

Item:	B-1
Minutes for:	07/21/2021
Adopted:	03/02/2022

**Minutes of a Regular Meeting of the Madera City Council, Special Meeting of the Madera Public Financing Authority Board, and Special Meeting of the Madera City Council as Successor Agency to the Former Madera Redevelopment Agency**

**Wednesday, July 21, 2021**  
**6:00 p.m.**

**Council Chambers**  
**City Hall**

This meeting was 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 was live streamed on the City's website at [www.madera.gov/live](http://www.madera.gov/live). Members of the public were able to participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 entering ID: 968 0247 3470 # followed by \*9 on their phone to speak. Comments were also 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.

**CALL TO ORDER:** Meeting was called to order at 6:00 p.m.

**ROLL CALL:**

**Present:** Mayor Santos Garcia  
Mayor Pro Tem Artemio Villegas, District 6  
Councilmember Cece Gallegos, District 1  
Councilmember Steve Montes, District 3

**Absent:** Councilmember Jose Rodriguez, District 2  
Councilmember Anita Evans, District 4  
Vacant, District 5

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, Planning Manager Gary Conte, Police Commander Giachino Chiaramonte, Interim Public Work Director Dan Foss, Senior Civil Engineer Victor Aldama, Administrative Analyst (Eng. Dept) Nicole Say, Financial Services Manager Anthony Forestiere, Program Manager Grants Alex Estrada, Planner (Consultant) Steve Bettencourt, and Communication Specialist Joseph Carrello.

**INVOCATION:** Mayor Pro Tem Villegas

**PLEDGE OF ALLEGIANCE:** Interim Public Works Director Daniel Foss

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA AS AMENDED TO MOVE ITEM D-1 INTO SECTION C AS ITEM C-2 AND TO PULL ITEMS B-9 AND B-10 FROM AGENDA WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER MONTES  
MAYOR PRO TEM VILLEGAS  
MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER EVANS**

**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.*

Speaker (no name mentioned) spoke on reopening City Council meetings to the public. She mentioned that at the previous meeting Mayor Garcia, Mayor Pro Tem Villegas and Councilmember Evans stated they did not want in-person meetings because they were afraid of Covid, however they are seen at political and public events which are sometimes held indoors before and after these Council meetings. She mentioned that she noticed that Mayor Garcia is texting during discussion and Councilmember Evans and Mayor Pro Tem Villegas seem to then vote however the Mayor votes.

Rafaela Ruiz commented on the grant funds received in 2020 that were to be used to revitalize downtown Madera. She had questions on what the funds were used for and stated that Madera needs action now with a developed downtown so that we can begin to rebuild the heart of the city. She asked that action be taken now before the project is forgotten.

Marilyn Delejia commented on the cannabis square footage requirement for vertical integration and asked for more equity licenses.

Kirk Atamian stated there is a Facebook group that Council should look at to see how the people of Madera feel about live or Zoom meetings. He also stated that the Council does not work well together. As a city, they are not moving forward because the Council needs to work together.

Gabriel Hernandez commented on not being able to attend live meetings and mentioned that Mayor Garcia Councilmember Evans and Mayor Pro Tem Villegas have not let that be an option. He mentioned

several events that Mayor Garcia and/or Councilmember Evans attended in person and stated they are showing hypocrisy and hopes the people remember this when they are up for re-election. He stated it is a shame they are stuck with leaders like them for the next few years.

No further public comment was submitted.

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

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

**PUBLIC COMMENT:**

After Public Health Department Director Sara Bosse finished her presentation, Mayor Garcia gave a caller a chance to speak on public comment not related to this item.

Rico Salvador on behalf of Mainstream Medicinal spoke on cannabis, vertical integration and square footage.

No further public comment was presented.

