



Item:	B-1
Minutes for:	04/20/2022
Adopted:	08/17/2022

Minutes of a Regular Meeting of the Madera City Council

**April 20, 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. 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: 894 8004 5873#. 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 6:12 p.m.

ROLL CALL:

Present: Mayor Santos Garcia
Mayor Pro Tem Anita Evans, District 4
Councilmember Cece Gallegos, District 1
Councilmember Steve Montes, District 3
Councilmember Artemio Villegas, District 6

Absent: Councilmember Jose Rodriguez, District 2
Councilmember Elsa Mejia, District 5

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Attorney Shannon Chafin, 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, Assistant Engineer Alexis Raymundo, Assistant Planner Ricardo Olea, Finance Consultant Vicki Crow, Senior Planner Robert Smith, and Communication Specialist Joseph Carrello.

INVOCATION:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
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 presented. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. American Red Cross: Sound the Alarm Campaign
2. Certificate of Recognition – Matilda Torres High School and Madera South High School HOSA Club
3. Certificate of Recognition - Madera Coalition for Community Justice recognized as the 2022 Nonprofit of the Year for Senate District 12

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 GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, THE CONSENT CALENDAR WAS APPROVED 5/0. ITEM B-7 WAS PULLED FROM THE AGENDA FOR DISCUSSION. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

B-1 Minutes – 9/15/21, 10/6/21, 02/02/22

Recommendation: Approve the City Council Minutes of September 15, 2021, October 6, 2021, and February 2, 2022

B-2 Informational Report on Register of Audited Demands for

Recommendation: No Action Required (Report by Anthony Forestiere)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Airport Liability Insurance Renewal

Recommendation: Adopt a Minute Order Authorizing the City Manager to execute necessary documents to bind the City's Airport Liability Insurance renewal (Report by Wendy Silva)

B-5 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 adopt an ordinance amending §2-2.303 of Title II of the Madera Municipal Code relating to the Civil Service Commission (Report by Wendy Silva)

ORD 989 C.S. 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

B-6 Professional Services Agreement with MV Cheng & Associates

Recommendation: Adopt a Resolution Approving a Consulting Services Agreement with MV Cheng & Associates for Interim Director of Financial Services Consulting Services (Report by Wendy Silva)

RES 22-44 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF MADERA AND MV CHENG & ASSOCIATES

B-7 CalRecycle Grant and Payment Programs

Recommendation: Adopt a Resolution Authorizing the Submittal of Application(s) for all CalRecycle Grant and Payment Programs for which the City is eligible (Report by Daniel Foss)

Councilmember Gallegos comments were heard.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS, ITEM B-7 WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS**

MAYOR GARCIA

B-8 Delegation of Authority to receive Federal Funding under the Federal Transit Act Section (FTA) 5339 (49 U.S.C. Section 5339) with the California Department of Transportation

Recommendation: Adopt a Resolution Authorizing the City Manager as the signee to execute all required documentation as it relates to the FTA and Caltrans for the 2022/23 Fiscal Year related to public transit (Report by Anthony Forestiere)

RES 22-46 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) and/or 5339 (49 U.S.C. SECTION 5339) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

B-9 Amendment to the Management and Operations Agreement between the City and MV Public Transportation, Inc.

Recommendation: Adopt a Resolution Approving Amendment to No. 4 to the Agreement for Management and Operation of Madera Transit Services Agreement with MV Public Transportation, Inc. relating to Special Services, including the 4th of July Firework Display Show, Parades, Madera District Fair, and the Holiday Light Show (Report by Anthony Forestiere)

RES 22-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 4 TO THE AGREEMENT FOR MANAGEMENT AND OPERATION OF MADERA TRANSIT SERVICES BETWEEN THE CITY OF MADERA AND MV PUBLIC TRANSPORTATION, INC.

