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REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, February 7, 2024
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: 882 3192 3941#. 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:

ROLL CALL: 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

INVOCATION: Chaplain David Dougherty, Valley State Prison

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

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.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Proclamation Recognizing February as Black History Month
2. Mid Valley Disposal Recycler of the Year Award
3. Madera County Arts Authority Update

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.

B-1 Minutes – January 17, 2024

Recommendation: Approve the City Council Minutes of January 17, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for January 6, 2024 to January 26, 2024 (Report by Michael Lima)

B-3 Piggyback Purchase Agreements for Fleet Division-related Purchases

Recommendation: Adopt a Resolution Approving State of California Piggyback Agreements for the Purchase of Six Pickup Trucks and an Accompanying Appropriations Amendment Increasing Various Budgets to Pay for Additional Costs Associated with these Vehicle Purchases (Report by Michael Lima)

B-4 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 (Council) (Report by Arnoldo Rodriguez)

B-5 Adoption of Updated City of Madera Full Time Salary Schedule

Recommendation: Adopt a Resolution Approving the Revised City of Madera Full Time Salary Schedule Reflecting a Two Percent (2%) Cost-of-Living Adjustment effective December 30, 2023, for Certain Positions (Report by Wendy Silva)

B-6 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)

B-7 **Amendment No. 2 to an Agreement with Beyaz and Patel Inc. Regarding the Loy Cook Water Tower**

Recommendation: Adopt a Resolution Approving Amendment No. 2 to the Consultant Services Agreement with Beyaz & Patel Inc. for the Preparation of Engineering Plans and Specifications for the Renovation of the Loy Cook Water Tower (Report by Keith Helmuth)

B-8 **Budget Amendment to Allow Reimbursement to Origo Cold Madera Phase I, LLC for Certain Improvements Associated with Amond World**

Recommendation: Adopt a Resolution Approving a Budget Amendment Increase of \$536,569.30 for the Purpose of Reimbursing Origo Cold Madera Phase I, LLC for Certain Improvements Completed in Connection to the Reimbursement Agreement (Agreement) (Report by Keith Helmuth)

C. **PUBLIC HEARINGS:**

C-1 **6:45 P.M. - Public Hearing No. 4 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)

C-2 **Consideration of Rezone Application No. REZ 2022-04 for ±57.53 Acres of Property Located on the Southwest Corner of the Intersection of West Pecan Avenue and Stadium Road (Rd 26½) and associated Mitigated Negative Declaration**

Recommendation: The City of Madera Planning Commission recommends the City Council hold a public hearing, make the necessary findings, and take action as follows:

1. Waive Full Reading and Introduce an Ordinance of the City Council approving Rezone 2022-04 amending the Official Zoning Map of the City of Madera to rezone the ±57.53-acre Project Site from the R-1 (Residential, One unit for Each 6,000 square feet of site area) zone district to the PD-4500 (Planned Development, One unit for each 4,500 square feet of site area) zone district (Report by Will Tackett)

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

D-1 **California Partnership for the San Joaquin Valley Nominees**

Recommendation: Adopt a Minute Order nominating two Councilmembers for the selection process to fill a vacancy on the California Partnership for the San Joaquin Valley (Report by Arnoldo Rodriguez)

D-2 **Consider an Ordinance to Amend Section 8-7.08 (D) of the Madera Municipal Code Involving Delinquent Date for Payment of Municipal Utilities**

Recommendation: Waive Full Reading and Introduce an Ordinance Amending Section 8-7.08 (D) of the Madera Municipal Code to Change Utility Bill Payment Dates (Report by Michael Lima)

D-3 Contract Award for Engineering Services at Wastewater Treatment Facility

Recommendation: Adopt a Resolution Awarding a Contract for Engineering Services at the Wastewater Treatment Facility in Response to Request for Proposal (RFP) No. 202324-19 to Stantec Consulting Services, Inc., for \$582,000.00 (Report by Ismael Hernandez)

D-4 Indemnification and Cost Recovery Agreements for Commercial Cannabis Business (CCB) Permits

Recommendation: Adopt a Resolution Approving the Indemnification and Cost Recovery Agreements between the City of Madera and Commercial Cannabis Business (CCB) Permit Recipients in Accordance with Section 6-5.34 of the City Municipal Code (CMC) (Report by Will Tackett)

D-5 Agreement with Juarez Brothers General Engineering for McNally Park Basketball Courts Reconstruction Project

Recommendation: Adopt a Resolution Awarding a Contract under Invitation for Bids (IFB) No. 202324-24 to Juarez Brothers General Engineering for the McNally Park Basketball Courts Reconstruction for \$218,353.00 (Report by Joseph Hebert)

E. ADMINISTRATIVE REPORTS:

E-1 Select Proclamation Recipients for the Month of March 2024

Recommendation: Request for Councils selection of recipients for the Proclamation Recognizing Red Cross Month and the Proclamation Recognizing Women's History Month (Report by Alicia Gonzales)

E-2 Proclamation Affirming Madera's Commitment and Support for an Immediate and Permanent Ceasefire in all of Palestine

Recommendation: Adopt a Minute Order Approving a Proclamation Affirming Madera's Commitment and Support for an Immediate and Permanent Ceasefire in all of Palestine (Report by Alicia Gonzales)

E-3 Caltrans State Route 145 Yosemite Avenue Project Update

Recommendation: This report is submitted to the City Council (Council) to provide an update on the progress of the Caltrans State Route 145 Yosemite Avenue Project (Project) (Report by Keith Helmuth)

E-4 Informational Report on Madera City Fire Activities

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

E-5 Madera County Economic Development Commission 2024/25 Annual Basic Service Level Budget

Recommendation: The EDC recommends the City Council Adopt a Minute Order Approving the 2024/25 Basic Service Level Budget as Submitted (Report by Darren Rose)

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.

G. CLOSED SESSION: None

ADJOURNMENT:

UPCOMING MEETING DATES:

- Wednesday, February 21, 2024
- Wednesday, March 6, 2024

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- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov . Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.
 - Please silence or turn off cell phones and electronic devices while the meeting is in session.
 - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
 - Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's office located at 205 W. 4th Street, Madera, CA 93637 and on the City website at www.madera.gov
 - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
 - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for February 7, 2024, near the front entrances of City Hall and on the City's website www.madera.gov at 9:00 p.m. on February 1, 2024.



Alicia Gonzales, City Clerk