



## REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4<sup>th</sup> Street, Madera, California 93637

### NOTICE AND AGENDA

Wednesday, November 16, 2022  
6:00 p.m.

Council Chambers  
City Hall

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The Council Chambers will be 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](http://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: 840 2977 4103#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov) or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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#### **CALL TO ORDER:**

**ROLL CALL:** Mayor Santos Garcia  
Mayor Pro Tem Anita Evans, District 4  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Elsa Mejia, District 5  
Councilmember Artemio Villegas, District 6

**INVOCATION:** Mayor Pro Tem Anita Evans

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

#### **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.*

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Proclamation Recognizing Small Business Saturday – Ortiz Western Wear and GBS Hardware
2. Proclamation Recognizing National Injury Prevention Day – Valley Children’s Hospital

**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.*

**B-1 Minutes – August 3, 2022, August 17, 2022, August 24, 2022**

**Recommendation:** Approve the City Council Minutes of 8/3/22, 8/17/22, 8/24/22

**B-2 Informational Report on Register of Audited Demands for October 22, 2022 to November 4, 2022**

**Recommendation:** No Action Required (Report by Kingsley Okereke)

**B-3 Informational Report on Personnel Activity**

**Recommendation:** No Action Required (Report by Wendy Silva)

**B-4 Award of Agreements for Medical Services**

**Recommendation:** Adopt a Resolution Approving Medical Services Agreements with Occu-Med (Report by Wendy Silva)

**B-5 Remote City Council Meetings Under Brown Act Requirements (AB 361)**

**Recommendation:** Council to decide to adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnolando Rodriguez)

**B-6 2022 Downtown Christmas Light Parade Entry for City Participation**

**Recommendation:** Approve a Minute Order Authorizing the City Manager to execute documents necessary or any City entries in the Downtown Christmas Light Parade scheduled on December 1, 2022 (Report by Alicia Gonzales)

**B-7 Letter Supporting the Madera Unified School District’s (MUSD) Application for Funding ASSETs Program and CLC**

**Recommendation:** This report is submitted to provide the City Council an informational report on the request by MUSD to the City for letters of support regarding their application for funding for the After School Safety and Enrichment for Teens (ASSETs) Program and Community Learning Centers (CLC) (Report by Joseph Hebert)

**B-8 Adoption of Updated Conflict of Interest Code for the City of Madera**

**Recommendation:** Adopt a Resolution Adopting the Conflict of Interest Code for the City of Madera and Rescinding Resolution 20-124 (Report by Alicia Gonzales)

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing Regarding Annexation No. 13 (Tract 21-S-02 & S1-S-03/TSM 2020-04 Vineyard Estates Subdivision) into Community Facilities District No. 2005-1 (Public Services) Under the Mello Roos Community Facilities Act of 1982 and Related Actions**

**Recommendation:**

- 1) Hold the Public Hearing; and
- 2) Adopt a Resolution Authorizing Annexation (Annexation No. 13) of Territory to Community Facilities (CFD) District No. 2005-1; Authorizing the Levy of a Special Tax; and Submitting the Levy of Tax to the Qualified Electors; and
- 3) Conduct the Election of the Qualified Electors of Annexation No. 13; and
- 4) Adopt a Resolution Making Certain Findings, Declaring and Certifying the Results of an Election, Adding the Territory Identified as Annexation No. 13 to CFD 2005-1 (Public Services), Annexation No. 13 (Report by Will Tackett)

**C-2 Vacation of a Portion of Clark Street Right-of-Way Between Owens Street and Taylor Street (ABN 2022-01)**

**Recommendation:** Hold a Public Hearing and Adopt a Resolution adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion of Clark Street Between Owens Street and Taylor Street (Report by Will Tackett)

**C-3 Vacation of a Portion of Noble Street (Alley) along the east side and corner of Noble Street and Maple Street at southeast corner of right-of-way vacation (ABN 2020-02 and ABN 2021-01)**

**Recommendation:** Adopt a Resolution Adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion Noble Street (Alley) along the East side and corner of Noble Street and Maple Street at southeast corner (Report by Will Tackett)

**C-4 Vacation of a Portion of Grove Street right-of-way South of Maple Street (ABN 2020-01)**

**Recommendation:** Hold a Public Hearing and Adopt a Resolution adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion of Grove Street south of Maple Street (Report by Will Tackett)

**C-5 Permanent Local Housing Allocation (PLHA) Grant Application**

**Recommendation:** Conduct the Public Hearing and Adopt a Resolution Authorizing Submittal of a Grant Application for the PLHA Program (Report by Kingsley Okereke)

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

**D-1 Employee Wage Adjustments to Offset Inflation, Minimum Wage Compaction, and Recruitment and Retention of Full-time Employees**

**Recommendation:** Adopt Resolutions:

- 1) Approving Side Letter Agreements effecting additional cost-of-living (COLA) increases and certain salary range adjustments as a direct result of minimum wage increases for the following employee bargaining units:
  - a. Madera Affiliated City Employees' Association, representing the General Bargaining Unit
  - b. Mid Management Employee Group
  - c. Madera Police Officers' Association
  - d. Law Enforcement Mid Management Employee Group
- 2) Approving revised Standard Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions effecting additional COLA increases
- 3) Approving amendments to the City of Madera Classification Plan removing job classifications no longer utilized, adding the Parks Manager classification, and modifying salary range assignments for certain job classifications as a direct result of minimum wage increases (Report by Wendy Silva)

**D-2 Award of Contract for Hearing Officer Services for Cannabis Permitting Process**

**Recommendation:** Adopt a Resolution Approving a Contract with Nastich Law, a Profession Corporation to serve as Hearing Officer for Cannabis Permitting Appeals and Authorizing the City Manager to Execute the Agreement (Report by Will Tackett)

**D-3 Improvement Agreement Amendment No. 1 for the Rancho Santa Fe Subdivision (Tract No. 19-S-06) Allowing Reimbursement for Park Improvements**

**Recommendation:** Adopt a Resolution Approving Amendment No. 1 to the Improvement Agreement Authorizing Construction of a Park Improvements Within the Rancho Santa Fe Subdivision and Reimbursement for Park Improvements Proposed to be Constructed by Subdivider (Report by Keith Helmuth)

**D-4 Improvement Agreement Amendment No. 1 for the Iveywood I Subdivision (Tract No. 19-S-03) Allowing Reimbursement for Park Improvements**

**Recommendation:** Adopt a Resolution Approving Amendment No. 1 to the Improvement Agreement Authorizing Construction of a Park Improvements Within the Iveywood I Subdivision and Reimbursement for Park Improvements Proposed to be Constructed by Subdivider (Report by Keith Helmuth)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Seek Direction Regarding the 2023 Regular City Council Meeting Schedule**

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

**E-2 Inform Council of the Request for Proposal for the Intelligent Transportation System (ITS) conversion for Madera Metro**

**Recommendation:** No action is being requested, informational item only (Report by Kingsley Okereke)

**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.*

**G. CLOSED SESSION:**

**G-1 Conference with Labor Negotiators - Pursuant to Government Code §54957.6**

**Agency Designated Representatives:** Mayor Garcia

**Unrepresented Employees:** City Clerk

**ADJOURNMENT:**

**UPCOMING MEETING DATES:**

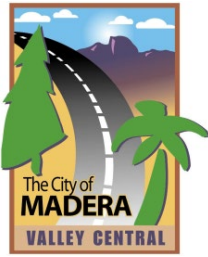
- Wednesday, December 7, 2022
- Wednesday, December 21, 2022

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- Please silence or turn off cell phones and electronic devices while the meeting is in session.
  - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
  - A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (559) 661-5405 or by email at [cityclerkinfo@madera.gov](mailto:cityclerkinfo@madera.gov).
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
  - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for November 16, 2022, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 10:30 p.m. on November 10, 2022.



Alicia Gonzales, City Clerk



Item:	B-1
Minutes for:	08/24/2022s
Adopted:	11/16/2022

## Minutes of a Special Meeting of the Madera City Council

**August 24, 2022**  
**6:00 p.m.**

**Council Chambers**  
**City Hall**

The Council Chambers will be 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](http://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 5284 8204#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto: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 Pro Tem Anita Evans, District 4  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2 (Joined at 6:03 p.m. by Zoom)  
Councilmember Steve Montes, District 3 (Zoom)  
Councilmember Elsa Mejia, District 5  
Councilmember Artemio Villegas, District 6

**Absent:** Mayor Santos Garcia

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy (6:00 p.m. – 6:10 p.m.), City Engineer Keith Helmuth, Community Development Director Will Tackett, Interim Director of Financial Services Kingsley Okereke, Fire Division Chief Matt Watson, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Interim Director of Public Works Jamie Hickman, Senior Civil Engineer Steve Bettencourt, Financial Services Manager Anthony Forestiere, Wastewater Treatment Plant Manager Gabriel Bostan and Communication Specialist Joseph Carrello.

**INVOCATION:** Mayor Pro Tem Evans

**PLEDGE OF ALLEGIANCE:** Councilmember Gallegos

### **APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 6 - COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ**

**COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS**

**ABSENT: 1- MAYOR GARCIA**

**PUBLIC COMMENT:**

Members of the public shall have an opportunity to address the City Council regarding the following agenda item when that item is called. Speakers should limit their comments to three (3) minutes.

No Public Comment was presented. Public Comment was closed.

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

**A-1 Determination under Elections Code Section 10229 whether to Appoint Nominated Candidates in Council Districts 1, 3, and 5**

**Recommendation:**

- 1) Adopt a Resolution to Appoint Candidates, or
- 2) Adopt a Resolution to Hold the Election, or
- 3) Take no action (Report by Hilda Cantú Montoy)

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 6 -  
COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS**

**ABSENT: 1- MAYOR GARCIA**

**RES 22-140** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPOINTING TO CITY COUNCIL OFFICE CECELIA ("CECE") GALLEGOS (DISTRICT 1), STEVE MONTES (DISTRICT 3), AND ELSA MEJIA (DISTRICT 5) AND WITHDRAWING THE ELECTION TO BE HELD FOR THESE OFFICES FROM THE NOVEMBER 8, 2022, CONSOLIDATED GENERAL ELECTION

**B. PUBLIC HEARINGS:**

**B-1 Public Hearing and Consideration of a Resolution Adopting the City of Madera Budget and Capital Improvement Program for Fiscal Year 2022/2023**

**Recommendation:** Staff recommends that the City Council Conduct a Public Hearing and Adopt a Resolution Approving the Budget for Fiscal Year (FY) 2022/23, including the Five-Year Capital Improvement Program (CIP) (Report by Kingsley Okereke)

ON MOTION BY COUNCILMEMBER VILLEGAS AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM B-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

ABSENT: 1 - MAYOR GARCIA

RES 22-141 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE BUDGET OF THE CITY OF MADERA FOR THE FISCAL YEAR JULY 1, 2022 THROUGH JUNE 30, 2023 IN THE AMOUNT OF \$115,946,123 AND THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

**C. 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 MONTES, THE CONSENT CALENDAR WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: MAYOR GARCIA. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

ABSENT: 1- MAYOR GARCIA

**C-1 Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 361)**

**Recommendation:** Council to decide to Adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnaldo Rodriguez)

RES 22-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES

OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

**C-2 Appointments to the Americans with Disabilities Act (ADA) Advisory Council**

**Recommendation:** Adopt a Resolution Appointing Jack Porter and Gladys Marroquin to the ADA Advisory Council (Report by Wendy Silva)

**RES 22-143** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE APPOINTMENTS OF JACK PORTER AND GLADYS MARROQUIN TO THE CITY OF MADERA AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL

**C-3 Appropriations Limit (Gann Limit) for Fiscal Year 2022/2023**

**Recommendation:** Adopt a Resolution establishing an Appropriations Limit for Fiscal Year 2022/2023 in the amount of \$54,767,610 (Report by Kingsley Okereke)

**RES 22-144** A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE APPROPRIATIONS LIMIT FOR THE 2022/2023 FISCAL YEAR

**ADJOURNMENT:** Meeting was adjourned at 6:23 p.m. Next regular meeting September 21, 2022.

**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.

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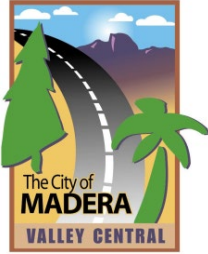
ALICIA GONZALES, City Clerk

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SANTOS GARCIA, Mayor

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MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk



Item:	B-1
Minutes for:	08/17/2022
Adopted:	11/16/2022

## Minutes of a Regular Meeting of the Madera City Council

**August 17, 2022**  
**6:00 p.m.**

**Council Chambers**  
**City Hall**

The Council Chambers will be 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](http://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: 842 7019 8960#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto: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 Anita Evans, District 4  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Elsa Mejia, District 5  
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, City Engineer Keith Helmuth, Interim Director of Financial Services Kingsley Okereke, Fire Division Chief Matt Watson, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Community Development Director Will Tackett, Interim Director of Parks and Community Services Joseph Hebert, Planning Manager Gary Conte, Police Chief Dino Lawson, Interim Public Works Director Jamie Hickman, Deputy City Engineer Randy Bell, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Matt Bullis, Senior Planner Robert Smith, Administrative Analyst (Parks) Gabriela Salazar, Assistant Engineer Alexis Raymundo, Financial Services Manager Anthony Forestiere, and Communication Specialist Joseph Carrello.

**INVOCATION:** Mayor Pro Tem Anita Evans

**PLEDGE OF ALLEGIANCE:** City Attorney Hilda Cantu Montoy

**LATE DISTRIBUTION ANNOUNCEMENT:**

City Clerk Alicia Gonzales announced that pursuant to Government Code Section 54957.5, members of the public were advised that less than 72 hours prior to this evening's meeting, Item A-1 The City's FY 22/23 Proposed Budget, was distributed to the Council and posted on the City's website after the agenda packet was posted. Members of the public wishing to view or obtain a copy of this item may do so by

visiting the City of Madera Meeting and Agenda page located on the City’s website. Copies of this item are also available at the podium.

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 – COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**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.*

Alicia Connelly asked Council to consider installing adult changing tables at City parks; specifically, Mc Nally Park.

Councilmember Cece Gallegos, Andrew Martinez, Councilmember Steve Montes and Juliana Franco spoke on renaming the Olive/Knox Park into Taubert Park.

Director of Department of Public Health Sara Bosse gave a COVID Update.

A member of the public called into the meeting to comment on adult changing tables.

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

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Proclamation Recognizing Old Timers’ Week
2. Madera Ford’s Annual Backpack Giveaway – Certificates of Recognition

**INTRODUCTIONS:** None

**A. WORKSHOP:**

**A-1 Workshop on the Annual Operating Budget and Capital Improvement Program for Fiscal Year 2022/23**

**Recommendation:** No action required (Report by Kingsley Okereke)

No Public Comment was presented. Public Comment was closed.

**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.*

No Public Comment was presented. Public Comment was closed.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**B-1 Minutes – 4/20/22, 4/20/22s**

**Recommendation:** Approve the City Council Minutes of the April 20, 2022 Regular Meeting and Special Meeting (Report by Alicia Gonzales)

**B-2 Informational Report on Register of Audited Demands for July 23, 2022 to August 5, 2022**

**Recommendation:** No Action Required (Report by Kingsley Okereke)

**B-3 Informational Report on Personnel Activity**

**Recommendation:** No Action Required (Report by Wendy Silva)

**B-4 Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 361)**

**Recommendation:** Council to decide to Adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnoldo Rodriguez)

**RES 22-127**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY

COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

**B-5 Preparation of a Development Impact Fee Program Update**

**Recommendation:** Adopt a Resolution Approving Amendment No. 2 to Agreement with Colgan Consulting Corporation for Professional Services Related to the Preparation of a Development Impact Fee Program Update in the amount of \$16,500 (Report by Keith Helmuth)

**RES 22-128** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING AMENDMENT NO. 2 TO AGREEMENT WITH COLGAN CONSULTING CORPORATION FOR PROFESSIONAL SERVICES RELATED TO THE PREPARATION OF A DEVELOPMENT IMPACT FEE PROGRAM UPDATE

**B-6 2022 Old Timers Day Parade and Booths in the Park Event Entries**

**Recommendation:** Approve a Minute Order Authorizing the City Manager to execute documents for any City entries in the Old Timers Day Parade and related Booths in the Park event scheduled September 24, 2022 (Report by Alicia Gonzales)

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing to Consider the Proposed Annexation of Property within the Vineyard Estates Phase III-A Subdivision into City of Madera Landscape Maintenance District Zone of Benefit 27B**

**Recommendation:** Adopt a Resolution Approving Annexation No. 2022-04 for Annexation of Vineyard Estates Phase III-A Subdivision (Tract No. 21-S-02) into Zone of Benefit 27B, Confirming the Diagram and Assessment for City of Madera Landscape Maintenance District (LMD) Zone of Benefit 27B for FY 2023/24; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**RES 22-129**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION NO. 2022-04 FOR ANNEXATION OF VINEYARD ESTATES PHASE III-A SUBDIVISION (TRACT NO. 21-S-02) INTO ZONE OF BENEFIT 27B; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITY OF MADERA LANDSCAPE MAINTENANCE DISTRICT ZONE OF BENEFIT 27B FOR FISCAL YEAR (FY) 2023/24; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

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

**D-1 Consultant Services Agreement with Mark Thomas for Grant Preparation Services for Yosemite Avenue Street Improvements**

**Recommendation:** Adopt a Resolution Approving a Consultant Services Agreement with Mark Thomas in the amount of \$98,600 for Grant Preparation Services for the Yosemite Avenue Street Improvements, City Project R-95 (Report by Keith Helmuth)

Rosa of E. Yosemite Avenue asked if sidewalks were included as part of the improvements. City Engineer Keith Helmuth responded that sidewalks are proposed in that area.

