



Item:	B-1
Minutes for:	11/18/2020
Adopted:	02/17/2021

Minutes of a Regular Meeting of the Madera City Council

November 18, 2020
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. Members of the public were able to participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 953 9055 5829# followed by *9 on their phone to speak. Comments were also 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 Andrew J. Medellin
Mayor Pro Tem Santos Garcia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Derek O. Robinson Sr., District 4

Absent: Councilmember Donald E. Holley, District 6

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, Parks & Community Services Director John Scarborough, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Work Director Dan Foss, Part Time Engineering Project Manager Jerry Martinez, Deputy City Engineer Ellen Bitter and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Robinson

PLEDGE OF ALLEGIANCE: Fire Division Chief Matt Watson

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER ROBINSON, THE AGENDA WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND ROBINSON. NOES: NONE. ABSENT: COUNCILMEMBER HOLLEY. 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 submitted. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)
2. Proclamation Recognizing Small Business Saturday
3. Update on the Amtrak Station Relocation from Road 26 to Avenue 12 (Report by Dan Leavitt, San Joaquin Powers Authority)

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 RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, THE CONSENT CALENDAR WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND ROBINSON. NOES: NONE. ABSENT: COUNCILMEMBER HOLLEY. ABSTAIN: NONE.

B-1 Minutes – 9/16/20

Recommendation: Approve the City Council Minutes of 9/16/20

B-2 Informational Report on Register of Audited Demands for October 24, 2020 to November 6, 2020

Recommendation: No Action Required (Report by Roger Sanchez)

B-3 Informational Report on Contract City Attorney Service and Litigation Expenditures

Recommendation: No Action Required (Report by Arnoldo Rodriguez)

B-4 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-5 Fresno River Trail Union Pacific Railroad (UPRR) and North Gateway Drive Undercrossing Project, Federal Project No ATPCML 5157(100), City Project No. PK-08

Recommendation: Adopt a Resolution Approving Increase in Authorized Funding for Construction Inspection, Construction Management, Third Party Services as Approved by the City Engineer for the Fresno River Trail UPRR & Gateway Drive Undercrossing Project from 10 percent to 15 percent of the Contract Amount (Report by Keith Helmuth)

RES 20-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING INCREASE IN AUTHORIZED FUNDING FOR CONSTRUCTION INSPECTION, CONSTRUCTION MANAGEMENT, AND THIRD PARTY SERVICES AS APPROVED BY THE CITY ENGINEER FOR THE FRESNO RIVER TRAIL – UPRR & GATEWAY DRIVE UNDERCROSSING PROJECT, FEDERAL PROJECT NO. ATPCML 5157(100), CITY PROJECT NO. PK-08

C. PUBLIC HEARINGS:

C-1 Disadvantaged Business Enterprise (DBE) Program and Implementation Agreement with the California Department of Transportation (Caltrans)

Recommendation: Adopt a Resolution Approving the Disadvantaged Business Enterprise Race-Conscious/Race-Neutral (DBE Program) Including Implementation Agreement (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM C-1 WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND ROBINSON. NOES: NONE. ABSENT: COUNCILMEMBER HOLLEY. ABSTAIN: NONE.

RES 20-155

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE DISADVANTAGED BUSINESS ENTERPRISE RACE-CONSCIOUS/RACE-NEUTRAL PROGRAM (DBE PROGRAM) INCLUDING IMPLEMENTATION AGREEMENT

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

D-1 Rule 20B Agreements with Pacific Gas & Electric to Perform Tariff Schedule Related Work for Undergrounding of Existing Overhead Electric Facilities for the Olive Avenue Widening Project

Recommendation: Adopt a Resolution Approving Rule 20B Agreements with Pacific Gas & Electric (PG&E) to Perform Tariff Schedule Related Work for Undergrounding of Existing Overhead Electric Facilities for the Olive

Avenue Widening Project and Authorizing Payment \$475,383.11 (Report by Keith Helmuth)

ON MOTION BY MAYOR PRO TEM GARCIA AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-1 WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND ROBINSON. NOES: NONE. ABSENT: COUNCILMEMBER HOLLEY. ABSTAIN: NONE.

