertaining to ±9.82 acres of property located on the northeast corner of Adell and North D Streets (APN[s]: 038-090-007, 008, 009 & 010)

Recommendation: The City of Madera Planning Commission recommends the City Council hold a public hearing, make the necessary findings, and take action as follows:

1. Waive Full Reading and introduce by title only an Ordinance of the City Council of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2024050494) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the provisions of California Environmental Quality Act (CEQA); and approving REZ 2023-04, amending the Official City of Madera Zoning Map to prezone approximately 9.82-acres of property (APN's: 038-090-007, 008, 009 & 010) to the PD- 4500 (Planned Development, One unit for each 4,500 square feet of site area) and R-1 (Residential, One unit for Each 6,000 square feet of site area) zone districts (Report by Will Tackett)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM A-2 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

INTRO ORD AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2024050494) AND THE MITIGATION MONITORING AND REPORTING

PROGRAM PREPARED FOR PURPOSES OF THE PROPOSED PROJECT IN ACCORDANCE WITH THE PROVISIONS OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND APPROVING REZ 2023-04, AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO PREZONE APPROXIMATELY 9.82-ACRES OF PROPERTY (APN'S: 038-090-007, 008, 009 & 010) TO THE PD-4500 (PLANNED DEVELOPMENT, ONE UNIT FOR EACH 4,500 SQUARE FEET OF SITE AREA) AND R-1 (RESIDENTIAL, ONE UNIT FOR EACH 6,000 SQUARE FEET OF SITE AREA) ZONE DISTRICTS

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 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

B-1 Minutes – June 19, 2024

Recommendation: Approve the City Council Minutes of June 19, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for June 8, 2024 to June 21, 2024 (Report by Michael Lima)

B-3 Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2024/25

Recommendation: Adopt a Resolution Approving the Applications for TDA – LTF and STA Funds for Fiscal Year (FY) 2024/25 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

RES 24-104 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) – LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS FOR FISCAL YEAR (FY) 2024/25 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE AND SUBMIT THE APPLICATIONS TO MADERA COUNTY TRANSPORTATION COMMISSION (MCTC)

B-4 Central Valley Workers Center Fee Waiver Request for the Pan-American Community Center

Recommendation: Adopt a Resolution waiving the rental fees of the Pan-American Community Center on July 28, 2024, related to the Madera C.A.R.E. Fair, hosted by the Central Valley Workers Center, at an anticipated fee rental of \$1,380 (Report by Joseph Hebert)

RES 24-105 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR THE PAN-AMERICAN COMMUNITY CENTER ON JULY 28, 2024, RELATED TO THE CENTRAL

VALLEY WORKERS CENTER'S MADERA C.A.R.E RESOURCE FAIR AT AN ANTICIPATED FEE RENTAL OF \$1,380

B-5 Pacific Gas & Electric (PG&E) Charitable Contribution Donation Program

Recommendation: Adopt a Resolution Accepting Pacific Gas & Electric Company's Charitable Contribution Donation of \$10,000 for Movies in the Park (Report by Joseph Hebert)

RES 24-106 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING PACIFIC GAS & ELECTRIC COMPANY'S CHARITABLE CONTRIBUTION DONATION OF \$10,000 FOR MOVIES IN THE PARK

B-6 Accept Insurance Proceeds for Damaged Wastewater Treatment Plant Influent and Grit Pumps from the 2023 Winter Storms Emergency Event

Recommendation: Adopt a Minute Order accepting \$87,328.20 in insurance proceeds from the City's property insurance program for influent pump numbers 1 and 2 and grit pump number 1, due to damages from debris from the 2023 Winter Storms emergency event (Report by Wendy Silva)

B-7 PG&E Donation – 4th of July Fireworks Show

Recommendation: Adopt a Resolution Accepting Pacific Gas & Electric (PG&E) Company's Donation of \$5,000 to support the 4th of July Fireworks show and authorize the allocation of this funding to the Greater Madera Kiwanis (Report by Arnoldo Rodriguez)

RES 24-107 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING AND ALLOCATING FUNDS FROM PACIFIC GAS & ELECTRIC COMPANY FOR THE 4th OF JULY FIREWORKS SHOW

B-8 Proclamation Supporting the Little League Nor-Cal State Tournament

Recommendation: Adopt a Minute Order Approving a Proclamation Supporting the Little League Nor-Cal State Tournament in the City of Madera on July 20-26, 2024 (Report by Alicia Gonzales)

C. WORKSHOP: None

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

D-1 Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29

1. Adopt a minute order accepting the proposed projects in the City's Draft Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29; and
2. Authorize the City Engineer to submit the draft 5-year CIP for FY 2024/25 to FY 2028/29 to the Planning Commission for determination of conformity with the General Plan (Report by Keith Helmuth)

Justin, a member of the public spoke regarding the Lake/Olive/4th St intersection area. He indicated that he comes into Madera for work every day and believes that a roundabout would serve the area better than a stoplight.