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

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**RES 22-130**

A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH MARK THOMAS IN THE AMOUNT OF \$89,600 FOR PROFESSIONAL ENGINEERING AND GRANT WRITING SERVICES AND AUTHORIZING EXTRA SERVICES UP TO \$9,000 FOR YOSEMITE AVENUE IMPROVEMENTS, CITY PROJECT R-95

**D-2 Agreement with Provost & Pritchard Consulting Group Inc. for Engineering Design Services for Water Main Replacement under the Fresno River**

**Recommendation:** Adopt a Resolution Approving an Agreement with Provost & Pritchard Consulting Group Inc. for \$115,800 for Professional Engineering Design

Services for Completion of the Water Main Replacement under the Fresno River, Project W-00009 (Report by Keith Helmuth)

A member of the audience (no name given) asked if they could cover the pipeline instead of burying it. Senior Civil Engineer Matt Bullis stated they cover the pipeline every year but is uncovered due to erosion.

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

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**RES 22-131** A RESOLUTION APPROVING AN AGREEMENT WITH PROVOST & PRITCHARD CONSULTING GROUP INC. FOR \$115,800.00 FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR COMPLETION OF THE WATER MAIN REPLACEMENT UNDER THE FRESNO RIVER, PROJECT W-00009

**D-3 Agreement for Memorial Monuments at Centennial Park and Rotary Park**

**Recommendation:** Adopt a Resolution Awarding Contract to David J. Boyle Electric Shop LLC, under IFB 202223-03 for Memorial Monuments at Centennial Park and Rotary Park, estimated at \$14,520 and approving a Construction Services Agreement (Report by Joseph Hebert)

No Public Comment was presented. Public Comment was closed.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**

**COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**RES 22-132** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AWARDDING AN AGREEMENT RELATING TO INVITATION FOR BID NO. 202223-03 TO DAVID J. BOYLE ELECTRIC SHOP LLC IN THE AMOUNT OF \$14,520 AND APPROVING A CONSTRUCTION SERVICES AGREEMENT

**D-4 Initiation of Proceedings for the Annexation of Tract 21-S-02/TSM2019-03 Pecan Square Subdivision into Community Facilities District 2005-1**

**Recommendation:**

- 1) Adopt a Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to Community Facilities District No. 2005-01; and
- 2) Adopt a Resolution Declaring the Its Intention to Annex Territory (Tract 21-S-02/TSM2019-03 Subdivision) to Community Facilities District No. 2005-01 (Public Services), to Authorize Levy of Special Taxes Therein, and Setting Public Hearing (Annexation No. 11) (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**RES 22-133** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED FOR ANNEXATION TO CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (ANNEXATION #11)

**RES 22-134** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (PECAN SQUARE, TRACT 20-S-02 SUBDIVISION) TO THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES), TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, AND SETTING PUBLIC HEARING (ANNEXATION NO. 11)

**D-5 Initiation of Proceedings for the Annexation of Tract 21-S-01/TSM2020-02 Crown Tozer Subdivision into Community Facilities District 2005-1**

**Recommendation:**

- 1) Adopt a Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to Community Facilities District No. 2005-01; and
- 2) Adopt a Resolution Declaring Its Intention to Annex Territory (Tract 21-S-01/TSM2020-01 Subdivision) to the Community Facilities District No. 2005-01 (Public Services), to Authorize the Levy of Special Taxes Therein, and Setting Public Hearing (Annexation No. 12) (Report by Will Tackett)

No Public Comment was presented. Public Comment was closed.

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**RES 22-135** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED FOR ANNEXATION TO CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (ANNEXATION #12)

**RES 22-136** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY {TRACT 21-S-01/TSM2020-01 SUBDIVISION) TO THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES), TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, AND SETTING PUBLIC HEARING {ANNEXATION NO. 12)

**D-6 Corrections to Attachments to Resolution Nos. 22-101, 22-102, and 22-103 for Water, Sewer, and Solid Waste Utility Rates**

**Recommendation:**

- 1) Adopt a Resolution Correcting Attachment A to Resolution No. 22-101 relating to monthly rates to be charged for water services furnished by City for a five-year period; and

- 2) Adopt a Resolution Correcting Attachment A to Resolution No. 22-102 relating to monthly rates to be charged for sewer services furnished by City for a five-year period; and
- 3) Adopt a Resolution Correcting Attachment A to Resolution No. 22-101 relating to monthly rates to be charged for solid waste services furnished by City for a five-year period (Report by Kingsley Okereke)

No Public Comment was presented. Public Comment was closed.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-6 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**RES 22-137** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CORRECTING ATTACHMENT A TO RESOLUTION NO. 22-101 RELATING TO MONTHLY RATES TO BE CHARGED FOR WATER SERVICES FURNISHED BY THE CITY FOR A FIVE-YEAR PERIOD

**RES 22-138** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CORRECTING ATTACHMENT A TO RESOLUTION NO. 22-102 RELATING TO MONTHLY RATES TO BE CHARGED FOR SEWER SERVICES FURNISHED BY THE CITY FOR A FIVE-YEAR PERIOD

**RES 22-139** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CORRECTING ATTACHMENT A TO RESOLUTION NO.22-103 RELATING TO MONTHLY RATES TO BE CHARGED FOR SOLID WASTE AND STREET SWEEPING FURNISHED BY THE CITY FOR A FIVE-YEAR PERIOD

**E. ADMINISTRATIVE REPORTS:**

**E-1 City Council review with the City External Auditor, the Annual Audit Results, and Acceptance of the Fiscal Year 2020/21 Annual Comprehensive Financial Report (ACFR)**

**Recommendation:** Review and Accept the FY 2020/21 Annual Financial Audit and Recommendations and the Prepared ACFR (Report by Kingsley Okereke)

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

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**  
**COUNCILMEMBER GALLEGOS**  
**COUNCILMEMBER RODRIGUEZ**  
**COUNCILMEMBER MONTES**  
**MAYOR PRO TEM EVANS**  
**COUNCILMEMBER MEJIA**  
**COUNCILMEMBER VILLEGAS**  
**MAYOR GARCIA**

**E-2 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 (Report by Wendy Silva)

Former Councilmember Donald Holley and Pastor Yvonne Nealy recommended recognizing this day as a holiday.

Stanley Mackey recommended recognizing this day a fully paid holiday.

Police Chief Dino Lawson stated he has been enlightened and educated on the meaning of this day. He was not there to ask for a paid holiday but would not turn it down.

Maxine Barnett commented that her mother was the first black woman that was recognized as having a 100<sup>th</sup> birthday and then others have also been recognized. She stated this is how it gets started and how it needs to keep going.

Councilmembers Montes and Gallegos stated they support Juneteenth Day, but they have to look at the City's financials. Councilmember Montes stated there are costs and they want to take it to the bargaining units at an appropriate time after Council has bargained and negotiated with the bargaining units.

Mayor Pro Tem Evans spoke on behalf of recognizing this day as a paid City holiday for the employees. She mentioned that she is the granddaughter of a slave. Her grandmother's master fathered 13 children on her grandmother. She stated they celebrate Columbus Day (when Native Americans were already on that land) and Black Friday (The days the slaves were sold.) and they get that day off as a paid holiday. She supports Juneteenth Day as being a paid holiday day off.

Councilmember Rodriguez stated he is in support of the celebration and the opportunity to educate others on this day. He would like to see this as an annual event such like the Old Timers' Day Parade. At the same time, he wants the employees and bargaining units to be part of the discussion and bargaining.

Mayor Garcia stated he is totally in support of making this a paid holiday and he does not want to take away any holiday that the employees currently get. He'd rather see that Council makes the effort to make this a paid holiday for the employees. He asked if staff knew the cost of giving employees this paid holiday. Director of Human Resources Wendy Silva stated she would rather do some research and get back to them with a number.

Mayor Garcia stated he is not worried about the bargaining units because he can't see them objecting to getting an additional paid holiday; they would have an issue if a holiday were to be removed. He stated they can bring this item back in two weeks.

City Manager Arnoldo Rodriguez reiterated his understanding that Council wants staff to approach the labor groups, have staff do some calculating and get cost estimates and then come back at the next regular meeting of September 21, 2022.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM E-2 TO APPROACH THE LABOR GROUPS FOR FEEDBACK, HAVE STAFF DO SOME CALCULATING AND GET COST ESTIMATES OF MAKING THIS AN EMPLOYEE PAID HOLIDAY DAY OFF, THEN COME BACK AT THE NEXT REGULAR MEETING OF SEPTEMBER 21, 2022 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**THE MOTION PASSED WITH THE FOLLOWING VOTE:**

**YES: 7 –**

**COUNCILMEMBER GALLEGOS  
COUNCILMEMBER RODRIGUEZ  
COUNCILMEMBER MONTES  
MAYOR PRO TEM EVANS  
COUNCILMEMBER MEJIA  
COUNCILMEMBER VILLEGAS  
MAYOR GARCIA**

**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.*

Councilwoman Gallegos thanked City Staff who were involved with the Annual Audit. She stated the dedication of Almond Park was a great success and thanked all who were involved. She asked that the renaming of Olive & Knox Park / Jim Taubert Park be put on the agenda, in honor of his dedication to the community. All Councilmembers agreed with adding it to an agenda.

Councilmember Montes had nothing to report.

Councilmember Rodriguez had nothing to report.

Mayor Pro Tem Evans thanked her colleagues and those in attendance who spoke on the matter of Juneteenth as presented. She thanked Interim Director of Parks and Community Services Joseph Hebert and staff for their work on installing a water element at McNally Park. Mayor Pro Tem Evans acknowledged Joe Crown for his contributions with Almond Park as well as City Manager Arnoldo Rodriguez and City Clerk Alicia Gonzales for their leadership. She mentioned an incident at Town & Country Park in which she witnessed a resident sustain an injury after falling into a pothole along the walking trail. Upon being notified, City Staff immediately filled in the pothole to avoid additional

hazards and Mayor Pro Tem Evans emphasized the need to dedicate funding to improvements at this particular park.

Councilwoman Mejia mentioned she joined United Farm Workers who were marching from Delano to Sacramento to urge Governor Newsom to sign AB 2183 regarding absentee voting protections for farm workers. She commended the show of solidarity from the surrounding communities and thanked City Staff for providing accommodations for the workers to rest and rally. She highlighted that the group would reach Sacramento by August 26<sup>th</sup> and called for community support and encouraged donations for water, food, and housing. Councilmember Mejia stated she attended the first ever forum on indigenous communities hosted by Madera Community College which underscores the need for language access and paths to high education for this group. She requested that Council consider recognizing Indigenous People’s Day on October 12<sup>th</sup> and that the matter be placed on a future Agenda.

Councilmember Villegas mentioned an unfortunate situation of a farm worker who experienced a vehicle collision. He congratulated Madera Community College for securing a \$1 million grand prize from the Lumia Foundation for providing the best student engagement strategy.

Mayor Garcia thanked the City for hosting United Farm Workers on their trek up to Sacramento. He acknowledged a 100-year birthday celebration for Mary Clow, a resident at Cedar Creek retirement facility, whose family and friends joined in celebrating her life and accomplishments. Mayor Garcia mentioned that he and several of his colleagues attended a ribbon cutting at Camarena Center on Almond Avenue, which provides a wide range of health care specialties.

**G. CLOSED SESSION:**

**G-1 Liability Claim pursuant to Section 54956.95**

**Agency Claimed Against:** City of Madera

**Claimant:** Brian Mata

Returned from Closed Session at 10:04 p.m. City Attorney Hilda Cantu Montoy announced that Council voted 7/0 to deny the claim.

**ADJOURNMENT:** Meeting was adjourned at 10:04 p.m.

**UPCOMING MEETING DATES:**

- Wednesday, September 21, 2022
- Wednesday, October 5, 2022

**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.

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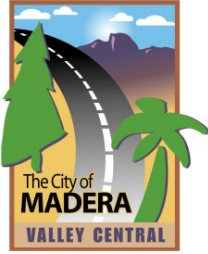
ALICIA GONZALES, City Clerk

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SANTOS GARCIA, Mayor

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MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk



Item:	B-1
Minutes for:	08/03/2022
Adopted:	11/16/2022

**Minutes of a Regular Meeting of the Madera City Council**

**August 3, 2022  
6:00 p.m.**

**Council Chambers  
City Hall**

The Council Chambers will be 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](http://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: 825 3428 0298#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto: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 Anita Evans, District 4  
Councilmember Cece Gallegos, District 1  
Councilmember Jose Rodriguez, District 2  
Councilmember Steve Montes, District 3  
Councilmember Elsa Mejia, District 5  
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, City Engineer Keith Helmuth, Interim Director of Financial Services Kingsley Okereke, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, IS Manager Mark Souders, Interim Director of Parks and Community Services Joseph Hebert, Police Lieutenant Mark Trukki, Cal Fire Battalion Chief Chris Reneau, Community Development Director Will Tackett, Senior Civil Engineer Steve Bettencourt, Assistant Engineer Alexis Raymundo, Financial Services Manager Anthony Forestiere, Water System Supervisor John Botwright and Communication Specialist Joseph Carrello.

**INVOCATION:** Mayor Pro Tem Evans

**PLEDGE OF ALLEGIANCE:** Councilmember Villegas

**APPROVAL OF AGENDA:**

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM 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.*

Madera Community Hospital (MCH) Chief Executive Officer (CEO) Karen Paolinelli introduced MCH Board Members: Chairperson Deidra DiSilva, Vice Chairperson Stell Manfredi, and Executive Members of the Board Don Warnock and Monty Pistoresi. Ms. Paolinelli also introduced Mark Foote MCH Chief Financial Officer (CFO).

Ms. Paolinelli stated they are requesting that the City of Madera give some of their America Rescue Relief Funds to MCH. She stated that the County of Madera gave MCH \$1,000,000 (1 Million) and asked that the City of Madera consider giving them that amount also.

Mr. Manfredi stated that they are in the process of affiliating with Saint Agnes Medical Center. They ask that the City Council agenda this request for \$1 Million on their next meeting agenda.

Mr. Latif thanked Council for proclaiming that August was American Muslim Appreciation Month.

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

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS:**

1. Proclamation Recognizing August as American Muslim Appreciation and Awareness Month

**INTRODUCTIONS:**

1. Introduction of Kristi Johnson, Grants Program Manager
2. Introduction of Will Tackett, Community Development Director

**A. WORKSHOP:**

**A-1 2022/23 Budget Workshop** (Report by Kingsley Okereke)

**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.*

No Public Comment was presented. Public Comment was closed.

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

**B-1 Minutes – 4/6/22, 4/18/22**

**Recommendation:** Approve the City Council Minutes of April 6, 2022 and April 18, 2022

**B-2 Informational Report on Register of Audited Demands for July 9, 2022 to July 22, 2022**

**Recommendation:** No Action Required (Report by Kingsley Okereke)

**B-3 Remote City Council Meetings Under Brown Act Requirements (AB 361)**

**Recommendation:** Council to Decide to Adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days (Report by Arnaldo Rodriguez)

**RES 22-117** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

**B-4 Participation in the Madera County Department of Public Health Emergency Preparedness Subcommittee Hospital Preparedness Program**

**Recommendation:** Adopt a Minute Order Approving a Letter of Participation as a Participating Member in the Madera County Department of Public Health Emergency Preparedness Subcommittee Hospital Preparedness Program and Authorizing the City Manager to sign the letter (Report by Wendy Silva)

**B-5 Sidewalk Improvements to Maple, Santa Cruz, and Monterey Streets**

**Recommendation:** Adopt a Minute Order Approving:

- 1) Acceptance of the Construction of Sidewalk Improvement – Maple Street – Santa Cruz Street – Monterey Street, CDBG Project No. B19MC060053, City Project No. R-84
- 2) The Recording of Notice of Completion
- 3) The Release of Retention 35 Days after Recording of the Notice of Completion (Report by Keith Helmuth)

**B-6 Engineering Design Services for Bid Package 3 Sidewalk Improvements at Various Locations**

**Recommendation:**

- 1) Adopt a Resolution Approving a Consultant Services Agreement with O'Dell Engineering in the amount of \$402,344 for Engineering Design Services for Bid Package 3 Sidewalk Improvements at Various Locations, City Project R-94, AHSC Project No. 19-AHSC-12760;
- 2) Adopt A Resolution Appropriating \$450,000 to Fiscal Year 2022/23 Capital Projects, City Project R-94, AHSC Project No. 19-AHSC-12760 (Report by Keith Helmuth)

**RES 22-118** A RESOLUTION APPROVING A CONSULTANT SERVICES AGREEMENT WITH O'DELL ENGINEERING IN THE AMOUNT OF \$402,344 FOR ENGINEERING DESIGN SERVICES FOR BID PACKAGE 3 SIDEWALK IMPROVEMENTS AT

VARIOUS LOCATIONS, CITY PROJECT R-94, AHSC PROJECT NO. 19-AHSC-12760

**RES 22-119** A RESOLUTION APPROPRIATING \$450,000 TO FISCAL YEAR (FY) 2022/23 CAPITAL PROJECTS CITY PROJECT R-94, AHSC PROJECT NO. 19-AHSC-12760

**B-7 Amendment No. 2 to the Lease Agreement between the City and Madera Cab Company**

**Recommendation:** Adopt a Resolution Approving Amendment No. 2 to the Lease Agreement between the City and Madera Cab Company for the use of office space at the Madera Intermodal Transit Center (Report by Kingsley Okereke)

