

REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, February 5, 2025

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: 896 5626 8464 #. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.



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CALL TO ORDER:

ROLL CALL: Mayor Cece Gallegos
Mayor Pro Tem Jose Rodriguez, District 2
Councilmember Rohi Zacharia, District 1
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

INVOCATION: Rev. Joseph Alicea, Awaken Church of God

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

COUNCIL REORGANIZATION:

1. Oath of Office Ceremony for Rohi Zacharia, District 1 City Council Seat

Recommendation: Staff recommends that the City Council receive this report regarding the administration of the Oath of Office to Rohi Zacharia to fill the District 1 City Council seat (Report by Alicia Gonzales)

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.

A. PUBLIC HEARINGS:

A-1 Public Hearing to Amend the Community Development Block Grant (CDBG) 2019-2024 Consolidated Plan

Recommendation: Adopt a Minute Order initiating the amendment process which proposes to approve the amendment of the 2019-2024 Consolidated Plan to include HOME Investment Partnerships Program (HOME) funds in the amount of \$372,064.92 and the City's portion in the amount of \$127,935.08 for a total of \$500,000 (Report by Michael Lima)

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.

- B-1 Minutes – January 15, 2025**
Recommendation: Approve the City Council Minutes of January 15, 2025 (Report by Alicia Gonzales)
- B-2 Informational Report on Register of Audited Demands**
Recommendation: Review Register of Audited Demands Report for January 4, 2025 to January 24, 2025 (Report by Michael Lima)
- B-3 Appointment to the Americans with Disabilities Act (ADA) Advisory Council**
Recommendation: Adopt a Resolution Approving the Appointment of Jack Porter to the ADA Advisory Council (Report by Wendy Silva)
- B-4 Appointment to the Civil Service Commission**
Recommendation: Adopt a Resolution Approving the Appointment of Dennis Smith the Civil Service Commission (Report by Wendy Silva)
- B-5 Appointment to the Planning Commission**
Recommendation: Adopt a Resolution Approving the Appointment of Timothy Riche to the Planning Commission (Report by Will Tackett)
- B-6 Appointment to the Community Development Block Grant Commission**
Recommendation: Adopt a Resolution Approving the Appointment of Candy Talley to the Block Grant Commission (Report by Michael Lima)
- B-7 Appointment to Airport Advisory Commission**
Recommendation: Adopt a Resolution Approving the Appointment of Jerry Holiday to the Airport Advisory Commission (Report by Arnaldo Rodriguez)
- B-8 Amendments to the City of Madera Classification Plan**
Recommendation: Adopt a Resolution Amending the City of Madera Classification Plan to re-title the Neighborhood Preservation class series to Code Enforcement and approve a revised salary schedule reflecting the job title changes (Report by Wendy Silva)
- B-9 Proclamation Recognizing National Pesticide Safety Education Month**
Recommendation: Adopt a Minute Order approving a Proclamation Recognizing National Pesticide Safety Education Month (Report by Alicia Gonzales)
- B-10 Amendment No. 2 to the Landscape Maintenance Services for the Downtown District, Certain City Facilities, and Median Islands Agreement with Elite Maintenance & Tree Service, Inc. (EMTS)**
Recommendation: Adopt a Resolution Approving Amendment No. 2 to the Landscape Maintenance Services for the Downtown District, Certain City Facilities, and Median Islands Agreement with EMTS extending their service agreement for 90 days (Report by Joseph Hebert)

B-11 Second Reading and Adoption of Ordinance Text Amendment (OTA) 2024-01, a proposed amendment to Section 6-5.40 (Operating requirements for store front/retail facilities) of Chapter 5 (Cannabis Businesses) of Title VI of the City Municipal Code (CMC) to allow for curbside delivery at licensed cannabis business store front/retail facilities

Recommendation: Staff recommends the City Council conduct a public hearing and take action as follows:

Waive Full Reading and Adopt an Ordinance of the City Council of the City of Madera determining the project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and amending City Municipal Code (CMC) Section 6-5.40 to allow for curbside delivery for cannabis business store front/retail operations by title only (Report by Will Tackett)

