

Item:	B-1
Minutes for:	10/05/2022
Adopted:	12/21/2022

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

October 5, 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: 897 7517 9569#. 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.

**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  
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 (Zoom), City Engineer Keith Helmuth, Community Development Director Will Tackett, Interim Director of Financial Services Kingsley Okereke, Fire Battalion Chief Andrew Overbay, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Works Director Jamie Hickman, Senior Planner Robert Smith, Wastewater Treatment Plant Manager Gabriel Bostan, Deputy City Engineer Randy Bell, and Communication Specialist Joseph Carrello.

**INVOCATION:** Mike Souza, Harvest Community Church

**PLEDGE OF ALLEGIANCE:** Councilmember Gallegos

### **APPROVAL OF AGENDA:**

**ON MOTION BY MAYOR PRO TEM EVANS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE AGENDA WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: 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.*

Student from Furman High School invited Council to attend the College and Career Fair at Furman High on October 17<sup>th</sup> from 9:00 a.m. to 12:00 p.m.

Johnny Mendez, Youth Leadership Institute Program Manager stated he's worked with youth in Madera for the past six (6) years and just wanted to re-introduce himself and said he was available to meet with any Councilmember to provide additional information about YLI.

Yvette Flores Youth Commission Coordinator for Madera gave a recap of what the Youth Commission has done this past year. The commission made activity books that they were able to distribute. The books can currently be found at the County Library, John Wells Youth Centers, Madera High School and Madera South High School.

Councilmember Gallegos stated that Furman High School's Student Advisor Sylvia Anguiano and six (6) other students were in attendance to invite Council to their October 17<sup>th</sup> event.

Kristina Rebel, the current ASU President at Madera High School stated they were in attendance on behalf of the Madera High School Student Leadership Team and requested approval of the Homecoming Parade along Howard Road.

Another student stated their parade theme is based on new and old video games that will be showcased throughout the parade and floats. They are also excited to have the Blue Pyramid Elementary Students participate in the parade which is a great tradition for Madera High School.

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

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Certificate Recognizing Dennis Smith for 11 Years of Service on ADA Advisory Council
2. Certificate Recognizing Tim Riche for 6 Years of Service on ADA Advisory Council
3. Proclamation Recognizing Indigenous People Day
4. Madera Community College - Lumina Million Dollar Community College Challenge

**INTRODUCTIONS:**

1. Liliana Camacho, Administrative Assistant - Grants Department

**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 COUNCILMEMBER VILLEGAS, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**B-1 Minutes – 05/18/22, 06/01/22**

**Recommendation:** Approve the City Council Minutes of May 18, 2022 and June 1, 2022

**B-2 Informational Report on Register of Audited Demands for September 10, 2022 to September 23, 2022**

**Recommendation:** No Action Required (Report by Kingsley Okereke)

**B-3 Request to Waive City Fees relating to Madera High School's Homecoming Parade**

**Recommendation:** Adopt a Resolution Waiving the Fees to Cover the Costs of Police and Public Works Services relating to the Madera High School Homecoming Parade in the amount of \$2,124 (Report by Dino Lawson)

**RES 22-162** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING THE FEES TO COVER THE COSTS OF POLICE AND PUBLIC WORKS SERVICES RELATING TO THE MADERA HIGH SCHOOL HOMECOMING PARADE IN THE AMOUNT OF \$2,124.00

**B-4 Letter of Support for Amond World and the Pursuit of California Competes Tax Credit**

**Recommendation:** Approve a Minute Order Approving a Letter of Support for Amond World and the California Competes Tax Credit (Report by Arnolando Rodriguez)

**B-5 Appointment to the Civil Service Commission**

**Recommendation:** Adopt a Resolution Appointing Dennis Smith to the Civil Service Commission (Report by Wendy Silva)

**RES 22-163** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPOINTING DENNIS SMITH TO THE CITY OF MADERA CIVIL SERVICE COMMISSION

**B-6 Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement at 1389 Taylor Lane (APN 006-580-006)**

**Recommendation:** Adopt a Resolution Approving a Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement (PUE) at Property Owners Risk (Report by Keith Helmuth)

