



Item:	B-1
Minutes for:	02/07/2024
Adopted:	02/21/2024

Minutes of a Regular Meeting of the Madera City Council

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: 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 (Arrived at 6:12 p.m.)
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Absent: Councilmember Anita Evans, District 4

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, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Public Works Director Ismael Hernandez, Wastewater Treatment Plant Manager Gabriel Bostan, Senior Planner Robert Smith, Assistant Engineer Raquel Cardenas and Police Lieutenant Alicia Videgain.

INVOCATION: Chaplain David Dougherty, Valley State Prison

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

APPROVAL OF AGENDA:

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MEJIA, THE AGENDA WAS APPROVED BY A 5/0 VOTE. AGENDA ITEMS E-3 AND THEN E-2 WILL BE HEARD AFTER THE CONSENT CALENDARE. NOES: NONE. ABSENT: COUNCILMEMBERS MONTES AND EVEANS. 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.

No Public Comment was presented. Public Comment was closed.

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 – The video that Chairman of the Board Julia O’Kane brought for Council viewing kept glitching, so Ms. O’Kane said she would bring it back to Council at a later date.

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 VILLEGAS AND SECONDED BY COUNCILMEMBER MONTES, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

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)

RES 24-18 RESOLUTION APPROVING STATE OF CALIFORNIA PIGGYBACK AGREEMENT FOR THE PURCHASE OF PICKUPS FOR THE BUILDING, PARKS, WATER MAINTENANCE, WATER QUALITY, PUBLIC WORKS DIRECTOR, AND CODE ENFORCEMENT DEPARTMENTS

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)

RES 24-19 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING THE CITY OF MADERA FULL TIME SALARY SCHEDULE EFFECTIVE DECEMBER 30, 2023

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)

RES 24-20 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-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)

RES 24-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 2 TO THE CONSULTANT SERVICES AGREEMENT WITH BEYAZ & PATEL, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF ENGINEERING PLANS AND SPECIFICATIONS FOR THE RENOVATION OF THE LOY COOK WATER TOWER

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)

RES 24-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A BUDGET AMENDMENT TO ALLOW FOR REIMBURSEMENT OF IMPROVEMENTS TO ORIGO COLD MADERA, PHASE I, LLC ASSOCIATED WITH THE AMOND WORLD PROJECT

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)

No Public Comment was presented. Public Comment was closed.

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)

Mayor Pro Tem Gallegos recused herself from this item and left the room. She returned after this item was voted on.

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM C-2 WAS APPROVED BY A 5/1 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: MAYOR PRO TEM GALLEGOS.

INTRO ORD

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING REZONE 2022-04 AND AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 57.53 ACRES OF PROPERTY (APN[S]: 012-480-008 & 012-480-009) FROM THE R-1 (RESIDENTIAL, ONE UNIT FOR EACH 6,000 SQUARE FEET OF SITE AREA) TO THE PD-4500 (PLANNED DEVELOPMENT, ONE UNIT FOR EACH 4,500 SQUARE FEET OF SITE AREA) ZONE DISTRICT

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 Arnaldo Rodriguez)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, COUNCILMEMBERS MEJIA AND MONTES WERE NOMINATED. ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-2 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

INTRO ORD AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SECTION 8-7.08 (D) OF THE MADERA MUNICIPAL CODE TO CHANGE UTILITY BILL PAYMENT DATES

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-3 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 24-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, 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.

