



REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, September 1, 2021
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 at www.madera.gov/live. Members of the public may participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 894 6241 6013 # 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:

ROLL CALL: Mayor Santos Garcia
Mayor Pro Tem Artemio Villegas, District 6
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Vacant, District 5

INVOCATION: Pastor Roger Leach, Valley West Christian Center

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 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.

B-1 Minutes – 04/21/21

Recommendation: Approve the City Council Minutes of April 21, 2021

B-2 Informational Report on Register of Audited Demands for July 24, 2021 to August 20, 2021

Recommendation: No Action Required (Report by Anthony Forestiere)

B-3 Fiscal Year 2020/2021 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 (Report by Arnoldo Rodriguez)

B-4 Consulting Services Agreement with Demsey, Filliger & Associates, LLC

Recommendation: Adopt a Resolution Approving a Consulting Services Agreement between the City and Demsey, Filliger & Associates, LLC to prepare the City's OPEB (Other Post-Employment Benefits) Actuarial Report as of June 30, 2021 (Report by Anthony Forestiere)

B-5 Appointment of Miguel Gonzalez to the City of Madera Airport Advisory Commission

Recommendation: Adopt a Resolution Appointing Miguel Gonzalez to the City of Madera Airport Advisory Commission (AAC) (Report by Daniel Foss)

B-6 After School Program Consultant Services Agreement between Madera Unified School District (MUSD) and the City

Recommendation: Adopt a Minute Order Approving the Consultant Services Agreement with the MUSD for Partial Administration of the Academic School Year 2021/22 After School Program, not to exceed \$124,000 (Report by Arnoldo Rodriguez)

B-7 Use Agreement with the City of Kerman for the Use of its Shooting Range

Recommendation: Adopt a Minute Order Authorizing the Chief of Police to Sign the Use Agreement Allowing the Madera Police Department to Use the City of Kerman Shooting Range (Report by Dino Lawson)

B-8 City's Contribution to Cover the Cost of Police, Public Works, and Park's fees in conjunction with the Old Timers' Day Parade

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, and Parks Services Relating to the Old Timers' Day Parade in the amount of \$2,935 (Report by Dino Lawson)

B-9 Construction of 2019-20 SB-1 (RMRA) Seals and Overlays, City Project No. R-77 to Improve Approximately 2 Miles of Roadway

Recommendation: Adopt a Minute Order Approving the Acceptance of 2019-20 SB-1 Road Maintenance and Rehabilitation Account (RMRA) Seals and Overlays, City Project No. R77, Notice of Completion, Release of Retention 35 days after Recording Notice of Completion (Report by Keith Helmuth)

B-10 Approval of Caltrans Maintenance Agreements

Recommendation: Adopt a Resolution Approving the Landscape Maintenance Agreement and a Cost Sharing Agreement between the State Department of Transportation (Caltrans) and the City of Madera (Report by Keith Helmuth)

B-11 Acceptance of Improvements for Pond Place Estates Subdivision (Tract No. 05-S-17)

Recommendation: Adopt a Resolution:

- 1) Accepting the Improvements for Pond Place Estates Subdivision (Tract No. 05-S-17); and
- 2) Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements; and
- 3) Authorizing staff to record the Notice of Acceptance of Subdivision Improvements (Report by Keith Helmuth)

B-12 Acceptance of Gateway Drive-Central Avenue-3rd Street-E Street Sidewalk Improvements Project, Federal Project No. CML 5157(095), City Project No. R-38

Recommendation: Adopt a Minute Order Approving:

- 1) Acceptance of the Construction of Gateway Drive-Central Avenue-3rd Street-E Street Sidewalk Improvements Project, Federal Project No. CML 5157(095), City Project No. R-38; and
- 2) The Recording of Notice of Completion; and
- 3) The Release of Retention 35 days after Recording of the Notice of Completion (Report by Keith Helmuth)

B-13 Contract Award for the Construction of Bid Package 1 - Water Main Replacement at Dunham Avenue and Lewis Street, City Project No. W-40 in the Amount of #313,839.00 to Rolfe Construction Inc. and Authorizing Construction Contingencies Related to the Contract