**RES 22-164** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING COVENANT AGREEMENT TO ALLOW A LIMITED ENCROACHMENT INTO A PUBLIC UTILITY EASEMENT AT PROPERTY OWNER'S RISK

**B-7 Letter of Support for the Affiliation of Madera Community Hospital, Trinity Health, and Saint Agnes Medical Center**

**Recommendation:** Approve a Minute Order Approving a Letter of Support the Affiliation of Madera Community Hospital, Trinity Health, and Saint Agnes Medical Center (Report by Arnolando Rodriguez)

**B-8 Consideration of a Request by Nadeem Ahmad and Shahzada Farooq for Connection to the City's Water System**

**Recommendation:** Adopt a Resolution Approving an Agreement for Outside City Limits Water Connection for 16255 North D Street (Report by Keith Helmuth)

**RES 22-165** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 16255 NORTH D STREET

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing for Annexation No. 11 (Tract 20-S-02 Pecan Square Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions**

**Recommendation:**

- 1) Adopt a Resolution Authorizing the Annexation (Annexation No. 11) of Territory to Community Facilities District (CFD) No. 2005-1 and Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
- 2) Adopt a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 11 of CFD 2005-1 the Proposition Regarding the Annual Levy of Special Taxes within Annexation No. 11 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance within the District; and
- 3) Conduct a Special Election of the Qualified Electors of Annexation No. 11 of the City's CFD 2005-1 and Declaration and Certification of the Results Thereof; and
- 4) Adopt a Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 11 to CFD 2005-1 (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

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

**RES 22-166** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY (ANNEXATION NO. 11) TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS

**RES 22-167** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF ANNEXATION NO. 11 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) THE PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 11 TO FINANCE POLICE PROTECTION SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND MAINTENANCE WITHIN THE DISTRICT

Recess for this item was called at 6:43 p.m. so that Senior Planner Robert Smith could confirm if there was only one (1) property owner.

Council moved on to Item C-2. Council returned from recess at 6:50 p.m. after hearing and taking action on Item C-2.

Senior Planner Robert Smith stated that there is only one (1) property owner for the annexation property.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM C-1(4) WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**RES 22-168** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 11 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1

**C-2 Public Hearing Regarding for Annexation No. 12 (Tract 21-S-01 Crown Tozer Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions**

**Recommendation:**

- 1) Adopt a Resolution Authorizing the Annexation of Territory (Annexation No.12) to Community Facilities District (CFD) No. 2005-1 and Authorizing the Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
- 2) Adopt a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 12 of the City's CFD 2005-1 Proposition Regarding the Annual Levy of Special Taxes within Annexation No. 12 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance within the District; and
- 3) Conduct a Special Election of the Qualified Electors of Annexation No. 12 of the City's CFD 2005-1 and Declaration and Certification of the Results Thereof; and
- 4) Adopt a Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 12 to CFD 2005-1 (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM C-2(1) AND C-2(2) WERE APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**RES 22-169** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY (ANNEXATION NO. 12) TO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS

**RES 22-170** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF ANNEXATION NO. 12 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES) THE PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 12 TO FINANCE POLICE PROTECTION SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND MAINTENANCE WITHIN THE DISTRICT

Senior Planner Robert Smith stated that there is only one (1) property owner for the annexation property.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM C-2(4) WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**RES 22-171** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 12 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1

After this motion was completed, Council went back to finish Item C-1 as they still needed a determination on Item C-1(4).

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

**E. ADMINISTRATIVE REPORTS:**

**E-1 Identification of Improvements for Inclusion in the Reconnecting Communities Pilot Program Grant for use on the Caltrans Downtown Madera CAPM (Capital Preventive Maintenance) and Council Direction Regarding Possible Use of Alternate Source of Funds should it be found necessary**

**Recommendation:** Adopt a Minute Order Approving the City's Project List for the Reconnecting Communities Pilot Program Grant Application and Provide Direction Regarding Possible Use of an Alternate Funding Source for the Same Grant should it be found to be necessary (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**E-2 Discussion and Direction regarding Developer Request to add a Rolled Curb Standard to the City of Madera Standard Plans and Specifications**

**Recommendation:** This report is submitted for Discussion and Direction regarding Developer Request to Add a Rolled Curb Standard to the 2005 City of Madera Standard Plans and Specifications (Report by Keith Helmuth)

Michael Pistorosi spoke on sidewalks, curbs and garages.

