

Item:	B-1
Minutes for:	12/04/2024
Adopted:	12/18/2024

Minutes of a Regular Meeting of the Madera City Council

December 4, 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: 847 7137 8598 #. 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 (Arrived at 6:41 p.m.)
 - Councilmember Anita Evans, District 4
 - 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, Chief Building Official Rafael Magallan, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Police Commander Josiah Arnold, Assistant Engineer Jonathan Gramajo and Wastewater Treatment Plant Manager Gabriel Bostan.

INVOCATION: Pastor Roger Leach, Valley West Christian Center

PLEDGE OF ALLEGIANCE: Councilmember Villegas

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY MAYOR PRO TEM GALLEGOS, THE AGENDA REMOVING ITEM B-10 WAS APPROVED BY A 6/0 VOTE. ABSENT: COUNCILMEMBER MONTES.

COUNCIL REORGANIZATION:

1. **Declaring the Results of the 2024 General Election, Oaths of Office, and Annual Reorganization**

Recommendation: Council reviews the Madera County Elections Office Canvass for Elected Official positions and take the following action:

1. By Motion, Adopt a Resolution Declaring the Results of the 2024 General Election as Certified by the Madera County Elections Office; and;
2. Performance of Ceremonial Oaths of Office; and
3. Council to Recognize Elected Officials for their Years of Service (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY MAYOR PRO TEM GALLEGOS, REORGANIZATION ITEM 1 WAS APPROVED BY A 6/0 VOTE. ABSENT: COUNCILMEMBER MONTES.

RES 24-195 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA DECLARING THE RESULTS OF THE NOVEMBER 5, 2024 ELECTION AS REQUIRED BY LAW

Mayor Gallegos introduced former Mayor Garcia and thanked him for his service during his time on the Council and as Mayor. Former Mayor Garcia gave an outgoing speech.

2. Consideration of Selection of Mayor Pro Tem to Serve a One-Year Term

Recommendation: Council to accept nominations for Mayor Pro Tem and make appointment by motion to serve a one-year term (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MEJIA, REORGANIZATION ITEM 2 TO APPOINT COUNCILMEMBER RODRIGUEZ AS MAYOR PRO TEM TO SERVE A ONE-YEAR TERM WAS APPROVED BY A 5/0 VOTE. ABSENT: COUNCILMEMBER MONTES. VACANT: DISTRICT 1

Mayor Gallegos announced that Councilmember Montes had arrived. She also called for a short recess and invited everyone to join them for cake and refreshments to celebrate the newly elected officials. The meeting will resume following the recess.

PRESENTATIONS:

1. Proclamation Recognizing Assemblywoman Esmeralda Soria

Assemblywoman Soria was presented with a Proclamation recognizing her work and contributions to the City.

She also presented each of the newly elected officials with a certificate of recognition.

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. 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.

Bobby Kahn, EDC Interim Executive Director introduced the new EDC Executive Director Kristina Gallagher.

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

A. PUBLIC HEARINGS: None

B. CONSENT CALENDAR:

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote.

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MONTES, THE CONSENT CALENDAR WAS APPROVED BY A 6/0 VOTE. VACANT: DISTRICT 1

B-1 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for November 9, 2024 to November 22, 2024 (Report by Michael Lima)

B-2 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 Arnaldo Rodriguez)

B-3 Update of the City of Madera's Public Transportation Agency Safety Plan for the Madera Metro Transit System

Recommendation: Adopt a Resolution adopting the updated Madera Metro Public Transportation Agency Safety Plan (Report by Michael Lima)

RES 24-196 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE UPDATE TO MADERA METRO PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

B-4 Amendment to the Agreement with Westwood Professional Services, Inc., Formally O'Dell Engineering, regarding R-94 Bid Package 3 – Sidewalk Improvements at Various Locations

Recommendation: Adopt a Resolution Amending the Agreement with Westwood Professional Services, Inc., Formally O'Dell Engineering, in the Amount of \$15,900 for the Design of Additional Sidewalk Segments at Various Locations (Report by Keith Helmuth)

RES 24-197 AMENDMENT NO. 1 TO THE AGREEMENT WITH WESTWOOD PROFESSIONAL SERVICES, INC. (FORMALLY O'DELL ENGINEERING) FOR THE DESIGN OF ADDITIONAL SIDEWALK, CITY PROJECT NO. R-94 BID PACKAGE 3 SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS, AHSC PROJECT NO. 19-AHSC-12760

B-5 Adjustment of Planning Manager Assigned Salary Range

Recommendation: Adopt a Resolution Modifying the Assigned Salary Range for the Classification of Planning Manager (Report by Wendy Silva)

