

Item:	B-1
Minutes for:	08/21/2024
Adopted:	09/04/2024

Minutes of a Regular Meeting of the Madera City Council

August 21, 2024
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: 844 1638 0180#. 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 Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4 (Left at 8:31 p.m.)
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte, Deputy City Engineer Ellen Bitter, Assistant Engineer Jonathan Gramajo, Administrative Analyst (P/W) David Austin and Communication Specialist Joseph Carrello.

INVOCATION: Fred Thurman, New Life Assembly

PLEDGE OF ALLEGIANCE: Deputy City Engineer Ellen Bitter

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. ITEM E-3 WILL BE HEARD AFTER PUBLIC COMMENT ON THE AGENDA.

PRESENTATIONS:

- 1. Proclamation Recognizing National Senior Citizens Day**

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.

Donald Holley thanked Director of Parks and Community Services Joseph Hebert and staff for the hard work done at McNally Park.

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

A. PUBLIC HEARINGS:

A-1 Measure T Annual Expenditure Plan (AEP) for Fiscal Year (FY) 2024/25

Recommendation: Adopt a Resolution Approving the Measure T AEP for FY 2024/25 and Authorizing Submission of the AEP to the Madera County Transportation Authority (MCTA) for Adoption (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM A-1 WAS CONTINUED (TO THE SEPTEMBER 4, 2024 COUNCIL MEETING) UNANIMOUSLY BY A 7/0 VOTE.

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 MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE CONSENT CALENDAR WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE.

B-1 Minutes – August 7, 2024

Recommendation: Approve the City Council Minutes of August 21, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for July 27, 2024 to August 9, 2024 (Report by Michael Lima)

B-3 Informational Report on Personnel Activity

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

B-4 Porsche Club of America Permit for Autocross Events at the Madera Municipal Airport

Recommendation: Adopt a Resolution Approving a Special Activity Permit for the use of designated areas of the Madera Municipal Airport for Porsche Club of America autocross events (Report by Ismael Hernandez)

RES 24-121 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A SPECIAL ACTIVITY PERMIT FOR THE USE OF DESIGNATED AREAS OF THE MADERA MUNICIPAL AIRPORT FOR THE 2024-2025 PORSCHE CLUB OF AMERICA AUTOCROSS EVENTS

B-5 Amendment of Administrative Policy 18, Purchasing Policy of the City of Madera

Recommendation: Adopt a Resolution Amending Administrative Policy 18, Purchasing Policy of the City (Report by Michael Lima)

RES 24-122 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AMENDMENT TO ADMINISTRATIVE POLICY 18, PURCHASING POLICY OF THE CITY OF MADERA

B-6 Acceptance of Kitchen Renovation Project at Frank Bergon Senior Center

Recommendation: Approve Minute Order Approving:
1. Acceptance of the Kitchen Renovation Project at Frank Bergon Senior Center, located at 238 South D Street; and
2. The Recording of Notice of Completion (Report by Joseph Hebert)

B-7 Acceptance of Construction of the Renovation of the Cook Water Tower, City Project No. W-22 and W-34

Recommendation: Adopt a Minute Order Approving:
1. Acceptance of Construction of the Renovation of the Cook Water Tower, City Project No. W-22 and W-34; 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-8 Acceptance of Construction of New Police Department Parking Lot, City Project PD-01

Recommendation: Adopt a Minute Order Approving:
1. Acceptance of New Police Department Parking Lot, Cit Project PD-01; 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-9 Engineering Front Counter ADA Upgrades

Recommendation: Adopt a Minute Order Approving:
1. Acceptance of the Construction of Engineering Front Counter Upgrades, CDBG Project No. B22MC060053, City Project No. CD-02; and
2. Recording of Notice of Completion; and
3. Release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

B-10 City's Participation in the Old Timers' Day Parade

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, Parks, and Engineering Fees and Services Relating to the Old Timers' Day Parade in the Amount of \$2,956 (Report by Giachino Chiamonte)

RES 24-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING THE FEES TO COVER COSTS OF POLICE, PUBLIC WORKS, PARK, AND ENGINEERING FEES AND SERVICES RELATING TO THE OLD TIMERS PARADE FOR MADERA DOWNTOWN ASSOCIATION, MADERA SUNRISE ROTARY CLUB 587, IN THE AMOUNT OF \$2,956.00

B-11 First Amendment to the Law Enforcement Services Agreement between the Housing Authority of the City of Madera and the City of Madera

Recommendation: Adopt a Resolution approving the First Amendment to the Law Enforcement Services Agreement with the Housing Authority of the City of Madera for a Contract Year extension through September 30, 2024 (Report by Giachino Chiaramonte)

