

Item:	B-1
Minutes for:	11/01/2023
Adopted:	11/15/2023

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

November 1, 2023  
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](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: 813 7882 4393#. 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:** Mayor Santos Garcia  
Mayor Pro Tem Elsa Mejia, District 5  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Anita Evans, District 4  
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Deputy City Engineer Ellen Bitter, Administrative Analyst I (Engineering) Nicole Say, Assistant Engineer Jonathan Gramajo, Wastewater Treatment Plant Manager Gabriel Bostan, and Communication Specialist Joseph Carrello.

**INVOCATION:** Councilmember Anita Evans

**PLEDGE OF ALLEGIANCE:** Joshua Babcock, Representative with Congressman Duarte's office

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA WAS APPROVED UNANIMOUSLY 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.*

Omar Javaid on behalf of the Madera Islamic Center brought awareness of the genocide currently happening in the Middle East specifically, Palestine. He indicated that they are currently going through the process of obtaining a permit to hold an event in the City Hall parking lot on November 17<sup>th</sup> to bring a message of peace and solidarity. He invited all Councilmembers to attend and speak at the event if they chose to do so.

A member of the public, Rosa Hernandez (in Spanish) cordially invited everyone to attend a traditional Dia de Los Muertos celebration on November 2<sup>nd</sup> from 4:00 p.m. through 9:00 p.m. at Courthouse Park in Downtown Madera. All the Oaxacan families in Madera united to hold this event which will have traditional food and warm beverages at no cost (free). They want to celebrate this event as they would at home. [Translation was given by another member of the public.]

No Public Comment was presented. Public Comment was closed.

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:** None

**INTRODUCTIONS:** Giachino Chiaramonte, Chief of Police

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

**B-1 Minutes – October 4, 2023**

**Recommendation:** Approve the City Council Minutes of October 4, 2023 (Report by Alicia Gonzales)

**B-2 Informational Report on Register of Audited Demands**

**Recommendation:** Review Register of Audited Demands Report for September 23, 2023 to October 20, 2023 (Report by Michael Lima)

**B-3 Piggyback Purchase Agreements for Fleet Division-Related Purchases**

**Recommendation:** Adopt a Resolution Approving Sourcewell Piggyback Agreements for the Purchase of a Flail Mower from Municipal Maintenance Equipment for \$71,221.54; a Track Loader from Pape Machinery for \$113,532.68; a Mulching Head from Pape Machinery for \$36,649.57; a Dump Truck from PB Loader for \$190,251.83; a Dump Truck from PB Loader for \$222,863.73; Two Police Interceptors from National Auto Fleet Group for \$111,585.54, and a \$1,731.83 Change Order for a Previously Approved Purchase of a Ford F-150 Pickup (Report by Michael Lima)

**RES 23-174** RESOLUTION APPROVING SOURCEWELL PIGGYBACK AGREEMENT FOR THE PURCHASE OF TWO POLICE INTERCEPTORS, TWO DUMP TRUCKS, A TIGER BOOM FLAIL MOWER, A COMPACT TRACK LOADER, A MULCHING HEAD, AND A CHANGE ORDER ADJUSTING THE PRICE ON A PREVIOUSLY APPROVED FORD F-150 PURCHASE

**B-4 2023 Downtown Christmas Light Parade Entry for City Participation**

**Recommendation:** Approve a Minute Order Authorizing the City Manager to Execute Documents necessary for any City entries in the Downtown Christmas Light Parade scheduled November 30, 2023 (Report by Alicia Gonzales)

**B-5 Accepting the Off-Site Public Improvements for Origo Cold Madera Phase I LLC**

**Recommendation:** Adopt a Resolution:

1. Accepting the Off-site improvements as part of the construction of Origo Cold Madera Phase I, LLC; and
2. Authorize the Filing of the Notice of Acceptance for said off-site improvements (Report by Keith Helmuth)

**RES 23-175** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING THE IMPROVEMENTS FOR THE AMOND WORLD COLD STORAGE WEARHOUSE PROJECT WITH ORIGO COLD MADERA PHASE 1, LLC AND AUTHORIZING THE FILING OF A NOTICE OF ACCEPTANCE FOR SUCH IMPROVEMENTS

**B-6 2023 Call for Projects for the Congestion Mitigation and Air Quality (CMAQ) Program and Carbon Reduction Program (CRP)**

**Recommendation:** Adopt a resolution approving the list of projects to be nominated for Federal Transportation Funding under the CRP and CMAQ Grant Program and Supporting Implementation of AB 1012, "Timely Use of Funding" for Federal Funding of Projects (Report by Keith Helmuth)

**RES 23-176** RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, SUPPORTING IMPLEMENTATION OF AB 1012 "TIMELY USE OF FUNDING" REQUIREMENTS, APPROVING THE LIST OF CANDIDATE PROJECTS FOR FEDERAL TRANSPORTATION FUNDING UNDER THE CMAQ PROGRAM - 2023 CYCLE AND CARBON REDUCTION PROGRAM, AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PROJECT APPLICATIONS TO THE MADERA COUNTY TRANSPORTATION COMMISSION