Recommendation: Adopt a Resolution Approving the Contract Award for Bid Package 1 - Water Main Replacement at Dunham Avenue and Lewis Street, City Project No. W-40 (Report by Keith Helmuth)

B-14 Madera ADA Advisory Council (MADAAC) Participation in 2021 Old Timers' Day Parade

Recommendation: Adopt a Minute Order Approving MADAAC's Participation in the 2021 Old Timers' Day Parade and Authorize the City Manager to Execute the Entry Form and Hold Harmless Agreement (Report by Wendy Silva)

C. PUBLIC HEARINGS: None

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

D-1 First Reading and Introduction of an Ordinance Amending the City's Municipal Code Relating to Cannabis

Recommendation: Conduct a Public Hearing, Waive Full Reading of Ordinance, and Introduce Ordinance Amending the Madera Municipal Code by title only as follows:

- 1) An Ordinance of the City of Madera, California Amending Section 6-5.33 (D) Of Title VI, Chapter 5 of the Madera Municipal Code Relating to Location and Design of Cannabis Businesses [Relative to Lions Town & Country Community Park] (Report by Arnaldo Rodriguez)

D-2 Renewal of Existing Contract, along with an Amendment for Additional Services, between the City and Hinderliter, deLlamas & Associates (HdL Companies) for Consulting Services Related to Cannabis

Recommendation: Adopt a Resolution to:

- 1) Renew the Existing Contract through September 1, 2023; and
- 2) Amend the Scope of Services Provided and the Cost Associated with Such Services (Report by Arnaldo Rodriguez)

D-3 Cannabis Business Permits - Consideration of Number of Cannabis Business Permits, Procedure Guidelines and Review Criteria, and Fees

Recommendation: Adopt Resolutions:

- 1) Determining the Number and Type of Cannabis Business Permits that may be Issued in the City; and
- 2) Establishing Fees for Cannabis Business Permits; and
- 3) Establishing Procedure Guidelines and Review Criteria to Govern the Application and Selection Process for Various Types of Cannabis Business Permits (Report by Arnaldo Rodriguez)

D-4 Acceptance of Fresno River Trail – Union Pacific Railroad (UPRR) & Gateway Undercrossing Project, Federal Project No. ATPCML 5157 (100), City Project No. PK-08

Recommendation: Adopt a Minute Order Approving:

- 1) Acceptance of the Construction of Fresno River Trail - UPRR & Gateway Undercrossing Project, Federal Project No. ATPCML 5157 (100), City Project No. PK-08; and
- 2) The Recording of Notice of Completion; and
- 3) The Release of Retention 35 days after Recording of the Notice of Completion (Report by Keith Helmuth)

D-5 Assignment of Grant Administrator Classification to the Competitive Service, represented by the Mid Management Employee Group (MM)

Recommendation: Adopt a Resolution

- 1) Designating the Grant Administrator Classification as a Competitive Service Position Represented by MM and Assigning the Position to Salary Range 446; and
- 2) Introduce an Ordinance Amending Subsection E of §2-2.305 of Title II of the Madera Municipal Code Relating to Civil Service and Exceptions to the Competitive Service (Report by Wendy Silva)

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 agendaized and which meet other requirements for action.

G. CLOSED SESSION:

G-1 Conference with Labor Negotiators - Pursuant to Government Code §54957.6

Agency Designated Representatives:

Arnoldo Rodriguez and Wendy Silva

Employee Organizations:

General Bargaining Unit/Madera Affiliated City Employees Association

Mid-Management Employee Group

Madera Police Officers' Association

Law Enforcement Mid Management

ADJOURNMENT: – Next regular meeting on September 15, 2021

- 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.
 - A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (559) 661-5405 or by email at cityclerkinfo@madera.gov.
 - 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 September 1, 2021 near the front entrances of City Hall and on the City's website www.madera.gov at 6:00 p.m. on August 27, 2021.



Alicia Gonzales, City Clerk