

Item:	B-1
Minutes for:	03/20/2024
Adopted:	04/03/2024

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

**March 20, 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](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: 863 2719 6200#. 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 Cece Gallegos, District 1  
Councilmember Anita Evans, District 4  
Councilmember Elsa Mejia, District 5  
Councilmember Artemio Villegas, District 6

Absent: Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3

6:44 p.m. Councilmember Mejia left the meeting.

7:00 p.m. Councilmember Mejia logged onto Zoom.

7:07 p.m. Councilmember Mejia logged off Zoom.

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, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Wastewater Treatment Plant Manager Gabriel Bostan, Assistant Planner Adileni Rueda, Administrative Analyst (Parks) Gabriela Salazar and Communication Specialist Joseph Carrello.

**INVOCATION:** Assistant Pastor Rick Becket, Good News Ministry

Mayor Garcia asked everyone to remain standing and observe a moment of silence in honor of Jim Taubert.

**PLEDGE OF ALLEGIANCE:** Councilmember Mejia

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. 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.*

Minerva Mendoza, a resident from District 2 and a member of the American Friends Service Committee Pan Valley Institute invited Council to join a vigil honoring the farmworkers that passed on February 23<sup>rd</sup>. The vigil will be held at Courthouse Park on March 28<sup>th</sup> from 6:00 p.m. – 8:00 p.m.

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

**WRITTEN COMMUNICATIONS:** None

- PRESENTATIONS:**
1. Proclamation Recognizing Red Cross Month
  2. Women of the Year

Mayor Garcia called for a brief recess.

City Attorney Shannon Chaffin stated that Councilmember Mejia had asked to be excused under the “Just Cause” exemption due to a family issue where she needs to go help care for her sister. She will try to appear remotely, which she is authorized to do under AB 2449 as long as they have a quorum which they do as they still have four (4) Councilmembers present.

**INTRODUCTIONS:** None

**A. WORKSHOP:**

**A-1 Budget Workshop – Current Fiscal Year Status Update (Report by Michael Lima)**

**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 MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE CONSENT CALENDAR WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**B-1 Minutes – March 6, 2024**

**Recommendation:** Approve the City Council Minutes of March 6, 2024 (Report by Alicia Gonzales)

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

**Recommendation:** Review Register of Audited Demands Report for February 24, 2024 to March 8, 2024 (Report by Michael Lima)

**B-3 Informational Report on Personnel Activity**

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

**B-4 City Attorney 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 Disclosure and Waiver Regarding Concurrent Representation of Madera County Transportation Commission**

**Recommendation:** Adopt a Resolution Approving and Authorizing the Mayor to Execute a Waiver (Report by Arnoldo Rodriguez)

**RES 24-36** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A WAIVER (ALESHIRE & WYNDER, LLP)

**B-6 Motorola Service Provider Agreement**

**Recommendation:** Adopt a Resolution Approving Service Provider Agreement, Online Terms Acknowledgement, and Cyber Addendum with Motorola Solutions, Inc. for the upgrade, implementation, service, and maintenance of Police Department communication infrastructure in the amount of \$96,902.41 with a 10% contingency to the implementation component for applicable taxes (Report by Giachino Chiamonte)

**RES 24-37** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING SERVICE PROVIDER AGREEMENT, CYBERSECURITY ONLINE TERMS ACKNOWLEDGEMENT, AND CYBER SUBSCRIPTION RENEWALS AND INTEGRATIONS ADDENDUM WITH MOTOROLA SOLUTIONS, INC. FOR THE UPGRADE, IMPLEMENTATION, SERVICE, AND MAINTENANCE OF POLICE DEPARTMENT COMMUNICATION INFRASTRUCTURE IN THE AMOUNT OF \$96,902.41 WITH A 10% CONTINGENCY TO THE IMPLEMENTATION COMPONENT

**B-7 Proclamation Supporting the Recognition of Vaisakhi as National Sikh Day**

**Recommendation:** Adopt a Minute Order Approving a Proclamation Supporting the Recognition of Vaisakhi as National Sikh Day (Report by Alicia Gonzales)

**C. PUBLIC HEARINGS:**

**C-1 Rezone Property Located on 119 South I Street (REZ 2023-03)**

**Recommendation:** Waive full Reading and Introduce an Ordinance adopting determinations of Categorical Exemptions pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15303/Class 3 (New Construction or Conversions of Small Structures) and 15332/Class 32 (In-Fill Development)

Project) and amending the official City of Madera Zoning Map to rezone ±0.23 acres of property located at 119 South I Street (APN: 010-131-002) from the R3 (Residential, one unit per 1,800 square feet of site area) zone district to the C1 (Light Commercial) zone district (Report by Will Tackett)

7:07 p.m. meeting was paused as there was no quorum. Councilmembers Rodriguez, Montes and Mejia were absent and Councilmember Evans stepped out of the Council Chambers.

