

Item:	B-1
Minutes for:	04/06/2022
Adopted:	08/03/2022

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

**April 6, 2022  
6:00 p.m.**

**Council Chambers  
City Hall**

The Council Chambers was open to the public. This meeting was also available for public viewing and participation through Zoom. Members of the public were also able to observe the live streamed meeting on the City's website at [www.madera.gov/live](http://www.madera.gov/live). Members of the public were able to comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 832 4575 0984. Comments were also accepted via email at [citycouncilpubliccomment@madera.gov](mailto: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 (Arrived at 6:03 p.m.)
- 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, Interim Director of Financial Services Anthony Forestiere, Fire Division Chief Matt Watson, Grants Administrator Marcela Zuniga, Human Resources Director Wendy Silva, Information Services Manager Mark Souders, Interim Parks Director Joseph Hebert, Planning Manager Gary Conte, Police Chief Dino Lawson, Interim Public Works Director Dan Foss, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Steve Bettencourt, Assistant Planner Ricardo Olea, Finance Consultant Vicki Crow, Senior Planner Robert Smith, and Communication Specialist Joseph Carrello.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Montes

### **APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, THE AGENDA AND DECIDING TO MOVE ITEM B-5 TO THE NEXT MEETING 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.*

Two community members spoke regarding garage sale signs. They stated that they were unaware they couldn't put signs on neighboring lawns even with the property owners permission. They asked about the garage sale rules and stated they had not seen anything about garage sales in the newsletter that is included in the utility bill. Mayor Garcia stated that Council couldn't address their concerns at that time as it was not on the agenda. He directed them to Police Chief Lawson who was in the back of the room and advised that Chief Lawson would be able to assist them.

No further Public Comment was presented. 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. Proclamation Recognizing Pisk Family Celebration Day
3. Proclamation Recognizing the Month of April as Sexual Assault Awareness Month
4. Madera County Historical Society Certificate of Recognition

**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 GALLEGOS, THE CONSENT CALENDAR WAS APPROVED BY A 7/0 VOTE EXCEPT FOR ITEM B-1 WHICH WAS APPROVED BY A 6/1 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCILMEMBER MEJIA ABSTAINED FROM ITEM B-1.**

**THE MOTION FOR ALL ITEMS EXCEPT B-1 PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS (ABSTAINED FROM ITEM B-1)  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**B-1 Minutes – 08/18/21, 10/28/21**

**Recommendation:** Approve the City Council Minutes of August 18, 2021 and October 28, 2021

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

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

**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 from the City Council (Report by Arnoldo Rodriguez)

**B-4 Agreement with Prudential Overall Supply for Uniform Rental and Laundry Services**

**Recommendation:** Adopt a Resolution Approving an Agreement for Prudential Overall Supply to Provide Uniform Rental and Laundry Services to the City (Report by Daniel Foss)

**RES 22-36** A RESOLUTION OF THE CITY COUNCIL OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH PRUDENTIAL OVERALL SUPPLY FOR UNIFORM RENTAL AND LAUNDRY SERVICES

**B-5 Madera Americans with Disabilities Act (ADA) Advisory Council Bylaws**

**Recommendation:** Adopt a Resolution Amending the Madera ADA Advisory Council Bylaws (Report by Wendy Silva)

This item was moved to the next meeting date.

**B-6 Ratification of Revisions to COVID-19 Emergency Policy No. 2**

**Recommendation:** Adopt a Minute Order Ratifying Issuance of Revised COVID-19 Emergency Policy No. 2: COVID-19 Paid Leave by the City Manager in his role as Director of Emergency Services (Report by Wendy Silva)

**B-7 Second Reading and Adoption of an Ordinance Amending Section 2-1.21 of Chapter 1 of Title II of the Madera Municipal Code Regarding By-District Elections, Adjusting the Boundaries of City Council Election Districts and Confirming Such Revised Council Boundaries**

**Recommendation:** Waive Full Reading and Adopt an Ordinance Amending Section 2-1.21 of Chapter 1 of Title II of the Madera Municipal Code Regarding By-District Elections, Adjusting the Boundaries of City Council Election Districts and Confirming Such Revised Council Boundaries (Report by Alicia Gonzales)

**ORD 988 C.S.** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING SECTION 2-1.21 OF CHAPTER 1 OF TITLE II OF THE MADERA MUNICIPAL CODE REGARDING BY-DISTRICT ELECTIONS, ADJUSTING THE BOUNDARIES OF CITY COUNCIL ELECTION DISTRICTS AND CONFIRMING SUCH REVISED COUNCIL DISTRICT BOUNDARIES

**C. PUBLIC HEARINGS:**

**C-1 Torres Way General Plan Amendment (GPA 2021-01) and related Negative Declaration (ENV 2021-64)**

**Recommendation:** Conduct a Public Hearing, Make the Necessary Findings, and Adopt a Resolution Adopting the Initial Study/Negative Declaration and Approve a General Plan Land Use Designation Amendment from LD (Low Density Residential) to HD (High Density Residential) (Report by Gary Conte)

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM C-1 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 22-37** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING THE INITIAL STUDY/NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE AMENDMENT OF

THE GENERAL PLAN LAND USE DESIGNATION AT THE WEST SIDE OF TORRES WAY BETWEEN WEST LINCOLN AVENUE AND WEST SOUTH STREET FROM THE LD (LOW DENSITY) TO HD (HIGH DENSITY)

**C-2 Rezone Property Located at 801 South Gateway**

**Recommendation:** Conduct a Public Hearing, Make Necessary Findings, and Waive Full Reading and Introduce an Ordinance Rezoning Approximately 0.27 acres at 801 South Gateway Drive (APN 011-111-005) from an I – Industrial Zone district to a C2 – Heavy Commercial Zone District (Report by Gary Conte)

**ON MOTION BY COUNCILMEMBER RODRIGUEZ 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 THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.27 ACRES OF PROPERTY LOCATED AT 801 SOUTH GATEWAY DRIVE (APN: 011-111-005) FROM THE I – INDUSTRIAL TO THE C2 – HEAVY COMMERCIAL ZONE DISTRICT

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

**D-1 Update on Water, Sewer, Storm Drainage and Solid Waste Rate Studies, Confirmation of Direction on Utility Rate increases and Consideration of a Resolution Approving a Date for Prop 218 Public Hearing for Water, Sewer, Storm Drainage and Solid Waste Rate Increases**

**Recommendation:** Staff recommends that the Council, after considering the information presented, adopt a resolution accepting the rate study relating to water, sewer, storm drainage and solid waste; authorizing required actions under Proposition 218; and setting Proposition 218 public hearing date of June 15, 2022 to consider rates (Report by Anthony Forestiere)

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-1 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 22-38**            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ACCEPTING THE RATE STUDY RELATING TO WATER, SEWER, STORM DRAINAGE AND SOLID WASTE; AUTHORIZING REQUIRED ACTIONS UNDER PROPOSITION 218; AND SETTING A PROPOSITION 218 PUBLIC HEARING DATE TO CONSIDER RATE INCREASES

**D-2 Amending the Municipal Code to Remove the Superseded Section Relating to the Appointment Process for Members of the Civil Service Commission**

**Recommendation:** Waive further reading and introduce an ordinance amending §2-2.303 of Title II of the Madera Municipal Code relating to the Civil Service Commission (Report by Wendy Silva)

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-2 WAS APPROVED BY A 6/1 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER RODRIGUEZ. ABSTAIN: NONE.**

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

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

**ABSENT: 1 - COUNCILMEMBER RODRIGUEZ**

**INTRO ORD**            AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING SECTION 2-2.303 OF TITLE II, CHAPTER 2 OF THE MADERA MUNICIPAL CODE RELATING TO THE CIVIL SERVICE COMMISSION

