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| Item: | B-1 |
| Minutes for: | 11/15/2023 |
| Adopted: | 12/06/2023 |

Minutes of a Regular Meeting of the Madera City Council

**November 15, 2023
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. 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: 811 6624 2263#. 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 Santos Garcia
Mayor Pro Tem Elsa Mejia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Artemio Villegas, District 6

Absent: Councilmember Anita Evans, District 4

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, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Division Fire Chief Justin McCombs, Fire Battalion Chief Ralph Duran, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Senior Civil Engineer Steve Bettencourt, Assistant Engineer Jonathan Gramajo, Wastewater Treatment Plant Manager Gabriel Bostan, and Communication Specialist Joseph Carrello.

INVOCATION: Pam Grewal, Madera Sikh Temple

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Mejia

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER VILLEGAS AND SECONDED BY MAYOR PRO TEM MEJIA, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. 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 presented. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

- PRESENTATIONS:**
1. Madera City Fire and Madera City Council Recognition from Heroico Cuerpo Bomberos Rurales Del Rio Colorado A.C.
 2. Proclamation Recognizing Small Business Saturday – Six Star Madera Tire & Services Inc.
 3. Proclamation Recognizing Small Business Saturday – Rocio’s Bridal & XV

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 MONTES, THE CONSENT CALENDAR WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

B-1 Minutes – November 1, 2023

Recommendation: Approve the City Council Minutes of November 1, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report October 21, 2023 to November 3, 2023 (Report by Michael Lima)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Local State of Emergency Related to the Closure of Madera Community Hospital

Recommendation: Adopt a Resolution Continuing to Support Madera County’s Proclamation of a Local Emergency due to the closure of Madera Community Hospital for 30 days (Report by Arnoldo Rodriguez)

RES 23-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SUPPORTING THE COUNTY'S PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY DUE TO THE CLOSURE OF MADERA COMMUNITY HOSPITAL FOR A PERIOD OF 30 DAYS

B-5 Letter of Support for Madera County Transportation Commission

Recommendation: Consider a Minute Order Approving a Letter of Support for Madera County Transportation Commission for the inclusion of specified projects into the 2024 Interregional Transportation Improvement Program (Report by Arnaldo Rodriguez)

B-6 Extend Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Extending the Declaration Proclaiming the Existence of a Local Emergency-January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Wendy Silva)

RES 23-185 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONTINUING THE DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY-JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

B-7 Approval to Procure Telecommunications Services through California Network and Telecommunications (CALNET) Program NextGen contract

Recommendation: Adopt a Resolution Approving the City of Madera’s Participation in the CALNET NextGen Contract to Procure Telecommunications Services and Authorizing the City Manager to Execute Necessary Documents to Participate in the Program (Report by Wendy Silva)

RES 23-186 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE CITY OF MADERA’S PARTICIPATION IN THE CALNET NEXTGEN CONTRACT TO PROCURE TELECOMMUNICATIONS SERVICES

B-8 Ordinance Updating Certain Fines Detailed in the Madera Municipal Code

Adopt an Ordinance of the City Council of the City of Madera Amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to Update Various Fines (Report by Michael Lima)

ORD 1004 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SECTIONS 1-9.06(A) AND (B), 3-2.08, 5-3.31, AND 5-4.06(1) OF THE MADERA MUNICIPAL CODE TO UPDATE VARIOUS FINES

B-9 Rejection of Bids Received for the Request for Proposals # 20223-09 for Intelligent Transportation System Conversion Services

Recommendation: Adopt a Resolution Rejection of All Four Proposals Received for RFP No. 20223-09 (Report by Michael Lima)

RES 23-187 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, REJECTING ALL PROPOSALS FOR CITY OF MADERA RFP NO. 20223-09 INTELLIGENT TRANSPORTATION SYSTEMS CONVERSION

B-10 City-wide Piggyback Purchase Agreement for Temporary Staffing Services

Recommendation: Adopt a Resolution Approving City-wide use of Maricopa County’s Piggyback Agreement for the Procurement of Temporary Staffing Services with ACRO Service Corporation’s Contract 16111 for Fiscal Year 2023/24 (Report by Michael Lima)

RES 23-188 RESOLUTION APPROVING CITY-WIDE USE OF MARICOPA COUNTY'S PIGGYBACK AGREEMENT FOR THE PROCUREMENT OF TEMPORARY STAFFING SERVICES WITH ACRO SERVICE CORPORATION'S CONTRACT 16111 FOR FISCAL YEAR 2023/2024