7:09 p.m. Councilmember Evans returned; quorum established; meeting resumed.

City Attorney Shannon Chaffin read the title of the ordinance.

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY MAYOR GARCIA AND SECONDED BY MAYOR PRO TEM GALLEGOS, ITEM C-1 WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ, MONTES AND MEJIA. ABSTAIN: NONE.**

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

**D-1 Contract with Hinderliter, deLlamas & Associates (HdL Companies) to Provide Consulting Services for Commercial Cannabis Business Regulation, Management and Enforcement**

**Recommendation:** Adopt a Resolution Approving an Agreement between the City of Madera and HdL Companies (Hinderliter, deLlamas & Associates) to provide Consulting Services for Commercial Cannabis Business Regulation, Management and Enforcement, and Establishing Fees for Cannabis Business Permits (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

Staff noted the following corrections on the agreement:

Page 1 of Agreement, Section 1. Services: .....City herby authorizes Consultant to commence work on ~~May~~ **March 21, 2024.**

Page 5 of Agreement, Section 10. Notices: Consultant contact changed to Matthew Eaton.

**ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER EVANS, ITEM D-1 AS CORRECTED WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ, MONTES AND MEJIA. ABSTAIN: NONE.**

**RES 24-38** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH HDL COMPANIES TO PROVIDE CONSULTING SERVICES FOR COMMERCIAL CANNABIS BUSINESS REGULATION, MANAGEMENT AND ENFORCEMENT, AND ESTABLISHING FEES FOR CANNABIS BUSINESS PERMITS

**D-2 Authorizing Resolution for the Acceptance of the General Fund Grant for the Lions Town & Country Park Trail System Upgrades**

**Recommendation:** Adopt a Resolution Accepting the Amount of \$1,100,000 from the General Fund Grant Administered by the California Natural Resources Agency for the Lions Town & Country Park Trail System Upgrades (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-2 WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ, MONTES AND MEJIA. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 4 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER EVANS**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**ABSENT: 3 -**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**COUNCILMEMBER MEJIA**

**RES 24-39** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE ACCEPTANCE OF GENERAL FUND GRANT FUNDS FOR LIONS TOWN & COUNTRY PARK TRAIL SYSTEM UPGRADES AND IMPROVEMENTS

**D-3 Contract Change Order for the Vernon McCullough River Trail Restoration Project**

**Recommendation:** Adopt a Resolution Approving a Contract Change Order for the Vernon McCullough River Trail Restoration Project in the Amount of \$62,428.50 and Authorizing Additional Construction Contingencies of up to 10 percent of the Original Construction Agreement amount of \$190,116, up to an additional \$19,011.60 (Report by Joseph Hebert)

7:44 p.m. Councilmember Mejia joined the meeting by Zoom.

7:49 p.m. a recess was announced as Councilmember Evans stepped out and there was no quorum physically present.

7:52 p.m. Councilmember Evans returned and the meeting resumed.

No Public Comment was presented. Public Comment was closed.

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 5 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**ABSENT: 2 -**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-3 WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**RES 24-40** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONTRACT CHANGE ORDER FOR THE VERNON MCCULLOUGH RIVER TRAIL RESTORATION PROJECT IN THE AMOUNT OF \$62,428.50 AND AUTHORIZING ADDITIONAL CONSTRUCTION CONTINGENCIES OF UP TO

10 PERCENT OF THE ORIGINAL CONSTRUCTION AGREEMENT AMOUNT OF \$190,116, UP TO AN ADDITIONAL \$19,011.60

**D-4 Sunrise Rotary Sports Complex Rental for 2nd Annual Kickball Tournament Event Fee Waiver Request**

**Recommendation:** Adopt a Resolution waiving the rental fees of Sunrise Rotary Sports Complex related to the 2<sup>nd</sup> Annual Kickball Tournament by the Madera County Child Support on April 13, 2024, at an anticipated fee rental of \$300 (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 5 –**  
COUNCILMEMBER GALLEGOS  
COUNCILMEMBER EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA

**ABSENT: 2 -**  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-4 WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**RES 24-41** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR THE 2ND ANNUAL KICKBALL TOURNAMENT AT SUNRISE ROTARY SPORTS COMPLEX IN THE AMOUNT OF \$300

**D-5 Pan-American Park Rental for Cesar Chavez Day Event Fee Waiver Request**

**Recommendation:** Adopt a Resolution Waiving the Rental Fees of Pan-American Park related to the Cesar Chavez Day hosted by the Madera Coalition for Community Justice on April 7, 2024, at an Anticipated Fee Rental of \$120 (Report by Joseph Hebert)

Hugo Morrison with the Madera Coalition for Community Justice spoke in favor of this item.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 5 –**  
COUNCILMEMBER GALLEGOS  
COUNCILMEMBER EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA

**ABSENT: 2 -**  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES



**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-5 WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**RES 24-42** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR PAN-AMERICAN PARK RELATED TO CESAR CHAVEZ DAY, HOSTED BY MADERA COALITION FOR COMMUNITY JUSTICE ON APRIL 7, 2024

**D-6 Contract Change Order for the McNally Park Basketball Courts Reconstruction Project**

**Recommendation:** Adopt a Resolution Approving a Contract Change Order for the McNally Park Basketball Courts Reconstruction Project in the Amount of \$35,943.89 and Authorizing Additional Construction Contingencies of up to 5% of the Original Construction Agreement Amount of \$218,353, up to an Additional \$10,917.65 (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 5 –** COUNCILMEMBER GALLEGOS  
COUNCILMEMBER EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA

**ABSENT: 2 -** COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-6 WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**RES 24-43** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONTRACT CHANGE ORDER FOR THE MCNALLY PARK BASKETBALL COURTS RECONSTRUCTION PROJECT IN THE AMOUNT OF \$35,943.89 AND AUTHORIZING ADDITIONAL CONSTRUCTION CONTINGENCIES OF UP TO 5% OF THE ORIGINAL CONSTRUCTION AGREEMENT AMOUNT OF \$218,353, UP TO AN ADDITIONAL \$10,917.65

**D-7 Contract Change Order for the Centennial Park Pool Complex Upgrades and Repairs Project**

**Recommendation:** Adopt a Resolution Approving a Contract Change Order for the Centennial Park Pool Complex Upgrades and Repairs Project in the Amount of \$29,000 (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 5 –** COUNCILMEMBER GALLEGOS  
COUNCILMEMBER EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS

**MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES**

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-7 WAS APPROVED BY A 5/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND MONTES. ABSTAIN: NONE.**

**RES 24-44** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONTRACT CHANGE ORDER FOR THE CENTENNIAL PARK POOL COMPLEX UPGRADES AND REPAIRS PROJECT IN THE AMOUNT OF \$29,000

**E. ADMINISTRATIVE REPORTS:** 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 thanked the City departments for working hard.

Councilmember Evans gave condolences to the family of Jim Taubert. She stated that tomorrow at the Community College from 5:00 p.m. – 7:00 p.m. , she will be part of a panel for the Annual Women of History celebration.

Councilmember Mejia gave condolences to the friends and family of Jim Taubert. She thanked the International Women’s Day Committee as she was invited to speak at their event. Councilmember Mejia reminded everyone that the 3<sup>rd</sup> phase of the annual curbside cleanup is underway and maps are available on the website for anyone to reference.

Councilmember Villegas thanked Administrative Analyst Gabriela Salazar for the presentations she made tonight. He also thanked all the ladies of the year for being present this evening.

Mayor Garcia stated he participated in the Read Across America even at Sierra Vista Elementary where he read two (2) books to children. He congratulated Administrative Analyst Gabriela Salazar for being the M.C. (Master of Ceremony) at the recent art event. Mayor Garcia stated he attended two (2) Little League Opening Days.

**G. CLOSED SESSION:**

**G-1 Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section 54956.9.**

**Case:** City of Madera v. Jesus Lopez, Case No. MCV086188

City Attorney Shannon Chaffin made the closed session announcement at 8:26 p.m. Mr. Chaffin and Council returned from Closed Session at 8:42 p.m. Mr. Chaffin stated there was no reportable action.


**ADJOURNMENT:** Meeting was adjourned at 8:42 p.m.



**UPCOMING MEETING DATES:**

- Wednesday, April 3, 2024
- Wednesday, May 1, 2024

  
ALICIA GONZALES, City Clerk

  
SANTOS GARCIA, Mayor

  
MINUTES PREPARED BY  
ZELDA LEÓN, Deputy City Clerk