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

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1 WITH THE PROVISION THAT A ROUNDABOUT BE CONSIDERED AT THE LAKE/4TH STREET INTERSECTION WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

D-2 Update on 2024 emergency repair of Avenue 13 sewer trunk main failures and ratify and continue a finding of emergency relating to emergency response and repairs necessitating emergency contracts without competitive bidding

- Recommendation:**
1. Receive an update on the status of emergency repairs to the Avenue 13 sewer trunk main failures that occurred June 3, 2024 and June 10, 2024; and
 2. Adopt a resolution ratifying and continuing a finding of emergency relating to emergency response and repairs to the sanitary sewer main pursuant to Public Contract Code Section 22050 (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-2 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 24-108 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RENEWING A FINDING OF CONTINUING EMERGENCY RELATING TO MULTIPLE SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 WEST OF GRANADA DRIVE, AFFIRMING THE EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER TO MAKE EMERGENCY REPAIRS ON THE SANITARY SEWER MAIN, AND RATIFYING THE AWARD OF EMERGENCY CONTRACTS WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY REPAIRS ON THE SEWER MAIN

E. ADMINISTRATIVE REPORTS:

E-1 Informational report on the Madera Metro Transit System

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

E-2 A Smoke Free Community – Madera County Department of Public Health

Recommendation: This presentation is for informational purposes only, and no action is requested from City Council (Council) at this time (Report by Madera County Department of Public Health)

Rasleen Boparai, the Health Education Coordinator at Madera County Public Health Department, stated that a member of a youth coalition would be conducting the presentation.

Nelly Guzman Dominguez, Rosa Macias, Melina Santos and Janie Herenas of SWAT (Students Working Against Tobacco) presented this item to Council.

Giselle Garcia, Abigail (SWAT Volunteer), Emily Ramos, Lucero Garcia, Rosa Macias, Janie Herenas, Melina Santos, and Nelly Guzman Dominguez, all of SWAT, spoke in favor of this item and asked that it be put on a future agenda.

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

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-2 TO HAVE LEGAL COUNSEL MAKE A PUBLIC MEMO THAT ADDRESSES THE ABILITY TO REGULATE APARTMENTS AND TO HOW TO DO LOST RECOVERY WAS APPROVED BY A 5/1 VOTE. NOES: MAYOR GARCIA. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 5 MAYOR PRO TEM GALLEGOS
 COUNCILMEMBER RODRIGUEZ
 COUNCILMEMBER MONTES
 COUNCILMEMBER MEJIA
 COUNCILMEMBER VILLEGAS

NO: 1 MAYOR GARCIA

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY MAYOR GARCIA, ITEM E-2 TO SET THIS AS AN AGENDA ITEM AND COMBINE IT WITH THE LEGAL REPORT AND PUBLIC MEMO WAS APPROVED BY A 4/2 VOTE. NOES: MAYOR PRO TEM GALLEGOS AND COUNCILMEMBER MONTES. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 4 COUNCILMEMBER RODRIGUEZ
 COUNCILMEMBER MEJIA
 COUNCILMEMBER VILLEGAS
 MAYOR GARCIA

NO: 2 MAYOR PRO TEM GALLEGOS
 COUNCILMEMBER MONTES

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.

Mayor Pro Tem Gallegos thanked the Public Works Department for installing the fire hydrant on Sunset and Schnoor. She asked that her colleagues come up with or have staff investigate a different way/system of agreeing to put something on the agenda as the “thumbs up” method is not working well. She asked that City Attorney give them an update on the MCTC Measure T. City Attorney Shannon L. Chaffin stated they are moving forward with the measure and the Board of Supervisors will discuss this item at their July 16th meeting. Mr. Chaffin stated that there is a Citizens Initiative with a duplicate measure and MCTC will meet prior to the Board of Supervisors’ meeting where staff will present a resolution that will state that to avoid voter

confusion and to avoid having duplicate measures on the balls, that they will defer to the Citizens Initiative.

Councilmember Rodriguez reminded everyone that there will be a Golf Tournament on the 4th of July. There will also be a Fireworks Spectacular on the 4th of July from 5:00 p.m. – 9:00 p.m. and invited everyone to attend. He thanked all the donors and community clubs that participated in making this event happen.

Councilmember Montes thanked staff and wished everyone a safe 4th of July.

Councilmember Mejia thanked the staff and specifically the Parks Department for providing a variety of youth programs. She also noted the drawing for fee waivers and expressed satisfaction with having an installation date for the playground.

Councilmember Villegas stated the 1st and 2nd Division Soccer Leagues are doing well and they have been fun to watch.

Mayor Garcia invited everyone to join on the 4th of July Fireworks Spectacular at the Fairgrounds.

G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 8:55 p.m.



ALICIA GONZALES, City Clerk



CECE GALLEGOS, Mayor Pro Tem



MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