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

**E-3 Update on Citywide Cannabis Process**

**Recommendation:** This report is submitted for informational purposes only and there is no action requested from the City Council (Report by Arnaldo Rodriguez)

**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.*

Councilmember Gallegos mentioned that the Old Timers' Day Parade was a successful event and thanked the Rotary Club and Nick Salinas for their involvement. She congratulated the Parade King

and Queen, Bill and Carla Alessini as well as Mike Pistorosi for being the Grand Marshal. Councilmember Gallegos discussed attending a prayer, organized by Madera Unified in which groups delivered a prayer over each school campus in the district. She shared the news of the arrival of her granddaughter on Thursday, September 29<sup>th</sup>.

Councilmember Montes congratulated Councilmember Gallegos on the birth of her grandchild. He thanked Chief of Police Dino Lawson, Lieutenant Alicia Videgain and City Clerk Alicia Gonzales for their help in the Old Timers' Day Parade.

Councilmember Rodriguez encouraged anyone who would like outreach or education on Measure T to contact him or the Madera County Transportation Commission. He also asked that Council be allowed to address presenters on non-Public Hearing agenda items and ask question prior to the opening of the matter for public comment.

Mayor Pro Tem Evans thanked the Police Department for their hospitality in the Old Timers' Parade. She stated she attended events honoring Clay Daulton as the Senior Farmer of the Year, Bill and Carla Alessini as the Old Timers' Day Parade King and Queen, Mike Pistorosi as Grand Marshal and Flora Zumwalt for her centennial birthday celebration.

Councilmember Mejia mentioned her enjoyment in being part of the Old Timers' Day Parade. She also attended Hispanic Heritage Month events held at Madera High South and Mount Vista High School, where she spoke to students about the significance of Hispanic history and culture. Councilmember Mejia took part in a downtown cleanup event on Saturday, October 8<sup>th</sup>, hosted by LOVE Madera and the Madera Association of Realtors, with cleanup equipment donated by the City, Lowes and Home Depot. Over fifty community members volunteered their time to clean up the downtown area. Councilmember Mejia invited her colleagues and the public to the Day of the Dead event, which will take place on Tuesday, November 1<sup>st</sup>, at Courthouse Park. She also announced the arrival of her baby nephew, who was born Friday, September 30<sup>th</sup>.

Councilmember Villegas mentioned that the Thaddeus Sran mural on Yosemite Avenue has suffered some damage and a property owner has asked if the Madera County Arts Authority would consider redoing or changing the mural. He also expressed his pleasure in taking part in the Old Timers' Parade.

Mayor Garcia acknowledged the volunteers and staff who helped with the Parade. He also announced that the Measure T mailer was recently sent out to all residents.

**G. CLOSED SESSION:**

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

**Agency Designated Representatives:** Arnoldo Rodriguez, Wendy Silva, and Che Johnson

**Employee Groups:** General Bargaining Unit, Madera Police Officers' Association, Mid-Management Employee Group, Law Enforcement Mid Management Group

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

**Agency Designated Representatives:** Arnoldo Rodriguez and Che Johnson

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

City Attorney Hilda Cantu Montoy made the closed session announcement at 8:27 p.m.

Ms. Cantu Montoy and Council returned from Closed Session at 9:52 p.m. with all members of Council present.

Ms. Cantu Montoy stated there was no reportable action.

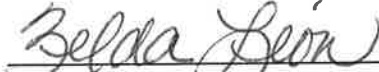
**ADJOURNMENT:** Meeting was adjourned at 9:52 p.m.

**UPCOMING MEETING DATES:**

- Wednesday, October 19, 2022
- Wednesday, November 2, 2022

  
ALICIA GONZALES, City Clerk

  
ELSA MEJIA, Mayor Pro Tem

  
MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk

