



Item:	B-1
Minutes for:	05/01/2024
Adopted:	05/15/2024

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

May 1, 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: 854 8211 7891#. 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 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

Absent: Mayor Santos Garcia

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, 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, Chief of Police Giachino Chiaramonte, Police Commander Josiah Arnold, Public Works Director Ismael Hernandez, Senior Civil Engineer Matt Bullis, Wastewater Treatment Plant Manager Gabriel Bostan and Communication Specialist Joseph Carrello.

**INVOCATION:** Joyce Lance, Glory of Zion Ministries

**PLEDGE OF ALLEGIANCE:** Councilmember Mejia

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, TO PULL ITEM C-1 AND D-1 OFF THE AGENDA WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.**

**PRESENTATIONS:**

1. Proclamation Recognizing April as Sexual Assault Awareness Month
2. Proclamation Recognizing Relay for Life

3. Proclamation Recognizing National Foster Care Awareness Month
4. Proclamation Recognizing Letter Carrier's Stamp Out Hunger Food Drive Day
5. Proclamation Recognizing May 4th as a Day of Recognition for Firefighters
6. Proclamation Recognizing Public Service Week

**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.*

Destiny Delgadillo of Crest Creations and Promotions stated that she held an event on April 28<sup>th</sup> and expressed concern that vendors thought the mobile vendor application permit fees were too high. She asked that making the fees more affordable would benefit the community.

Xitlali, a District 6 resident invited Council to attend a Nu'u Yavi culinary event where the Oaxacan community will showcase their homemade/authentic foods. The event will be held on Friday, May 3<sup>rd</sup> from 12 noon – 7:00 p.m. at Courthouse Park.

A member of the public, Hector Hernandez stated he held an event this past Saturday for Day of Kids. He stated that his experience with obtaining the permit from the Parks Department was stressful. He turned in the required paperwork and fees the first week of April. The Parks Department reached out two days before the event to tell them they hadn't received the insurance or the payment. He was able to have his event but it was stressful. He thinks the City can have a better process with better communication, so customers don't stress.

A member of the public, Alexis stated she experienced something like Destiny and Hector. She submitted her application and payment for a Soccer League fundraiser. One day before the event, the permit still had not been approved. She agrees that fees are too high. She suggested that the City hold a workshop that shows customers how to navigate the permit process.

Jonathan Martinez stated that something should be done about the professional scammers in town that pretend to do tournaments and fundraisers then show up at these meetings to complain about the process and fees. They need to follow the rules. He does agree that there is a lack of communication between the City and customers.

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

**A. PUBLIC HEARINGS:**

**A-1 Consideration of Applications for a General Plan Amendment (GPA 2022-08), Specific Plan Amendment (SPA 2022-01) and Rezone (REZ 2022-09) pertaining to ±2.3 acres of property located on the westerly corner of the Intersection of North Schnoor Avenue and Foxglove Way (APN: 013-070-014)**

**Recommendation:** The Planning Commission and staff recommend the City Council hold a public hearing, make the necessary findings, and take actions as

follows:

1. Adopt a Resolution adopting the Mitigated Negative Declaration (SCH No. 2024030027) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the provisions of the California Environmental Quality Act (CEQA); and, amending the General Plan to change the land use designation for the subject property from Office to Commercial and amending Specific Plan No. 1 to change the land use designation from PO (Professional Office) to C1 (Light Commercial); and
2. Waive full reading and introduce by title only an Ordinance of the City Council of the City of Madera approving Rezone 2022-09 and amending the official City of Madera Zoning Map to rezone approximately 2.3 acres of property (APN: 013-070-014) property from the PO (Professional Office) zone district to the C1 (Light Commercial) zone district (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM A-1 (1) WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.**

**RES 24-62**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2024030027) AND THE MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR PURPOSES OF THE PROPOSED PROJECT IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND, AMENDING THE GENERAL PLAN AND SPECIFIC PLAN NO. 1 TO CHANGE THE LAND USE DESIGNATION FOR THE SUBJECT PROPERTY FROM OFFICE TO COMMERCIAL

**ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM A-1 (2) WAS APPROVED UNANIMOUSLY BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.**

**INTRO ORDINANCE** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING REZONE 2022-09 AND AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 2.3 ACRES OF PROPERTY (APN: 013-070-014) FROM THE PO (PROFESSIONAL OFFICE) TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT

**A-2 Military Equipment Use Ordinance and Policy**

**Recommendation:** Review Military Equipment Use Policy, Ordinance, and Annual Report and by minute order affirm the Ordinance and accept the Annual Military Equipment Use Report (Report by Giachino Chiaramonte)

No Public Comment was presented. Public Comment was closed.

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

No Public Comment was presented. Public Comment was closed.

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

**B-1 Minutes – April 3, 2024 and April 24, 2024**

**Recommendation:** Approve the City Council Minutes of April 3, 2024 and April 24, 2024 (Report by Alicia Gonzales)

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

**Recommendation:** Review Register of Audited Demands Report for March 23, 2024 to April 19, 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 Proclamation Recognizing Mrs. Elizabeth Ochoa as the 2024 California League of Educators (CLE) Teacher of the Year – Elementary Award**

Adopt a Minute Order approving a Proclamation Recognizing Mrs. Elizabeth Ochoa as the 2024 California League of Educators (CLE) Teacher of the Year – Elementary Award (Report by Alicia Gonzales)

**B-5 Amendment to Agreement with CDM-Smith for Professional Engineering Design Services for Water Well 37, Project W-GW-001**

**Recommendation:** Adopt a Resolution Approving Amendment No. 1 to the Agreement with CDM-Smith in the amount of \$18,000 for professional engineering design services for Water Well No. 37, City Project No. W-GW-001 (Report by Keith Helmuth)

**RES 24-56a**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 1 TO AGREEMENT WITH CDM-SMITH IN THE AMOUNT OF \$18,000.00 FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR A WATER WELL 37, CITY PROJECT NO. W-GW-001

**B-6 Military Equipment Purchase Per California Government Code Sections 7070 - 7075**

**Recommendation:** Adopt Resolutions:

1. Authorizing the purchase of three unmanned aircraft systems (drones) from Advexure, LLC2.
2. Appropriating \$5,285 of Federal Asset Forfeiture monies in the City's Fiscal Year 2023/24 Adopted Budget (Report by Giachino Chiamonte)

**RES 24-57** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE THREE UNMANNED AIRCRAFT PER CALIFORNIA GOVERNMENT CODE SECTIONS 7070-7075

**RES 24-58** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2023/2024 BUDGET

**B-7 Piggyback purchase agreement for Fleet Division-related purchase**

**Recommendation:** Adopt a Resolution approving the County of Placer piggyback agreement with Stommel, Inc. (dba LEHR) for the purchase of vehicle up-fit equipment for police patrol vehicles for \$67,673 (Report by Michael Lima)

**RES 24-59** RESOLUTION APPROVING A PIGGYBACK PURCHASE UTILIZING THE COUNTY OF PLACER'S AGREEMENT WITH STOMMER, INC. (DBA LEHR) FOR THE PURCHASE OF VEHICLE UP-FIT EQUIPMENT FOR POLICE PATROL VEHICLES

**C. WORKSHOP:**

**C-1 Budget Workshop (Report by Michael Lima)**

Item was pulled from agenda.

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

**D-1 Ratification, Assignment, and Assumption of Two Lease Agreements at Madera Airport**

**Recommendation:** Adopt a Resolution Ratifying Previous Assignments and Consenting to the Current Assignments and Assumptions of "Lease Agreement–Airport Property #1" and "Lease Agreement–Airport Property #2" from the David and Patricia Berry Living Trust to 4160 & 4170 Aviation Drive, LLC. (Report by Ismael Hernandez)

Johanna Torres, Airport Advisory Commission (AAC) Chairwoman stated this item was not on their AAC agenda and noted that items are being taken to Council without informing or requesting input from the AAC and feels like the AAC is just in place to meet a requirement.

Staff was asked and responded to Ms. Torres' concerns and Council questions.

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

**ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 WAS APPROVED BY A 5/1 VOTE. NOES: COUNCILMEMBER MEJIA. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.**

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

**YES: 5**                    **MAYOR PRO TEM GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**COUNCILMEMBER EVANS**  
**COUNCILMEMBER VILLEGAS**

**NO: 1**                    **COUNCILMEMBER MEJIA**

**RES 24-60**              A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RATIFYING PREVIOUSLY INTENDED ASSIGNMENTS AND CONSENTING TO THE CURRENT ASSIGNMENTS AND ASSUMPTIONS OF "LEASE AGREEMENT–AIRPORT PROPERTY #1" AND "LEASE AGREEMENT –AIRPORT PROPERTY #2" FROM THE DAVID AND PATRICIA BERRY LIVING TRUST TO 4160 & 4170 AVIATION DRIVE, LLC.

**D-2      Parks & Community Services Department Budget Adjustments Request FY 23/24**

**Recommendation:**    Adopt a Resolution Amending the City’s Fiscal Year 2023/24 Budget Approving a Related Expenditure Line Related to the Installation of Musical Equipment at McNally Park for \$40,075 (Report by Joseph Hebert)

Item was pulled from agenda.

**D-3      Amendment No. 3 to Agreement with Carollo Engineers, Inc. for Professional Engineering Design Services for a Water Storage Tank, Pump Station, and Transmission Main**

**Recommendation:**    Adopt a Resolution Approving Amendment No. 3 to Agreement with Carollo Engineers, Inc. for Professional Engineering Design Services for a Water Storage Tank, Pump Station, and Transmission Main for \$1,967,389 (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

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

**RES 24-61**              A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 3 TO AGREEMENT WITH CAROLLO ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR A WATER STORAGE TANK, PUMP STATION, AND TRANSMISSION MAIN FOR THE CITY OF MADERA

**E.      ADMINISTRATIVE REPORTS:**

**E-1      Select Proclamation Recipients for June 2024**

**Recommendation:**    Request for Council’s Selection of Recipients for the Proclamation

Recognizing Pride Month and Juneteenth Day for June 2024 (Report by Alicia Gonzales)

Juneteenth recipient – Donald Holley

Pride Month recipient – Madera Coalition for Community Justice

**E-2 Request for Direction regarding Deferred Maintenance at Madera Municipal Golf Course**

**Recommendation:** Receive information on the current funding status of the Madera Municipal Golf Course and provide direction regarding deferred maintenance as appropriate. (Report by Joseph Hebert)

**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 Evans mentioned that she is looking for assistance with the Juneteenth Day Celebration event. She is hoping to put together a community choir to participate in and is also looking for past and present veterans. She went to a League of CA Cities event and the NAHRO Conference in Washington DC.

Councilmember Montes had nothing to report.

Councilmember Mejia wished everyone a happy May Day which coincided with the Proclamation Recognizing Public Service Week. She attended a City Leaders Summit earlier this month which featured Assemblywoman Esmeralda Soria and the issue with Madera Community Hospital. She thanked the Easton Arcola Elementary kindergarteners for the invitation to read to them for the Read Across America Day even though that day had passed; she had fun reading to them. She thanked the parents of Madera Coalition for Community Justice who invited her to give them an overview of being a Councilmember and accessibility for the community. There will be an event of women cooking authentic Oaxacan foods on May 3<sup>rd</sup> from 12 noon – 7:00 p.m. at Courthouse Park. There will be a yard sale on Saturday to benefit Guelaguetza, so they can continue to provide a free event to the community.

Councilmember Rodriguez mentioned he attended the City Leaders Summit in Sacramento along with Councilmembers Evans, Mejia and Villegas and City Manager Arnoldo Rodriguez. He suggested bringing their Governance do's and don'ts to a Council meeting as a refresher. He mentioned Congressman Duarte's event in which \$2 Million was presented to the City for two projects. He attended a TCAG (Turlock County Association of Governments) meeting through the Madera County Transportation Commission.

Councilmember Villegas attended the City Leaders Summit and mentioned addressing the homeless issue. He mentioned Congressman Duarte's event in which \$2 Million was presented to the City for two projects. Councilmember Villegas everyone to the McNally Park Ribbon Cutting on Friday from 5:30 p.m. to 7:00 p.m.

Mayor Pro Tem Gallegos invited everyone to the upcoming ValleyStealz Ribbon Cutting and mentioned the Relay for Life event on Saturday at 8:00 a.m. at Town and Country Park. She

and Councilmember Rodriguez sit on the MCTC and Councilmember Rodriguez got a lot of information on "vanpool" which is a company that helps take the elderly to appointments. She asked her colleagues to entertain having the MVGM (The company that runs Dial-a-Ride and MAX) come and present to Council. They have purchased four vans and would like them to give Council insight on how that is working. TAB (Transit Advisory Board) Chairperson Cynthia has expressed concerns about the City of Madera Dial-a-Ride and MAX buses. Mayor Pro Tem got confirmation from the rest of Council to have this added to a future agenda.

**G. CLOSED SESSION:**

**G-1 Liability Claim Pursuant to §54956.95**

**Claimant:** Ismael Adame

**Agency Claimed Against:** City of Madera

City Attorney Shannon Chaffin made the closed session announcement at 8:36 p.m. Mr. Chaffin and Council returned from Closed Session at 8:50 p.m. with all members of Council present except Mayor Garcia who was absent. Mr. Chaffin stated there was no reportable action.

**ADJOURNMENT:** Meeting was adjourned at 8:50 p.m.

  
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ALICIA GONZALES, City Clerk

  
\_\_\_\_\_  
SANTOS GARCIA, Mayor

  
\_\_\_\_\_  
MINUTES PREPARED BY  
ZELDA LEÓN, Deputy City Clerk