**RES 22-120** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO THE LEASE AGREEMENT BETWEEN THE CITY AND MADERA CAB COMPANY FOR THE USE OF OFFICE SPACE AT THE MADERA INTERMODAL TRANSIT CENTER

**B-8 Federal Transit Administration Grant Application for Transit Capital Assistance**

**Recommendation:** Adopt a Resolution Authorizing Submittal of a Federal Transit Administration (FTA) Section 5307 Grant Application in the amount of \$698,053 (Report by Kingsley Okereke)

**RES 22-121** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53; TITLE 23, UNITED STATES CODE, OR OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

**B-9 Vineyard Estates Phase III-A Subdivision (Tract No. 21-S-02) Final Map and Improvement Agreement and Initiation of Annexation Proceedings into Landscape Maintenance District**

**Recommendation:** Staff recommends that the Council:

- 1) Adopt a Resolution:
  - a. Approving the Final Map for the Vineyard Estates Phase III-A Subdivision
  - b. Approving Improvement Agreement for the Vineyard Estates Phase III-A Subdivision (Tract No. 21-S-02)
  - c. Authorizing staff to record the Final Map and Improvement Agreement
  - d. Accepting the Dedication of Land for Public Use
- 2) Adopt a Resolution:

Initiating Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Property into City of Madera Landscape Maintenance District Zone of Benefit 27B, to Review the Improvements and Assessments for Fiscal year 2023/24, and Setting a Public Hearing (Report by Keith Helmuth)

**RES 22-122** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE FINAL MAP FOR THE VINEYARD ESTATES

PHASE III-A SUBDIVISION (TRACT NO. 21-S-02) AND IMPROVEMENT AGREEMENT (AGREEMENT) AND ACCEPTNG DEDICATIONS FOR PUBLIC USE

**RES 22-123** 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 278, TO REVIEW THE IMPROVEMENTS AND ASSESSMENTS FOR FISCAL YEAR 2023-2024, AND SETTING A PUBLIC HEARING

**B-10 Consideration of a Minute Order Acceptance of a Fee Waiver to UFW Foundation**

**Recommendation:** Adopt a Minute Order Approving a Fee Waiver to the UFW Foundation for the Rental of the Rotary Park Facilities regarding the “Farm Worker March for the Governor Signature: AB-1283” (Report by Joseph Hebert)

**C. PUBLIC HEARINGS:** None

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

**D-1 Engineering Design Services for the Westberry Bridge at the Fresno River**

**Recommendation:**

- 1) Adopt a Resolution Approving an Engineering Consultant Services Agreement with Cornerstone Structural Engineering Group Inc. for a fee of \$1,015,144 for Engineering Design Services for the Westberry Bridge and 10% Contingency
- 2) Adopt a Resolution Appropriating \$1,250,000 in the Fiscal Year 2022/23 Capital Projects Budget for the project (Report by Keith Helmuth)

No Public Comment was presented. Public Comment was closed.

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

**RES 22-124** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A CONSULTANT SERVICES AGREEMENT WITH CORNERSTONE STRUCTURAL ENGINEERING GROUP, INC IN THE AMOUNT OF\$ 1,015,144.00 FOR ENGINEERING DESIGN SERVICES FOR THE WESTBERRY BRIDGE PROJECT, CITY PROJECT B-02

**RES 22-125** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROPRIATING \$1,250,000.00 TO THE CITY OF MADERA FISCAL YEAR (FY) 2022/23 CAPITAL PROJECTS BUDGET FOR THE WESTBERRY BRIDGE PROJECT (PROJECT) AT THE FRESNO RIVER

**D-2 Franchise Agreement with Mid Valley Disposal for the Collection, Transportation, and Recycling of Solid Waste Services**

**Recommendation:** Adopt a Resolution Approving the Proposed Agreement with Mid Valley Disposal for the Collection, Transportation, and Recycling of Solid Waste Services (Report by Arnolando Rodriguez)

No Public Comment was presented. Public Comment was closed.

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

**RES 22-126** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ("City"), APPROVING A FRANCHISE AGREEMENT WITH MID VALLEY DISPOSAL ("Franchisee") FOR SOLID WASTE AND RECYCLING SERVICES AND AUTHORIZING THE MAYOR TO SIGN THE FRANCHISE AGREEMENT ON BEHALF OF THE CITY

**E. ADMINISTRATIVE REPORTS:** None

**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.*

Councilwoman Gallegos congratulated Council Member Montes for being named Employee of the Quarter for the City of Fresno. she highlighted Madera Unified Superintendent's praises of the city at the "We Believe Conference" and the efforts on making Madera a thriving community in which people want to live and learn. Regarding a public comment made by Madera Community Hospital, in which \$1,000,000 in ARPA funds was requested to be allocated to their organization, Council Member Gallegos directed Staff to obtain financial reports and for this matter be placed on a future agenda for review.

Councilmember Montes had nothing to report.

Councilmember Rodriguez had nothing to report.

Mayor Pro Tem Evans requested for Juneteenth, June 19<sup>th</sup> to be citywide annual holiday for Staff and the matter was approved for further discussion at a future meeting.

Councilwoman Mejia had nothing to report.

Councilmember Villegas had nothing to report.

Mayor Garcia acknowledged Madera Ford for their dedication to the local community and for allowing him to participate in their annual back-to-school backpack giveaway that provided 200 children with backpacks filled with classroom essentials.

**G. CLOSED SESSION:** None

**ADJOURNMENT:** Meeting was adjourned at 7:54 p.m.

**UPCOMING MEETING DATES:**

- Wednesday, August 17, 2022
- Wednesday, September 21, 2022

**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.

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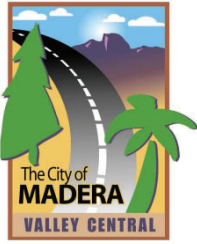
ALICIA GONZALES, City Clerk

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SANTOS GARCIA, Mayor

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MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk



## REPORT TO CITY COUNCIL

Approved by:

Department Director

City Manager

Council Meeting of: November 16, 2022

Agenda Number: B-2

### SUBJECT:

Informational Report on Register of Audited Demands

### RECOMMENDATION:

Review Register of Audited Demands Report for October 22, 2022 to November 4, 2022

### SUMMARY:

The Register of Audited Demands for the City covering obligations paid during the period of October 22, 2022 to November 4, 2022 is summarized in the following tables. Attachment A contains Warrants while Table 2 is a summary of the wire transfers.

<i>Table 1: Warrant Distribution Summary</i>		
<i>Description</i>	<i>Check #'s</i>	<i>Amount</i>
<i>General Warrants</i>	34423 – 34567	\$1,243,573.41

<i>Table 2: Wire Transfer Summary</i>		
<i>Description</i>	<i>Vendor</i>	<i>Amount</i>
<i>Payroll and Taxes</i>	Union Bank	\$600,465.37
<i>SDI</i>	EDD	\$2,521.76
<i>CalPERS Payment</i>	CalPERS	\$0

### DISCUSSION:

Warrant requests are processed weekly based on the adopted Fiscal Year 2022/2023 budget and released for payment every Monday. Each demand has been audited and the Finance Director hereby certifies as to their accuracy and that there were sufficient funds for their payment. Per the request of City Council, we have included the departments from which each of the respective warrants were requested as well as the fund/division description from which they were paid.

**FINANCIAL IMPACT:**

Demands for payments are made within the constraints of the approved 2022/2023 budget.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

These expenditures were spent considering Strategy 115: Economic Resource Provision: Ensure sufficient economic resources to provide adequate City services and prepare for future growth.

**ALTERNATIVES:**

Informational only.

**ATTACHMENTS:**

Register of Audited Demands

**CITY OF MADERA**  
**REGISTER OF AUDITED DEMANDS FOR BANK #1 - UNION BANK GENERAL ACCOUNT**  
**November 16, 2022**

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34423	10/24/2022	PD OPS	PD OPS	VASQUEZ, RYAN	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34424	10/24/2022	PD OPS	PD OPS	KER'S GAS & LUBE, INC.	09/22 PD CAR WASHES	\$ 465.00
34425	10/24/2022	PD OPS	PD OPS	BOEHM, STEVEN	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34426	10/24/2022	WWTP	WWTP	TERRAFORM POWER, LLC.	SOLAR ELECTRIC UTILITIES 09/22	\$ 25,574.00
34427	10/24/2022	ENGINEERING	ENGINEERING	ACRO SERVICE CORPORATION	TEMP SERVICES - ENGINEERING	\$ 480.00
34428	10/24/2022	PD OPS	PD OPS	MCALISTER, JARON	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34429	10/24/2022	FINANCE	PAYROLL TRUST	COURT ORDERED DEBT COLLECTIONS	COURT ORDERED DEBT COLLECTION	\$ 57.21
34430	10/24/2022	FINANCE	PAYROLL TRUST	CA DEPARTMENT OF CHILD SUPPORT	CHILD SUPPORT DEDUCTIONS	\$ 996.43
34431	10/24/2022	PD OPS	PD OPS	FADLEY, SHAWN	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34432	10/24/2022	PARKS ADMIN	SPORTS PROGRAMS	J & D MANUFACTURING	SCREEN PRINTING - TINY TIKES	\$ 166.71
34433	10/24/2022	PD OPS	PD OPS	PACIFIC STORAGE COMPANY	SHREDDING SERVICES	\$ 306.00
34434	10/24/2022	PD OPS	PD OPS	TRILOGY MEDWASTE WEST LLC	STOP FEE - NO WASTE	\$ 68.45
34435	10/24/2022	ENGINEERING	WATER OPS	DAVIDS ENGINEERING, INC.	PROFESSIONAL SERVICES	\$ 938.43
34436	10/24/2022	FINANCE	AIRPORT OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 110.37
34436	10/24/2022	FINANCE	ANIMAL CONTROL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 118.31
34436	10/24/2022	FINANCE	BUILDING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 520.28
34436	10/24/2022	FINANCE	CODE ENF	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 240.09
34436	10/24/2022	FINANCE	DRAINAGE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 873.20
34436	10/24/2022	FINANCE	ENGINEERING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 133.10
34436	10/24/2022	FINANCE	FACILITIES MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 642.46
34436	10/24/2022	FINANCE	FLEET MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 85.66
34436	10/24/2022	FINANCE	FLEET MOTOR POOL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 114.84
34436	10/24/2022	FINANCE	GRAFFITI ABATE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 916.34
34436	10/24/2022	FINANCE	LMD SERVICES	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 53.25
34436	10/24/2022	FINANCE	PARKS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 3,527.15
34436	10/24/2022	FINANCE	STREETS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 2,063.45
34436	10/24/2022	FINANCE	SEWER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 1,260.07
34436	10/24/2022	FINANCE	STREET CLEANING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 2,114.80
34436	10/24/2022	FINANCE	TRANS - FIXED	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 2,770.57
34436	10/24/2022	FINANCE	TRANS - DAR	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 2,520.83
34436	10/24/2022	FINANCE	WATER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 2,330.68
34436	10/24/2022	FINANCE	WATER QUALITY	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 458.43
34436	10/24/2022	FINANCE	WWTP	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 200.26
34436	10/24/2022	FINANCE	PD OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 09/16/22-09/30/22	\$ 9,469.70

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34436	10/24/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - BULK DIESEL	\$ 3,478.45
34436	10/24/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 09/16/22-09/30/22	\$ 642.89
34436	10/24/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 08/16/22-08/31/22	\$ 925.44
34436	10/24/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 09/01/22-09/15/22	\$ 1,057.97
34437	10/24/2022	PD OPS	PARKS	O&E TRANSPORTATION LLC	RIVER CLEAN UP	\$ 8,000.00
34438	10/24/2022	PD OPS	PD OPS	VIDEGAIN, ALICIA	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34439	10/24/2022	ENGINEERING	TRANS IMPACT FEE	CORNERSTONE STRUCTURAL ENGINEERING GROUP	ENG DESIGN SERVICES - WESTBERRY BRIDGE	\$ 88,983.90
34440	10/24/2022	FINANCE	FINANCE	BRENDA MENDEZ	PER DIEM - CMRTA ANNUAL CONFERENCE	\$ 148.00
34441	10/24/2022	WATER OPS	WATER OPS	PRECIOUS JEWEL, INC.	LEAK DETECTION SERVICES	\$ 700.00
34442	10/24/2022	PD OPS	PD OPS	BLAKE SHORT	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34443	10/24/2022	PD OPS	PD OPS	LAW OFFICE OF ANITA MARTIN	REIMBURSEMENT - CIVIL SUBPOENA FEE	\$ 275.00
34444	10/24/2022	PD OPS	PD OPS	SARAH SARQUIZ	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34445	10/24/2022	PD OPS	PD OPS	RODNEY D SANFORD	REGISTRATION - DEFENSIVE TACTICS INSTRUCTOR	\$ 2,308.00
34446	10/24/2022	GRANTS	GRANT OVERSIGHT	DOWNTOWN MADERA HOUSING ASSOCIATES,	REIMBURSEMENT - SJVAPCD - ESPERANZA VILLAGE	\$ 526,918.35
34447	10/24/2022	FINANCE	COMM & REC	AT&T	09/22 CALNET 3 SVS 9391026396	\$ 259.64
34447	10/24/2022	FINANCE	SR CITIZEN COMM	AT&T	09/22 CALNET 3 SVS 9391026398	\$ 24.33
34447	10/24/2022	FINANCE	SR CITIZEN COMM	AT&T	09/22 CALNET 3 SVS 9391026403	\$ 27.26
34447	10/24/2022	FINANCE	PD OPS	AT&T	09/22 CALNET 3 SVS 9391059143	\$ 1,085.52
34447	10/24/2022	FINANCE	PD OPS	AT&T	09/22 CALNET 3 SVS 9391026401	\$ 24.31
34448	10/24/2022	FINANCE	BUILDING	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 98.32
34448	10/24/2022	FINANCE	CITY CLERK	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 88.26
34448	10/24/2022	FINANCE	CITY COUNCIL	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 281.68
34448	10/24/2022	FINANCE	CODE ENF	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 34.86
34448	10/24/2022	FINANCE	COMPUTER MAINT	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 391.20
34448	10/24/2022	FINANCE	ENGINEERING	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 208.51
34448	10/24/2022	FINANCE	FACILITIES MAINT	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 692.13
34448	10/24/2022	FINANCE	FINANCE	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 138.56
34448	10/24/2022	FINANCE	FLEET MAINT	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 44.13
34448	10/24/2022	FINANCE	GRANT OVERSIGHT	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 49.16
34448	10/24/2022	FINANCE	HR/RISK MGT	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 61.03
34448	10/24/2022	FINANCE	PARKS	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 90.81
34448	10/24/2022	FINANCE	STREETS	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 49.16
34448	10/24/2022	FINANCE	UB - GARBAGE	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 11.03
34448	10/24/2022	FINANCE	UB - SEWER	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 11.03
34448	10/24/2022	FINANCE	UB - WATER	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 22.07
34448	10/24/2022	FINANCE	WWTP	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 49.16
34448	10/24/2022	FINANCE	MEAS K - PD	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 63.23

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34448	10/24/2022	FINANCE	CITY MANAGER	AT&T	09/22 FIRSTNET SVS 287302656036	\$ 61.03
34448	10/24/2022	FINANCE	PD OPS	AT&T	09/22 FIRSTNET SVS 287300735068	\$ 28.37
34448	10/24/2022	FINANCE	PD OPS	AT&T	09/22 FIRSTNET SVS 287302965625	\$ 4,797.31
34448	10/24/2022	FINANCE	PD OPS	AT&T	01/22 FIRSTNET SVS 287300735068	\$ 40.24
34449	10/24/2022	PD OPS	PD OPS	ADAMS, MARK	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34450	10/24/2022	PD OPS	PD OPS	GARCIA, VICTORIA	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34451	10/24/2022	ENGINEERING	ENGINEERING	AMERICAN BUSINESS MACHINES	PLOT PRINTER	\$ 315.00
34451	10/24/2022	PD OPS	PD OPS	AMERICAN BUSINESS MACHINES	TONER - PD	\$ 202.61
34452	10/24/2022	PD OPS	PD OPS	ANAYA, CHRIS	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34453	10/24/2022	PD OPS	PD OPS	ARNOLD, JOSIAH	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34454	10/24/2022	PD OPS	PD OPS	BUSHEY, SHAWN	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34455	10/24/2022	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES 09/22	\$ 682.00
34456	10/24/2022	PD OPS	PD OPS	CHIARAMONTE, GIACHINO	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34457	10/24/2022	FINANCE	PAYROLL TRUST	COLONIAL LIFE & ACCIDENT INSURANCE CO	EE LIFE INSURANCE	\$ 830.24
34458	10/24/2022	FINANCE	BUILDING	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 63.70
34458	10/24/2022	FINANCE	CITY ATTORNEY	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 18.85
34458	10/24/2022	FINANCE	CITY CLERK	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 18.85
34458	10/24/2022	FINANCE	CODE ENF	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 135.46
34458	10/24/2022	FINANCE	COMM & REC	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 90.61
34458	10/24/2022	FINANCE	COMPUTER MAINT	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.92
34458	10/24/2022	FINANCE	ENGINEERING	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 126.49
34458	10/24/2022	FINANCE	FACILITIES MAINT	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 27.82
34458	10/24/2022	FINANCE	FINANCE	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 99.58
34458	10/24/2022	FINANCE	FLEET MAINT	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 18.98
34458	10/24/2022	FINANCE	GRANT OVERSIGHT	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.92
34458	10/24/2022	FINANCE	HR/RISK MGT	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.92
34458	10/24/2022	FINANCE	PARKS	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 45.76
34458	10/24/2022	FINANCE	PARKS ADMIN	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.79
34458	10/24/2022	FINANCE	PLANNING	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 45.50
34458	10/24/2022	FINANCE	STREETS	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 45.76
34458	10/24/2022	FINANCE	RECREATION	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 54.73
34458	10/24/2022	FINANCE	SEWER OPS	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 32.37
34458	10/24/2022	FINANCE	SOLID WASTE	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.79
34458	10/24/2022	FINANCE	SR CITIZEN COMM	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 36.79
34458	10/24/2022	FINANCE	UB - GARBAGE	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 30.16
34458	10/24/2022	FINANCE	UB - SEWER	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 30.16
34458	10/24/2022	FINANCE	UB - WATER	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 59.28