**B-7 Accepting Remaining Off-Site Improvements for the Varbella Estates II Subdivision**

**Recommendation:** Adopt a Resolution:

1. Accepting Remaining Off-site Improvements for the Varbella Estates II Subdivision; and
2. Authorize the Filing of the Notice of Acceptance for Said Off-site Improvements (Report by Keith Helmuth)

**RES 23-177** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ACCEPTING REMAINING OFF-SITE IMPROVEMENTS FOR THE VARBELLA ESTATES II SUBDIVISION, AND AUTHORIZING THE FILING OF A NOTICE OF ACCEPTANCE FOR SUCH IMPROVEMENTS

**B-8 Community Correction Partnership 2023/24 Budget**

**Recommendation:** Adopt Resolutions:

1. Accepting \$185,128 from the Community Corrections Partnership to pay for a Police Officer under the Special Investigations Unit (SIU) and amending the Memorandum of Understanding between the City of Madera and County of Madera to reflect the total agreement amount of \$327,428; and
2. Appropriating \$185,128 in the City's Fiscal Year 2023/24 Adopted Budget for the salary and benefits of one Police Officer in the SIU (Report by Giachino Chiaramonte)

**RES 23-178** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING \$185,128 FROM THE COMMUNITY CORRECTIONS PARTNERSHIP TO PAY FOR A POLICE OFFICER UNDER THE SPECIAL INVESTIGATIONS UNIT AND AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND COUNTY OF MADERA TO REFLECT THE TOTAL AGREEMENT AMOUNT OF \$327,428

**RES 23-179** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROPRIATING \$185,128 IN THE CITY'S ADOPTED BUDGET FOR SALARY AND BENEFITS OF ONE OFFICER IN THE SPECIAL INVESTIGATIONS UNIT

**B-9 California Department of Justice Tobacco Grant Program**

**Recommendation:** Adopt a Resolution Accepting the California Department of Justice Tobacco Grant Program in the amount of \$42,227 (Report by Giachino Chiaramonte)

**RES 23-180** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING THE CALIFORNIA DEPARTMENT OF JUSTICE TOBACCO GRANT PROGRAM IN THE AMOUNT OF \$42,227

**B-10 Donation from the United Police Canine Partnership**

**Recommendation:** Adopt a Resolution Accepting a Donation of \$9,500 for the City's Detection K-9 Labrador from the United Police Canine Partnership Non-profit Organization (Report by Giachino Chiaramonte)

**RES 23-181** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING A DONATION OF A DETECTION K-9 LABRADOR FROM THE UNITED POLICE CANINE PARTNERSHIP

**C. PUBLIC HEARINGS:**

**C-1 Consider an Ordinance to Update Certain Fines Detailed in the Madera Municipal Code**

**Recommendation:** Waive Full Reading and Introduce an Ordinance of the City Council of the City of Madera Amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to Update Various Fines (Report by Michael Lima)

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

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

**D-1 Transfer of Ownership of Real Property Located at 715 Stadium Road (APN: 012-220-051) that serves as a Temporary Ponding Basin**

**Recommendation:** Adopt a Resolution:

1. Approving the Agreement for Transfer of Real Property located at 715 Stadium Road (APN: 012-220-051); and
2. Accepting Quitclaim Deed (Report by Keith Helmuth)

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA CONSENT CALENDAR ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**RES 23-182** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT FOR TRANSFER OF REAL PROPERTY AT 715 STADIUM ROAD FOR APN: 012-220-051 AND ACCEPT QUITCLAIM DEED

**D-2 Initiating Annexation Proceedings of Properties into the City of Madera Landscape Maintenance District (LMD) Zones of Benefit 1 & 51**

**Recommendation:** Adopt a Resolution:

1. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Property into the City's LMD Zone of Benefit 1, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing; and
2. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Properties into the City's LMD Zones of Benefit 51, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing (Report by Keith Helmuth)

Item D-2(1) was pulled by Staff.

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

**RES 23-183** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF PROPERTY INTO CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT (LMD) ZONE OF BENEFIT 51, TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2024-2025, AND SETTING A PUBLIC HEARING

**E. ADMINISTRATIVE REPORTS:**

**E-1 Discussion Regarding the Methodology Currently Utilized in the Consideration of Crosswalks**

**Recommendation:** Staff recommends that the City Council review this report and provide feedback regarding the Methodology utilized in the consideration of crosswalks (Report by Keith Helmuth)

## E-2 Madera County Economic Development Commission City Council Update

**Recommendation:** Informational Report (Report by Darren Rose, EDC Executive Director)

A member of the public asked if there were any smoke shops in the 144 applications that Mr. Rose said had been submitted. Mr. Rose stated he didn't have that information with him.