B-11 Pacific Gas & Electric (PG&E) Better Together Giving Program Contribution

Recommendation: 1. Adopt a Resolution Accepting Pacific Gas & Electric Company's Better Together Giving Program charitable donation of \$3,000.
2. Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget approving a related expenditure line item relating to the appropriation of PG&E's \$3,000 charitable donation amount. (Report by Joseph Hebert)

RES 23-189 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING \$3,000 IN CHARITABLE DONATION FUNDS FROM PACIFIC GAS & ELECTRIC COMPANY'S BETTER TOGETHER GIVING PROGRAM

RES 23-190 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2023/24 BUDGET APPROVING RELATED EXPENDITURE LINE ITEM RELATED TO THE PG&E CHARITABLE DONATION OF \$3,000

B-12 Acceptance of Playground Equipment and Park Amenities Installation at McNally Park

Recommendation: Staff recommends that the City Council Approve Minute Order Approving:
1. Acceptance of the Playground and Park Amenities Installation at McNally Park located at 825 A Street, Madera, CA 93638; and
2. The Recording of Notice of Completion; and
3. The release of retention 35 days after the recording of the Notice of Completion (Report by Joseph Hebert)

B-13 Facility Rental Fee Waiver Request by the Madera County Master Gardeners

Recommendation: Adopt a Resolution waiving the rental fees of the Frank Bergon Senior Center related to the Madera County Master Gardeners request for utilization on January 27, 2024, in the amount of \$545 (Report by Joseph Hebert)

RES 23-191 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR FRANK BERGON SENIOR CENTER RELATED TO THE MADERA COUNTY MASTER GARDENERS

B-14 Madera Elk's Lodge Hoop Shoot Event Fee Waiver Request

Recommendation: Adopt a Resolution waiving the rental fees of the John Wells Youth Center related to the Madera Elk's Lodge Hoop Shoot request for utilization on December 2, 2023, in the amount of \$540 (Report by Joseph Hebert)

RES 23-192 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR JOHN WELLS YOUTH CENTER RELATED TO THE MADERA ELK'S LODGE HOOP SHOOT COMMITTEE

B-15 Consider an Amendment to the Professional Services Agreement with Fire Safety Solutions

Recommendation: Adopt a resolution of the Council of the City of Madera approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Services (Report by Will Tackett)

RES 23-193 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH FIRE SAFETY SOLUTIONS, INC. FOR BUILDING AND FIRE PLAN REVIEW AND INSPECTION SERVICES.

B-16 Traffic Signal Modification at the Intersections of Howard Road & Pine Street, Howard Road & Yosemite Avenue/Q Street, New Signal Installations at Intersections of Cleveland Avenue & Granada Drive and E South Street & N D Street

Recommendation: Adopt a Resolution of the City Council of the City of Madera Rejecting all Bids Received for the City Projects TS-23, TS-24, and TS-32 (Traffic Signals) (Report by Keith Helmuth)

RES 23-194 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REJECTING ALL BIDS RECEIVED FOR CITY PROJECTS TS-23, TS-24, AND TS-32 (TRAFFIC SIGNALS)

C. PUBLIC HEARINGS:

C-1 Consideration of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. SCH 2023090606 for the Westberry Bridge Project, City Project B-02

Recommendation: Adopt a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Westberry Bridge Project, City Project B-02 (EA No. SCH 2023090606) (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM C-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 23-195 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WESTBERRY BRIDGE PROJECT

C-2 Public Hearing No. 1 for Updating of City Councilmember District Boundaries for Annexed Property

Recommendation:

1. Receive a report on the redistricting process and permissible criteria to be considered to redraw district boundaries; and
2. Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City (Report by Alicia Gonzales)

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

D-1 New Police Department Parking Lot, City Project PD-01

Recommendation: Adopt a Resolution approving the contract award for the New Police Department Parking Lot, City Project PD-01 for \$ 518,700 to Terra West Construction Inc. and a contingency of 10 percent of the contract amount, and a CEQA Class 1 Categorical Exemption (Existing Facilities) (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

RES 23-196 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE NEW POLICE DEPARTMENT PARKING LOT, CITY PROJECT PD-01 IN THE AMOUNT OF \$518,700.00 TO TERRA WEST CONSTRUCTION INC AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT AND A CEQA CLASS 1 CATEGORICAL EXEMPTION (EXISTING FACILITIES)