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34458	10/24/2022	FINANCE	WATER OPS	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 41.34
34458	10/24/2022	FINANCE	WATER QUALITY	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 18.98
34458	10/24/2022	FINANCE	WWTP	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 27.82
34458	10/24/2022	FINANCE	CITY MANAGER	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 18.85
34458	10/24/2022	FINANCE	PURCHASING	COMCAST	CITY INTERNET CONNECTION 09/22	\$ 27.82
34459	10/24/2022	PD OPS	PD OPS	CEDERQUIST, BRENT	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34460	10/24/2022	PD OPS	CODE ENF	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 09/22	\$ 87.50
34460	10/24/2022	PD OPS	UB - GARBAGE	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 09/22	\$ 21.88
34460	10/24/2022	PD OPS	UB - SEWER	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 09/22	\$ 21.88
34460	10/24/2022	PD OPS	UB - WATER	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 09/22	\$ 43.74
34461	10/24/2022	UB - WATER	UB - GARBAGE	DATAPROSE, LLC	10/22 NEWSLETTER	\$ 339.09
34461	10/24/2022	UB - WATER	UB - GARBAGE	DATAPROSE, LLC	10/22 BILLING	\$ 2,445.02
34461	10/24/2022	UB - WATER	UB - SEWER	DATAPROSE, LLC	10/22 NEWSLETTER	\$ 339.09
34461	10/24/2022	UB - WATER	UB - SEWER	DATAPROSE, LLC	10/22 BILLING	\$ 2,445.03
34461	10/24/2022	UB - WATER	UB - WATER	DATAPROSE, LLC	10/22 NEWSLETTER	\$ 678.19
34461	10/24/2022	UB - WATER	UB - WATER	DATAPROSE, LLC	10/22 BILLING	\$ 4,890.06
34462	10/24/2022	CITY ADMIN	PD OPS	LAWSON, DINO	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34463	10/24/2022	ENGINEERING	MEAS T - RTP	EMMETT'S EXCAVATION, INC.	CONSTRUCTION SERVICES SB1 SEALS & OVERLAYS	\$ 69,992.43
34464	10/24/2022	BUILDING	BUILDING	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION SVS 10/01/22-10/15/22	\$ 9,020.00
34465	10/24/2022	PD OPS	PD OPS	FRESNO CITY COLLEGE	REGISTRATION FEE - RANGEMASTER	\$ 129.00
34466	10/24/2022	PD OPS	PD OPS	GONZALEZ, FELIX	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34467	10/24/2022	FINANCE	WATER CONSERV	CITY OF MADERA	DISHWASHER REBATE - 10000658	\$ 200.00
34467	10/24/2022	FINANCE	WATER CONSERV	CITY OF MADERA	CLOTHES WASHER REBATE - 10000658	\$ 200.00
34467	10/24/2022	FINANCE	WATER CONSERV	CITY OF MADERA	TOILET REPLACEMENT REBATE - 9913411-508052	\$ 199.00
34467	10/24/2022	FINANCE	WATER CONSERV	CITY OF MADERA	TOILET REPLACEMENT REBATE - 9924657-512123	\$ 200.00
34468	10/24/2022	CITY CLERK	PARKS	MADERA TRIBUNE	PUBLIC NOTICE - PARK NAMING	\$ 364.00
34468	10/24/2022	PURCHASING	PLANNING	MADERA TRIBUNE	REQUEST FOR BID - RFP 202223-04	\$ 117.00
34468	10/24/2022	PD OPS	CODE ENF	MADERA TRIBUNE	ANNUAL SUBSCRIPTION - CODE ENFORCEMENT	\$ 59.00
34469	10/24/2022	PD OPS	PD OPS	MADERA UNIFORM & ACCESSORIES	UNIFORM ACCESSORIES	\$ 1,988.07
34470	10/24/2022	PD OPS	PD OPS	MENDOZA, CLAUDIA	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34471	10/24/2022	PD OPS	PD OPS	MCCOMBS, MATTHEW	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34472	10/24/2022	PD OPS	PD OPS	OCCU-MED, LTD.	EXAM SERVICES	\$ 2,700.00
34473	10/24/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	09/22 SERVICE 9787342989-4	\$ 119.92
34473	10/24/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	09/22 SERVICE 5207933925-6	\$ 68.52
34474	10/24/2022	PD OPS	SUPP LAW ENF	PECK'S PRINTERY	PD VEHICLE PLACARD	\$ 35.40
34475	10/24/2022	WWTP	WWTP	POLYDYNE INC.	SLUDGE DEWATERING POLYMER	\$ 9,411.26
34476	10/24/2022	PD OPS	PD OPS	ROSEL, JOHN	PER DIEM - LEADERSHIP RETREAT	\$ 166.50

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34477	10/24/2022	FLEET	STREETS	SJVAPCD	AIR QUALITY PERMITS	\$ 129.00
34477	10/24/2022	FLEET	STREET CLEANING	SJVAPCD	AIR QUALITY PERMITS	\$ 129.00
34478	10/24/2022	ENGINEERING	LTF - STREETS	SEAL RITE PAVING	EMERGENCY PAVING REPAIRS - ALLEY CROSSING	\$ 9,490.00
34478	10/24/2022	STREETS	STREETS	SEAL RITE PAVING	ASPHALT PATCHING	\$ 15,988.27
34479	10/24/2022	ENGINEERING	MEAS T -LTP ADA	SEAL RITE PAVING	CONTRACT FOR PROJECT R-85	\$ 10,068.25
34480	10/24/2022	WWTP	SEWER CAPITAL	STANTEC CONSULTING SERVICES INC.	PROFESSIONAL ENGINEERING CONSULTING	\$ 1,422.00
34481	10/24/2022	FINANCE	PAYROLL TRUST	STATE OF CALIFORNIA	FRANCHISE TAX DEDUCTION	\$ 200.00
34482	10/24/2022	WWTP	WWTP	SYNAGRO WEST, INC.	BIOSOLIDS DISPOSAL	\$ 21,686.69
34483	10/24/2022	ENGINEERING	LTF - STREETS	TJKM TRANSPORTATION CONSULTANTS	PROFESSIONAL ENGINEERING SERVICES	\$ 345.44
34484	10/24/2022	PD OPS	PD OPS	TRUKKI, MARK	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34485	10/24/2022	FINANCE	PAYROLL TRUST	VANTAGEPOINT TRANSFER AGENTS-457	EE DEFERRED COMP CONTRIBUTIONS	\$ 27,362.19
34486	10/24/2022	FINANCE	AIRPORT OPS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 65.10
34486	10/24/2022	FINANCE	BUILDING	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 101.86
34486	10/24/2022	FINANCE	CITY COUNCIL	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 76.02
34486	10/24/2022	FINANCE	ENGINEERING	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 50.93
34486	10/24/2022	FINANCE	FACILITIES MAINT	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 50.93
34486	10/24/2022	FINANCE	FIRE	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 152.04
34486	10/24/2022	FINANCE	FLEET MAINT	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 0.40
34486	10/24/2022	FINANCE	HR/RISK MGT	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 38.01
34486	10/24/2022	FINANCE	PARKS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 1.66
34486	10/24/2022	FINANCE	PLANNING	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 42.52
34486	10/24/2022	FINANCE	STREETS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 12.76
34486	10/24/2022	FINANCE	SEWER OPS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 4.70
34486	10/24/2022	FINANCE	STREET CLEANING	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 0.40
34486	10/24/2022	FINANCE	UB - WATER	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 4.96
34486	10/24/2022	FINANCE	WATER OPS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 143.01
34486	10/24/2022	FINANCE	WATER QUALITY	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 38.01
34486	10/24/2022	FINANCE	WWTP	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 110.77
34486	10/24/2022	FINANCE	MEAS K - PD	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 40.76
34486	10/24/2022	FINANCE	CITY MANAGER	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 45.76
34486	10/24/2022	FINANCE	PD OPS	VERIZON WIRELESS	CITY CELL PHONE CHARGES 09/11/22-10/10/22	\$ 533.13
34487	10/24/2022	PD OPS	PD OPS	WEBSTER, NICHOLAS	PER DIEM - LEADERSHIP RETREAT	\$ 166.50
34488	10/24/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,523.00
34489	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9904833	\$ 81.56
34490	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9926220	\$ 36.98
34491	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9908485	\$ 197.01
34492	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9925045	\$ 107.84

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34493	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9923606	\$ 63.91
34494	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9925353	\$ 102.16
34495	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 7707001	\$ 43.45
34496	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9917925	\$ 95.94
34497	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9921256	\$ 84.05
34498	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9905818	\$ 58.84
34499	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9909912	\$ 239.33
34500	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9918354	\$ 93.65
34501	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9908026	\$ 60.07
34502	10/24/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 10000395	\$ 92.14
34503	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC PAVILION	\$ 50.00
34504	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - ROTARY PAVILION	\$ 50.00
34505	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - SUNRISE ROTARY	\$ 50.00
34506	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC AMPHITHEATER	\$ 100.00
34507	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - SUNRISE ROTARY	\$ 50.00
34508	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - ROTARY PAVILION	\$ 50.00
34509	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC PAVILION	\$ 50.00
34510	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC PAVILION	\$ 50.00
34511	10/24/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - ROTARY PAVILION	\$ 50.00
34512	10/24/2022	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERMINATION REFUND 1343 LOMA LINDA	\$ 100.37
34513	10/24/2022	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 313 E 9TH	\$ 222.25
34514	10/31/2022	PD OPS	PD OPS	RAUL R. HERRERA JR.	POLYGRAPHS	\$ 1,800.00
34515	10/31/2022	PD OPS	PD OPS	DIEBERTS CREATIVE COPY INC	BUSINESS CARDS - PD	\$ 151.55
34516	10/31/2022	PARKS	PARKS ADMIN	GLOBAL PAYMENTS, INC	SUBSCRIPTION - ACTIVE NET 06/21-05/22	\$ 1,333.33
34517	10/31/2022	PD OPS	PD OPS	TIM J LAW	EMPLOYMENT BACKGROUND	\$ 1,400.00
34518	10/31/2022	FINANCE	FINANCE	ROMERO, ESTEVAN	TUITION REIMBURSEMENT	\$ 1,651.33
34519	10/31/2022	GRANTS	TRANS - FIXED	MV TRANSPORTATION, INC.	09/22 TRANSIT OPERATOR	\$ 75,835.27
34519	10/31/2022	GRANTS	TRANS - DAR	MV TRANSPORTATION, INC.	09/22 TRANSIT OPERATOR	\$ 35,193.30
34520	10/31/2022	IS	COMPUTER MAINT	ZOHO CORPORATION	LOG 360 SET UP & CONFIGURATION	\$ 4,495.00
34521	10/31/2022	PD OPS	PD OPS	CRISCOM PUBLIC RELATIONS, INC.	GRANT RESEARCH & WRITING SERVICES 11/22	\$ 4,000.00
34522	10/31/2022	PARKS	PARKING DIST OPS	ELITE MAINTENANCE AND TREE SERVICE	10/22 DOWNTOWN MAINTENANCE GROUP 1	\$ 455.00
34522	10/31/2022	PARKS	PARKS	ELITE MAINTENANCE AND TREE SERVICE	10/22 NON-MEDIAN MAINTENANCE GROUP 2	\$ 5,070.00
34522	10/31/2022	PARKS	MEDIAN LANDS	ELITE MAINTENANCE AND TREE SERVICE	10/22 MEDIAN MAINTENANCE GROUP 3	\$ 11,215.00
34523	10/31/2022	FLEET	MEAS T -TRANSIT	MADERA GLASS AND BODY, INC.	BUS DECAL WRAP REMOVALS	\$ 2,576.00
34524	10/31/2022	FINANCE	AIRPORT OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 90.89
34524	10/31/2022	FINANCE	ANIMAL CONTROL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 350.59
34524	10/31/2022	FINANCE	BUILDING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 144.17

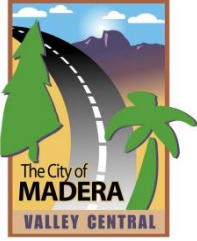
CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34524	10/31/2022	FINANCE	CODE ENF	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 386.86
34524	10/31/2022	FINANCE	DRAINAGE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 1,158.78
34524	10/31/2022	FINANCE	ENGINEERING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 308.32
34524	10/31/2022	FINANCE	FACILITIES MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 50.28
34524	10/31/2022	FINANCE	FLEET MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 409.10
34524	10/31/2022	FINANCE	FLEET MOTOR POOL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 198.47
34524	10/31/2022	FINANCE	GRAFFITI ABATE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 527.48
34524	10/31/2022	FINANCE	PARKS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 3,022.94
34524	10/31/2022	FINANCE	STREETS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 2,033.16
34524	10/31/2022	FINANCE	SEWER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 749.92
34524	10/31/2022	FINANCE	STREET CLEANING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 1,814.25
34524	10/31/2022	FINANCE	TRANS - FIXED	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 2,798.26
34524	10/31/2022	FINANCE	TRANS - DAR	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 2,546.01
34524	10/31/2022	FINANCE	WATER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 1,272.40
34524	10/31/2022	FINANCE	WATER QUALITY	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 594.07
34524	10/31/2022	FINANCE	PD OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES 10/01/22-10/15/22	\$ 6,757.91
34525	10/31/2022	HR	HR/RISK MGT	SIJ HOLDINGS LLC	RECRUITMENT ADS	\$ 5,056.95
34526	10/31/2022	FACILITIES	FACILITIES MAINT	WESTERN PACIFIC SIGNAL, LLC	TRAFFIC SIGNAL SENSOR	\$ 5,813.03
34527	10/31/2022	PW ADMIN	AQUATICS PROGRM	CENTRAL COATING COMPANY, INC.	ROOF REPAIR	\$ 559.00
34528	10/31/2022	FINANCE	WWTP BOND ADMIN	HAWKINGS DELAFIELD & WOOD LLP	ARBITRAGE REBATE & YIELD RESTRICTION SERVICES	\$ 2,550.00
34529	10/31/2022	PD OPS	PARKS	O&E TRANSPORTATION LLC	RIVER CLEAN UP	\$ 13,750.00
34530	10/31/2022	PW ADMIN	COMM & REC	MESA ENERGY SYSTEMS, INC	HVAC MAINTENANCE - JWYC	\$ 550.00
34530	10/31/2022	PW ADMIN	COMM & REC	MESA ENERGY SYSTEMS, INC	HVAC MAINTENANCE - PAN AM	\$ 1,164.44
34530	10/31/2022	PW ADMIN	FIRE	MESA ENERGY SYSTEMS, INC	HVAC MAINTENANCE - FIRE #58	\$ 1,210.00
34531	10/31/2022	FLEET	FLEET ACQUISITION	WATTCO EQUIPMENT, INC	COMMAND CABINET - BATTALION TRUCK	\$ 11,764.81
34532	10/31/2022	PARKS	SR CITIZEN COMM	MADERA COUNTY FOOD BANK	AGING FOOD SUPPLIES	\$ 128.80
34533	10/31/2022	GRANTS	HOME DAP	BACKOWSKI LAW GROUP, PC	LEGAL SERVICES - 2084.002 #23	\$ 118.00
34533	10/31/2022	GRANTS	HOME DAP	BACKOWSKI LAW GROUP, PC	LEGAL SERVICES - 2084.003 #86	\$ 88.50
34534	10/31/2022	FINANCE	AIRPORT OPS	AT&T	09/22 SERVICE 831-000-6408-576	\$ 453.31
34534	10/31/2022	FINANCE	BUILDING	AT&T	09/22 SERVICE 831-000-6408-576	\$ 92.24
34534	10/31/2022	FINANCE	CITY ATTORNEY	AT&T	09/22 SERVICE 831-000-6408-576	\$ 30.05
34534	10/31/2022	FINANCE	CITY CLERK	AT&T	09/22 SERVICE 831-000-6408-576	\$ 25.30
34534	10/31/2022	FINANCE	CODE ENF	AT&T	09/22 SERVICE 831-000-6408-576	\$ 505.49
34534	10/31/2022	FINANCE	COMM & REC	AT&T	09/22 SERVICE 831-000-6408-576	\$ 1,412.12
34534	10/31/2022	FINANCE	COMPUTER MAINT	AT&T	09/22 SERVICE 831-000-6408-576	\$ 95.41
34534	10/31/2022	FINANCE	ENGINEERING	AT&T	09/22 SERVICE 831-000-6408-576	\$ 211.90
34534	10/31/2022	FINANCE	FINANCE	AT&T	09/22 SERVICE 831-000-6408-576	\$ 72.21