RES 20-156 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AGREEMENTS WITH PACIFIC GAS AND ELECTRIC COMPANY TO PERFORM TARIFF SCHEDULE RELATED WORK FOR UNDERGROUNDING OF EXISTING OVERHEAD ELECTRIC FACILITIES FOR THE OLIVE AVENUE WIDENING PROJECT AND AUTHORIZING PAYMENT OF \$475,383.11

D-2 Acceptance of Fire Station No. 58 and Amendments to Related Consultant Agreements with RRM Design Group, Inc. and Moore Twining Associates, Inc.

Recommendation: Adopt Resolutions

- 1) Amending the Agreement with RRM Design Group, Inc., for Professional Architectural and Engineering Services Relating to Extra Services and Additional Amount Not to Exceed \$17,800; and
- 2) Amending the Agreement with Moore Twining Associates, Inc. for Testing Services Relating to Extra Services and Additional Amount not to Exceed \$12,811.50; and
- 3) Adopt a Minute Order Approving
 - a. Acceptance of the Fire Station No. 58, City Project NO. FD-00002 Fire Station Construction Northwest;
 - b. The Filing of Notice of Completion; and
 - c. The Release of Retention Funds (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER ROBINSON AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-2 WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND ROBINSON. NOES: NONE. ABSENT: COUNCILMEMBER HOLLEY. ABSTAIN: NONE.

RES 20-157 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT TO AGREEMENT WITH RRM DESIGN GROUP, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES RELATING TO EXTRA SERVICES AND ADDITIONAL AMOUNT NOT TO EXCEED \$17,800

RES 20-158 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT TO AGREEMENT WITH MOORE TWINING ASSOCIATES, INC. FOR PROFESSIONAL ON-DEMAND SERVICES FOR MATERIALS TESTING SERVICES RELATING TO EXTRA SERVICES AND ADDITIONAL AMOUNT NOT TO EXCEED \$12,811.50

E. ADMINISTRATIVE REPORTS:

E-1 Discussion on Status and Action Taken on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic

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

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 Robinson asked that everyone stay safe.

Councilmember Gallegos had nothing to report.

Mayor Pro Tem Garcia asked that everyone do everything they can to protect their friends and family. His family is limiting the size of their holiday gatherings and asking other family members to do the same. He asked that everyone be safe and have a happy holiday.

Councilmember Rodriguez stated he got tested for COVID-19 as per County Health Department, those that are out in the business sector should do so. It was a simple procedure and not invasive as he'd thought it'd be. Madera Public Health Department offers drive-thru testing. He encouraged everyone to get tested.

Councilmember Montes asked everyone to stay safe and wished them happy holidays.

Mayor Medellin stated he too got tested as the County is asking everyone to get tested. It was a simple procedure. Three days later he got his results. He tested negative. He encourages more people in the community to get tested as often as possible.

Mayor Medellin stated they have a lot to be thankful for. He asked that everyone check on their friends and family.

Mayor Medellin thanked friends, family and loved ones. He thanked City of Madera employees, MUSD, CAPMC, Downtown Association, Chamber of Commerce, Neighborhood Watch, Youth Leader Institute, Sikh community, Oaxacan community, sister city in Taiwan, other communities that have come out of the shadows, and Ministerial Association. He thanked the partnerships that he's made in Sacramento, Washington, D.C., and those in our region. He thanked the first responders Madera Police Department and CALFire.

Mayor Medellin stated he is proud of the projects he's worked on such as the widening of SR 99. He and his friend, Jim Costa, worked hard to get funding for it. He mentioned projects that occurred during his time as Mayor. He mentioned some of the boards and commissions that he's been on.

Mayor Medellin thanked his family who have supported him. He asked for prayers for his mother who is battling cancer. She is his number one fan. He dedicated his term as Mayor to his mother and he is very proud.

Mayor Medellin wished everyone a very Happy Thanksgiving. They have lots to be thankful for.

G. CLOSED SESSION

G-1 Conference with Legal Counsel – Anticipated Litigation

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

One Case: City of Madera v. High Speed Rail Authority

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 7:19 p.m.

Ms. Cantu Montoy thanked the Mayor, Council, and all staff for having her as their City Attorney for the last year.

Council returned from closed session at 8:03 p.m. with six (6) Councilmembers present as Councilmember Holley is absent.

City Attorney Hilda Cantu Montoy stated there was no reportable action and Mayor Medellin adjourned the meeting.

ADJOURNMENT: The meeting was adjourned at 8:03 p.m. Next regular meeting on December 2, 2020.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor

MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk