

Item:	B-1
Minutes for:	12/20/2023
Adopted:	01/17/2024

Minutes of a Regular Meeting of the Madera City Council

December 20, 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. 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: 841 7883 9054#. 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 6:00 p.m.

ROLL CALL:

Present: Mayor Santos Garcia
Mayor Pro Tem Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, Chief Building Official Rafael Magallan, City Engineer Keith Helmuth, Director of Financial Services Michael Lima, Division Fire Chief Justin McCombs, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Public Works Administrative Analyst David Austin.

INVOCATION: Councilmember Evans

PLEDGE OF ALLEGIANCE: Director of Parks and Community Services Joseph Hebert

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, 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.

City Manager Arnolando Rodriguez acknowledged Planning Manager Gary Conte as Mr. Conte will be leaving his position in the first week in January. Mr. Rodriguez thanked Mr. Conte for doing a remarkable job during his time with the City of Madera.

A member of the public, Karina Salas, asked the Council for support with a soccer team she started a few years ago. Mayor Garcia asked her to leave her contact information with City Clerk Alicia Gonzales who would pass the information along to all of Council.

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

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 MAYOR PRO TEM GALLEGOS, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – December 6, 2023, December 9, 2023, December 13, 2023

Recommendation: Approve the City Council Minutes of December 6, 2023, December 9, 2023, and December 13, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for November 25, 2023 to December 8, 2023 (Report by Michael Lima)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Continuing Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Continuing the Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Wendy Silva)

RES 23-207 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONTINUING THE DECLARATION PROCLAIMING THE

EXISTENCE OF A LOCAL EMERGENCY – JANUARY 2023 WINTER STORMS
IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

B-5 Informational Report on Contract City Attorney Services and Litigation Expenditures

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

B-6 Annual Local Appointment List on City Boards, Commissions, and Committees

Recommendation: Approve a Minute Order Authorizing the City Clerk to File the 2024 Annual Local Appointments List (Report by Alicia Gonzales)

B-7 Appointment of City Representative to the Board of Trustees of the Madera County Mosquito and Vector Control District

Recommendation: Adopt a Resolution Appointing Donald Horal to the Board of Trustees of the Madera County Mosquito and Vector Control District for an additional two-year term (Report by Alicia Gonzales)

RES 23-208 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPOINTING DONALD HORAL TO THE BOARD OF TRUSTEES OF THE MADERA COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT

B-8 Exercising Renewal Option with Backflow Solutions, Inc., for Data Management Agreement for Water Backflow Prevention Devices

Recommendation: Adopt a Resolution Authorizing Exercising the Option to Renew Existing Agreement for an Additional One-Year Period at Same Pricing Terms as Existing Agreement whereby Backflow Solutions, Inc., will Continue to Perform Notification and Data Management Functions on behalf of the City Regarding all Backflow Prevention Devices (Report by Ismael Hernandez)

RES 23-209 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE EXERCISING OF THE OPTION TO RENEW FOR AN ADDITIONAL ONE-YEAR PERIOD THE EXISTING AGREEMENT FOR SERVICES BETWEEN THE CITY OF MADERA AND BACKFLOW SOLUTIONS, INC. FOR NOTIFICATION AND DATA MANAGEMENT FUNCTIONS ON BEHALF OF THE CITY REGARDING ALL BACKFLOW PREVENTION DEVICES

C. PUBLIC HEARINGS:

C-1 Public Hearing Relating to Annexation of Certain Properties into Zone of Benefit 51 to the City of Madera Landscape Maintenance District (LMD) Zone for Fiscal Year 2024/25

Recommendation: Adopt a Resolution Approving Annexation No. 2022-06 for annexation of APN 003-240-015 (Sherwood Apartments); APN(s) 012-026-001 & 012-402-006 (Grove Gardens); APN(s) 003-093-006 & 003-093-008 (Bellava Apartments); APN(s) 009-350-024, 009-350-025, 009-350-026 & 009-350-029 (Cal-Pacific Supply), APN 009-330-011 (Madera Industrial WHSE), APN(s) 011-143-006, 011-143-007, & 011-143-008 (Sugar Pine Village), and APN 010-132-001 (Naz Sixplex) into Zone of Benefit 51; Confirming the Diagram and Assessment for LMD Zone of Benefit 51 for

Fiscal Year (FY) 2024/25; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

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

RES 23-210 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION NO. 2022-06 OF APN(S) 003-240-015 (SHERWOOD APARTMENTS); 012-026-001 & 012-402-006 (GROVE GARDENS); 003-093-006 & 003-093-008 (BELLAVA APARTMENTS); 009-350-024, 009-350-025, 009-350-026, & 009-350-029 (CAL-PACIFIC SUPPLY); 009-330-001 (MADERA INDUSTRIAL WHSE); APN(S) 011-143-006, 011-143-007, & 011-143-008 (SUGAR PINE VILLAGE); AND APN 010-132-001 (NAZ SIXPLEX) INTO ZONE OF BENEFIT 51; CONFIRMING THE DIAGRAMS AND ASSESSMENTS FOR CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT ZONE OF BENEFIT 51 FOR FISCAL YEAR (FY) 2024/25; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

C-2 **7:00 p.m. - Public Hearing No. 2 for Updating of City Councilmember District Boundaries for Annexed Property**

Recommendation: Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City (Report by Alicia Gonzales)

No Public Comment was presented. Public Comment was closed.

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

D-1 **Authorizing Resolution for the Local Assistance Specified Grants – Capital**

Recommendation: Adopt a Resolution Accepting the amount of \$500,000 from the State of California Department of Parks and Recreation for the Lions Town & Country Park Trail System Upgrades and Naming the City Manager as the Authorized Representative (Report by Joseph Hebert)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-211 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING APPLICATION(S) FOR SPECIFIED GRANT FUNDS FROM BUDGET ACT OF 2023, 19.561(B)(62) FOR TRAIL SYSTEM UPGRADES FOR THE LIONS TOWN AND COUNTRY PARK

D-2 **Demolition of Rotary Park Skate Park Office/Concession Building Budget Amendment**

Recommendation: Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget Approving a Related Expenditure Line Item Related to the Demolition of the Zero Gravity Skate Park Office/Concession Building Cost of \$12,593 (Report by Joseph Hebert)

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

RES 23-212 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE CITY'S FISCAL YEAR 2023/24 BUDGET APPROVING A RELATED EXPENDITURE LINE ITEM RELATED TO THE DEMOLITION OF THE ROTARY PARK SKATEPARK OFFICE/CONCESSION STAND BUILDING COST OF \$12,593

D-3 Mexican American Center Cleanup and Structural Engineering Assessment

Recommendation: Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget Approving a Related Expenditure Line Item Related to the Mexican American Center Cleanup Efforts and Structural Engineering Assessment for \$11,100 (Report by Joseph Hebert)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER MEJIA, ITEM D-3 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-213 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE CITY'S FISCAL YEAR 2023/24 BUDGET APPROVING A RELATED EXPENDITURE LINE ITEM RELATED TO THE MEXICAN AMERICAN CENTER CLEANUP EFFORTS AND STRUCTURAL ENGINEERING ASSESSMENT FOR \$11,100

D-4 Emergency Repairs to Centrifuge #1 at Wastewater Treatment Plant

Recommendation: Adopt a Resolution Affirming the Emergency Repair to Centrifuge #1 at Wastewater Treatment Plant and Ratifying the Award of Contract as an Exception to Competitive Bidding Process (Report by Ismael Hernandez)

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

RES 23-214 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE PURCHASE ORDER CHANGE ORDER REQUEST, AFFIRMING THE EMERGENCY REPAIR, AND RATIFYING THE EXPENDITURE OF FUNDS FOR THE EMERGENCY REPAIR TO CENTRIFUGE #1

Public Works Director Ismael Hernandez introduced Administrative Analyst David Austin.

E. ADMINISTRATIVE REPORTS:

E-1 Informational Report – Proposed Changes to Timed Parking Restrictions Within the Madera Downtown Business Improvement Area

Recommendation: This is an informational report. No recommendations from the City Council (Council) are requested though staff is appreciative of any that are received (Report by Keith Helmuth)

E-2 2024 List of Annual Proclamations

Recommendation: Provide Direction and Adopt a Minute Order Approving the 2024 List of Annual Proclamations from the Protocols Guidebook section concerning Ceremonial Documents (Report by Alicia Gonzales)

Mayor Pro Tem Gallegos asked that Women's History Month be added to March with a designation of "Recipient at the discretion of Council".