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34534	10/31/2022	FINANCE	FIRE	AT&T	09/22 SERVICE 831-000-6408-576	\$ 907.15
34534	10/31/2022	FINANCE	GRANT OVERSIGHT	AT&T	09/22 SERVICE 831-000-6408-576	\$ 88.55
34534	10/31/2022	FINANCE	HR/RISK MGT	AT&T	09/22 SERVICE 831-000-6408-576	\$ 60.09
34534	10/31/2022	FINANCE	PLANNING	AT&T	09/22 SERVICE 831-000-6408-576	\$ 77.48
34534	10/31/2022	FINANCE	UB - GARBAGE	AT&T	09/22 SERVICE 831-000-6408-576	\$ 176.06
34534	10/31/2022	FINANCE	UB - SEWER	AT&T	09/22 SERVICE 831-000-6408-576	\$ 176.05
34534	10/31/2022	FINANCE	UB - WATER	AT&T	09/22 SERVICE 831-000-6408-576	\$ 352.11
34534	10/31/2022	FINANCE	CITY MANAGER	AT&T	09/22 SERVICE 831-000-6408-576	\$ 30.05
34534	10/31/2022	FINANCE	PD OPS	AT&T	09/22 SERVICE 831-000-6408-576	\$ 505.49
34535	10/31/2022	FINANCE	MEAS K - FIRE	AT&T	10/22 CALNET 3 SVS 9391068734	\$ 49.20
34535	10/31/2022	FINANCE	SEWER OPS	AT&T	10/22 CALNET 3 SVS 9391031570	\$ 211.65
34535	10/31/2022	FINANCE	PD OPS	AT&T	10/22 CALNET 3 SVS 9391020514	\$ 167.08
34536	10/31/2022	IS	COMPUTER MAINT	CDW GOVERNMENT, INC	VIRUS PROTECTION RENEWAL	\$ 4,978.80
34537	10/31/2022	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES 07/22-09/22	\$ 1,876.98
34537	10/31/2022	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	09/22 BLOOD ALCOHOL ANALYSIS	\$ 1,050.00
34538	10/31/2022	PURCHASING	BUILDING	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 19.57
34538	10/31/2022	PURCHASING	CITY CLERK	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 174.31
34538	10/31/2022	PURCHASING	CODE ENF	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 623.34
34538	10/31/2022	PURCHASING	FINANCE	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 866.29
34538	10/31/2022	PURCHASING	HR/RISK MGT	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 174.31
34538	10/31/2022	PURCHASING	PARKS ADMIN	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 119.59
34538	10/31/2022	PURCHASING	SEWER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 45.93
34538	10/31/2022	PURCHASING	SOLID WASTE	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 45.93
34538	10/31/2022	PURCHASING	TRANS - FIXED	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 174.31
34538	10/31/2022	PURCHASING	TRANS - DAR	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 174.31
34538	10/31/2022	PURCHASING	WATER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 10/22	\$ 45.93
34538	10/31/2022	PURCHASING	PD OPS	CANON FINANCIAL SERVICES	MPD COPIER 10/22	\$ 200.26
34539	10/31/2022	FINANCE	FINANCE	DEMSEY, FILLIGER & ASSOCIATES, LLC	GASB 75 OPEB ACTUARIAL REPORT	\$ 750.00
34540	10/31/2022	ENGINEERING	ENGINEERING	FEDERAL EXPRESS	EXPRESS SHIPPING	\$ 25.82
34541	10/31/2022	PD OPS	PD OPS	CITY OF FRESNO	FIREARMS INSTRUCTOR CLASS - RANGE FEES	\$ 115.00
34542	10/31/2022	PW ADMIN	FACILITIES MAINT	JAM SERVICES INC	TRAFFIC SIGNAL BULBS	\$ 285.78
34543	10/31/2022	HR	INS/RISK MGT	LIEBERT CASSIDY WHITMORE	LEGAL FEES	\$ 532.50
34544	10/31/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	10/22 UTILITY SERVICE - 3040421-500276	\$ 51.55
34544	10/31/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	10/22 UTILITY SERVICE - 3040431-500276	\$ 90.45
34544	10/31/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	10/22 UTILITY SERVICE - 3040441-500276	\$ 252.86
34545	10/31/2022	BUILDING	BUILDING	CITY OF MADERA	REIMBURSE CANCELLED PERMIT - 12612	\$ 20.90
34546	10/31/2022	HR	HR/RISK MGT	MADERA TRIBUNE	RFP FOR RECRUITING SERVICES	\$ 110.50

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34546	10/31/2022	PD OPS	PD OPS	MADERA TRIBUNE	ANNUAL SUBSCRIPTION - MPD	\$ 59.00
34547	10/31/2022	PD OPS	PD OPS	MADERA UNIFORM & ACCESSORIES	UNIFORM ACCESSORIES	\$ 89.70
34548	10/31/2022	ENGINEERING	AFFORD HOUSING	O'DELL ENGINEERING, INC.	DESIGN SVS - SIDEWALK IMPROVEMENT PROJECT	\$ 56,201.63
34548	10/31/2022	PARKS ADMIN	PARKS	O'DELL ENGINEERING, INC.	PARKS DESIGN SERVICES - OLIVE PARK	\$ 10,432.35
34549	10/31/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	10/22 SERVICE 6690755760-8	\$ 85.99
34549	10/31/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	10/22 SERVICE 1619119913-8	\$ 96.80
34550	10/31/2022	GRANTS	GRANT OVERSIGHT	RANEY PLANNING & MANAGEMENT, INC.	CONSULTING SERVICES	\$ 1,771.52
34551	10/31/2022	IS	COMPUTER MAINT	SOUTHERN COMPUTER WAREHOUSE	VIDEO MONITORS	\$ 50.00
34552	10/31/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,257.00
34553	10/31/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 1,056.00
34554	10/31/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,000.00
34555	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9913590	\$ 256.96
34556	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 8640004	\$ 228.84
34557	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9924923	\$ 242.40
34558	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 6992003	\$ 13.16
34559	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9897992	\$ 183.46
34560	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9904194	\$ 379.54
34561	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9897077	\$ 98.10
34562	10/31/2022	UB - WATER	GENERAL FUND	AR REFUNDS	UB TERM REFUND 9913423	\$ 14,891.38
34563	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 5645001	\$ 17.52
34564	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9894157	\$ 53.34
34565	10/31/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9907114	\$ 152.46
34566	10/31/2022	FINANCE	WATER FUND	OTP- UB REFUNDS	DEPOSIT FROM MAIS TO MUNIS	\$ 159.72
34567	11/03/2022	PARKS	SPECIAL EVENTS	PETTY CASH - PARKS DEPT.	PETTY CASH - POMEGRANATE FESTIVAL	\$ 800.00
148	10/24/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 10/18/2022	\$ 596.40
149	10/24/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 10/21/2022	\$ 234.74
150	10/27/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 08/23/2022	\$ 306.23
152	11/03/2022	FINANCE	PAYROLL TRUST	N.P.C.-ORCHARD TRUST COMPANY	EE DEFERRED COMP CONTRIBUTIONS	\$ 8,791.43
153	11/03/2022	FINANCE	PAYROLL TRUST	N.P.C.-ORCHARD TRUST COMPANY	EE DEFERRED COMP CONTRIBUTIONS	\$ 2,627.50
154	11/03/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 10/25/2022	\$ 67.90

**BANK #1 - UNION BANK GENERAL ACCOUNT TOTAL**

**\$ 1,243,573.41**



## REPORT TO CITY COUNCIL

**Approved by:**

Wendy Silva  
Wendy Silva, Director of Human Resources

Arnoldo Rodriguez  
Arnoldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** B-3

**SUBJECT:**

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).

**SUMMARY:**

The purpose of this report is to provide the Council a monthly informational update on employment matters, including new hires, transfers, and terminations.

**DISCUSSION:**

The Civil Service Commission met November 1, 2022, and approved eligibility lists for the following classifications:

- Administrative Analyst
- Public Safety Dispatcher
- Police Officer I
- Police Officer Trainee

The following employees began employment with the City since our last report.

<b>Table 1: New Hires and Re-hires</b>				
<i>Name</i>	<i>Position</i>	<i>Department</i>	<i>Status*</i>	<i>Effective Date</i>
Maria Ochoa	Park Aide	Parks & Community Services	PT	10/24/22
Marco Campos-Sanchez	Public Works Maintenance Worker I	Public Works, Airport	PT	11/1/22

**Table 1: New Hires and Re-hires, continued**

<i>Name</i>	<i>Position</i>	<i>Department</i>	<i>Status*</i>	<i>Effective Date</i>
Tristan Okpalaugo	Police Officer Trainee	Police Department	FT	11/5/22
Dou Xiong	Public Safety Dispatcher	Police Department	FT	11/5/22
Stephanie Rodriguez	Records Clerk	Police Department	FT	11/7/22
Daisy Reyes	Office Assistant I	Parks & Community Services	PT	1/7/22

\*Status: PT = Part Time, FT = Full Time

The following promotions, transfers, or assignment changes occurred since our last report.

**Table 2: Promotions, Transfers, or Assignment Changes**

<i>Name</i>	<i>Old Position</i>	<i>New Position</i>	<i>Effective Date</i>
Armando Villagomez Espinoza	Park Aide, Part Time	Parks Worker I, Full Time	10/24/22
Christopher Rodriguez	Public Works Maintenance Worker II, Streets Division	Public Works Maintenance Worker II, Water Division	10/24/22
Anthony Rodriguez	Public Works Maintenance Worker II, Streets Division	Public Works Maintenance Worker II, Water Division	10/24/22
David Cornish	Construction Inspector II, Part Time	Construction Inspector II, Full Time	11/7/22

The following employees separated from employment since our last report.

**Table 3: Separations**

<i>Name</i>	<i>Position</i>	<i>Department</i>	<i>Status*</i>	<i>Effective Date</i>
Oscar Gonzales	Public Works Maintenance Worker I	Public Works, Airport	PT	2/4/22
Ricardo Olea	Assistant Planner	Planning	FT	10/14/22
John Luthey	Wastewater Treatment Plant Lead Operator	Public Works, Wastewater Treatment	FT	10/20/22
Clay Hoover	Police Officer II	Police Department	FT	10/31/22

\*Status: PT = Part Time, FT = Full Time

**FINANCIAL IMPACT:**

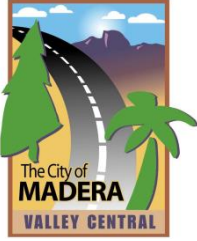
Funding for positions and employees to fill those positions is contemplated annually by the Council in the budget process. During the course of any given fiscal year, individual employees filling specific positions may change due to a number of various circumstances. All hiring and termination decisions are subject to the approval of the City Manager.

**ALTERNATIVES:**

This report is for informational purposes only.


**ATTACHMENTS:**

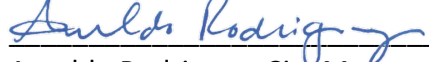
None



## REPORT TO CITY COUNCIL

**Approved by:**

  
Wendy Silva, Director of Human Resources

  
Arnaldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** B-4

**SUBJECT:**

Award of Agreement for Medical Services

**RECOMMENDATION:**

Adopt a resolution approving a Medical Services Agreement with Occu-Med

**SUMMARY:**

The City utilizes medical service providers for pre-employment physicals and drug screens, safety sensitive driver drug and alcohol testing, commercial driver physical exams, industrial injury exam and treatment, and fitness-for-duty exams. The existing medical services agreement is due to expire and staff published a Request for Proposals (RFP) seeking medical service providers to meet the City's ongoing needs. Based on responses submitted, staff anticipates recommending award of two (2) agreements. At this time, one vendor, Occu-Med, is being recommended for award of agreement. The second vendor will be brought to Council for consideration of award at a later date once the agreement is finalized.

**DISCUSSION:**

The City routinely requires medical services including, but not limited to:

- Pre-employment physicals and drug screening
- Pre-employment physicals for Peace Officers and Public Safety Dispatcher compliant with the California Commission on Peace Officer Standards and Training (POST)
- Industrial injury care
- Department of Transportation (DOT) safety sensitive driver drug and alcohol testing
- Department of Motor Vehicles (DMV) commercial driver physicals
- General medical needs for existing employees such as annual audiograms in support of the City's hearing conservation program

The City published RFP 202223-01 seeking proposals from medical service providers to meet the City’s ongoing needs. The RFP was published on the City’s website and in the Madera Tribune. Additionally, notice of the RFP was provided directly to seven (7) known local providers of employment-related medical services.

<b>Table 1. List of medical services providers notified of RFP publication</b>	
<i>Medical Service Provider</i>	<i>Proposal Submitted</i>
Madera Community Hospital	No
Concentra Urgent Care	Yes
Camarena Health Centers	No
Kaiser Permanente On-the-Job	Yes
St. Agnes Care Occupational Health	No
Apollo	No
Occu-Med	Yes

The City received three (3) proposals in response to the RFP. The proposals were reviewed by a committee consisting of Human Resources and Police Department staff who routinely work with existing medical service providers. Based on this review and interviews with each proposer, it is recommended the City award two (2) agreements for medical services. At this time, Occu-Med has approved their proposed agreement and is ready to move forward with providing services. The second vendor agreement will be brought to Council for consideration at a later date once the agreement is finalized.

The proposed agreement with Occu-Med will provide for all services except industrial injury care and will be used most for POST pre-employment physicals needed by the Madera Police Department. The agreement will also allow for additional pre-employment and post-employment services depending on the City’s needs and availability of the anticipated second provider. Occu-Med’s proposed agreement provides for a fixed price for the various proposed services over the five (5) year term.

**FINANCIAL IMPACT:**

The City’s existing medical services agreement was entered into in 2015 with fixed pricing at that time. While the proposed agreement will reflect more current-pricing, staff anticipated the updated agreements and pricing when developing the adopted Fiscal Year 2022-23 budget.

**ALTERNATIVES:**

Council could direct staff to solicit additional proposals.

**ATTACHMENTS:**

1. Resolution approving Medical Services Agreement
  - a. Exhibit 1: Medical Services Agreement with Occu-Med

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING AN AGREEMENT FOR MEDICAL SERVICES WITH OCCU-MED**

**WHEREAS**, the City of Madera has a need for ongoing medical services and prepared a Request for Proposals (RFP) to solicit bids for such services; and

**WHEREAS**, Occu-Med submitted a proposal to provide pre- and post-employment medical services for the City of Madera; and

**WHEREAS**, based on review of the proposal, Occu-Med is qualified to provide and/or facilitate needed medical services; and

**WHEREAS**, an agreement has been prepared between the City of Madera and Occu-Med for medical services that is in the best interests of both parties.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA** hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Agreement for Medical Services between the City and Occu-Med, a copy of which is attached hereto as Exhibit 1 and incorporated herein, is approved.
3. This resolution is effective immediately upon adoption.

\* \* \* \* \*

## CITY OF MADERA

### MEDICAL SERVICES AGREEMENT

THIS Medical Services Agreement (“Agreement”) is made and entered into by and between the CITY OF MADERA, a municipal corporation of the State of California, hereinafter called “City”, and OCCU-MED, LTD., hereinafter called “Service Provider.”

#### RECITALS

- A. The City desires to make available to its employees and prospective employees comprehensive medical services in an efficient and economical manner.
- B. Service Provider is a Service Provider having the necessary experience and qualifications to facilitate medical services to those employees eligible for such services required by the City.
- C. City desires to retain Service Provider to provide said services, as detailed further herein.

#### AGREEMENT

1. Incorporation of Recitals. The recitals set forth above are incorporated herein by this reference.

2. Services. The City hereby contracts with Service Provider to provide medical services for employees herein set forth at the compensation and upon the terms and conditions herein expressed, and Service Provider hereby agrees to perform such services for said compensation, and upon said terms and conditions. City will authorize Service Provider to commence work upon written notice to Service Provider.

3. Obligations, duties, and responsibilities of Service Provider (Scope of Services). It shall be the duty, obligation, and responsibility of the Service Provider, in a skilled and professional manner, to perform the services in accordance with the Scope of Work identified in **EXHIBIT A** which is attached and incorporated by reference.

4. Compensation.

4.1. For all services City shall compensate Service Provider for services based on the agreed upon Fee Schedule set forth in **EXHIBIT B**. Exhibit B is attached and incorporated by reference.

4.2. The billing statements shall be prepared and organized in a manner that facilitates an efficient review of the services performed. Items should be billed as described on the Fee Schedule in Exhibit B and must be organized in such a way that the City can identify to whom the services were provided.

4.3. Any billing disputes brought forth by the City must be submitted within fourteen (14) days of the receipt of the billing statement. Such disputes will be submitted by electronic mail (email) to the billing contact provided by Service Provider. Billing contact for Service Provider is Sherri Conley, [sconley@occu-med.com](mailto:sconley@occu-med.com), 559.435.2800 x120.

4.4. It is expressly understood that Service Provider shall coordinate the submission of billings to the City on behalf of all other medical services or service providers, for all health services rendered as listed in the Scope of Work identified in Exhibit A.

4.5. Payment shall be made directly by the City to the Service Provider within thirty (30) days of receipt of billing. All claims will include patient name, date of service and type of services provided. Billings to be made directly to the following address:

City of Madera Human Resources Department  
205 W. 4<sup>th</sup> Street  
Madera, CA 93637

5. Term and Termination.

5.1. This Agreement shall be effective beginning on November 17, 2022, after approval by the City Council at a duly scheduled meeting thereof and shall continue in full force and effect for five (5) years unless otherwise terminated by the City.