RES 24-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE FIRST AMENDMENT TO THE LAW ENFORCEMENT SERVICES AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF MADERA FOR A CONTRACT YEAR EXTENSION THROUGH SEPTEMBER 30, 2024

C. WORKSHOP: None

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

D-1 Presentation and Adoption of the Fiscal Year 2024/2025 Proposed Budget

Recommendation:

1. Conduct a Public Hearing and Adopt the Resolution approving the Operating, Capital, and Debt Budgets for Fiscal Year 2024/25
2. Adopt a Resolution establishing an Appropriations Limit for Fiscal Year 2024/25 in the amount of \$59,494,976 (Report by Michael Lima)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE.

RES 24-125 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE BUDGET OF THE CITY OF MADERA FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025 IN THE AMOUNT OF \$216,127,038 AND THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

RES 24-126 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE APPROPRIATIONS LIMIT FOR THE 2024/2025 FISCAL YEAR

D-2 Initiating Annexation Proceedings of Properties into the City of Madera Landscape Maintenance District (LMD) Zones of Benefit 1 & 51

Recommendation: Adopt Resolutions to:

1. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Property into the City's LMD Zone of Benefit 1, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing
2. Initiate Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Properties into the City's LMD Zones of

Benefit 51, to Review the Assessments for Fiscal Year 2024/25, and Setting a Public Hearing (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-2 WAS APPROVED BY A 6/0 VOTE. ABSENT: MAYOR PRO TEM GALLEGOS

RES 24-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF PROPERTY INTO CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT (LMD) ZONE OF BENEFIT 1, TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2024-2025, AND SETTING A PUBLIC HEARING

RES 24-128 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE ANNEXATION OF PROPERTY INTO CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT (LMD) ZONE OF BENEFIT 51, TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2024-2025, AND SETTING A PUBLIC HEARING

D-3 Update on 2024 emergency repair of Avenue 13 sewer trunk main failures and renew a finding of emergency relating to emergency response and repairs necessitating emergency contracts without competitive bidding

- Recommendation:**
1. Receive an update on the status of emergency repairs to the Avenue 13 sewer trunk main failures that occurred June 3, 2024 and June 10, 2024; and
 2. Adopt a resolution renewing a finding of emergency relating to emergency response and repairs to the sanitary sewer main pursuant to Public Contract Code Section 22050 (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-3 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE.

RES 24-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RENEWING A FINDING OF CONTINUING EMERGENCY RELATING TO MULTIPLE SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 WEST OF GRANADA DRIVE, AFFIRMING THE EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER TO MAKE EMERGENCY REPAIRS ON THE SANITARY SEWER MAIN, AND RATIFYING THE AWARD OF EMERGENCY CONTRACTS WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY REPAIRS ON THE SEWER MAIN

D-4 Budget Amendment and direction on the Railroad Crossing Elimination Grant Program for the Cleveland Avenue and Union Pacific Railroad Crossing

- Recommendation:**
1. Adopt a Resolution amending the Fiscal Year 2024/2025 budget by allocating \$60,000 to retain a consultant to prepare a grant application per the Railroad Crossing Elimination Grant Program administered by the Federal Railroad Administration (FRA), US

Department of Transportation (DOT). Funds will be divided between Measure T and Local Transportation Funds (LTF)

2. Provide direction regarding the potential allocation of Measure T, Local Transportation Funds (LTF), or General Fund to meet the minimum 20 percent non-federal fund share should the City be awarded the grant (Report by Arnaldo Rodriguez)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM D-4 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE.

RES 24-130 A RESOLUTION AMENDING THE FISCAL YEAR 2024/2025 BUDGET BY ALLOCATING \$60,000 TO RETAIN A CONSULTANT TO PREPARE A GRANT FOR THE RAILROAD CROSSING ELIMINATION PROGRAM AND A LOCAL MATCH OF 20 PERCENT USING NON-FEDERAL FUNDS TO COMPLETE TASK 1 UNDER FEDERAL RAILROAD ADMINISTRATION GUIDELINES

E. ADMINISTRATIVE REPORTS:

E-1 Select Recipient for the Proclamation Recognizing Old Timers Week

Recommendation: Request for Councils selection of a recipient for the Proclamation Recognizing Old Timers Week (Report by Alicia Gonzales)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MEJIA, ITEM E-1 TO HAVE LAST YEAR'S OLD TIMERS' KING AND QUEEN BE THE RECIPIENTS OF THE PROCLAMATION WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE.