Councilmember Mejia asked that the recipient for Indigenous People's Day be designate as La Mesa Directiva de Santa Maria Tindu.

Council discussed and approved by consensus that City Clerk Alicia Gonzales add Women's History Month to March and all recipients to reflect only the City Departments for specific events and all other designations except Indigenous People's Day would be labeled as "Recipient at the discretion of Council". Indigenous People's Day will designate La Mesa Directiva de Santa Maria Tindu as its recipient. This will allow other organizations to be considered and recognized for their good works for the same item.

Council also approved the proclamations for January as noted in the staff report with the addition of O.L.I.V.E. also receiving a proclamation for Human Trafficking Awareness and Prevention Month.

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.

Mayor Pro Tem Gallegos gave a shout out to the Parks and Grants Departments and to the MAX (Madera Metro) drivers for their participation in the Jolly Trolley and the Winter Wonderland event. It was amazing. Mayor Pro Tem Gallegos also thanked the community members of the Ice House as they put a fence around their business that deters and addresses the homeless problem in that area. She also thanked the Public Works Department for clearing out the drain outlets during the rainy days and thanked the Police Department also.

Councilmember Rodriguez recognized Mayor Pro Tem Gallegos in getting her neighborhood to participate in the Christmas lights on Mainberry Drive. It looked very nice. Councilmember Rodriguez thanked Planning Manager Gary Conte for his service and wished him the best in his new endeavors.

Councilmember Montes gave a shout out to the Parks Department on their work with the Jolly Trolley. The Jolly Trolley was at capacity and all the kids were happy and everyone was having fun. Councilmember Montes thanked the Food Bank on their food drive and toy giveaway this weekend. He also thanked the CHP (California Highway Patrol) and Police Department for serving our community. Councilmember thanked Planning Manager Gary Conte for his service to the City and he welcomed David Austin to the City.

Councilmember Evans wished everyone a Merry Christmas and Happy New Year. She stated that the Christmas Extravaganza was a huge success. They were not able to deliver the toys to children as they were still in school, but they will be handing them out at James Monroe

Elementary on Friday at about 2:30 p.m. She invited anyone who wanted to assist with the toy distribution and stated that Santa will be out there also. Some snacks will be provided.

Councilmember Mejia thanked Planning Manager Gary Conte for his service and welcomed David Austin to the City. Councilmember Mejia stated that she had made the following request previously. She requests that an interpreter/translator be available at every meeting whether requested or not. This would help ensure that the Spanish and English speakers stay involved.

Councilmember Villegas thanked the Parks Department as they are doing a good job. He thanked everybody as they had a great year. Councilmember Villegas wished everyone a Merry Christmas.

Mayor Garcia stated that attending the MPOA (Madera Police Officer Association) was one of the highlights of this season. It was great to see our folks out there with their families. Mayor Garcia stated that Mike Alamari donated hoodies to the students at Sierra Vista Elementary. It was special to see the children jumping and dancing around as they received a hoodie. Mayor Garcia mentioned that Councilmember Evans did a fantastic job with the Christmas Extravaganza and getting toys donated for the children. He mentioned that they have attended multiple religious events and that earlier today, Vision y Compromiso held an event where Santa distributed presents to children.

Mayor Garcia acknowledged and respected that there are multiple communities within our community and wished everyone a joyous time with their family and friends.

Councilmember Rodriguez wanted to know if Councilmember Mejia's request for an interpreter/translator would be brought back to Council. City Manager Arnoldo Rodriguez at the direction of Council will bring this item back to Council for further discussion.

G. CLOSED SESSION:

G-1 Conference with Legal Counsel – Anticipated Litigation Deciding Whether to Initiate Litigation Pursuant to Government Code §54956.9(d)(4)
(One Case)

G-2 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)
Title: City Manager

G-3 Conference with Labor Negotiators - Pursuant to Government Code §54957.6
Unrepresented Employee: City Manager


City Attorney Shannon Chaffin made the closed session announcement at 7:46 p.m. Mr. Chaffin and Council returned from Closed Session at 8:35 p.m. with all members of Council present. Mr. Chaffin stated there was no reportable action.


ADJOURNMENT: Meeting was adjourned at 8:35 p.m.

UPCOMING MEETING DATES:

- Wednesday, January 17, 2024
- Wednesday, February 7, 2024


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

