



Item:	B-1
Minutes for:	03/02/2022
Adopted:	07/20/2022

**Minutes of a Regular Meeting of the Madera City Council**

**Wednesday, March 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](http://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: 832 4470 2891#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto: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 6:03 p.m.

**ROLL CALL:** 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, Director of Human Resources Wendy Silva, 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, Alexis Raymundo, Assistant Engineer, Jonathan Gramajo, Assistant Engineer, Marcela Zuniga, Grants Administrator, and Communication Specialist Joseph Carrello.

**INVOCATION:** Rabbi Paul Gordon, Congregation Beth Jacob

**PLEDGE OF ALLEGIANCE:** Daniel Foss, Interim Public Works Director

**APPROVAL OF AGENDA:**

Late distribution announcement made by City Clerk, Alicia Gonzales. Pursuant to government code section 54957.5, members of the public are advised that less than 72 hours prior to this evening’s meeting,

Item B-7, final map was distributed to the council and posted on the city's website after the agenda packet was posted. Members of the public wishing to view or obtain a copy of this item may do so by visiting the City of Madera meeting and agenda page located on the city's website. Copies of this item are also available at the podium.

**ON MOTION BY COUNCILMEMBER MONTES 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.*

No Public Comment was submitted. Public Comment was closed.

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)
2. Madera District Fair Award Recognition

**INTRODUCTIONS:**

**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.*

No public comment was submitted.

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, THE CONSENT CALENDAR WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE. COUNCILMEMBER MEJIA ABSTAINED FROM VOTING ON ITEM B-1.**

**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 – 07/21/21**

**Recommendation:** Approve the City Council Minutes of July 21, 2021

**B-2 Informational Report on Register of Audited Demands for February 5, 2022 to February 18, 2022**

**Recommendation:** No Action Required (Report by Anthony Forestiere)

**B-3 Second Reading and Adoption of an Ordinance for a Rezone related to the development of the Sunset Apartment Project**

**Recommendation:** Waive full reading and Adopt an Ordinance, rezoning the approximately 0.2 northern acres of Assessor's Parcel Number 006-182-007 to the R3 (*One unit per 1,800 square feet of site area*) zone district (Report by Arnaldo Rodriguez)

**ORD 985 C.S.** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE THE APPROXIMATELY 0.2 NORTHERN ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF SUNSET AND ORCHARD AVENUES (APN: 006-182-007) FROM THE R1 TO THE R3 ZONE DISTRICT

**B-4 Second Reading and Adoption of an Ordinance Amending the City's Municipal Code Relating to the Appointment Process for City Boards, Committees, and Commissions**

**Recommendation:** Waive full reading and Adopt an Ordinance Amending §2-3.101 OF TITLE II, CHAPTER 3 of the Madera Municipal Code relating to the appointments process for City Boards, Committees, and Commissions (Report by Arnaldo Rodriguez)

**ORD 986 C.S.** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING SECTION § 2-3.101 OF TITLE II, CHAPTER 3 OF THE MADERA MUNICIPAL CODE RELATING TO APPOINTMENTS AND TERMS TO CITY BOARDS, COMMITTEES, AND COMMISSIONS

**B-5 2020-21 City St. 3R & ADA Project, State Project No. LPP SB1-LLPL 5157 (120), City Project No. R-71**

**Recommendation:** Adopt a Minute Order Approving

- 1) Acceptance of 2020-21 City St. 3R & ADA Project, State Project No. LPP SB1- 5157 (120), City Project No. R-71; and
- 2) The Recording of Notice of Completion; and,
- 3) The release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

**B-6 Amendment to the Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2021/22 and Rescinding Resolution No. 22-05**

**Recommendation:**

- 1) Adopt a Resolution Rescinding Resolution No. 22-05 and approving the amended application for TDA, LTF for FY 2021/22 with FY 2020/21 carryover balances; and
- 2) Authorizing the City Engineer to execute the amended application and submit it to the MCTC for approval and adoption (Report by Keith Helmuth)

**RES 22-28** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENTS TO THE APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) - LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS FOR FISCAL YEAR (FY) 2021/22 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE AND SUBMIT THE APPLICATIONS TO MADERA COUNTY TRANSPORTATION COMMISSION (MCTC)

**B-7 Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021 funding allocation**

**Recommendation:** Adopt a Resolution Authorizing a Budget Amendment to the JAG FY 2021 Program budget as a result of accepting Grant in the amount of \$27,829 (Report by Anthony Forestiere)

**RES 22-29** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A BUDGET AMENDMENT TO THE JAG GRANTS FUND ACCEPTING THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FY 2021 FUNDING ALLOCATION

**B-8 Amendment to Lease Agreements at the Madera Intermodal Transit Center**

**Recommendation:** Adopt a Resolution Approving Amendment No. 1 to the Lease Agreement between the City and Greyhound for the use of the Intermodal Transit Center and Rescinding Resolution No. 22-03 (Report by Anthony Forestiere)

**RES 22-30** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE LEASE AGREEMENT BETWEEN THE CITY OF MADERA AND GREYHOUND LINES, INC. A DELAWARE CORPORATION FOR THE USE OF THE INTERMODAL TRANSIT CENTER AND RESCINDING RESOLUTION NO. 22-03

**B-9 Amendment to Existing Consultant Contract between the City and NBS Relating to Utility Rate Studies**

**Recommendation:** Adopt a Resolution Approving First Amendment to Agreement for Professional Services between the City and NBS Relating to Rate Studies for Additional Services at a Cost of \$30,000 (Report by Anthony Forestiere)

**RES 22-31** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MADERA AND NBS RELATING TO RATE STUDIES FOR ADDITIONAL SERVICES AND INCREASE OF FEES

**C. PUBLIC HEARINGS:**

**C-1 7:00PM – Redrawing of Council Member District Boundaries (Redistricting)**

**Recommendation:**

- 1) Receive a report on the redistricting process, feedback from the February 6, 2022, second redistricting workshop draft maps, and permissible criteria to be considered to redraw district boundaries;
- 2) Conduct Public Hearing #4 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)

Presentation by Joanna Gin, BBK Associate

City Attorney comments were heard.

