

Item:	B-1
Minutes for:	12/06/2023
Adopted:	12/20/2023

Minutes of a Regular Meeting of the Madera City Council

**December 6, 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: 885 3371 0251#. 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 6:01 p.m.

ROLL CALL: 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 Anita Evans, District 4
Councilmember Artemio Villegas, District 6

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, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Chief of Police Giachino Chiamonte, Public Works Director Ismael Hernandez, Wastewater Treatment Plant Manager Gabriel Bostan and Communication Specialist Joseph Carrello.

INVOCATION: Pastor John Pursell, Believer's Church

PLEDGE OF ALLEGIANCE: Councilmember Montes

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. 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.

Mothers Against Drunk Driving (MADD) Lori Panero and Stacy Gomes stated they attended a candlelight vigil at the Madera County Museum earlier today. Ms. Panero encouraged Council to get involved and be aware that MADD is in the valley. They are trying to start some new programs and they have an annual “walk” in September and would like Council to participate. Mayor Garcia asked Ms. Panero to give her contact information to City Clerk Alicia Gonzales.

No further Public Comment was presented. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

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.

Staff announced that there is a change to the mailing address on the agreement for Item B-5 for Teaching Fellows. Staff will make the change.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – November 15, 2023

Recommendation: Approve the City Council Minutes of November 15, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for November 4, 2023 – November 24, 2023 (Report by Michael Lima)

B-3 Madera Unified School District MULES Event Fee Waiver Request

Recommendation: Adopt a Resolution waiving the rental fees of the Lions Town & Country Park related to the Madera Unified School District’s Madera Unified League of Elementary Sports Elementary Cross Country District Championship request for utilization on December 8, 2023, in the amount of \$375 (Report by Joseph Hebert)

RES 23-198 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR LIONS TOWN & COUNTRY PARK RELATED TO MADERA UNIFIED SCHOOL DISTRICT’S MADERA UNIFIED LEAGUE OF ELEMENTARY SPORTS ELEMENTARY CROSS COUNTRY DISTRICT CHAMPIONSHIP EVENT IN THE AMOUNT OF \$375

B-4 Piggyback purchase agreements for Fleet Division-related purchases

Recommendation: Adopt a Resolution approving Sourcewell piggyback agreements for the purchase of a Chip Truck with Aerial Boom for \$199,998.91 from 72 Hour LLC and a Ball Field Groomer from the Toro Company for \$37,597.90 (Report by Michael Lima)

RES 23-199 RESOLUTION APPROVING SOURCEWELL PIGGYBACK AGREEMENT FOR THE PURCHASE OF A CHIP TRUCK WITH AERIAL BOOM AND A BALL FIELD GROOMER

B-5 Co-Locator Lease Agreement with Teaching Fellows

Recommendation: Adopt a Resolution Approving a Two-Year Co-Locator Lease Agreement between the City of Madera and Teaching Fellows for the Occupation and Use of Facilities at the John Wells Youth Center and Authorize the Mayor to Execute the Co-Locator Lease Agreement (Report by Joseph Hebert)

RES 23-200 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A TWO-YEAR LEASE AGREEMENT BETWEEN CITY AND THE CALIFORNIA TEACHING FELLOWS FOUNDATION FOR THE USE OF THE JOHN WELLS YOUTH CENTER

B-6 Request by Mary Lou Munoz and Leonard Perez for connection to the City's water system

Recommendation: Adopt a Resolution approving an Agreement for Outside City Limits Water Connection for 28551 Avenue 14 (APN 035-222-022) (Report by Keith Helmuth)

RES 23-201 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 28551 AVENUE 14 (APN 035-222-022)

B-7 Acceptance of Apron & Taxiway Drainage Project at the Madera Municipal Airport

Recommendation: Staff recommends that the City Council approve Minute Order approving:

1. Acceptance of AIP 0031 Apron & Taxiway Drainage project; and
2. The Recording of Notice of Completion; and
3. The Release of Retention 35 days after recording the Notice of Completion (Report by Ismael Hernandez)

B-8 Reimbursement to DMP Development, Inc, a California Corporation for Improvements Associated with Carmel III Subdivision

Recommendation: Adopt a Resolution approving a budget amendment increase of \$25,379.89 for the purpose of reimbursing DMP Development for improvements completed in connection to the Agreement for the Construction of Improvements for Carmel Homes III Subdivision (Agreement) (Report by Keith Helmuth)

RES 23-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A BUDGET AMENDMENT TO ALLOW FOR

REIMBURSEMENT OF SUBDIVISION IMPROVEMENTS ASSOCIATED WITH
THE CARMEL III SUBDIVISION

C. **PUBLIC HEARINGS:** None

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

D-1 Outdoor Equity Grant Program Application Authorizing Resolution

Recommendation: Adopt a Resolution Approving the Submittal of the Outdoor Equity Grants Program due December 14, 2023 in the amount of \$279,600 (Report by Joseph Hebert)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE APPLICATION FOR OUTDOOR EQUITY GRANTS PROGRAM GRANT FUNDS

D-2 Master Agreement Between the Madera County Transportation Commission and the City of Madera for the Regional Early Action Planning (REAP) 1.0 Grants Program

Adopt a Resolution of the City Council (Council) of the City of Madera approving a Master Agreement between the Madera County Transportation Commission (MCTC) and the City of Madera (City) for the REAP 1.0 Grants Program (Agreement); authorizing application for, and receipt of, REAP Program funds in the amount of \$125,399; and, granting the City Manager authorization to make non-material revisions or refinements, and signature authority, to execute the Agreement to secure REAP Program funds (Report by Will Tackett)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-2 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-204 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MASTER AGREEMENT BETWEEN THE MADERA COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MADERA FOR THE REGIONAL EARLY ACTION PLANNING (REAP) 1.0 GRANTS PROGRAM AND AUTHORIZING APPLICATION FOR, AND RECEIPT OF REAP PROGRAM FUNDS

D-3 Fourth Amendment to the City Clerk At-Will Employment Agreement

Recommendation: This report has been prepared at the direction of the City Council (Council); therefore, there is no staff recommendation provided. Council is asked to consider and determine whether to adopt the Resolution approving a Fourth Amendment to the City Clerk At-Will Employment Agreement. (Report by Wendy Silva)

Mayor Garcia announced that Pursuant to Government Code § 54953 (c) (3), prior to taking action on this item, the Council must publicly announce a summary of the action being

considered. If approved, the proposed amendment to the City Clerk's Employment Agreement will modify the existing agreement as follows:

- Extend the term of the agreement by one (1) additional year to August 26, 2026
- Effective on her merit anniversary date of August 26, 2023, one merit step due to satisfactory performance to Step E of City of Madera Salary Schedule Range 419 which is \$87,298.61 per year.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-3 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 23-205 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A FOURTH AMENDMENT TO THE CITY CLERK AT-WILL EMPLOYMENT AGREEMENT

E. ADMINISTRATIVE REPORTS:

E-1 Consideration of Selection of Mayor Pro Tem to serve a One-year Term

Recommendation: Approve a Minute Order Accepting the nomination for Mayor Pro-Tem and making the appointment of Mayor Pro Tem to serve a one-year term (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY MAYOR PRO TEM MEJIA, ITEM E-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

E-2 Seek Direction Regarding the Regular City Council Meetings Scheduled 2024

Recommendation: Deliberation and Direction Given from Council (Report by Arnoldo Rodriguez)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM E-2 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

Agenda items were taken out of order. Instead of Item E-3 being present next, Council skipped to Item F: Councilmember Reports/Announcements/Future Agenda Items. After Item F, Council then heard Item E-3.

E-3 Informational Report on Laws and Regulations Surrounding Panhandling

Recommendation: This report is submitted for informational purposes only and there is no formal action requested from the City Council (Report by Giachino Chiamonte)

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.

Mayor Pro Tem Gallegos gave a shout out on behalf of the Madera Evening Lions thanking City staff for their help at the Christmas Parade. She heard positive things about the parade. She

thanked staff for passing out the neon necklaces as everybody loved them. Mayor Pro Tem Gallegos indicated that City Hall, Police Department, Engineering and Public Works are decorated beautifully as well as the Chamber today and thanked everybody for their hard work.

Councilmember Rodriguez had nothing to report.

Councilmember Montes gave a shout out to the Madera Evening Lions in reference to the Christmas Parade as it was a fun event. He thanked staff and wished them a good holiday.

Councilmember Evans thanked the Madera Evening Lions for putting together the Christmas Parade. She stated that her grandson was excited about the light necklaces and that he had a "ball". She mentioned that the Christmas Extravaganza will be held on December 17th at 5:00 p.m. at the San Joaquin Winery.

Councilmember Mejia congratulated the Matilda Torres High School varsity football team as they won 69 to 4 against Dos Palos becoming the CIF Division IV Valley Champions. She is very proud of them.

Councilmember Villegas said the Christmas Parade was very successful. He said he saw the faces of many happy children with those light necklaces. He saw a large turnout for the event.

Mayor Garcia stated he attended the Madera Sunrise Rotary meeting at the Municipal Golf Course this morning. He is looking forward to next year's Christmas Light Parade and there is a possibility of some changes. The Christmas Light Parade was a very successful and very family oriented. His family enjoyed it and it was a beautiful thing to enjoy the holidays with everyone. He wished everyone happy holidays.

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: Madera Police Officers' Association

G-2 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)

Title: City Manager

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

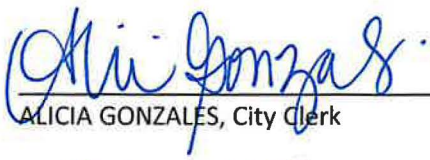
(One Case)


City Attorney Shannon Chaffin made the closed session announcement at 7:00 p.m. Mr. Chaffin and Council returned from Closed Session at 8:37 p.m. with all members of Council present. Mr. Chaffin stated there was no reportable action.

ADJOURNMENT: Meeting was adjourned at 8:37 p.m.

UPCOMING MEETING DATES:

- Saturday, December 9, 2023 – Special Meeting
- Wednesday, December 13, 2023 – Special Meeting
- Wednesday, December 20, 2023


ALICIA GONZALES, City Clerk


MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk


SANTOS GARCIA, Mayor