**D-3 Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers for Design Services for Shoulder Paving and Sidewalks**

**Recommendation:**

- 1) Adopt a Resolution Approving a Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc. in the amount of \$264,750 for Engineering Design Services for Shoulder Paving on Raymond Road - City Project R-37, Storey Road - City Project R-60, Pecan Avenue - City Project R-67, and Sidewalks on Schnoor Avenue - City Project R-58, and Washington School area - City Project R-93; and
- 2) Adopt a Resolution Approving Funding Amendment Appropriating \$75,000 to the City of Madera Fiscal Year (FY) 2021/22 Capital Projects Budget for the Engineering Design Services for Shoulder Paving on Raymond Road - City Project R-37, Storey Road - City Project R-60, Pecan Avenue - City Project R-67, and Sidewalks on Schnoor Avenue - City Project R-58, and Washington School area - City Project R-93 (Report by Keith Helmuth)

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-3 (1 & 2) WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**YES: 7 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**RES 22-39** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A CONSULTANT SERVICES AGREEMENT WITH BLAIR, CHURCH AND FLYNN CONSULTING ENGINEERS, INC IN THE AMOUNT OF \$264,750.00 FOR ENGINEERING DESIGN SERVICES FOR SHOULDER PAVING ON RAYMOND ROAD - CITY PROJECT R-37, STOREY ROAD - CITY PROJECT R-60, PECAN AVENUE - CITY PROJECT R-67, AND SIDEWALKS ON SCHNOOR AVENUE - CITY PROJECT R-58, AND WASHINGTON SCHOOL AREA - CITY PROJECT R-93

**RES 22-40** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING FUNDING AMENDMENT APPROPRIATING \$75,000 TO THE CITY OF MADERA FISCAL YEAR (FY) 2021/22 CAPITAL PROJECTS BUDGET FOR THE ENGINEERING DESIGN SERVICES FOR SHOULDER PAVING ON RAYMOND ROAD - CITY PROJECT R-37, STOREY ROAD - CITY PROJECT R-60, AND SIDEWALKS ON SCHNOOR AVENUE - CITY PROJECT R-58, AND WASHINGTON SCHOOL AREA - CITY PROJECT R-93

**D-4 Contract Award for Groundwater Monitoring Well Installation services for the Wastewater Treatment Plant**

**Recommendation:** Adopt a Resolution Approving the Contract Award for Groundwater Monitoring Well Installation Services, WWTP Project No. 20-01, in the amount of \$234,000 to Maggiora Brothers Drilling, Inc. (Report by Daniel Foss)

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

**YES: 7 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**RES 22-41** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AWARD OF THE CONTRACT FOR THE CONSTRUCTION OF GROUNDWATER MONITORING WELLS AT THE WASTEWATER TREATMENT PLANT PROJECT NO. 20-01 TO MAGGIORA BROTHERS DRILLING INC., IN THE AMOUNT OF \$234,000 AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

**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 agendaized and which meet other requirements for action.*

Councilmember Gallegos mentioned a ribbon cutting for Fire Station 58 that took place on March 30<sup>th</sup> and thanked the Police and Fire Departments for their participation in making it a successful event. She also mentioned the Lion's Club Annual 100<sup>th</sup> Anniversary 5k Run that took place April 2<sup>nd</sup> and stated that Madera Police Department Lieutenant Arnold's son finished in first place.

Councilmember Rodriguez thanked the community for attending the ribbon-cutting for Station 58 and thanked Chief Watson for hosting the event. He stated that he was in agreement with item D-2.



Councilmember Montes thanked the community for attending the Station 58 ribbon cutting. He mentioned some of the construction projects taking place in the community and thanked Staff for their efforts in making these improvements

Mayor Pro Tem Evans thanked the community for attending the Station 58 ribbon cutting. She mentioned the ribbon cutting for Boot Barn that took place April 1<sup>st</sup> and welcomed them to Madera. Mayor Pro Tem Evans encouraged those in attendance and the community to follow COVID-19 guidelines concerning vaccinations.

Councilmember Mejia had nothing to report.

Councilmember Villegas had nothing to report.

Mayor Garcia thanked everyone in attendance and thanked Staff for a job well done.

**G. CLOSED SESSION:** None.

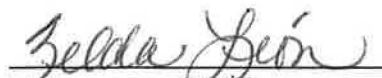
**ADJOURNMENT:** The meeting was adjourned at 8:06 p.m.

**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

  
MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk

