

Item:	B-1
Minutes for:	06/05/2024
Adopted:	06/19/2024

**Minutes of a Regular Meeting of the Madera City Council and
Special Meeting of the Madera City Council as the Groundwater Sustainability Agency and
Special Meeting of the Madera City Council**

**June 5, 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: 837 5313 6682#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

The Regular meeting, the Special Meeting of the GSA and the Special Meeting of the Madera City Council were opened.

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 (Absent during special meeting. Arrived at 6:38 p.m.)
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
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 Representative Roy Santos, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Division Fire Chief Justin Macomb, Fire Battalion Chief Ralph Duran, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Chief of Police Giachino Chiamonte, Public Works Director Ismael Hernandez, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Matt Bullis, Wastewater Treatment Plant Manager Gabriel Bostan and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Evans

PLEDGE OF ALLEGIANCE: Councilmember Evans

APPROVAL OF AGENDAS:

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDAS WERE APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR PRO TEM GALLEGOS. ABSTAIN: NONE.

Mayor Garcia announced that Council would be hearing the Special Meeting sewer item first and then they would continue with the regular meeting.

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

A-1 Emergency Repairs to Avenue 13 Sewer Trunk Main between Granada Drive and Road 24

Recommendation: Adopt a Resolution making a finding of emergency relating to sewer failure on the sewer main in Avenue 13 between Granada Drive and Road 24, 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 (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

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

RES 24-80 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING A FINDING OF EMERGENCY RELATING TO SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 BETWEEN GRANADA DRIVE AND ROAD 24, 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

The Special Meeting was concluded at 6:20 p.m.

Council continued with the Regular Meeting/Special Meeting of the Groundwater Sustainability Agency.

PRESENTATIONS:

1. Proclamation Recognizing Juneteenth Day
2. Proclamation Recognizing PRIDE Month

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.

Lynette Lomeli, Executive Director of Madera Coalition for Community Justice stated they are planning the first ever Pride event to be held on Saturday, June 22nd from 5:00 p.m. – 8:00 p.m. at the Community Garden located at 611 4th Street.

Kyle Savage, Congressman John Duarte's Field Representative for Madera/Fresno County recognized the City's outstanding sewer trunk line failure. He stated they will be holding a Service Academy information

night on June 17th at Castle Air Museum in Atwater at 6:00 p.m. It was National Police Week three weeks ago and it was National Peace Officer Memorial Day on May 15th. He advised that Congressman Duarte voted for the bipartisan Improving Law Enforcement Officer Safety and Wellness Through Data Act.

Johanna Torres thanked Council for the proclamations that recognized two communities. She mentioned the Pride Event that the Madera Coalition For Community Justice will be holding. Ms. Torres asked that Council consider financially supporting a historic safe space.

A member of the community stated that the NAACP, along with the Madera County Arts Council, is sponsoring an art exhibit on June 13th from 5:00 p.m. – 7:00 p.m.

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. 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.

City Clerk Alicia Gonzales announced that Mayor Pro Tem had arrived at 6:38 p.m.

No Public Comment was presented. Public Comment was closed.

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

B-1 Minutes – May 15, 2024

Recommendation: Approve the City Council Minutes of May 15, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for May 4, 2024 to May 24, 2024 (Report by Michael Lima)

B-3 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 Arnoldo Rodriguez)

B-4 Update to Administrative Policy 45: Injury and Illness Prevention Program to Include the Workplace Violence Prevention Plan

Recommendation: Adopt a Resolution:

1. Approving revisions to Administrative Policy (AP) No. 45: Injury and Illness Prevention Program (IIPP) to add AP 45.2: Workplace Violence Prevention Plan in compliance with Cal/OSHA Requirements under California Senate Bill (SB) 553; and
2. Rescinding Administrative Policy 32: Safety in the Workplace – Prohibition of Weapons & Threats of Violence (Report by Wendy Silva)