D-2 Agreement for Vernon McCullough River Trail Restoration Project

Recommendation: Adopt a Resolution awarding a contract under Invitation for Bids (IFB) No. 202324-07 to Witbro Inc. dba Seal Rite Paving and Grading for trail seal coating and repairs at the Vernon McCullough River Trail in the amount of \$190,116 (Report by Joseph Hebert)

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

RES 23-197 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AWARDED IFB NO. 202324-07 TO WITBRO INC., OBA SEAL RITE PAVING & GRADING FOR SEAL COATING & REPAIR OF THE VERNON MCCULLOUGH RIVER TRAIL FOR \$190,116.00

E. ADMINISTRATIVE REPORTS:

E-1 Consideration of Special Meeting dates and Phase IV City Council Interviews and Final Decision Procedures for Commercial Cannabis Business Permits in the City of Madera

Recommendation: Receive a summary report and provide direction on the scheduling of Special Meeting(s) of the City Council, as well as the final procedures and steps to conduct the Phase IV City Council interviews to make final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera (Report by Will Tackett)

Mayor Garcia recused himself from this item and returned to his seat after the discussion.

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.

Councilmember Gallegos gave a shout out to Staff for their participation in the grand opening for Smart & Final. She also wished staff and residents a safe and Happy Thanksgiving.

Councilmember Rodriguez noted his attendance at the Madera Municipal Golf Course advisory meeting and that a committee member will provide an update for Council and the public at a future Council meeting. He also mentioned the Golf Course is hosting an Ag Expo in April 2024. He highlighted three Madera County Transportation Commission projects that will impact Madera and expressed his appreciation that the City of Madera has provided its support for these projects. He offered his condolences to Brett Frazier and his family, for the passing of his father, Steven Frazier.

Councilmember Montes thanked Staff for their work with Smart & Final and offered his condolences to the Frazier family for the passing of Steven Frazier.

Mayor Pro Tem Mejia mentioned her attendance at the Day of the Dead celebration at Courthouse Park and thanked County Supervisor Leticia Gonzalez and the City for their support. She also attended the Veterans Day Memorial event to honor Madera Veterans and she also attended the Triqui celebration in honor of the patron saint, San Martin Caballero.

Councilmember Villegas mentioned his attendance at the Veterans Day celebration and expressed his appreciation for those veterans who have risked their lives fighting for the freedom of their country. He stated the Smart & Final grand opening was a successful event and he is happy the store is open for business. He attended a lecture hosted by Senator Anna Caballero about strategic solutions to reduce pollution in the Central Valley.

Mayor Garcia mentioned the Pomegranate Festival was well attended and proved to be another successful event. He highlighted a Veterans Day breakfast hosted by the NAACP in conjunction with Councilmember Evans. He mentioned a Thanksgiving food distribution event held by Latinas Unidas, the Madera County Food Bank, and Assemblywoman Soria in which 250 turkeys were provided to Madera families. He also attended a lecture held by Senator Caballero about the carbon capture and the effects of carbon dioxide and mitigation strategies. Mayor Garcia stated he and Mayor Pro Tem Mejia visited Madera High South High School to present certificates to parents who are involved in a non-profit organization called PIQE that offers educational resources to further the education of our youth.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)

Title: City Clerk

G-2 Conference with Labor Negotiators - Pursuant to Government Code, Section 54957.6

Agency Designated Representatives: Mayor Santos Garcia

Unrepresented Employee: City Clerk

G-3 Conference with Legal Counsel – Anticipated Litigation Deciding Whether to Initiate Litigation Pursuant to Government Code Section 54956.9(d)(4)

(One Case)

City Attorney Shannon Chaffin made the closed session announcement at 7:48 p.m. Mr. Chaffin and Council returned from Closed Session at 9:54 p.m. with all members of Council present

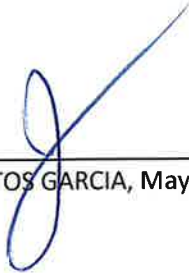
except Councilmember Evans who was absent. Mr. Chaffin stated there was no reportable action.

ADJOURNMENT: Meeting was adjourned at 9:54 p.m.

UPCOMING MEETING DATES:

- Wednesday, December 6, 2023
- Saturday, December 9, 2023 @ 9:00 a.m. (Special Meeting)
- Wednesday, December 13, 2023 @ 6:00 p.m. (Special Meeting)
- Wednesday, December 20, 2023


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