RES 24-198 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA MODIFYING THE ASSIGNED SALARY RANGE FOR THE PLANNING MANAGER POSITION

B-6 Madera Elks Lodge Fee Waiver Request for the Annual Hoop Shoot Event

Recommendation: Adopt a Resolution waiving the rental fees of the John Wells Youth Center on January 4, 2025, related to a Hoop Shoot Contest hosted by the Madera Elks Lodge #1918, at an anticipated fee rental of \$500 (Report by Joseph Hebert)

RES 24-199 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING THE RENTAL FEES OF THE JOHN WELLS YOUTH CENTER ON JANUARY 4, 2025, RELATED TO A HOOP SHOOT CONTEST HOSTED BY THE MADERA ELKS LODGE #1918, AT AN ANTICIPATED FEE RENTAL OF \$500

B-7 Fresno-Madera Area Agency on Aging for Fiscal Year 2024-25 for Title III C1 Congregate Nutrition Program for Older Adults

Recommendation:

1. Adopt a Resolution Approving a Contract Between the City and the Fresno-Madera Area Agency on Aging (FMAAA) for Fiscal Year (FY) 2024/2025 for the Title III C1 Congregate Nutrition Program (CNP) for Older Adults, not to exceed \$56,000, and Authorize the Mayor to Execute the Contract on Behalf of the City; and
2. Adopt a Resolution Amending the City's FY 2024/25 Operating Budget approving related revenue and expenditure line items related to the execution of the FMAAA FY 2024/2025 Title III C1 CNP for Older Adults Contract (Report by Joseph Hebert)

RES 24-200 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A CONTRACT BETWEEN THE CITY OF MADERA AND THE FRESNO-MADERA AREA AGENCY ON AGING (FMAAA) FOR FISCAL YEAR (FY) 2024/2025 FOR THE TITLE III C1 CONGREGATE NUTRITION PROGRAM FOR OLDER ADULTS, NOT TO EXCEED \$56,000, AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

RES 24-201 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2024/25 OPERATING BUDGET APPROVING RELATED REVENUE AND EXPENDITURE LINE ITEMS RELATED TO SENIOR SITE MANAGEMENT AGREEMENT BETWEEN FRESNO-MADERA AREA AGENCY ON AGING AND THE CITY OF MADERA

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

Recommendation:

1. Adopt a Resolution Approving an Agreement with the California Conservation Corps for the Performance of Tree Trimming for Project Number P-24-2653-14067; and
2. Adopt a Resolution Approving an Agreement with the California Conservation Corps for the Performance of Landscape Maintenance for Project Number P-24-2652-14383 (Report by Joseph Hebert)

RES 24-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE CALIFORNIA CONSERVATION CORPS FOR THE PERFORMANCE OF TREE TRIMMING FOR PROJECT NUMBER P-24-2653-14067

RES 24-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE CALIFORNIA CONSERVATION CORPS FOR THE PERFORMANCE OF TREE TRIMMING FOR PROJECT NUMBER P-24-2652-14383

B-9 2024 Supplemental Carbon Reduction Program (CRP) Call for Projects

Recommendation: Adopt a Resolution approving a project to be nominated for federal transportation funding under the 2024 Supplemental CRP Call for Projects and supporting the implementation of Assembly Bill 1012, "Timely Use of Funding" for Federal Funding of projects (Report by Keith Helmuth)

RES 24-204 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, SUPPORTING IMPLEMENTATION OF AB 1012 "TIMELY USE OF FUNDING" REQUIREMENTS, APPROVING PROPOSED PROJECT FOR FEDERAL TRANSPORTATION FUNDING UNDER THE 2024 SUPPLEMENTAL CRP CALL FOR PROJECTS, AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PROJECT APPLICATION TO THE MADERA COUNTY TRANSPORTATION COMMISSION

B-10 Madera High School Athletics Department Fee Waiver Request for the Freshman/Junior Varsity Girls Basketball Tournament

Recommendation: Adopt a Resolution waiving the rental fees of the John Wells Youth Center Gym on December 13 and 14 for a Freshman/Junior Varsity Girls Basketball Tournament hosted by the Madera High School Athletic Department (MHS) at an anticipated fee rental of \$935.00 (Report by Joseph Hebert)

This item was removed from the agenda during the Agenda Approval section.