B-10 Madera Police Department Flooring Renovation

Recommendation: Adopt a Resolution Awarding Contract to Michael Flooring under IFB 202021-07 for the Madera Police Department flooring renovation project in the amount of \$69,900 and approve a Contractor Services Agreement (Report by Dino Lawson)

RES 22-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR RENOVATION OF EXISTING FLOORING TO POLISHED CONCRETE FLOORING AT THE MADERA POLICE DEPARTMENT, IFB 202021-07, IN THE AMOUNT OF \$69,900 TO MICHAEL FLOORING AND AUTHORIZE CONSTRUCTION CONTINGENCIES RELATED TO THE CONTRACT

B-11 Amendment to the City's Utility Service

Recommendation: Adopt a Resolution Amending the City's Utility Services Policy consistent with the State of California Water Resources Control Board Water Arrearages Program (Report by Anthony Forestiere)

RES 22-49 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE CITY'S UTILITY SERVICES POLICY CONSISTENT WITH THE STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD WATER ARREARAGES PROGRAM

B-12 Easement Deeds for Sidewalk Improvements for Maple, Santa Cruz, and Monterey Streets (City Project R-84)

Recommendation: Adopt a Resolution Approving Three Purchase and Sale of Real Property Agreements and Authorizing the City Clerk to prepare the Certificate of Acceptance and Record Three Easement Deeds (APN Nos. 012-093-005, 012-093-013, and 012-097-006) (Report by Keith Helmuth)

RES 22-50 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THREE AGREEMENTS FOR PURCHASE AND SALE OF REAL PROPERTY WITH THE PROPERTY OWNERS AND AUTHORIZING THE CITY CLERK TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND RECORD THE EASEMENT DEEDS FOR THE SIDEWALK IMPROVEMENTS ON MAPLE STREET, SANTA CRUZ STREET AND MONTEREY STREET NEW, CITY PROJECT NO. R-84 (APN NO. 012-093-005, 012-093-013, AND 012-097-006)

B-13 Acceptance of Improvements for La Spezia II Subdivision (Tract No. 19-S-01)

Recommendation: Adopt a Resolution

- 1) Accepting the Improvements for La Spezia II Subdivision (Tract No. 19-S-01); and
- 2) Authorizing the Filing of the Notice of Completion for Said Subdivision Improvements; and
- 3) Authorizing staff to record the Notice of Completion of Subdivision Improvements (Report by Keith Helmuth)

RES 22-51 A RESOLUTION ACCEPTING IMPROVEMENTS FOR LA SPEZIA II SUBDIVISION (TRACT NO. 19-S-01), AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION FOR SAID SUBDIVISION IMPROVEMENTS AND AUTHORIZING STAFF TO RECORD THE NOTICE OF COMPLETION

B-14 Accepting Improvements for La Spezia III Subdivision (Tract No. 19-S-02)

Recommendation: Adopt a Resolution

- 1) Accepting the Improvements for La Spezia III Subdivision (Tract No. 19-S-02); and
- 2) Authorizing the Filing of the Notice of Completion for Said Subdivision Improvements; and
- 3) Authorizing staff to record the Notice of Completion of Subdivision Improvements (Report by Keith Helmuth)

RES 22-52 A RESOLUTION ACCEPTING IMPROVEMENTS FOR LA SPEZIA III SUBDIVISION (TRACT NO. 19-S-02), AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION FOR SAID SUBDIVISION IMPROVEMENTS AND AUTHORIZING STAFF TO RECORD THE NOTICE OF COMPLETION

B-15 Second Reading and Adoption of an Ordinance to Rezone 0.27 acre at 801 South Gateway Drive

Recommendation: Waive full reading and adopt an Ordinance, rezoning approximately 0.27 acres at 801 South Gateway Drive (APN 011-111-005) to C2 - Heavy Commercial zone district (Report by Gary Conte)

ORD 990 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.27 ACRES OF PROPERTY LOCATED AT 801 SOUTH GATEWAY DRIVE (APN: 011-111-005) FROM THE I- INDUSTRIAL TO THE C2- HEAVY COMMERCIAL ZONE DISTRICT

C. PUBLIC HEARINGS:

C-1 Villages at Almond Grove Specific Plan: Specific Plan (SP) No. 2017-01 (Adopting the Villages at Almond Grove Specific Plan); General Plan Amendment (GPA) No. 2017-02; Pre-zone/Rezone (REZ) No. 2017-05; Zoning Ordinance/Madera Municipal Code Amendment (OTA) No. 2022-01; Environmental Impact Report (EIR) (SCH #2018081051); and Annexation (ANX) No. 2022-01

Recommendation: Hold a public hearing, and then consider the following:

