



## Regular Meeting of the Madera City Council

205 W. 4<sup>th</sup> Street, Madera, California 93637

### MEETING NOTICE AND AGENDA

Wednesday, May 20, 2020  
6:00 p.m.

Council Chambers  
City Hall

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This meeting will be conducted pursuant to the provisions of the Governor's Executive Order which suspends certain requirements of the Ralph M. Brown Act. The City Council meeting will be live-streamed on the City's website. Members of the public may participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 9322 3235 083# followed by \*9 on your phone to speak. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov) or by regular mail at 205 W. 4<sup>th</sup> Street, Madera, CA 93637.

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#### **CALL TO ORDER:**

**ROLL CALL:** Mayor Andrew J. Medellin  
Mayor Pro Tem Santos Garcia, District 5  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Derek O. Robinson Sr., District 4  
Councilmember Donald E. Holley, District 6

**INVOCATION:** Councilmember Donald E. Holley

**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. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)

**INTRODUCTIONS:**

1. Gabriela Salazar, Administrative Analyst

**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 – April 1, 2020**

**Recommendation:** Approve the City Council Minutes of April 1, 2020

**B-2 Informational Report on Register Audited Demands April 25, 2020 to May 8, 2020**

**Recommendation:** No Action Required (Report by Roger Sanchez)

**B-3 Informational Report on Contract City Attorney Service Expenditures**

**Recommendation:** No Action Required (Report by Arnolando Rodriguez)

**B-4 Administrative Policy on Lactation Breaks**

**Recommendation:** Adopt a Minute Order Approving an Administrative Policy on Lactation Break Time and Location (Report by Wendy Silva)

**B-5 Special Activity Permit for the Use of Designated Areas of the Madera Municipal Airport for the 2020-2021 Porsche Club of America Autocross Events**

**Recommendation:** Adopt a Resolution Approving a Special Activity Permit for the Porsche Club of America to Utilize Certain Areas at the Madera Municipal Airport for autocross events on seven dates (Report by Daniel Foss)

**B-6 Agreement with Tech Master Pest Management for Pest Control Services for 38 Facilities**

**Recommendation:** Adopt a Resolution Approving the Agreement with Tech Master Pest Management for Pest Control Services (Report by Daniel Foss)

**B-7 Amendment to the Agreement with Serna Construction Inc. regarding Americans with Disability Act and Lighting Improvements at Centennial Park, Pan American Center and Frank Bergon Center**

**Recommendation:** Adopt a Resolution Amending the Agreement with Serna Construction Inc. in the Amount of \$100,000 for the Construction of ADA and Lighting Improvements at Centennial Park, Pan American Center and Frank Bergon Center, City Project No. PK-62 & PK-63, CBDG No. B15MC060053, B17MC006053, and B18MC060053 (Report by Keith Helmuth)

**B-8 Health, Dental, Vision and Employee Assistance Program Insurance Providers for Fiscal Year 2020/21**

**Recommendation:** Adopt a Minute Order Approving the 2020/21 Health, Dental, Vision, and Employee Assistance Program Insurance (Report by Wendy Silva)

**B-9 Letter Supporting the League of California Cities “Support Local Recovery: Vibrant Cities. Strong Economies: Campaign**

**Recommendation:** Adopt a Minute Order Supporting the League of California Cities “Support Local Recovery: Vibrant Cities. Strong Economies: Campaign

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing Regarding Proposed Annexation No. 9 to Community Facilities District No. 2005-01 (Sherwood Apartments) and Related Actions**

**Recommendation:**

1. Approve a Resolution Authorizing the Annexation of Territory to Community Facilities District No. (CFD) 2005-01 and Authorizing the Levy of a Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
2. Approve a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 9 of the City’s CFD 2005-01 Propositions Regarding the Annual Levy of Special Taxes within Annexation No. 9 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance Within the District; and
3. Conduct a Special Election of the Qualified Electors of Annexation No. 9 of the City’s CFD 2005-01 and Declaration and Certification of the Results Thereof; and
4. Adopt a Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 9 to CFD 2005-01 (Report by Darrel Unruh)

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

**D-1 Award of Agreement with Synagro-WWT, Inc. for Sludge Hauling and Disposal Services from the Wastewater Treatment Plant at \$41.00 per ton plus monthly container fees of \$800.00 Each**

**Recommendation:** Adopt a Resolution Approving the Agreement with Synagro-WWT for Sludge Hauling & Disposal Services from the Wastewater Treatment Plant (Report by Daniel Foss)

**D-2 Construction of Traffic Signal at the Intersection of Howard Road and Granada Drive, City Project No. TS-17**

**Recommendation:**

1. Adopt a Resolution Approving the Contract Award for the Traffic Signal at the Intersection of Howard Road and Granada Drive, City Project No. TS-17, in the Amount of \$499,775.00 to Bush Engineering Inc. and Authorizing Construction Contingencies and Construction Management Services Relating to the Contract; and

2. Adopt a Resolution Approving Funding Amendment Appropriating \$80,000 to the Fiscal Year 2019/20 Capital Projects Budget for the Construction of the Traffic Signal at the Intersection of Howard Road and Granada Drive, City Project No. TS-17 (Report by Keith Helmuth)

**D-3 Construction of Traffic Signal at the Intersection of Howard Road and Westberry Boulevard, City Project No. TS-19**

- Recommendation:**
1. Adopt a Resolution Approving the Contract Award for the Traffic Signal at the Intersection of Howard Road and Westberry Boulevard, City Project No. TS-19, in the Amount of \$503,385.00 to Avison Construction, Inc. and Authorizing Construction Contingencies and Construction Management Services Relating to the Contract; and
  2. Adopt a Resolution Approving Funding Amendment Appropriating \$150,000 to the Fiscal Year 2019/20 Capital Projects Budget for the Construction of the Traffic Signal at the Intersection of Howard Road and Westberry Boulevard, City Project No. TS-19 (Report by Keith Helmuth)

**D-4 Sidewalk and Safety Improvements on Sunset Avenue between Pine Street and Double Tree Way**

- Recommendation:**
1. Adopt a Minute Order Approving the Acceptance of the Construction of Sunset Avenue Sidewalk and Safety Improvements Pine Street to Double Tree Way, Federal Project No. HSIPL-5157(111), City Project No. R-66, Recording of Notice of Completion, Release of Retention 35 days after Recording Notice of Completion; and
  2. Adopt a Resolution Approving an Increase in the in the Construction Contingencies to 16 percent for the Sunset Avenue Sidewalk and Safety Improvements Pine Street to DoubleTree Way, Federal Project No. HSIPL – 5157 (111), City Project No. R-66 (Report by Keith Helmuth)

**D-5 Contract with Hinderliter, deLlamas & Associates (HdL) Companies to Provide Financial Consulting Services**

- Recommendation:**
1. Adopt a Resolution Approving a Contract with HdL Companies and Authorizing the Examination of Sales or Use Tax Records of the California Department of Tax and Fee Administration; and
  2. Approve a Resolution Authorizing the Examination of Sales, Use, and Transaction Tax Records (Report by Roger Sanchez)

**D-6 Contract with Hinderliter, deLlamas & Associates (HdL Companies) to Provide Consulting Services Relating to Regulatory Ordinance, Taxation Ordinance, and Related Regulations for Cannabis**

- Recommendation:** Adopt a Resolution that approves a contract for cannabis consulting services to develop a regulatory ordinance to allow, permit, regulate and tax cannabis businesses, conducting a cost recovery fee study, develop a cannabis tax ordinance and accompanying ballot measure (Report by Arnoldo Rodriguez)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Madera County Economic Development Commission Quarterly Update (Report by Bobby Kahn)**

**E-2 Discussion on Status and Action Taken on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic**

**Recommendation:** Deliberation and Direction given from Council (Report by Arnaldo Rodriguez)

**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:**

**G-1 Conference with Real Property Negotiators-Pursuant to Government Code § 54956.8**

Property: 1 Parcel

City of Madera: APN: 012-043-003

Agency Negotiators: Keith Helmuth

Negotiating Party: Gus' Food Locker, A Partnership of Augustine Sambueso, Jr. and Donald Sambueso

Under Negotiations: Price and Terms

**G-2 Threat to Public Services or Facilities, Government Code Section 54957(a), Consultation with City Manager, City Attorney, and Chief of Police**

**ADJOURNMENT:** – Next regular meeting on June 3, 2020

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- 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 writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at the City of Madera Office of the City Clerk, 205 W. 4th Street, Madera, California 93637 during normal business hours.
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - 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 May 20, 2020 near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 9:30 p.m. on May 14, 2020.



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Alicia Gonzales, City Clerk