5.2. City reserves the right to discharge Service Provider and terminate this Agreement at any time with thirty (30) days' notice. In the event of such discharge or termination, the City shall compensate Service Provider for services rendered up to and including the date of termination. City shall terminate services and/or the Agreement by delivering to Service Provider a written notice specifying the extent to which services and/or the Agreement are terminated and the effective date of the termination. Notice of termination shall be provided as follows:

Chris St. George  
[cstgeorge@occu-med.com](mailto:cstgeorge@occu-med.com)  
559.435.2800 x 207

6. Independent contractor. Service Provider shall perform the Services under this Agreement as an independent contractor and not as an officer, employee, agent or volunteer of City. Nothing contained in this Agreement shall be deemed to create any contractual relationship between City and Service Provider's employees, nor shall anything contained in this Agreement be deemed to give any third party, including but not limited to Service Provider's employees, any claim or right of action against City. Neither the City nor any of its employees shall have any control over the manner, mode, or means by which Consultant or its agents or employees perform the services under this Agreement.

7. Indemnification and Waivers. To the furthest extent allowed by law, Service Provider shall indemnify, hold harmless, and defend City and each of its officers, officials,

employees, agents, and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs, and damages (whether in contract, tort, or strict liability, including but not limited to personal injury, death at any time, and property damage), and from any and all claims, demands, and actions in law or equity (including reasonable attorney's fees and litigation expense) that arise out of, pertain to, or related to the negligence, recklessness, or willful misconduct of Service Provider, its principals, officers, employees, agents, or volunteers in the performance of this Agreement. The obligations under this paragraph are in addition to, and are not limited by any insurance which Service Provider is otherwise required to maintain under this Agreement.

8. Insurance. During the term of this Agreement, Service Provider shall maintain, keep in force and pay all premiums required to maintain and keep in force commercial general liability, workers' compensation, medical malpractice and employer's liability insurance. The limits and coverages provided by such policies shall be as required in **EXHIBIT C** of this Agreement. Exhibit C is attached and incorporated by reference.

9. Compliance with Law. Service Provider shall be familiar with and shall comply with all City, State, and Federal laws and regulations applicable to the work to be performed under this Agreement. In providing the services required under this Agreement, Service Provider shall at all times comply with all applicable laws, regulations, and resolutions of the United States, the State of California, and the City of Madera now in force and as they may be enacted, issued, or amended during the term of this Agreement.

10. Confidentiality. All data, medical reports, medical information, conclusions, opinions, recommendations and other work product prepared and performed by and on behalf of Service Provider in connection with the Services performed pursuant to this Agreement shall be kept confidential and shall be disclosed only to City unless otherwise provided by law or expressly authorized by City. Service Provider shall not disclose or permit the disclosure of any confidential information acquired during performance of the Services, except to its agents, employees, affiliates, and subcontractors who need such confidential information in order to properly perform their duties relative to this Agreement.

11. Assignment. Neither this Agreement nor any duties or obligations hereunder shall be assignable by Service Provider without the prior written consent of City. In the event of an assignment to which City has consented, the assignee shall agree in writing to personally assume and perform the covenants, obligations, and agreements herein contained. In addition, Service Provider shall not assign the payment of any monies due Service Provider from City under the terms of this Agreement to any other individual, corporation or entity. City retains the right to pay any and all monies due Service Provider directly to Service Provider.

12. Miscellaneous.

12.1. Consent. Whenever in this Agreement the approval or consent of a party is required, such approval or consent shall be in writing and shall be executed by a person having the express authority to grant such approval or consent.

12.2. Governing Law. The parties agree that this Agreement shall be governed and constructed by and in accordance with the Laws of the State of California.

12.3. Required License and Professional Credentials. Service Provider and personnel providing services shall maintain all licenses and professional credentials necessary for the provision of such services. Service Provider shall promptly notify City of changes of status or events that might impact the provision of professional services to City.

12.4. Force Majeure. Neither party shall be deemed to be in default on account of any delay or failure to perform its obligations under this Agreement, which directly results from an Act of God or an act of a superior governmental authority.

12.5. Headings. The paragraph headings are not a part of this Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

12.6. Incorporation of Documents. All documents constituting the Agreement documents described in Section 3 hereof and all documents which may, from time to time, be referred to in any duly executed amendment hereto are by such reference incorporated in the Agreement and shall be deemed to be part of this Agreement.

12.7. Integration. This Agreement and any amendments hereto between the parties constitute the entire Agreement between the parties. There are no other prior oral or written agreements between the parties that are not incorporated in this Agreement.

12.8. Modification of Agreement. This Agreement shall not be modified or be binding upon the parties unless such modification is agreed to in writing and signed by the parties.

12.9. Provision. Any agreement, covenant, condition, clause, qualification, restriction, reservation, term or other stipulation in the Agreement shall define or otherwise control, establish or limit the performance required or permitted or to be required of or permitted by either party. All provisions, whether covenants or conditions, shall be deemed to be both covenants and conditions.

12.10. Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is void or unenforceable, the provisions of this Agreement not so affected shall remain in full force and effect.

12.11. Successors and Assigns. The provisions of this Agreement shall inure to the benefit of, and shall apply to and bind, the successors and assigns of the parties.

12.12. Venue. In the event that suit is brought by either party hereunder, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Madera or in the United States District Court for the Eastern District of California.

12.13. Recovery of Costs. The prevailing party in any action brought to enforce the terms of this Agreement or arising out of this Agreement may recover its reasonable costs, including reasonable attorney's fees, incurred or expended in connection with such action against the non-prevailing party.

12.14. Counterpart Signatures. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

13. Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Service Provider and the City.

**OCCU-MED, LTD.**

**CITY OF MADERA**

\_\_\_\_\_  
Andrew Johnson  
President

\_\_\_\_\_  
Santos Garcia  
Mayor

Date: \_\_\_\_\_, 2022

Date: \_\_\_\_\_, 2022

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Alicia Gonzales, City Clerk

\_\_\_\_\_  
Hilda Cantú Montoy, City Attorney

Date: \_\_\_\_\_, 2022

Date: \_\_\_\_\_, 2022

## EXHIBIT A

### SCOPE OF WORK

#### A. Pre-Employment Physicals (post job offer)

1. Provide a general basic physical by a licensed physician or physician's assistant for job candidates based on the proposed job description. Job descriptions will be provided by the City of Madera. For all candidates, this will include collection of a urine specimen for 5-panel drug testing with Medical Review Officer (MRO) services in compliance with the City's Drug Free Workplace Policy. For some candidates, this may also include audiogram, depending on the proposed job description.
2. Provide pre-employment physicals by a licensed physician for law enforcement personnel compliant with California Commission on Peace Officer Standards Training (POST) regulations. This applies to the positions of Police Officer and Public Safety Dispatcher. For more information on POST standards and regulations relating to pre-employment medical exams, please visit <https://www.post.ca.gov/medical-screening-manual.aspx>. The Peace Officer pre-employment physical form is provided in Attachment A. The Public Safety Dispatcher pre-employment physical form is provided in Attachment B.
3. Provide reports on pre-employment physicals and ancillary testing to the City via facsimile, electronic mail, or through a secure portal within three (3) business days of the appointment. If information is delayed, the physician's office must proactively contact City staff via telephone or electronic mail to communicate the delay and anticipated completion date.
4. Provide sufficient staffing availability to schedule appointments within one (1) week of a request for appointment. The City understands that services may vary by applicant and subsequent examinations may occur after the initial exam in order to meet the medical screening guidelines as published by POST. These subsequent appointments/services should be scheduled as soon as practicable.

#### B. Safety Sensitive Driver Drug and Alcohol Testing

1. Provide drug and alcohol testing services for employees of the City of Madera subject to drug and alcohol testing because of safety sensitive duties.
  - a) Alcohol testing procedures must be compliant with 49CFR Part 40 and must be conducted by a certified Breath Alcohol Technician using an evidential breath testing device approved by the National Motor Carrier Safety Administration.
  - b) Drug testing procedures must be compliant with 49 CFR Part 40. Drug testing must be conducted using a split sample urine specimen.
2. Provide results of alcohol testing immediately after completion of testing to the City of Madera via facsimile, electronic mail, or through a secure portal.
3. Provide results of drug testing within three (3) business days of the test to the City of Madera via facsimile, electronic mail, or through a secure portal. If information is delayed, the physician's office must proactively contact City staff via telephone or electronic mail to communicate the delay and anticipated completion date.

4. Services to provide Safety Sensitive driver drug and alcohol testing as described must be available Monday through Friday, 8:00 am – 5:00 pm. Individuals reporting for testing must be seen within 30 minutes of initial patient check-in.

C. Commercial Driver Physical Examinations

1. Provide DOT compliant physical exams and drug testing (urine specimen).
2. Provide results of exam and drug testing within three (3) business days of the exam via facsimile, electronic mail, or through a secure portal. If information is delayed, the physician's office must proactively contact City staff via telephone or electronic mail to communicate the delay and anticipated completion date.
3. Provide sufficient staffing availability to schedule appointments within three (3) City business days of a request for appointment. If physicals are offered on a walk-in basis, candidates should be seen by the physician within 45 minutes of initial patient check-in.

D. Fitness for Duty Examinations

1. Based on an agreed upon approach between the City and Occu-Med specific to each case:
  - a) Provide physical examinations to determine fitness for duty pursuant to the employee's applicable job description as needed.
  - b) Provide results of the exam to the City of Madera within three (3) business days of the appointment. If information is delayed, the physician's office must proactively contact City staff via telephone or electronic mail to communicate the delay and anticipated completion date.
  - c) Provide sufficient staffing availability to schedule appointments within three (3) City business days of a request for appointment.

## EXHIBIT B

## FEE SCHEDULE

<b>Services:</b>	
General Physical Examination	\$ 91.00
Audiogram - With Headset	\$ 52.00
Hardy-Rand-Ritler (HRR)	\$ 52.00
PPD (TB) Skin Test	\$ 26.00
Resting EKG (12-Lead) with Interpretation	\$ 65.00
Pulmonary Function Test with Interpretation	\$ 78.00
Chest X-Ray (PA)	\$ 91.00
Treadmill Stress Test	\$ 208.00
DOT Exam & Certificate	\$ 97.50
Dipstick Urinalysis	\$ -
Venipuncture	\$ 26.00
Drug Screen Collection	\$ 26.00
(LABCORP) Hepatitis B Surf Ab Quant [Titer]	\$ 21.00
(LABCORP) Chemistry Profile 23	\$ 25.00
(LABCORP) CBC	\$ 20.00
(LABCORP) Cholinesterase, RBC	\$ 55.00
(LABCORP) Urinalysis	\$ 12.00
(LABCORP) DOT SAMHSA Urine Drug Screen	\$ 36.00
(LABCORP) 5-Panel Split-Specimen Urine Drug Screen	\$ 36.00
(LABCORP) 5-Panel Urine Drug Screen	\$ 36.00
Breath Alcohol Testing	\$ 58.50
DOT Breath Alcohol Testing	\$ 58.50
<b>Vaccinations: Safeway</b>	
Immunization Management	\$ 45.00
Hepatitis A&B Vaccination (TwinRix)	\$ 177.31
Hepatitis A Vaccination	\$ 112.91
Hepatitis B Vaccination	\$ 111.14
Influenza Vaccination	\$ 42.89
MMR Vaccination	\$ 123.76
Rabies Vaccination	\$ 480.99
TDAP Vaccination	\$ 69.73
Tetanus-Diphtheria Vaccination	\$ 61.49
Varicella Vaccination	\$ 208.39
<b>Review Fees:</b>	
OSHA Respirator Questionnaire Admin/Review	\$ 35.00
QA2 Fee (charged once per exam)	\$ 95.00

## **Consulting Service Fees**

1. Job Analysis: \$2,000 per day (travel and per diem will also be charged at current U.S. General Services Administration rates)
2. Staff: \$85 per hour (fitness-for-duty and return-to-work evaluations, basic research)
3. Senior Staff: \$125 per hour (advanced research, reasonable accommodation investigation, assistance with appeals, and fitness-for-duty and return-to-work evaluations)
4. Executive Staff: \$190 per hour (research, project design, systems development, advanced fitness-for-duty and return-to-work evaluations)
5. Legal Staff and Medical Staff: \$250 - \$400 per hour
6. Independent Medical Evaluation: Actual Charges
7. Mileage Charges: Will correspond to the current IRS rates
8. Printing Charges: \$0.20 per page, as appropriate
9. Mailing Charges: Actual charges

## EXHIBIT C

### INSURANCE REQUIREMENTS

Without limiting Service Provider's indemnification of City, and prior to commencement of Work, Service Provider shall obtain, provide, and continuously maintain at its own expense during the term of the Agreement, and shall require any and all Subcontractors and Sub-consultants of every Tier to obtain and maintain, policies of insurance of the type and amounts described below and in form satisfactory to the City.

#### ***Minimum Scope and Limits of Insurance:***

Service Provider shall maintain limits no less than:

- **\$2,000,000 General Liability** (including operations, products, and completed operations) per occurrence, \$4,000,000 general aggregate, for bodily injury, personal injury and property damage, including without limitation, blanket contractual liability. Coverage should be at least as broad as Insurance Services Office (ISO) Commercial General Liability coverage form CG 00 01. General liability policies shall be endorsed using ISO form CG 20 10 that the City and its officers, officials, employees and agents shall be additional insureds under such policies.
- **Workers' Compensation** as required by the State of California and **\$1,000,000 Employer's Liability** per accident for bodily injury or disease. Service Provider shall submit to the City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of the City, its officers, agents, employees, and volunteers.
- **\$1,000,000 Medical Malpractice** per claim and in the aggregate. Service Provider shall maintain medical malpractice insurance that insures against professional errors and omission that may be made in performing the Services to be rendered in connection with this Agreement. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Service Provider agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this Agreement. The cost of such insurance shall be included in Service Provider's bid.

#### ***Maintenance of Coverage***

Service Provider shall procure and maintain, for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by Service Provider, its agents, representatives, employees, subcontractors or subconsultants as specified in this Agreement.

#### ***Proof of Insurance***

Service Provider shall provide to the City certificates of insurance and endorsements, as required, as evidence of the insurance coverage required herein, along with a waiver of subrogation

endorsement for workers' compensation. Insurance certificates and endorsements must be approved by the City prior to commencement of performance. Current evidence of insurance shall be kept on file with the City at all times during the term of this Agreement. Agency reserves the right to require complete, certified copies of all required insurance policies, at any time.

#### *Acceptable Insurers*

All insurance policies shall be issued by an insurance company currently authorized by the Insurance commissioner to transact business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and a Financial Size Category Class VII (or larger), in accordance with the latest edition of Best's Key Rating Guide.

#### *Waiver of Subrogation*

All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against the City, its elected or appointed officers, agents, officials, employees, and volunteers, or shall specifically allow Service Provider, or others providing insurance evidence in compliance with these specifications, to waive their right of recovery prior to a loss. Service Provider hereby waives its own right of recovery against the City and shall require similar written express waivers and insurance clauses from each of its subconsultants or subcontractors.

#### *Enforcement of Contract Provisions (non estoppel)*

Service Provider acknowledges and agrees that any actual or alleged failure on the part of the Agency to inform Service Provider of non-compliance with any requirement imposes no additional obligations on the City, nor does it waive any rights hereunder.

#### *Specifications not Limiting*

Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If Service Provider maintains higher limits than the minimums required above, the entity shall be entitled to coverage at the higher limits maintained by Service Provider.

#### *Notice of Cancellation*

Service Provider agrees to oblige its insurance agent or broker and insurers to provide to the City with thirty (30) calendar days' notice of cancellation (except for nonpayment for which ten (10) calendar days' notice is required) or nonrenewal of coverage for each required coverage.

#### *Self-insured Retentions*

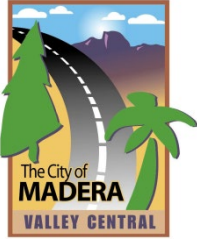
Any self-insured retentions must be declared to and approved by the City. The City reserves the right to require that self-insured retentions be eliminated, lowered or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City's Risk Manager.

*Timely Notice of Claims*

Service Provider shall give the City prompt and timely notice of claims made or suits instituted that arise out of or result from Service Provider's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

*Additional Insurance*

Service Provider shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgement may be necessary for its proper protection and prosecution of the Work.



## REPORT TO CITY COUNCIL

**Approved by:**

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** B-5

**SUBJECT:**

Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 361)

**RECOMMENDATION:**

Council to decide to adopt a Resolution Reauthorizing Remote Teleconference Public Meetings by the City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of 30 Days

**SUMMARY:**

On January 19, 2022, the Council elected to return to remote meetings as permitted under AB 361. Approval of the resolution allows for the remote meeting procedures that the City had been using throughout the COVID-19 pandemic, subject to certain requirements that must be considered as part of the determination (by resolution) to adopt remote meeting protocols.

**DISCUSSION:**

The City may meet via remote teleconferencing if it adopts a resolution, that makes specific findings in support of conducting remote meetings. The City may extend the authorization in additional 30 day increments for the duration of the declared emergency, or until the Council decides to return to in-person meetings, or otherwise continues to comply with the regular remote meeting requirements of the Brown Act.

Table 1 identifies the differences between standard Brown Act remote teleconferencing and AB 361 teleconferencing. It is noted the City must still provide advance notice of public meetings and must continue to post meeting agendas consistent with the provisions of the Brown Act.