C. WORKSHOP: None

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

D-1 2024 Wastewater Treatment Plant Improvements Project WWTP 24-01

Recommendation: Adopt a Resolution

1. Adopting a Class 1 (Existing Facilities) and Class 2 (Replacement and Reconstruction) Categorical Exemption under California Environmental Quality Act (CEQA) Guidelines Section 15301 and 15302; and
2. Approving the contract award for the 2024 Wastewater Treatment Plant Improvements Project WWTP 24-01 for \$8,738,195 to Gateway Pacific Contractors; and
3. Authorizing a contingency of 15 percent of the contract amount. (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1 WAS APPROVED BY A 6/0 VOTE. VACANT: DISTRICT 1

RES 24-205 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT, CITY PROJECT WWTP 24-01 IN THE AMOUNT OF \$8,738,195 TO GATEWAY PACIFIC CONTRACTORS, INC. AND ADOPTING A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLASS 1 (EXISTING FACILITIES)

AND CLASS 2 (REPLACEMENT OR RECONSTRUCTION) CATEGORICAL EXEMPTION

E. ADMINISTRATIVE REPORTS:

E-1 City Council Discussion of Options Regarding the Process for Filling of a Potential Vacancy on the City Council

Recommendation: Discussion and direction from Council as appropriate.

(Note: The Elections Code has strict timelines regarding filling of vacancies. However, elections results are not anticipated to be certified by the County until just before the Council meeting, and well after Agenda is published. As a result, it is unknown at this time if a vacancy may be created or not. To preserve all options for the Council, this item is included on the Agenda as a placeholder and may be removed if not warranted.) (Report by Shannon Chaffin)

Victor Montes, a County resident stated that having an election for a person who is only going to serve for one year would be a waste of resources.

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

Mayor Pro Tem Rodriguez nominated Rohi Zacharia and Councilmember Evans seconded.

Mayor Gallegos nominated Tim Riche and Councilmember Montes seconded.

Councilmember Mejia would like the public to be able to get information through the City social media, etc.

Mayor Gallegos opened public comment.

A citizen of District 1 asked if there was a process where a representative of District 1 to be involved in the nomination. City Attorney Shannon Chaffin stated that only the City Council can make appointments, however they can establish groups to make recommendations to the Council, however due to time constraints, that would be difficult to accomplish.

Member of public, asked that for transparency purposes, the public have an open period to respond if they are interested.

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

ON MOTION BY MAYOR GALLEGOS AND SECONDED BY COUNCILMEMBER EVANS THERE ARE TWO (2) NOMINEES, NOMINATIONS ARE CLOSED, NOMINEES ARE ASKED TO ATTEND THE DECEMBER 18TH COUNCIL MEETING FOR AN INTERVIEW AND COUNCIL RESERVES ITS AUTHORITY TO CONSIDER OTHER NOMINATIONS IF THE MAJORITY OF COUNCIL AGREE. MOTION WAS APPROVED BY A 5/1 VOTE. NAY: COUNCILMEMBER MEJIA. VACANT: DISTRICT 1

After discussion, City Manager Arnoldo Rodriguez summarized that the expectation is that nominees will submit a written response by December 11th which will be public and will be included in the meeting packet for the December 18th Council meeting. At the December 18th Council meeting, the nominees will have a maximum of five (5) minutes to introduce themselves and then the City Council will conduct the interviews and ask them questions. All interviews will be public record and will take place during the December 18th Council meeting inside the Council Chamber.

Mayor Pro Tem Rodriguez stated that if needed during the December 18th meeting and if Council agrees, those interested in being considered for nomination may submit a resume and interview at that time.

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.

Mayor Pro Tem Rodriguez requested a review of the member selection process for the Airport Advisory Committee, including a discussion of alternative methods for selecting members. This request stems from the committee's inability to meet due to a lack of quorum, preventing any business from being conducted. Mayor Gallegos noted that the Council voted 5/1 to place this item on a future agenda, with one councilmember voting in opposition.

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.

Councilmember Evans invited everyone to the December 22nd Christmas Extravaganza. She congratulated her colleagues in their election/re-election.

Councilmember Montes congratulated his colleagues on their election/re-election. He thanked everyone for participating.

Councilmember Villegas had nothing to report.

Mayor Pro Tem Rodriguez congratulated his colleagues on their election/re-election. He is honored to serve on the Council for the next four (4) years.

Councilmember Mejia congratulated her colleagues on their election/re-election. She thanked all the candidates who had the courage to run for office. She looks forward to tomorrow's Candlelight Parade.


Mayor Gallegos thanked everyone for attending. She looks forward to moving the Council with positive leadership. She stated that the Candlelight Parade starts at 6:00 p.m.

H. CLOSED SESSION: None

UPCOMING MEETING DATES:

- Wednesday, December 18, 2024
- Wednesday, January 15, 2025

ADJOURNMENT: Meeting was adjourned at 8:33 p.m.


ALICIA GONZALES, City Clerk


MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk




CECELIA K. GALLEGOS, Mayor