- RES 24-67** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AP 45.2: WORKPLACE VIOLENCE PREVENTION PLAN AND RESCINDING AP 32: SAFETY IN THE WORKPLACE – PROHIBITION OF WEAPONS & THREATS OF VIOLENCE
- B-5 Acceptance of Repairs at the Centennial Park Pool Complex**
Recommendation: Staff recommends that the City Council approve Minute Order Approving:
1. Acceptance of the Repairs at the Centennial Park Pool Complex located at 221 Flume Street; and
 2. The Recording of Notice of Completion (Report by Joseph Hebert)
- B-6 Adoption of Updated District Boundary to Include Property Annexed into the City (Country Club Drive-Martin Street Annexation)**
Recommendation: Waive the full reading and adopt an Ordinance of the City Council of the City of Madera amending Subsection C (3) of Section 2-1.21 of the City Municipal Code to adopt revised district boundaries by title only, including CEQA Guidelines Section 15061(b)(3) determination (Report by Alicia Gonzales)
- ORD 1010 C.S.** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING SUBSECTION (C)(3) OF SECTION 2-1.21 OF CHAPTER 1 OF TITLE II OF THE MADERA MUNICIPAL CODE AND ADOPTING REVISED DISTRICT VOTING BOUNDARIES
- B-7 Approval of Fleet Rollup Door Removal and Replacement Contract**
Recommendation: Adopt a resolution awarding a contract to D L Batty, Inc. for the Removal and Replacement of Fleet Rollup Doors in the amount of \$162,191.80, and a finding of a Class 1 CEQA Categorical Exemption (Existing Facilities) (Report by Michael Lima)
- RES 24-68** RESOLUTION AWARDING A CONTRACT UNDER INVITATION FOR BIDS (IFB) NO. 202324-21 TO D L BATTY, INC. FOR THE REMOVAL AND REPLACEMENT OF FLEET ROLLUP DOORS IN THE AMOUNT OF \$162,191.80
- B-8 General Election for Mayor and Council Districts 2, 4, and 6**
Recommendation: Adopt a Resolution calling for and requesting consolidation of the City's General Municipal Election with the General Election on November 5, 2024, for the election of City Council elected to serve as Mayor and Council Districts 2, 4, and 6; and requesting that the Madera County Clerk render election services relating to the conduct of the election (Report by Alicia Gonzales)
- RES 24-69** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS OF THE CITY OF MADERA FOR COUNCIL MEMBERS OF DISTRICTS 2, 4, AND 6, AND FOR THE ELECTION OF MAYOR AT-LARGE

TO BE HELD IN THE CITY OF MADERA ON NOVEMBER 5, 2024 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; REQUESTING CONSOLIDATION THEREOF WITH THE STATEWIDE ELECTION TO BE HELD ON THE SAME DATE; AND REQUESTING THAT THE MADERA COUNTY BOARD OF SUPERVISORS AUTHORIZE THE MADERA COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY OF MADERA RELATING TO THE CONDUCT OF THE GENERAL MUNICIPAL ELECTION

C. WORKSHOP:

C-1 Budget Workshop (Report by Michael Lima)

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

D-1 City's Participation in the 4th of July Community Event

Recommendation: Adopt Resolutions:

1. Authorizing up to \$8,000 in payment to the Greater Madera Kiwanis should the 4th of July Community Event not raise adequate funds; and
2. Approving a Budget Amendment to the Fiscal Year 2023/2024 Operating Budget to appropriate General Fund balance for payment to the Greater Madera Kiwanis; and
3. Waiving the fees to cover the costs of police services of \$2,068 (Report by Giachino Chiaramonte)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY MAYOR PRO TEM GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-1 AUTHORIZING UP TO \$5,000 NOT \$8,000 IN PAYMENT WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 24-70 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING UP TO \$5,000 IN PAYMENT TO THE GREATER MADERA KIWANIS SHOULD THE 4TH OF JULY COMMUNITY EVENT NOT RAISE ADEQUATE FUNDS

RES 24-71 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2023/2024 BUDGET

RES 24-72 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING THE FEES TO COVER COSTS OF POLICE SERVICES FOR THE 4TH OF JULY COMMUNITY EVENT FOR THE GREATER MADERA KIWANIS IN THE AMOUNT OF \$2,068

D-2 Piggyback purchase agreements for Fleet Division-related purchase

Recommendation: Adopt a Resolution approving Sourcewell piggyback agreement with PB Loader Corporation for the purchase of an all-electric utility truck in the amount of \$129,016.41 for the Facilities Division and approve a Budget

Amendment in the amount of \$46,517 to fund the recommended purchase (Report by Michael Lima)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM GALLEGOS, ITEM D-2 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 24-73 RESOLUTION APPROVING SOURCEWELL PIGGYBACK AGREEMENT WITH PB LOADER CORPORATION FOR THE PURCHASE OF AN ALL-ELECTRIC UTILITY TRUCK FOR THE FACILITIES DIVISION IN THE AMOUNT OF \$129,016,41

RES 24-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2023/2024

D-3 Schedule "A" Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2024, to June 30, 2025, for Fire Service Operations

Recommendation: Adopt a Resolution approving a new Schedule "A" agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2024, to June 30, 2025, for \$6,236,553 (Report by Justin Macomb)

No Public Comment was presented. Public Comment was closed.

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

RES 24-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A NEW SCHEDULE "A" AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIREPROTECTION (CAL FIRE) FROM JULY 1, 2024, TO JUNE 30, 2025, FOR FIRE SERVICE OPERATIONS, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF MADERA

D-4 Purchase of Real Property located at 16564 N. Lake Street (APN: 038-030-028) for Planned Northeast Water Storage Tank

Recommendation: Adopt a Resolution:

1. Approving the Agreement for Purchase of a portion of Real Property located at 16564 N. Lake Street (APN: 038-030-028) for \$222,000 and Joint Escrow Instructions; and
2. Accepting the Grant Deed (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM D-4 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 24-76 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF

REAL PROPERTY FOR APN: 038-030-028 FOR A NEW WATER STORAGE TANK

D-5 Caltrans State Route 145 Yosemite Avenue Project Cooperative Agreement – Local Only Contribution

Recommendation: Adopt a Resolution Approving Cooperative Agreement – Local Contribution Only (Agreement) in the amount \$3,000,000 with State of California Department of Transportation (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-5 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 24-77 A RESOLUTION APPROVING COOPERATIVE AGREEMENT – LOCAL CONTRIBUTION ONLY WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$3,000,000

D-6 Measure T 2024 Draft Expenditure Plan

Recommendation: Adopt a Resolution Approving the Draft 2024 Measure T Expenditure Plan (Report by Keith Helmuth)

Sandra Uribe, Policy Advocate for Leadership Council with Justice and Accountability who works closely with the communities of Fairmead and La Vina stated that there are things lacking in the Measure to comply with community demands and requirements. She stated that there should be community engagement going forward; a 30-day public comment period; funds used exclusively for existing communities and not used for capacity expansion projects; and ensuring that 80% is going to local streets and roads as it says regional boundaries but should stay local.

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

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY MAYOR PRO TEM GALLEGOS, ITEM D-6 WAS APPROVED BY A 6/1 VOTE. NOES: COUNCILMEMBER MEJIA. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

YES: 6 MAYOR PRO TEM GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA

NO: 1 COUNCILMEMBER MEJIA

RES 24-78 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE MEASURE T 2024 EXPENDITURE PLAN

D-7 Temporary authority for the City Manager to offer higher than C-step for Deputy City Engineer, Senior Civil Engineer, and Senior Planner candidates

Recommendation: Adopt a Resolution providing the City Manager temporary authority to offer candidates considered for Deputy City Engineer, Senior Civil

Engineer, and Senior Planner positions higher than C-step on the assigned salary range for the classifications (Report by Wendy Silva)

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

RES 24-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA PROVIDING THE CITY MANAGER TEMPORARY AUTHORITY TO OFFER DEPUTY CITY ENGINEER, SENIOR CIVIL ENGINEER, AND SENIOR PLANNER CANDIDATES HIGHER THAN C-STEP ON THE ASSIGNED SALARY RANGE

E. ADMINISTRATIVE REPORTS:

E-1 Madera Subbasin Joint Groundwater Sustainability Plan (GSP) – Re-Consideration of Five-Year Evaluation and Update of the GSP

Recommendation: Receive Report and provide direction regarding information provided to the City Council (Report by Keith Helmuth)

E-2 Mayor’s Appointment to the San Joaquin River Conservancy Board

Recommendation: Approve a Minute Order Approving the Mayor’s Appointment to the San Joaquin River Conservancy Board (Report by Alicia Gonzales)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER EVANS, ITEM E-2 SELECTING MAYOR GARCIA AS THE PRIMARY REPRESENTATIVE WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

E-3 PG&E Policy and Customer Resource Update

Recommendation: This report is submitted for informational purposes only and there is no action requested from the City 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 agendaized and which meet other requirements for action.

Mayor Pro Tem Gallegos had nothing to report.

Councilmember Rodriguez thanked the MPOA (Madera Police Officer Association) for the first ever MPOA golf tournament this Friday at the Dragonfly Golf Club.

Councilmember Montes thanked staff for their work at the Avenue 13 sewer line failure.

Councilmember Evans thanked everyone for their work at the Avenue 13 sewer line failure. She reminded everyone that there will be a Juneteenth celebration at Courthouse Park on June 19th starting at 10:00 a.m.

Councilmember Mejia thanked staff for the cooling centers. She mentioned that Madera Metro promoted the cooling centers by putting out notices in English and Spanish. She also mentioned that the Police Department had their lobby open to customers and they also provided water

for those customers. Councilmember Mejia mentioned that their used to be a Splash Park at Rotary Park and would like the Splash Park considered during budget talks.

Councilmember Villegas stated that he attended the Pioneer Technical Center graduation this morning and that 41 students graduated.


Mayor Garcia had nothing to report.

G. CLOSED SESSION: None

ADJOURNMENT: Meeting was adjourned at 9:38 p.m.



ALICIA GONZALES, City Clerk



SANTOS GARCIA, Mayor



MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