E-2 Presentation of Intersection Control Options for Lake Street/4th Street/Central Avenue Intersection; City Project R-57

Recommendation: Consider the information presented and provide direction to staff regarding course of future activity for this project (Report by Keith Helmuth)

Council directed staff to proceed with a roundabout.

E-3 Direction Regarding Annual Commemoration of Juneteenth in the City of Madera

Recommendation: This item is being brought for consideration and direction at the request of the City Council. Discussion will be led by Councilwoman Evans. (Report by Wendy Silva)

This item was heard after the Public Comment section of the agenda.

Donald Holley stated he was disappointed with the negative comments from Council in getting this day recognized as a holiday. He is in favor of the City recognizing Juneteenth Day as a City holiday.

Pastor Sammie Neely of the Mt. Zion Missionary Baptist Church spoke in favor of recognizing Juneteenth Day as a City holiday. He doesn't know why this has not been negotiated with the City Employee unions.

Elaine Moore of Fairmead spoke in favor of recognizing Juneteenth Day as a City holiday. She stated it was always a good thing whenever a group can come together to celebrate.

E-4 Response to Madera County Grand Jury Final Report titled 2324-06; Published on June 2024, titled "City of Madera Fails to Enforce the Golf Course Contract Requirements Madera Municipal Golf Course: REVISITED 2023-2024"

Recommendation: It is recommended the City Council (Council) review the proposed Response to the Grand Jury Report (Report) and approve the Response as presented or provide direction on changes to the proposed Response (Report by Arnoldo Rodriguez)

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-4 WAS APPROVED BY A 5/0 VOTE. ABSENT: COUNCILMEMBERS EVANS AND MEJIA.

F. FUTURE AGENDA ITEMS:

This portion of the meeting is reserved (i) to initiate new matters and to request updates, and (ii) and to initiate new agenda items. No single item may exceed one minute. All votes shall be conducted electronically, with the results announced by the Chair. If voting is not available by electronic methods, another method may be used by the Chair unless otherwise determined by a majority of the Councilmembers present. Under this section the Council may take action only on items specifically agendaized and which meet other requirements for action

Councilmember Mejia resumed her seat.

Mayor Garcia asked that a Proclamation for the 50th Anniversary of the Historical Society be brought to the Council. Mayor Garcia and Councilmembers Gallegos, Montes, Rodriguez and Mejia agreed.

Councilmember Rodriguez asked that a Certificate of Recognition be presented to the donors and participated during the 4th of July Fireworks Extravaganza. Mayor Garcia and Councilmember Gallegos, Montes, Rodriguez and Mejia agreed.

Councilmember Mejia asked that in anticipation of Indigenous Peoples Day, an update on translation services be added to the next agenda. Mayor Garcia and Councilmembers Gallegos, Montes, Rodriguez and Mejia agreed.

G. COUNCILMEMBER COMMUNICATIONS (REPORTS/ANNOUNCEMENTS):

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, and (ii) to make announcements.

Mayor Pro Tem Gallegos gave a shout out to Congressman Duarte who has held two Town Hall meetings in the last few weeks. She also thanked staff who hosted Congressman Duarte. Mayor Pro Tem Gallegos gave a shout out to Chief Chiaramonte who gave a video presentation on Safe Traffic with the school district. Lieutenant Felix Gonzalez appeared on television Channel 30 to talk about how the City of Madera was keeping students safe. Mayor Pro Tem Gallegos mentioned that she was at the Golf Course about three (3) weeks ago and stated that the restroom rehabilitation came out beautifully.

Councilmember Rodriguez stated he is on the Golf Course Advisory Committee and the Golf Course is getting long overdue repairs. He stated that in the future, the six (6) HVAC units will have to be replaced.

Councilmember Montes mentioned that it is "going back to school" time and welcomed everyone.

Councilmember Mejia stated she attended a Neighborhood Watch meeting at Malone/Washington Streets. She thanked Officer Juan Gaona, as well as, the other officers that were there. Councilmember Mejia mentioned that Housing Authority Executive Director Blanca Mendoza Navarro and her staff were also there to inform the community of their programs.

Councilmember Villegas stated that on August 16th, he and Mayor Garcia attended the PG&E Power Plant 40th Year ceremony.


Mayor Garcia stated that he received an invitation to from County Supervisor Poythress to attend the Rescue Missions tiny homes. The homes are a nice size and will provide triage and housing. Mayor Garcia stated that he met with people from the casino who gave him a progress update on the casino. He stated that he attended a ribbon cutting for Gonzalez Boxing who will provide entertainment for the City.

H. **CLOSED SESSION:** None

ADJOURNMENT: Meeting adjourned at 9:43 p.m.


ALICIA GONZALES, City Clerk


SANTOS GARCIA, Mayor


MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