1. Approve a Resolution Adopting the EIR (SCH #2018081051), that provides for the following:
 - a. Adoption of the findings required by CEQA Guidelines, Section 15091;
 - b. Certification the Environmental Impact Report (SCH #2018081051) for the proposed The Villages at Almond Grove Specific Plan (a 1,883-Acre Area bounded by Avenue 17 on the north, Road 22 on the west, the Fresno River on the south, and Road 23 and Road 24 on the east), including General Plan Amendment (GPA 2017-02), Pre-Zoning/ Rezoning (REZ 2017-05), Annexation (ANX 2022-01), Zoning Ordinance Text Amendment (OTA 2022-01) as well as the two related Subdivisions (TSMs 2020-02 And 2020-03);
 - c. Adoption of the proposed Mitigation Monitoring and Reporting Program, and
 - d. Adoption of a Statement of Overriding Considerations, pursuant to the California Environmental Quality Act (CEQA);
2. Adopt a Resolution approving General Plan Amendment (GPA) 2017-02 for the Villages at Almond Grove Specific Plan consistency with the General Plan;
3. Introduce an Ordinance of the City Council of the City of Madera adopting the proposed Villages at Almond Grove Specific Plan (Specific Plan No. 2017-01) by title only, and waive the first full reading;
4. Introduce an Ordinance of the City Council of the City of Madera amending Section 10-3.301 of Chapter 3 of Title 10 of the City Municipal Code and adding Sections 10-3.11.601 through Section 10-3.11.604 of Subchapter 11 of Chapter 3 of Title 10 of the City Municipal Code to provide for Specific Plan Zones (SP) by title only, and waive the first full reading; and
5. Introduce an Ordinance of the City Council of the City of Madera amending the official City of Madera Zoning Map to rezone approximately 1,883 acres within the Villages at Almond Grove Specific Plan, whose location is bounded by Avenue 17 on the north, Road 22 on the west, the Fresno River on the south, and Road 23 and Road 24 on the east,

from Agricultural Rural Exclusive – 40 acres (ARE-40) and Agricultural Rural Exclusive – 42 acres (ARE-20), as well as PD 4500 (Planned Development, one unit per 4,500 square feet of site area) to the Specific Plan (SP) zone district by title only, and waive the first full reading.

6. Consider a report on a Resolution initiating annexation of the Villages at Almond Grove Specific Plan area (Annexation No. 22-01), and consider its adoption at a subsequent meeting (Report by Gary Conte)

Public Comment was heard from Norm Allinder, Christina Beckstead Madera County Farm Bureau, and community member Hank Bennett.

City Council comments were heard.

ON MOTION BY MAYOR GARCIA AND SECONDED BY COUNCILMEMBER GARCIA ITEM C-1, A-D WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

RES 22-53 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA TO (1) ADOPT THE FINDINGS REQUIRED BY CEQA GUIDELINES, SECTION 15091; (2) CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH #2018081051) FOR THE PROPOSED THE VILLAGES AT ALMOND GROVE SPECIFIC PLAN (A 1,883-ACRE AREA BOUNDED BY AVENUE 17 ON THE NORTH, ROAD 22 ON THE WEST, THE FRESNO RIVER ON THE SOUTH, ANO ROAD 23 ANO ROAD 24 ON THE EAST), INCLUDING GENERAL PLAN AMENDMENT (GPA 2017-02), PRE-ZONING/ REZONING (REZ 2017-05), ANNEXATION (2022-01), ZONING ORDINANCE TEXT AMENDMENT (OTA 2022-01) AS WELL AS THE TWO RELATED SUBDIVISIONS (TSMs 2020-02 and 2020-03); (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM, AND (4)ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM EVANS C-1, #2 WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

RES 22-54 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA INITIATING ANNEXATION OF THE VILLAGES AT ALMOND GROVE SPECIFIC PLAN AREA (ANNEXATION NO. 22-01)

ON MOTION BY MAYOR PRO TEM EVANS AND SECONDED BY COUNCILMEMBER MONTES C-1, #3 WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS C-1, #4 WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR GARCIA C-1, #5 WAS APPROVED 5/0. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MEJIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

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 mentioned Wednesday, April 27th is Denim Day and encouraged all in attendance to wear denim in support of Sexual Assault Awareness.


No other reports were made.

G. **CLOSED SESSION:** None.

ADJOURNMENT: The meeting was adjourned at 8:00 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

