



Item:	B-1
Minutes for:	11/04/2020
Adopted:	02/03/2021

Minutes of a Regular Meeting of the Madera City Council

November 4, 2020
6:00 p.m.

Council Chambers
City Hall

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: 918 3685 1693# followed by *9 on your phone to speak. 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 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

Absent: None

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Chief Building Official Steven Woodworth, City Engineer Keith Helmuth, Financial Services Director Roger Sanchez, Fire Division Chief Matt Watson, Grants Administrator Ivette Iraheta, Human Resources Director Wendy Silva, Information Services Manager Mark Souders, Parks & Community Services Director John Scarborough, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Work Director Dan Foss, Associate Civil Engineer Victor Aldama, and Part Time Engineering Project Manager Jerry Martinez

INVOCATION: Pastor Fred Thurman, New Life Assembly of Madera

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. 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 submitted. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS

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

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 GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE CONSENT CALENDAR WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – 9/2/20, 10/21/20 (Special Meeting)

Recommendation: Approve the City Council Minutes of 9/2/20, 10/21/20 (Special Meeting)

B-2 Informational Report on Register of Audited Demands for Oct. 10, 2020 to Oct. 23, 2020

Recommendation: No Action Required (Report by Roger Sanchez)

B-3 Revised Attachment B: Indemnification and Insurance to the Legal Services Agreement with Abbott & Kindermann, Inc.

Recommendation: Approve by Minute Order a Revised Attachment B: Indemnification and Insurance to the Legal Services Agreement with Abbott & Kindermann, Inc. (Report by Arnolando Rodriguez)

B-4 Acceptance of Improvements for Melanie Meadows Phase I Subdivision (Tract No. 06-S-07)

Recommendation: Adopt a Resolution

- a. Accepting the Improvements for Melanie Meadows Phase I Subdivision (Tract No. 06-S-07)
- b. Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements
- c. Authorizing Staff to Record the Notice of Acceptance of Subdivision Improvements (Report by Keith Helmuth)

RES 20-151 A RESOLUTION ACCEPTING IMPROVEMENTS FOR MELANIE MEADOWS PHASE I SUBDIVISION (TRACT NO. 06-S-07), AUTHORIZING THE FILING OF THE NOTICE OF ACCEPTANCE FOR SAID SUBDIVISION IMPROVEMENTS AND AUTHORIZING STAFF TO RECORD THE NOTICE OF ACCEPTANCE

C. PUBLIC HEARINGS: None

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

D-1 Agreement for Professional Legal Services with Telecom Law Firm PC to Update the City's Municipal Code Regulating Wireless Facilities

Recommendation: Adopt a Resolution Approving an Agreement with Telecom Law Firm PC for Professional Legal Services in the Amount of \$37,100 to Prepare an Ordinance, Permit Application(s) and Related Administrative Materials, and to Authorize Additional Ad Hoc Consultation and Legal Services Related to Telecommunications Infrastructure Regulation, Policy, Technology or Transactions up to an Amount not to Exceed \$5,600 (Report by Gary Conte)

ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-152 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES BETWEEN THE CITY OF MADERA AND TELECOM LAW FIRM, PC AND AUTHORIZING BUDGET TRANSFER

D-2 Overlay of the Parking Lots at Fire Station No. 56 (N. Lake Street) and 57 (S. Schnoor Avenue)

Recommendation: Adopt a Resolution Approving the Contract Award to Overlay the Parking Lots at Fire Station No. 56 and 57 in the Amount of \$203,300.85 to Dave Christian Construction Company, Inc. (City Project No. FD-00001 and FD-00003) and Authorizing Construction Contingencies and Construction Management Services Relating to the Contract (Report by Keith Helmuth)

City Engineer Keith Helmuth indicated that there were discrepancies in Table 1 and Table 2 of the staff report, however, the resolution and the agreement are correct.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-2 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-153 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD TO OVERLAY THE PARKING LOTS AT FIRE STATION NO. 56 AND 57 IN THE AMOUNT OF \$203,300.85 TO DAVE CHRISTIAN CONSTRUCTION COMPANY, INC. (CITY PROJECT NO. FD-00001 AND FD-00003) AND AUTHORIZING CONSTRUCTION CONTINGENCIES AND CONSTRUCTION MANAGEMENT SERVICES RELATING TO THE CONTRACT

E. ADMINISTRATIVE REPORTS

E-1 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 Arnolddo 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.

No Council reports were contributed.

G. CLOSED SESSION

G-1 Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation Pursuant to Government Code Section 54956.9 (d)(4)
One Case: City of Madera v. High Speed Rail Authority

G-2 Conference with Real Property Negotiators - Pursuant to Government Code Section 54956.8

Property: 1 Parcel
City of Madera APN: 035-080-026
Agency Negotiator(s): Keith Helmuth
Negotiating Party: Jason Sanders
Under Negotiations: Price and Terms

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 6:50 p.m.


Council returned from closed session at 7:20 p.m. with six (6) Councilmembers present as Mayor Medellin did not return with them.

City Attorney Hilda Cantu Montoy stated there was no reportable action and Mayor Pro Tem Garcia adjourned the meeting.


ADJOURNMENT: The meeting was adjourned at 7:20 p.m. Next regular meeting on November 18, 2020.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.



ALICIA GONZALES, City Clerk



ARTEMIO VILLEGAS, Mayor Pro Tem



MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