**INTRODUCTIONS:**

1. **Joseph Hebert, Grants Program Manager** (Introduction by Ivette Iraheta)

**A. WORKSHOP:**

**A-1 Federal American Rescue Plan Act (ARPA) of 2021**

**Recommendation:** Consider Workshop Presentation and Provide Direction to Staff (Report by Roger Sanchez)

**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 MONTES AND SECONDED BY MAYOR PRO TEM VILLEGAS, THE CONSENT CALENDAR WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER MONTES  
MAYOR PRO TEM VILLEGAS**

**MAYOR GARCIA**  
**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER EVANS**

**B-1 Minutes – 03/03/21**

**Recommendation:** Approve the City Council Minutes of March 3, 2021

**B-2 Informational Report on Register of Audited Demands for June 26, 2021 to July 9, 2021**

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

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

**Recommendation:** No Action Required (Report by Wendy Silva)

**B-4 Agreement for Continued Participation in the Central Valley Employment Relations Consortium (CVERC)**

**Recommendation:** Adopt a Minute Order Approving the Agreement for Special Services with Liebert Cassidy Whitmore in the amount of \$2,548 and authorize the City Manager to execute the Agreement (Report by Wendy Silva)

**B-5 Consideration of a Request by Maria I. Garcia de Molina for Connection to the City's Water System**

**Recommendation:** Adopt a Resolution Approving an Agreement for Outside City Water Service for Property located at 13633 Road 28, Approving Covenant to Annex, and Directing Staff to Record the Agreement and Covenant (Report by Keith Helmuth)

**RES 21-88**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH MARIA I. GARCIA DE MOLINA FOR OUTSIDE OF CITY WATER SERVICE FOR 13633 ROAD 28, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT ON BEHALF OF THE CITY AND DIRECTING STAFF TO RECORD THE AGREEMENT

**B-6 Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2021/2022 Local Solicitation**

**Recommendation:** Adopt a Resolution Authorizing Submission of an Application to the Edward Byrne Memorial Justice Assistance Grant (JAG) Programming in the Amount of \$27,829 (Report by Ivette Iraheta)

**RES 21-89**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE CHIEF OF POLICE TO MAKE AN APPLICATION FOR AWARD TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

**B-7 Appropriations Limit (Gann Limit) for Fiscal Year 2021/2022**

**Recommendation:** Adopt a Resolution Establishing an Appropriations Limit for Fiscal Year 2021/2022 in the amount of \$49,444,246 (Report by Roger Sanchez)

**RES 21-90** A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE APPROPRIATIONS LIMIT FOR THE 2021/2022 FISCAL YEAR

**B-8 Consideration of California Conservation Corps (CCC) Sponsor Agreement**

**Recommendation:** Adopt a Resolution Approving a Sponsor Agreement with California Conservation Corps (CCC) for Performance of Work Projects (Report by Daniel Foss)

**RES 21-91** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A SPONSOR AGREEMENT WITH CALIFORNIA CONSERVATION CORPS FOR PERFORMANCE OF WORK PROJECTS

**B-9 Agreement with Hawkins, Delafield & Wood for the Preparation of Bond Debt Arbitrage Analysis Reports for the City, Madera Public Financing Authority, and Madera Successor Agency for Five Bonds**

**Recommendation:** Adopt a Joint Resolution Approving an Agreement with Hawkins, Delafield & Wood to Prepare the Arbitrage Analysis Rebate Reports for the Fiscal Years 2021/22 through 2023/24 for the City of Madera, Madera Public Financing Authority, and the Successor Agency (Report by Roger Sanchez)

This item was pulled off the agenda.

**B-10 Agreement with Thales Consulting, Inc. to Prepare and File the City Financial Transaction Report, the Financing Authority Special District Report, and the Annual Transit Report**

**Recommendation:** Adopt a Joint Resolution Approving a Special Services Agreement between the City of Madera, Madera Public Financing Authority, and Successor Agency and Thales Consulting, Inc. for Three Fiscal Years Totaling \$13,500 (Report by Roger Sanchez)

This item was pulled off the agenda.

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing to Approve the Community Development Block Grant (CDBG) 2021/2022 Action Plan Final Funding Allocations, including Reprogrammed Funds (\$1,312,192) and Approve Subrecipient Agreements**

**Recommendation:** Conduct a Public Hearing to Receive Final Public Input on the 2021/2022 Action Plan, and Adopt the Following Resolutions:

- 1) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$5,000) with Big Brothers Big Sisters of Central California; and
- 2) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$5,000) with Doors of Hope Pregnancy Care Center; and
- 3) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$5,000) with Madera Coalition for Community Justice; and
- 4) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$17,856) with Madera Rescue Mission; and
- 5) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$36,500) with O.L.I.V.E. Charitable Organization; and
- 6) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$5,000) with Pequeños Empresarios; and
- 7) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$35,500) with Madera Coalition for Community Justice; and
- 8) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$32,500) with City of Madera, Parks & Community Services; and
- 9) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$20,000) with Community Action Partnership of Madera County, Inc.; and
- 10) Adopt a Resolution Approving a Regulatory Agreement and Declaration of Restrictive Covenants (\$60,000) with James Mekalian DBA La Madera Accessible Living Studios; and
- 11) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$345,027) with Community Action Partnership of Madera County, Inc.; and
- 12) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$75,000) with Habitat for Humanity Greater Fresno Area; and
- 13) Adopt a Resolution Approving a 2021/22 CDBG Subrecipient Agreement for Services (\$500,000) with City of Madera Public Works Department

Public Comment was opened.

Baldwin Moy asked that the award be increased for the Madera Youth Street Art Project.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM C-1 (1-13) WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT:**

**COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER MONTES  
MAYOR PRO TEM VILLEGAS  
MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER EVANS**

**RES 21-92** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$5,000) WITH BIG BROTHERS BIG SISTERS OF CENTRAL CALIFORNIA

**RES 21-93** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$5,000) WITH DOORS OF HOPE PREGNANCY CARE CENTER

**RES 21-94** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$5,000) WITH MADERA COALITION FOR COMMUNITY JUSTICE

**RES 21-95** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$17,856) WITH MADERA RESCUE MISSION

**RES 21-96** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$36,500) WITH O.L.I.V.E. CHARITABLE ORGANIZATION

**RES 21-97** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$5,000) WITH PEQUENOS EMPRESARIOS

**RES 21-98** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$35,500) WITH MADERA COALITION FOR COMMUNITY JUSTICE

**RES 21-99** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT

BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$32,500)  
WITH THE CITY OF MADERA, PARKS & COMMUNITY SERVICES

**RES 21-100** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$20,000) WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY, INC.

**RES 21-101** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT (\$60,000) AND RELATED GRANT REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS WITH JAMES MEKALIAN DBA LA MADERA ACCESSIBLE LIVING STUDIOS

**RES 21-102** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$345,027) WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY, INC.

**RES 21-103** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$75,000) WITH HABITAT FOR HUMANITY GREATER FRESNO AREA

**RES 21-104** A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES (\$500,000) WITH THE CITY OF MADERA, PUBLIC WORKS DEPARTMENT

**C-2 Confirm Diagram and Assessments for Citywide Landscape and Lighting Assessment District Zones of Benefit for Annual Levy for Fiscal Year 2021/2022**

This item was moved from Section D to this section at agenda approval.

**Recommendation:**

- 1) Conduct the Public Hearing and Receive Any Public Comments
- 2) If there are unresolved public comments in any zone that require changes to the Engineer's Report, address the public comments at the meeting prior to approving a resolution adopting the Engineer's Report as may be revised by council.
- 3) Adopt Resolution confirming the diagram and assessments for annual levy for Fiscal Year 2021-2022 for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E,



44, 45-A, 46, 50 & 51 and authorizing the City Clerk to file the diagram and assessments with the Madera County Auditor (Report by Keith Helmuth)

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR GARCIA, ITEM D-1 (1-13) WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER MONTES  
MAYOR PRO TEM VILLEGAS  
MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER EVANS**