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-4 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 24-24 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING INDEMNIFICATION AND COST RECOVERY AGREEMENTS BETWEEN THE CITY OF MADERA AND STANDARD RETAIL OR MICROBUSINESS AND SOCIAL EQUITY COMMERCIAL CANNABIS BUSINESS PERMIT RECIPIENTS (APPLICANTS)

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-5 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 24-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING RESOLUTION AWARDDING IFB NO. 202324-24 TO JUAREZ BROTHERS GENERAL ENGINEERING, INC. FOR THE MCNALLY PARK BASKETBALL COURTS RECONSTRUCTION FOR \$218,353

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE RECIPIENT OF THE RED CROSS MONTH PROCLAMATION WILL BE CATRINA OR GAIL WHO ARE THE MADERA REPRESENTATIVES. ITEM WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

ON MOTION BY COUNCILMEMBER MEJIA AND SECONDED BY COUNCILMEMBER MONTES, THE RECIPIENT OF THE WOMEN'S HISTORY MONTH PROCLAMATION WILL BE GAIL McINTYRE. ITEM WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

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)

A member of the public spoke in favor of the proclamation.

Omair Javaid of the Madera Islamic Center thanked Council for this discussion item.

Theodore Nassar, M.D. an OB/GYN physician of 44 years in Madera spoke in favor of the proclamation.

Razan Kaileh a physician in Madera spoke in favor of the proclamation.

Mohammad Ashraf, M.D., a physician in Madera spoke in favor of the proclamation.

Lori Garcia, a retired teacher spoke in favor of the proclamation.

Lutfi Escheik (Lefty) of Madera Unified School District spoke in favor of the proclamation.

A member of the public, a civil engineer, spoke in favor of the proclamation.

Jahayla (child) read a story on the conflict. She was in favor of the proclamation.

Hanan read a poem she wrote. She was in favor of the proclamation.

Siddique Qadri, M.D. spoke in favor of the proclamation.

A member of the public, owner of Service Master, spoke in favor of the proclamation.

Michelle Garcia empathizes with both sides of the conflict and feels a proclamation would not help.

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

ON MOTION BY MAYOR GARCIA AND SECONDED BY COUNCILMEMBER VILLEGAS TO ADOPT ITEM E-2 AS PRESENTED FAILED BY A 2/2 VOTE. NOES: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: MAYOR PRO TEM GALLEGOS AND COUNCILMEMBER MEJIA.

THE MOTION FAILED WITH THE FOLLOWING ROLL CALL VOTE:

YES: 2 - COUNCILMEMBER VILLEGAS
MAYOR GARCIA

NO: 2 - COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES

ABSTAIN: 2 - MAYOR PRO TEM GALLEGOS
COUNCILMEMBER MEJIA

ABSENT: 1 - COUNCILMEMBER EVANS

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-2 TO FORM A COMMITTEE COMPRISED OF MAYOR GARCIA, COUNCILMEMBER RODRIGUEZ, CITY MANAGER OR HIS DESIGNEE AND OMAIR JAVAID AND/OR DESIGNEE TO DISCUSS AN INCLUSIVE CEASE FIRE PROCLAMATION WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

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)

No Public Comment was presented. Public Comment was closed.

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)

No Public Comment was presented. Public Comment was closed.

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)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM GALLEGOS, ITEM E-5 WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: 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.

Mayor Pro Tem Gallegos recognized the work that the Water Division crew is doing in connection with water breaks throughout the City. She expressed her condolences to the families of Steve Copland, Steve Sagouspe and condolences to (Board of Supervisors) Chief of Staff Nick Salinas on the passing of his mother.

Councilmember Rodriguez expressed his condolences to the families of Steve Copland and Steve Sagouspe. Covid is still out there, and everyone needs to take precautions.

Councilmember Montes expressed his condolences to the families of Steve Copland, Steve Sagouspe and condolences to (Board of Supervisors) Chief of Staff Nick Salinas on the passing of his mother.

Councilmember Mejia had nothing to report.

Councilmember Villegas stated he will be attending a meeting on March 22nd regarding air quality in the Yosemite Valley. He will also be attending a meeting in June on the same topic.

Mayor Garcia mentioned the Police Department awards and promotions event and congratulated the Madera County Agriland Fire Station on their opening.

G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 9:25 p.m.

UPCOMING MEETING DATES:

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



ALICIA GONZALES, City Clerk



SANTOS GARCIA, Mayor



MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