**Table 1: Comparison of Public Meeting requirements (Brown Act vs. AB 361)**

<i>Brown Act Requirement</i>	<i>Requirement Under AB 361</i>
<p>If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.</p>	<ul style="list-style-type: none"> <li>▪ Agendas not required to be posted <b>at all teleconference locations.</b></li> <li>▪ Meeting must still be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.</li> </ul>
<p>If the legislative body of a local agency elects to use teleconferencing, each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.</p>	<ul style="list-style-type: none"> <li>▪ Agendas are not required to identify each teleconference location in the meeting notice/agenda.</li> <li>▪ Local agencies are not required to make each teleconference location accessible to the public.</li> </ul>
<p>If the legislative body of a local agency elects to use teleconferencing during the teleconferenced meeting, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.</p>	<ul style="list-style-type: none"> <li>▪ No requirement to have a quorum of board members participate from within the territorial bounds of the local agency's jurisdiction.</li> </ul>
<p>If the legislative body of a local agency elects to use teleconferencing, the agenda shall provide an opportunity for members of the public to address the legislative body directly at each teleconference location.</p>	<ul style="list-style-type: none"> <li>▪ In each instance in which notice of the time of the teleconferenced meeting is given or the agenda for the meeting is posted, the legislative body shall also give notice of the manner by which members of the public may access the meeting and offer public comment.</li> <li>▪ The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.</li> <li>▪ The legislative body shall allow members of the public to access the meeting, and the agenda shall include an opportunity for members of the public to address the legislative body directly.</li> <li>▪ In the event of a disruption which prevents the local agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the</li> </ul>

**Table 1: Comparison of Public Meeting requirements (Brown Act vs. AB 361)**

<i>Brown Act Requirement</i>	<i>Requirement Under AB 361</i>
	<p>event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored.</p> <ul style="list-style-type: none"><li data-bbox="824 695 1416 957">▪ Written/remote public comment must be accepted until the point at which the public comment period is formally closed; registration/sign-up to provide/be recognized to provide public comment can only be closed when the public comment period is formally closed.</li></ul>

**ATTACHMENTS:**

1. Resolution Regarding Remote Teleconference Meetings

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY  
COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING  
COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361  
FOR A PERIOD OF THIRTY DAYS**

**WHEREAS**, COVID-19 (also known as the “Coronavirus Disease”) is a respiratory disease that has spread across the globe, with thousands of confirmed cases in California, including the City of Madera; and

**WHEREAS**, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency based on the threat caused by COVID-19, and the President of the United States issued a Proclamation Declaring a National Emergency Concerning COVID-19 beginning March 1, 2020; and

**WHEREAS**, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency in response to COVID-19 on March 4, 2020; and

**WHEREAS**, the City Council of the City of Madera adopted a proclamation of a local emergency related to the COVID-19 virus on March 16, 2020; and

**WHEREAS**, the City of Madera (“City”) is committed to preserving and fostering public access, transparency, observation, and participation in meetings of the City Council and Boards, Commissions, and Standing Committees (hereafter collectively referred to as “legislative bodies;” and

**WHEREAS**, all meetings of the City Council and legislative bodies are open and public as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

**WHEREAS**, Government Section 54953 (b) (3) of the Brown Act allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met:

1. Each teleconference location from which a member is participating is noticed on the agenda;
2. Each teleconference location is accessible to the public;
3. Members of the public must be able to address the body at each teleconference location;

4. At least one member of the legislative body must be physically present at the location specified in the meeting agenda; and
5. During teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction; and 54953(e) *et seq.*, allows for remote observation and participation in meetings by members of a legislative body and members of the public without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions; and

**WHEREAS**, the initial required condition is a declaration of a state of emergency by the Governor pursuant to the California Emergency Services Act at Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state and within the boundaries of the City, caused by conditions as described in Government Code section 8558; and

**WHEREAS**, the Governor's Proclamation of a State of Emergency includes area within the jurisdictional boundaries of the City; and

**WHEREAS**, Government Code Section 54953(e)(3)(A-B) added by AB 361 provides an alternative to having public meetings in accordance with Government Code Section 54953(b)(3) when City Council has reconsidered the circumstances of the COVID-19 state of emergency and that the following circumstances exist:

1. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of City Council and the members of the City's Boards, Commissions, and Standing Committees to meet safely in person; and
2. The State of California and the County of Madera continue to recommend measures to promote social distancing.

**WHEREAS**, Government Code Section 54953(e) *et seq.* further requires that state or local officials have imposed or recommended measures to promote social distancing or the legislative body finds that meeting in person would present an imminent risk to the health or safety of attendees; and

**WHEREAS**, such conditions now exist in the City in that (i) State and Local officials recommend social distancing measures and (ii) emergency conditions evidenced by COVID-19 and its variants create ongoing COVID-19 cases, hospitalizations, and deaths and meeting in person would present imminent risk to health or safety of attendees; and

**WHEREAS**, the City Council affirms that it will allow for observation and participation by Council Members as well as Board, Commission, and Standing Committee Members and the

public via Zoom in an effort to protect the constitutional and statutory rights of all attendees;  
and

**WHEREAS**, Government Code Section 54953 (e)(3) requires that the City Council review the need and make findings for continuing the teleconferencing as authorized by AB 361 at least once every thirty days until the Governor terminates the state of emergency.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The City Council finds that the state of emergency conditions related to COVID- 19 as set forth in the Governor’s and City’s Proclamations of Emergency and are on-going.

**Section 3.** The City Council further finds that state and county official recommend social distancing conditions causing imminent risk to attendees as described above exist.

**Section 4.** The City Council hereby recognizes and affirms the existence and conditions of a state of emergency as proclaimed by the Governor and the City in the City and affirms, authorizes, and proclaims the existence of a local emergency throughout the City.

**Section 5.** The City Council finds that the state of emergency as a result of COVID-19 continues to directly impact the ability of members of the City Council and the members of the City’s Boards, Commissions, and standing committees to meet safely in person and such fact creates an imminent health risk to such members.

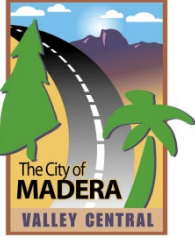
**Section 6.** The City Council hereby authorizes the City Council and all of the Boards, Commissions, and Standing Committees of City to conduct their meetings without compliance with Government Code section 54953(b)(3), and to instead comply with the remote meeting requirements as authorized by Government Code section 54953(e) *et seq.*

**Section 7.** The City Manager and City Clerk are authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all City Council meetings, and all Boards, Commissions, and standing committee meetings of the City.

**Section 8.** This Resolution shall take effect immediately upon its adoption and shall be effective until either (i) December 2, 2022 or (ii) such time as the City Council adopts a Subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council and all City legislative bodies may continue to meet remotely, without

compliance with Government Code section 54953(b)(3), but otherwise as permitted by Government Code section 54953(e) *et seq.*

\* \* \*



## REPORT TO CITY COUNCIL

**Approved by:**

*Alicia Gonzales*

Alicia Gonzales, City Clerk

*Arnoldo Rodriguez*

Arnoldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** B-6

**SUBJECT:**

2022 Downtown Christmas Light Parade Entry for City Participation

**RECOMMENDATION:**

Approve a Minute Order authorizing the City Manager to execute documents necessary for any City entries in the Downtown Christmas Light Parade scheduled December 1, 2022

**SUMMARY:**

The Downtown Madera Christmas Light parade is one of Madera's traditional holiday events. This year's Christmas Light Parade will be held on Thursday, December 1, 2022. The City Council has historically participated in the event as well as City departments. In previous years, the Mayor and Councilmembers have used fire engines and police vehicles; last year, the City prepared a float pulled by a tractor. This year, it is anticipated that Council will also have the option of participating on a float designed by City staff. In addition, staff is planning a Madera Eats event to coincide with the parade and will distribute glow sticks to children. Thus, the City will play a more significant role in the parade this year than in previous events.

**DISCUSSION:**

The parade organizers require the following:

- That participants complete a Hold Harmless Agreement with an entry application.
  - The agreement holds parade organizers harmless should someone become injured while participating.
- Remit a \$45 per entry fee, which serves as a fundraiser for the non-profit organization.

City staff will arrange transportation for Councilmembers during the parade.

It is also noted that on September 21, 2022, Council waived City permit fees and costs for City personnel to assist during the parade. This includes:

- Monitoring alternative traffic patterns to ensure safety
- Crowd control
- Returning the event area to appropriate standards of cleanliness

**FINANCIAL IMPACT:**

The parade entry fee of \$45 is a budgeted expense. The fee is remitted to the Madera Evening Lions, who partner with the Downtown Business Association to host the parade.

**ALTERNATIVES:**

The Council may direct staff not to participate in the parade.

**ATTACHMENTS:**

1. Parade Entry Form and Hold Harmless Agreement

# 2022 Downtown Madera Christmas Light Parade

Presented by the Madera Downtown Association &  
The Madera Evening Lions Service Organization

Thursday, December 1, 2022

## ENTRY FORM

**Organization Name:**

.....

### Responsible Person Contact Information

**Name:** .....

**Address/City/Zip:**

.....

**Phone Number:** .....

**Email Address:**

.....

**Number of Vehicles:** .....

**Type of Vehicle(s):**

.....

**Number of Participants:** .....

In entering this event, I/we agree to accept and to abide by all the rules and regulations of the event. I/we agree to release the Madera Evening Lions Club, the Madera Downtown Association, the City of Madera, and the State of California and their associates and employees from any and all responsibility for loss, damage and/ or injury to any person or property from my/our participation in this event.

**Signature of Authorized Representative\*:** .....

\*Signature of Authorized Representative is required for registration & participation on parade night.



Downtown Madera Christmas Light Parade

Hold Harmless Agreement

In submitting this application, the Applicant and its agents and assigns,

\_\_\_\_\_  
Applicant

agrees to release and hold the, Madera Downtown Association, City of Madera, and the Madera Evening Lions Club, and their directors, members, employees, and other representatives harmless, and to promptly indemnify same from and against any and all claims, actions, damages, liability of every type and nature, including all costs and legal expenses incurred by the Applicant or any other party, by reason of any activity arising under or in connection with the applicant's participation in the Downtown Madera Christmas Light Parade event, including but not limited to loss of life, personal injury and/or damage to property arising from or out of any occurrence, omission or activity to such participation. In the event the Madera Downtown Association, the City of Madera, and the Madera Evening Lions Club shall be made a party to any litigation commenced by or against the Applicant, then the Applicant shall hold the Madera Downtown Association, the City of Madera, and the Madera Evening Lions Club, harmless and shall pay all costs, expenses and attorney fee's incurred or paid by them in connection with such litigation. In signing below, I verify that in consideration of your accepting this entry, I intend to be legally bound for myself, my heirs, executors & administrators, waive and release any and all rights I may have against the Madera Downtown Association, the City of Madera, and the Madera Evening Lions Club, and all other associated sponsors, promoters, and agents for any and all injuries suffered by me in conjunction with and/or arising in and out of my traveling to, participation in, and returning from the Candlelight Christmas Parade of Lights event.

By signing this document, the Applicant certifies that they have read, understand and will comply with the Downtown Madera Christmas Light Parade Rules & Regulations. The Applicant further certifies that all members participating in the unit identified in the application have been advised of and are knowledgeable of said rules and regulations and have agreed to comply with them. The Applicant further agrees to hold harmless, the Madera Downtown Association, the City of Madera, and the Madera Evening Lions Club and its designated representatives, volunteers, and sponsors, **for all claims, damages and liabilities arising from any injury associated with the parade in any manner.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

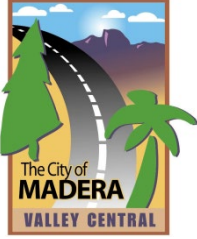
THIS HOLD HARMLESS AGREEMENT MUST BE SIGNED.

I agree to the Hold Harmless Agreement.

Name of AUTHORIZED REPRESENTATIVE TO GIVE CONSENT: (PLEASE PRINT):

\_\_\_\_\_  
Signature of AUTHORIZED REPRESENTATIVE TO GIVE CONSENT:

\_\_\_\_\_  
Date: \_\_\_\_\_



## REPORT TO CITY COUNCIL

**Approved by:**

**Council Meeting of November 16, 2022**

*Joseph Hebert*

**Agenda Number:**     B-7    

Joseph Hebert, Parks & Community Services Director

*Arnoldo Rodriguez*

Arnoldo Rodriguez, City Manager

### **SUBJECT:**

Letters Supporting the Madera Unified School District's (MUSD) Application for Funding for ASSETs Program and CLC

### **RECOMMENDATION:**

This report is submitted to provide the City Council an informational report on the request by MUSD to the City for letters of support regarding their application for funding for the After School Safety and Enrichment for Teens (ASSETs) Program and Community Learning Centers (CLC)

### **SUMMARY:**

Letters of supports were requested by MUSD on October 25, 2022, with the request letters be returned by November 1, 2022. MUSD requested letters of support in their pursuit of:

- Funding to renew after-school and summer programming at various schools; and
- Funding to establish a new after-school program at Matilda Torres High School.

### **DISCUSSION:**

MUSD is pursuing funding to renew after-school and summer programming at their established sites under the CLC Grant. The purpose of the CLC program is to support community learning centers that provide academic enrichment opportunities for students who attend high-poverty and low-performing schools.

MUSD is also pursuing funding to establish a new after-school program at Matilda Torres High School under the ASSETs Program. The ASSETs Program aims to support community learning centers for students in grades nine through twelve with academic enrichment opportunities and activities designed to complement students' regular educational program.

The City works in concert with MUSD to ensure that students have access to quality enrichment programming during critical school after-school hours. Similar to MUSD, the City is committed to the positive human development of its young residents. The positive effect of youth in areas of concentrated poverty, such as Madera, is made more challenging. Poverty has an unquestioned and unfortunate link to poor health, underperformance in the classroom, and a subsequently reduced likelihood of future success, making school after-school programming all the more important.

**FINANCIAL IMPACT:**

MUSD is not requesting funding from the City; instead, it is simply a letter expressing the City's support for MUSD's pursuit for funding with the ASSETs and CLC applications.

**ALTERNATIVES:**

This report is for informational purposes only.

**ATTACHMENTS:**

1. Support Letter for ASSETs Program
2. Support Letter for CLC

**ATTACHMENT 1:**

**Support Letter for ASSETs Program**



10/27/2022

Madera Unified School District  
Attention: Mr. Todd Lile  
1902 Howard Road  
Madera, CA 93637

Dear Mr. Lile,

Please accept this letter in support for Madera Unified School District's (MUSD) pursuit of funding to establish a new after school program at Torres High. The City of Madera's Parks & Community Services (PCS) Department works in concert with MUSD to ensure that students have access to quality enrichment programming during the critical after school hours. Like MUSD, Madera's PCS is committed to the positive human development of its young residents. Positive development of youth in areas of concentrated poverty, such as Madera, is made more challenging.

Poverty has an unquestioned and unfortunate link to poor health, underperformance in the classroom and a subsequent reduced likelihood of future successes making after school programming all the more important. The City of Madera's PCS Department is well-suited to support after school programs for all K-12 students. Our team has more than 60 cumulative years of experience in design, implementation and administration of successful programs targeting underserved youth at every grade level. In ongoing partnership with MUSD, the PCS Department will continue to deliver science education activities during select program days. We will also provide staff and resources to lead a variety of academic achievement, fitness, recreation, and enrichment activities.

Please contact me at [arodriguez@madera.gov](mailto:arodriguez@madera.gov) if additional information is needed. We are pleased to continue and expand our partnership with MUSD so that we can further our collective efforts to narrow achievement gaps, strengthen youth in poverty, and provide safe and structured enrichment activities.

Sincerely,

Arnoldo Rodriguez, City Manager  
City of Madera

**ATTACHMENT 2:**  
**Support Letter for CLC**



10/27/2022

Madera Unified School District  
Attention: Mr. Todd Lile  
1902 Howard Road  
Madera, CA 93637

Dear Mr. Lile,

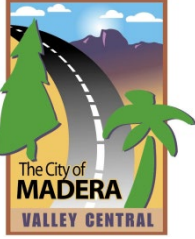
Please accept this letter in support for Madera Unified School District's (MUSD) pursuit of funding to renew after school and summer programming. The City of Madera's Parks & Community Services (PCS) Department works in concert with MUSD to ensure that students have access to quality enrichment programming during the critical after school hours. Like MUSD, Madera's PCS is committed to the positive human development of its young residents. Positive development of youth in areas of concentrated poverty, such as Madera, is made more challenging.

Poverty has an unquestioned and unfortunate link to poor health, underperformance in the classroom and a subsequent reduced likelihood of future successes making after school programming all the more important. The City of Madera's PCS Department is well-suited to support after school programs for all K-12 students. Our team has more than 60 cumulative years of experience in design, implementation and administration of successful programs targeting underserved youth at every grade level. In ongoing partnership with MUSD, the PCS Department will continue to deliver science education activities during select program days. We will also provide staff and resources to lead a variety of academic achievement, fitness, recreation, and enrichment activities.

Please contact me at [jhebert@madera.gov](mailto:jhebert@madera.gov) if additional information is needed. We are pleased to continue and expand our partnership with MUSD so that we can further our collective efforts to narrow achievement gaps, strengthen youth in poverty, and provide safe and structured enrichment activities.

Sincerely,

  
Arnoldo Rodriguez, City Manager  
City of Madera



## REPORT TO CITY COUNCIL

Approved by:

  
\_\_\_\_\_

Alicia Gonzales, City Clerk

  
\_\_\_\_\_

Arnaldo Rodriguez, City Manager

Council Meeting of: November 16, 2022

Agenda Number: B-8

### SUBJECT:

Adoption of Updated Conflict of Interest Code for the City of Madera

### RECOMMENDATION:

Adopt a resolution adopting the Conflict of Interest Code for the City of Madera and rescinding Resolution No. 20-124

### SUMMARY:

The City is required to review its Conflict of Interest Code biennially to ensure compliance with the Political Reform Act ('Act') under Government Code Section 87300. The proposed Conflict of Interest Code (Exhibit A to the resolution) identifies officials, employees, committees, commissions, and consultants who are required to file a Statement of Economic Interest Form 700 upon assuming office, annually thereafter, and upon leaving office. Designated individuals must recuse themselves when conflicts of interest occur.