**RES 21-105** A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR THE ANNUAL LEVY FOR FISCAL YEAR 2021-2022 FOR CITYWIDE LANDSCAPE AND LIGHTING DISTRICT ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-8, 7, 8, 9, 10-A, 10-8, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-1, 12, 13, 14, 15, 15-8, 15-C, 16, 17-A, 17-8, 17-C, 17-D, 18, 20-A, 20-8, 20-C, 21-A, 21-8, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-8, 26-C, 26-D, 27, 27-8, 28, 28-8, 29, 29-8, 29-C, 29-D, 29-E, 30, 31-A, 31-8, 32-A, 32-8, 33, 34, 34-8, 34-C, 35, 36-A, 36-8, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

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

Item D-1 was moved to Section C as Item C-2 at agenda approval.

**D-2 Award of Street Project Contract: 2020-21 City St. 3R & ADA Project, State Project No. SB1-LLPL 5157 (120), City Project No. R-71**

**Recommendation:** Adopt a Resolution Approving the Contract Award for the 2020-21 3R & ADA Project, State Project No. SB1-LLPL 5157 (120), City Project No. R-71, in the Amount of \$543,891 to Avison Construction Inc. (Report by Keith Helmuth)

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1 WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER MONTES  
MAYOR PRO TEM VILLEGAS**

**MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER EVANS**

**RES 21-106**            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR 2020-21 CITY ST. 3R & ADA PROJECT, STATE PROJECT NO. SBI-LLPL 5157 (120), CITY PROJECT NO. R-71 IN THE AMOUNT OF \$543,891.00 TO AVISON CONSTRUCTION, INC. AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

**D-3 Memorandum of Understanding with the General Bargaining Unit (GBU), represented by the Madera Affiliated City Employees' Association**

**Recommendation:** Adopt a Minute Order

- 1) Approving the MOU between the City of Madera and GBU effective July 21, 2021 through June 30, 2025;
- 2) Authorizing the City Manager to sign the MOU; and
- 3) Authorizing the Director of Financial Services to designate and classify reserves from the general fund unassigned fund balance into the assigned classification for the portion of the health insurance increase and the one-time annual employee payouts related to the four-year MOU (Report by Wendy Silva)

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-2 WAS APPROVED BY A 4/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBERS RODRIGUEZ AND EVANS. DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.**

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

**YES: 4 –        COUNCILMEMBER GALLEGOS  
                     COUNCILMEMBER MONTES  
                     MAYOR PRO TEM VILLEGAS  
                     MAYOR GARCIA**

**ABSENT: 2 - COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER EVANS**

**E. ADMINISTRATIVE REPORTS:**

**E-1 Retail Sales Tax Update**

**Recommendation:** Informational Only (Report by Roger Sanchez)

**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 Gallegos thanked Councilmember Montes for joining her in in-person participation at Council meetings and encouraged other Councilmembers to do the same. She also thanked Communication Specialist Joseph Carrello and Information Systems Manager Mark Souders for prototype of in-person meetings.

Councilmember Montes thanked staff for making their request possible.

Mayor Garcia stated he was honored to present the Police Department staff with retirement and promotion recognition certificates at the July 17, 2021 event.

Mayor Pro Tem Villegas had nothing to report.

**G. CLOSED SESSION:**

**G-1 Conference with Legal Counsel – Anticipated Litigation**

Consideration of the Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)

**One Case:** City of Madera v. California Public Employees' Retirement System


City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 7:40 p.m.

Council returned from closed session at 8:08 p.m. with four (4) Councilmembers present as Councilmembers Rodriguez and Evans are absent, and District 5 is currently vacant.

City Attorney Hilda Cantu Montoy stated Council had decided not to pursue litigation at this time.

**ADJOURNMENT:** The meeting was adjourned at 8:08 p.m. Next regular meeting on August 4, 2021.

  
\_\_\_\_\_  
ALICIA GONZALES, City Clerk

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



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