Public Hearing was opened.

Comments were heard from Wally Nishimoto author of map option 4 and map option 6.

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

City Council comments were heard.

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, ITEM C-1, MAP OPTION 5 WAS APPROVED BY A 6/1 VOTE. NOES: MAYOR GARCIA. ABSENT: NONE. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

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

**NO: 1 - MAYOR GARCIA**

**C-2 Updating Prima Facie Speed Limits on Designated City Streets in Compliance with Vehicle Code Regarding Speed Surveys on City Streets**

**Recommendation:** Introduce an Ordinance Amending Section 3-5.08 of Chapter 5 of Title 3 of the Madera Municipal Code (MMC) to Update Prima Facie Speed Limits on City Streets (Report by Keith Helmuth)

Item C-2 was heard prior to Item C-1 Redistricting Public Hearing.

Keith Helmuth City Engineer introduced Jonathan Gramajo.

Jonathan Gramajo Assistant Engineer presented item C-2.

City Council comments were heard.

No public comment was submitted.

**ON MOTION BY MAYOR PRO TEM EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM C-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**

**INTRO ORD** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SECTION 3-5.08 OF CHAPTER 5 OF TITLE III OF THE MADERA MUNICIPAL CODE RELATING TO INCREASING STATE SPEED LIMIT IN CERTAIN ZONES

**C-3 Public Hearing Relating to Annexation of Certain Properties into Zone of Benefit 40 and Zone of Benefit 51 to the Citywide Landscape and Lighting Assessment Districts (LMD) Zone for Fiscal Year 2022/23**

**Recommendation:** Adopt Resolutions Approving Annexation of Certain Properties to Citywide Lighting and Landscaping Assessment Districts:

- 1) Resolution Approving Annexation No. 2022 -01 for Annexation of APN 012-253-002, 012- 270-001, and APN 012-270-002 (Rai Apartments) Into Zone of Benefit 40; Confirming the Diagram and Assessment for Citywide Landscape and Lighting Assessment District Zone of Benefit 40 for Fiscal Year (FY) 2022/23; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor; and
- 2) Resolution Approving Annexation No. 2022-02 for annexation of APN 010-193-010 (Caliber); APN 012-133-039 (ARCO); APN 003-194-012 (Starbucks Country Club Drive) Into Zone of Benefit 51; Confirming the Diagram and Assessment for Citywide Landscape and Lighting Assessment District Zone of Benefit 51 for Fiscal Year (FY) 2022/23; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

Item C-3 was heard prior to Item C-1 Redistricting Public Hearing.

Presentation by Administrative Analyst Nicole Say.

No public comment was submitted.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEBER GALLEGOS, ITEM C-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 22-32** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION NO. 2022-01 FOR ANNEXATION OF APN: 012-253-002, APN: 012-270-001, AND APN: 012-270-002 (RAI APARTMENTS) INTO ZONE OF BENEFIT 40; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITYWIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 40 FOR FISCAL YEAR (FY) 2022/23; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

**RES 22-33** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION NO. 2022-02 FOR ANNEXATION NO. 2022-23 FOR ANNEXATION OF APN 010-93-010 (CALIBER COLLISION); APN 012-13-039 (ARCO GAS STATION), AND APN 003-194-012 (STARBUCKS AT COUNTRY CLUB DRIVE) INTO ZONE OF BENEFIT 51; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITYWIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 51 FOR FISCAL YEAR (FY) 2022/23; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

Mayor Garcia called for a recess at 6:44 p.m. Council will return from recess at 7:00 p.m. and commence Item C-1.

The Council returned from recess at 7:02 p.m. Item C-1 was heard.

**D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS: None**

**E. ADMINISTRATIVE REPORTS: None**

**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.*

Councilwoman Gallegos stated it is Read Across America Week and encouraged folks to read to their young ones.

Councilmember Rodriguez nothing to report.

Councilmember Montes nothing to report

Councilwoman Mejia recognized Women's History Month.

Mayor Pro Tem Evans gave a shout out Madera High School for organizing Taste of Soul where she was a guest speaker.

Councilmember Villegas nothing to report.

Mayor Garcia stated he and City Manager Arnoldo Rodriguez did an interview with the local Spanish TV station Channel 21. He also stated he read a book about Jackie Robinson to students at Sierra Vista Elementary School for Read Across America Week.

**G. CLOSED SESSION:**

**G-1 Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation - Pursuant to Government Code §54956.9(d)(2)**

Workers' Compensation: John Cortes – One (1) claim

**G-2 Conference with Legal Counsel – Existing Litigation Pursuant to Government Code §54956.9(d)(1)**

Workers' Compensation: Brian Hutchison EAMS No. ADJ12672547

Mark Manzo EAMS No. ADJ12491801

City Attorney Hilda Cantu Montoy made the closed session announcement at 7:50 p.m.

Council returned from Closed Session at 8:34 p.m. with all members of the Council present.

City Attorney announced there was no reportable action.

**ADJOURNMENT:** Meeting was adjourned at 8:34 p.m.

**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.

  
ALICIA GONZALES, City Clerk

  
SANTOS GARCIA, Mayor