## 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 thanked the Safe and Clean Team that are working in the river. The residents have noticed the work being done. She also thanked Public Works staff for keeping the streets clean and picking up debris. The Police Officers and Firemen were also thanked for making sure we stay safe. She added that one of her students was recently in a house fire and they are well. Councilmember Gallegos thanked staff and stated that Council could not do their jobs without the rest of staff who serve the people of Madera.

Councilmember Rodriguez thanked staff and Councilmembers who attended the CTC (County Transportation Commission). They had a great turnout. He attended the self-help county coalition, Focus on the Future of 2023, regarding transportation. He asked for a future agenda item to assess our current public transportation. He has noticed that there is not a lot of ridership. He mentioned having "uber-type" transportation that would be able to take people to their appointments, etc. He asked if public transportation is being utilized in the best effective way. Councilmember Rodriguez asked if there is an ordinance on panhandling and if not, should they have something like the ordinance that doesn't allow smoking in the parks. Councilmember Rodriguez congratulated new Police Chief Chiaramonte.

Councilmember Montes thanked staff for their work. He thanked the Madera Islamic Center for the invitation to their Pray for Palestine event. He wants to be a partner for peace.

Councilmember Evans met with students at James Monroe Elementary at her "Crunch for Councilwoman" program. Students are complaining about the streets and she wants to make sure the children are safe. She mentioned that Breast Cancer Awareness Month had just finished and the NAACP (National Association for the Advancement of Colored People) had an awesome event where they recognized three people who dealt with this issue. Councilmember Evans stated that the Christmas Extravaganza is on December 17<sup>th</sup> and it would be great to see everyone there having a good time and bring toys, so that they can go out into the community and bless the children of Madera. They were able to give out 3,500 toys last year throughout the school district. She stated it would be great if Councilmembers could participate in giving out the toys. She is working on being able to give out bags of food to families. She also welcomed Police Chief Gino Chiaramonte.

Mayor Pro Tem Mejia mentioned that the Guelaguetza event was attended by people from Madera, Los Angeles, Santa Rosa and Milpitas. An estimated 5,000 people attended throughout the day. It was the first time having this event and it was a success. Videos of the event are on YouTube and the Police Department went viral in the Oaxacan news outlets. Organizers are very excited for next year. She congratulated Police Chief Chiaramonte and stated she attended his Oath of Office ceremony. Mayor Pro Tem Mejia mentioned that Washington Elementary held a "Calenda" for the first time. She met teachers from Oaxaca,

Mexico who are a part of an exchange program with Madera Unified School District. She thanked Councilmember Rodriguez for his attendance for the San Joaquin Water Summit in Visalia. It was part of the water education for Latino leaders and she was part of the organizing committee. She attended the Downtown Tour that took place on October 17<sup>th</sup> and she was also at the Islamic Center in Madera along with Mayor Garcia and Councilmember Gallegos and Montes. They were educated on the events happening in Palestine. She shared that they want a ceasefire and they want peace. Mayor Pro Tem Mejia mentioned the Dia de Los Muertos event that would be held tomorrow at Courthouse Park from 4:00 p.m. to 9:00 p.m. The purpose of the event is to try to bring authentic traditions to Madera for those who are not able to go to their homeland and to educate the community. They accept donations. They are not a non-profit. This is a group of residents that want to bring culture and arts to the City of Madera.

Councilmember Villegas mentioned that he submitted an application with the League of California Cities for the South San Joaquin Valley District Policy Committee and Environmental. There are about six to eight meetings a year. He thanked City Engineer Keith Helmuth for the information on crosswalks. He said there are several crosswalk issues in his district. He welcomed new Police Chief Chiaramonte.

Mayor Garcia stated that a Mexican delegation of fire fighters visited Fire Station 56 to thank the City of Madera and CalFire for their donation of fire fighting equipment. He recognized Domestic Violence Awareness and stated that education on this issue was supplied to residents. Mayor Garcia stated that there is more awareness of the Dia de los Muertos tradition. He invited everyone to attend the Veterans' Day event on November 11<sup>th</sup> at Courthouse Park. The event starts at 11:00 a.m.

Councilmember Gallegos thanked the Parks Department on the James Taubert Park event.

**G. CLOSED SESSION:**

**G-1 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)**

**Title:** City Clerk


City Attorney Shannon Chaffin made the closed session announcement at 8:16 p.m. Mr. Chaffin and Council returned from Closed Session at 9:07 p.m. with all members of Council present. Mr. Chaffin announced that the City Clerk received a rating of satisfactory or above.

**ADJOURNMENT:** Meeting was adjourned at 9:08 p.m.

**UPCOMING MEETING DATES:**

- Wednesday, November 15, 2023
- Wednesday, December 6, 2023

  
ALICIA GONZALES, City Clerk

  
SANTOS GARCIA, Mayor

  
MINUTES PREPARED BY  
ZELDA LEÓN, Deputy City Clerk