B-12 Second Reading and Adoption of an Ordinance to Prezone (REZ 2024-02) ±19.90 acres of land, comprised of 11 parcels, bounded by Adell and Fairview Streets on the south and west and the Madera Irrigation District Canal (Lat. 24.2) on the north and east, in the County of Madera (APN[s]: 038-060-017, 028, 032 & 033 and 038-110-016, 017, 018, 019, 020, 021 & 022) to facilitate annexation to the City of Madera

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

Waive Full Reading and Adopt an Ordinance of the City Council of the City of Madera approving REZ 2024-02 and amending the official City of Madera Zoning Map to prezone ±6.93 acres of land to the PD-3000 (Planned Development, one unit for each 3,000 square feet of site area) zone district and ±12.97 acres of land to the R-1 (Residential, one unit for each 6,000 square feet of site area) zone district to facilitate annexation to the City of Madera (ANX 2024-01) by title only (Report by Will Tackett)

B-13 Second Reading and Adoption of Ordinance Text Amendment (OTA) 2024-02, for the amendment of Chapter 3 of Title X: Planning and Zoning of the City Municipal Code

Recommendation: The Planning Commission and staff recommend the City Council conduct a public hearing and take action as follows:

Waive Full Reading and Adopt an Ordinance of the City Council of the City of Madera determining the project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and amending Chapter 3 of Title X: Planning and Zoning of the City Municipal Code regarding housing-related definitions, procedures, and regulated uses in zone districts that allow housing by title only (Report by Will Tackett)

B-14 Agreement with the Madera County Animal Shelter

Recommendation: Adopt a Resolution Authorizing and Approving an Amendment to the Fiscal Year 2024/2025 Budget appropriating \$150,000 from the General Fund balance to address a missed payment obligation under the agreement with Madera County for animal control services (Report by Giachino Chiamonte)

B-15 Councilmember Appointments made by the Mayor to Collaborative Agencies

Recommendation: Approve a Minute Order Approving the Mayor's Appointments to Collaborative Boards, Commissions, and Committees (Report by Alicia Gonzales)

B-16 Acceptance of 2023 Water Meter Installation Project, City Project W-31

Recommendation: Adopt a Minute Order Approving:

1. Acceptance of the 2023 Water Meter Installation Project, City Project W-31
2. The Recording of the Notice of Completion
3. The release of retention 35 days after the recording of the Notice of Completion (Report by Keith Helmuth)

B-17 Construction Agreement for Repair and Replacement of Arson-Damaged Equipment at Thaddeus Sran Playground at Centennial Park

Recommendation: Adopt a Resolution approving the Construction Agreement with Dave Bang Associates, Inc of California, (Dave Bang) for the procurement of replacement of parts, demolition, and installation of playground equipment in the amount of \$202,600.25, and rescinding Resolution No. 24-175 approved on October 30, 2024 (Report by Joseph Hebert)

B-18 Piggyback Purchase Agreement Change Order for Fleet Division-related Purchases and Accompanying Budget Amendment

Recommendation: Adopt a Resolution Approving the State of California piggyback agreement change order in the amount of \$4,535.66 with Downtown Ford of Sacramento for the purchase of three utility trucks and an accompanying budget amendment increasing appropriations in the Fleet Acquisition Fund (Report by Michael Lima)

B-19 Black Saints United Fee Waiver Request for the Black History Month Celebration Event

Recommendation: Adopt a Resolution Waiving the Rental Fees of the Pan American Community Center on February 16, 2025, related to a Black History Month Celebration hosted by the Black Saints United, at an anticipated fee rental of \$935 (Report by Joseph Hebert)

B-20 Appointment to the Transit Advisory Board

Recommendation: Adopt a Resolution Approving the Appointment of Andrew Albonico to the Transit Advisory Board (Report by Michael Lima)

B-21 Appointment to the Community Development Block Grant Commission

Recommendation: Adopt a Resolution appointing Cesar Villegas to the Block Grant Commission (BGC) (Report by Michael Lima)

C. WORKSHOP:

C-1 Ensuring the City of Madera as a Refuge and Welcoming City for All

Recommendation: This report is submitted for informational purposes. Staff will receive comments and direction as may be offered from the City Council (Council) (Report by Arnolando Rodriguez)

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

D-1 Sidewalk Improvements at Various Locations City Project No. R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761

Recommendation: Adopt a Resolution Approving the Contract Award for Sidewalk Improvements at Various Locations City Project No. R-94 Bid Package 3 Phase 2 Affordable Housing and Sustainable Communities Program (AHSC), Agreement No. 19-AHSC-12761 in the amount of \$2,056,522.00 to Witbro Inc dba Seal Rite Paving & Grading (Report by Keith Helmuth)

D-2 Clinton Street Sewer and Water Main Project, City Project R-97

Recommendation: 1. Adopt a Resolution Approving the Contract Award for the Clinton Street Sewer and Water Main Project, City Project R-97, CDBG Block Grant B23MC060053 in the amount of \$767,246.75 to United Pavement Maintenance Inc.; and
2. Adopt a Resolution Approving a Budget Amendment to the Fiscal Year 2024/25 Capital Projects Budget to appropriate additional CDBG funds to the Project (Report by Keith Helmuth)

D-3 Construction Agreement for Frank Bergon Senior Center Fencing

Recommendation: 1. Adopt a Resolution Approving a Construction Agreement with Juarez Brothers General Engineering Inc, for Project "IFB 202324-31 Frank Bergon Senior Center Fencing, CBDGB22MC060053" for \$137,622.76; and
2. Adopt a Resolution Amending the City's Fiscal Year 2024/25 Adopted Budget for \$65,172 (Report by Joseph Hebert)

E. ADMINISTRATIVE REPORTS:

E-1 Madera County Economic Development Commission (EDC) 2025/26 Basic Service Level Budget

Recommendation: Adopt a Minute Order Approving the City's contribution towards the Madera County Economic Development Commission (EDC) for Fiscal Year (FY) 2025/26 in the amount of \$194,614.51 (Report by Kristina Gallagher, EDC Executive Director)

E-2 Parks & Community Services Department Fiscal Year 2024/25 Quarter 2 Recap

Recommendation: This report is submitted to provide the City Council with an informational report on the status of the Parks & Community Services (PCS) Department Fiscal Year 2024/25 Quarter 2 Recap (Report by Joseph Hebert)

E-3 Select Recipient for the Proclamation in the Month of February

Recommendation: Request for Council's Selection of a Recipient for the Proclamation Recognizing Black History Month (Report by Alicia Gonzales)

E-4 Informational Report on Solar Project Credit Payment of \$1,966,669.83

Recommendation: This report is informational only (Report by Michael Lima)

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.

G. CLOSED SESSION:

G-1 Conference with Labor Negotiators pursuant to Government Code §54957.6

Agency Designated Representatives: Arnolito Rodriguez and Wendy Silva

Employee Organizations: Madera Affiliated City Employees' Association, Madera Police Officers' Association, Mid Management Employee Group, and Law Enforcement Mid Management Employee Group

G-2 Conference with Labor Negotiators pursuant to Government Code §54957.6

Agency Designated Representative: Arnolito Rodriguez

Unrepresented Positions: Police Chief, Director of Parks & Community Services, City Engineer, Director of Human Resources, Director of Information Technology, Chief Building Official, Planning Manager, Director of Financial Services, Public Works Operations Director, and Director of Community Development

UPCOMING MEETING DATES:

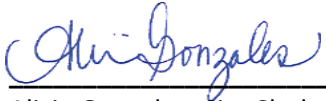
- Wednesday, February 19, 2025
- Wednesday, March 5, 2025

ADJOURNMENT:

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.

- Please silence or turn off cell phones and electronic devices while the meeting is in session.
 - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
 - Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's office located at 205 W. 4th Street, Madera, CA 93637 and on the City website at www.madera.gov
 - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
 - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for February 5, 2025, near the front entrances of City Hall and on the City's website www.madera.gov at 3:45 p.m. on January 31, 2025.



Alicia Gonzales, City Clerk