### DISCUSSION:

Pursuant to the Political Reform Act, the City is required to conduct a biennial review of its Conflict of Interest Code to determine if changes are necessary to the designated positions and the respective disclosure categories. The designated positions include those who make or participate in the making of governmental decisions that could affect their personal economic interests. The Conflict of Interest Code was last amended on September 2, 2020 by Resolution No. 20-124. Since then, there have been changes in City positions.

The proposed code clarifies the requirements for official required to file the FPPC form 700 as 87200 Filers and the requirements for designated officials under this proposed code. Table 1 reflects the positions added or removed.

<b>Table 1: Updated positions</b>	
<i>Department</i>	<i>Add</i>
Community Development	Director of Community Development
Engineering	Senior Civil Engineer
	Part-Time Special Transportation Projects Coordinator – Licensed
	Part Time Project Development Coordinator

**FINANCIAL IMPACT:**

There is no financial impact, sans the preparation of this report considering that there are no costs to the City to file required documents with the Fair Political Practices Commission.

**ALTERNATIVES:**

The Council may choose to not adopt the Conflict of Interest, however if not approved the City would be out of compliance with the requirement of The Political Reform Act.

**ATTACHMENTS:**

- 1. Resolution
  - Exhibit A: City of Madera Conflict of Interest Code
  - Appendix A: Designated Positions
  - Appendix B Disclosure Categories
  - Appendix C: 2 California Code of Regulations Section 18730

**RESOLUTION NO. 22-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA ADOPTING THE CONFLICT OF INTEREST CODE FOR THE  
CITY OF MADERA AND RESCINDING RESOLUTION NO. 20-124**

**WHEREAS**, the Political Reform Act (“Act”) per Government Code Sections 87100, *et. seq.* requires every state and local government agency to adopt and promulgate a conflict of interest code and to conduct a biennial review of the conflict of interest code; and

**WHEREAS**, a local agency’s conflict of interest code must reflect the current structure of the organization and properly identify officials who should be filing Statements of Economic Interests (Form 700s); and

**WHEREAS**, a conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Form 700s; and

**WHEREAS**, a conflict of interest code provides transparency in local government as required by the Political Reform Act; and

**WHEREAS**, the Fair Political Practices Commission (FPPC) has adopted a regulation (2 California Code of Regulations Section 18730 ) which contains the terms of the FPPC’s standard conflict of interest code which may be incorporated by reference in an agency’s code and which may be amended by the FPPC from time to time to conform to amendments in the Act; and

**WHEREAS**, the City Council has determined that it should update the Conflict of Interest Code for the City of Madera because of changed circumstance including new positions that must be designated in the Conflict of Interest Code and the deletion of others; and

**WHEREAS**, the City Council desires to repeal the City of Madera's Conflict of Interest Code and adopt a new Conflict of Interest Code incorporating new provisions of Government Code Section 87300 *et. seq.* and to account for the changed circumstances described above.

**NOW, THEREFORE**, the City Council of the City of Madera hereby finds, orders, and resolves:

1. The above recitals are true and correct and incorporated by reference.
2. The Conflict of Interest Code of the City of Madera attached as Exhibit A is hereby adopted and made a part of this resolution. The Conflict of Interest Code expressly provides that the standard conflict of interest code under 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair

Political Practices Commission are incorporated by reference.

3. Resolution No. 20-124 and any other resolutions in conflict with this resolution are rescinded.
4. This resolution is effective immediately upon adoption.

\* \* \* \* \*

## EXHIBIT A

### CONFLICT OF INTEREST CODE OF THE CITY OF MADERA

#### A. Purpose and Intent.

The City Council hereby intends to implement Government Code Sections 87300 through 87313 pertaining to conflict of interest codes for local agencies.

#### B. Conflict of Interest Code.

The Political Reform Act (Government Code Sections 81000 *et seq.*) requires state and local government agencies to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict of interest codes that may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the FPPC to conform to amendments of the Political Reform Act.

This is the Conflict of Interest Code of the City of Madera. It consists of Sections A through G and of the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference.

#### C. Public Officials Designated by Statute (87200 Filers).

The positions listed below are public officials designated by statute and are required to file with the Fair Political Practices Commission (FPPC) a Statement of Economic Interests pursuant to Government Code Section 87200.

- Mayor
- City Council
- City Manager
- City Attorney
- City Treasurer
- Planning Commissioners

Notwithstanding this, for convenience the City of Madera is also listing these official in Appendix A for transparency and clarification.

#### D. Designated Positions and Disclosure Categories.

Persons holding positions listed as designated positions under this Section D shall file with the City Clerk a Statement of Economic Interests Form 700 upon assuming office, annually thereafter, and upon leaving office. Statement of Economic Interests Form 700 area public record and available for public inspection and reproduction. (Gov. Code Section 81008) The City Clerk is the Filing Officer. The designated positions are set forth in Appendix A. The Disclosure Categories are set forth in Appendix B.

E. Prior Conflicts of Interest Superseded.

The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the City are hereby superseded and have no further force and effect.

F. Effective Date.

This Conflict of Interest Code is deemed effective on \_\_\_\_\_.

G. Appendices.

The following appendices are attached hereto and incorporated by reference and deemed a part of this Conflict of Interest Code.

1. Appendix A: Designated Positions
2. Appendix B: Disclosure Categories
3. Appendix C: 2 California Code of Regulations Section 18730

It is noted Appendix C is the current version of the regulation as described in Section B above. As stated, the FPPC may from time to time amend Section 18730 and for that reason, the FPPC website should be reviewed by persons in designated positions.

**APPENDIX A TO CONFLICT OF INTEREST CODE  
DESIGNATED POSITIONS AND 87200 FILERS**

87200 Filers	Disclosure Categories
Mayor	I, II, III
City Councilmembers	I, II, III
City Attorney	I, II, III
City Manager	I, II, III
City Treasurer	I, II, III
Planning Commissioners	I, II, III

Designated Positions	Disclosure Category
<b>ADMINISTRATION</b>	
Administrative Analyst	III
<b>BUILDING</b>	
Chief Building Official	I
Plans Examiner	III
<b>CITY CLERK</b>	
City Clerk	I
Deputy City Clerk	I

<b>COMMUNITY DEVELOPMENT</b>	
Director of Community Development	I
<b>ENGINEERING</b>	
City Engineer	I
Administrative Analyst	III
Assistant Engineer	II
Associate Civil Engineer	I
Deputy City Engineer	I
Engineering Project Manager	I
Engineering Technician III	I
Project Development Coordinator - Licensed	II
Senior Engineer	I
Senior Civil Engineer	I
Special Transportation Projects Director	I

Part Time Special Transportation Projects Coordinator - Licensed	II
Project Development Coordinator – Unlicensed	II
Part Time Project Development Coordinator – Unlicensed	I
Part Time Engineering Project Manager	I
<b>FINANCE</b>	
Director of Financial	I
Administrative Analyst	III
Services Financial Services Manager	I
Utility Billing Supervisor	II, III
<b>FIRE</b>	
Fire Chief	I
Division Chief	I
Battalion Chief	I
<b>FLEET</b>	
Fleet Operations Manager	II
<b>GRANTS</b>	
Grant Administrator	I
Program Manager Grants	I
<b>HUMAN RESOURCES</b>	
Director of Human Resources	I
Administrative Analyst	III
<b>INFORMATION SERVICES</b>	
Information Services Manager	I
Network Administrator	II
Computer Technician	II
Tyler Munis Implementation Project Manager	I

<b>PARKS AND COMMUNITY SERVICES</b>	
Director of Parks and Community Services	I
Part Time Administrative Analyst	III
Parks Supervisor	II, III
Recreation and Community Programs Manager	I
Recreation and Community Programs Supervisor	I
<b>PLANNING</b>	
Assistant Planner	III
Associate Planner	III
Planning Manager	I
Senior Planner	I
<b>POLICE</b>	
Chief of Police	I
Police Auxiliary Services Supervisor	II, III

Police Commander	I
Police Lieutenant	II, III
Police Office Supervisor	II, III
Police Sergeant	III
<b>PUBLIC WORKS</b>	
Administrative Analyst	III
Electrical and Facilities Operations Manager	II, III
Public Works Operations Director	I
Streets and Storm Drainage Operations Manager	II, III
Streets and Storm Drainage Operations Supervisor	II, III
Wastewater Collection System Supervisor	II, III
Wastewater Treatment Plant Manager	II, III
Water and Sewer Operations Manager	II, III
Water System Supervisor	II, III
<b>PURCHASING</b>	
Procurement Services Manager	I
<b>BOARDS AND COMMISSIONS</b>	
Civil Service Commission	I
Madera Public Financing Authority Board	I
City Council as the Successor Agency to the Former Madera Redevelopment Agency	I
City Council as the Successor Housing Agency	I
<b>CONSULTANTS</b>	
Consultants	I

**APPENDIX B TO CONFLICT OF INTEREST CODE  
DISCLOSURE CATEGORIES**

- I. All investments, business positions, and sources of income located in or doing business in the City of Madera, including gifts, loans and travel payments; and all interests in real property located in the City of Madera including property located within a two-mile radius of the City of Madera or any property owned or used by the City of Madera.

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category (Category I) in the Conflict of Interest Code subject to the following limitation.

The City Administrator or his/her designee may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Administrator's or his/her designee's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

- II. All investments, business positions in, and sources of income located in or doing business in the City of Madera, including gifts, loans and travel payments, of the type which provide goods, services, supplies, materials, vehicles, machinery or equipment of the type utilized by the City of Madera.
- III. All investments, business positions in, and sources of income located in or doing business in the City of Madera, including gifts, loans and travel payments, which are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the City of Madera.

**APPENDIX C**

**2 California Code of Regulations Section 18730**

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

**§ 18730. Provisions of Conflict of Interest Codes.**

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq. ), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.<sup>1</sup>

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's

disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.<sup>2</sup>

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property<sup>3</sup> is required to be reported,<sup>4</sup> the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,<sup>5</sup> the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,<sup>6</sup> the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$520 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from

any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made.

The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

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<sup>1</sup> Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

<sup>2</sup> See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

<sup>3</sup> For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

<sup>4</sup> Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

<sup>5</sup> A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

<sup>6</sup> Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

### **HISTORY**

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).  
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District,

nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of*

*Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations.

Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision,

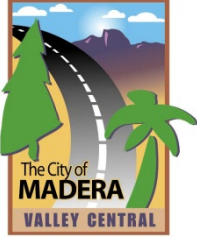
April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

36. Amendment of subsections (b)(8.1)-(8.1)(A) filed 12-23-2020; operative 1-1-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 52).

37. Amendment of subsections (b)(3)(C), (b)(5)(C), (b)(5.5), (b)(5.5)(A)(2), (b)(7)(D), (b)(8)(A), (b)(8.1)(A), (b)(8.2)(A), (b)(8.2)(C)-(D), (b)(8.3)(A), (b)(9), (b)(9.3), (b)(9.5), (b)(10) and (b)(11) and footnote 5 filed 5-12-2021; operative 6-11-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974

Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 20).



## REPORT TO CITY COUNCIL

Approved by:

  
\_\_\_\_\_  
Will Tackett, Community Development Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

Council Meeting of: November 16, 2022

Agenda Number:     C-1    

### SUBJECT:

Public Hearing Regarding Annexation No. 13 (Tract S1-S-02 & S1-S-03/TSM 2020-04 Vineyard Estates Subdivision) into Community Facilities District No. 2005-1 (Public Services) Under the Mello Roos Community Facilities Act of 1982 and Related Actions.

### RECOMMENDATION:

That Council consider the following:

1. Hold the Public Hearing.
2. Adopt a Resolution Authorizing Annexation (Annexation No. 13) of Territory to Community Facilities (CFD) District No. 2005-1; Authorizing the Levy of a Special Tax; and Submitting the Levy of Tax to the Qualified Electors.
3. Conduct the Election of the Qualified Electors of Annexation No. 13.
4. Adopt a Resolution Making Certain Findings, Declaring and Certifying the Results of an Election, and Adding the Territory Identified as Annexation No. 13 to CFD 2005-1 (Public Services), Annexation No. 13.

### SUMMARY:

At the City Council's September 21, 2022, meeting, the Council approved a resolution adopting a boundary map depicting the territory proposed for annexation, and approved a resolution declaring the City's intention to annex the proposed territory into CFD 2005-1. At the regularly scheduled meeting on November 16, 2022, the Council has two resolutions to consider. The first resolution sets forth the Council's approval to annex territory to CFD 2005-1 and to levy a special tax. This first resolution identified November 2, 2022, as the date for the annexation election,

and includes reference to the annexation map showing the parcels to be annexed. Election can occur at any scheduled Council meeting within 60 days of the prior (first) resolution (an election held on November 16, 2022, will fall within the 60 day allowance). The second resolution is for adoption by the Council after the results of the election are announced by the City Clerk. This second resolution also directs the filing of the Notice of Special Tax Lien against the annexed property to provide authority for City to collect the special tax.

**DISCUSSION:**

On November 16, 2005, by Resolution No. 05-334, the City Council established CFD 2005-1, a Mello Roos Community Facilities District with the intention that future development within the City would annex into this district. The special taxes collected from the property owners within the district are used for the funding of police and fire protection services, storm drain infrastructure maintenance and operations, and park maintenance. Property owner assessments are paid as a component of the property tax collection process. As was originally envisioned with the establishment of the CFD, future residential projects not included in the initial formation process are required to go through an annexation process in order to be included in CFD 2005-1. Projects may be annexed one at a time, or in a group if they are ready at the same time.

The Vineyard Estates (Tract S1-S-02 & S1-S-03/TSM 2020-04) Subdivision is prepared to proceed with the annexation process into CFD 2005-1. The project includes the development of 135 single-family residential units and two (2) landscape lots located on 30.45 acres of land. Only residential properties are assessed within CFD 2005-1, and therefore the two (2) landscape lots will not be subject to the special tax. The boundaries of the Project consist of the area within the original assessor’s parcel number (APN) 006-450-011 as depicted on Attachment 3.

<b>Table 1: Project Overview</b>			
<i>Project Name</i>	<i>Owner</i>	<i>Units</i>	<i>Location</i>
Vineyard Estates Subdivision, Tract S1-S-02 & S1-S-03/TSM 2020-04	DMP Development Corp. (Sole Landowner)	135	Sunset Avenue

As with all residential subdivisions, conditions of approval for the subdivision require annexation into CFD 2005-1 prior to recordation of the final subdivision map. This will comprise the 13<sup>th</sup> annexation (Attachment 4).

**FINANCIAL IMPACT:**

The 2022/23 Fiscal Year CFD 2005-1 assessment for single-family residential development is approximately \$524.41 per dwelling unit. Based on this figure, the estimated annual revenue that will be received by the City (Fund 76650) for all 135 units in Annexation No. 13 will be \$70,795.40. CFD 2005-1 includes an annual CPI adjustment, therefore this amount will grow over time. The process for annexation is funded by the developer, and no General Fund monies are used for this effort.

**ALTERNATIVES:**

The City Council adopted Ordinance C.S. 792 on December 7, 2005, authorizing the levy of a Special Tax within CFD 2005-1 commencing in fiscal year 2006-07 and each year thereafter. The Council could, at its discretion, consider alternative methods for funding the necessary services that are demanded by residential development and supported by CFD 2005-1. Amendment of the ordinance would be required.

**ATTACHMENTS:**

1. Resolution of Annexation and Calling for Election
  - Exhibit A – Rate and Method of Apportionment
  - Exhibit B – Ballot
2. Resolution of Results of Election
  - Exhibit A – Statement of Votes Cast
  - Exhibit B – Annexation Map
  - Exhibit C – List of Properties
3. Vineyard Estates, Tract S1-S-02 & S1-S-03/TSM 2020-04 Subdivision Map
4. CFD 2005-1 Map

**ATTACHMENT 1**  
**Resolution of Annexation and Calling for Election**

Including:

Exhibit A – Rate and Method of Apportionment

Exhibit B – Ballot

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
AUTHORIZING THE ANNEXATION OF TERRITORY (ANNEXATION NO. 13) TO  
COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SERVICES),  
AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF TAX  
TO THE QUALIFIED ELECTORS**

**WHEREAS**, this City Council (“Council”), on September 21, 2022, adopted Resolution No. 22-157, (hereafter referred to as the “Resolution of Intention”) stating its intention to annex territory to City of Madera Community Facilities District No. 2005-1 (Public Services) (hereafter referred to as “CFD No. 2005-1”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (hereafter referred to as the “Act”); and

**WHEREAS**, a copy of the Resolution of Intention, which states the authorized services to be provided and financed by CFD No. 2005-1, and a description and map of the proposed boundaries of the territory to be annexed known as Vineyard Estates, Tract S1-S-02 & S1-S-03/TSM 2020-04 Subdivision (“Annexation No. 13”) to CFD No. 2005-1, is on file with the City Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein. Annexation No. 13 will consist of 135 single family residential units and 2 landscape lots located north of Sunset Avenue.; and

**WHEREAS**, on November 16, 2022, the Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to CFD No. 2005-1; and

**WHEREAS**, at said hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to CFD No. 2005-1 and the levy of said special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

**WHEREAS**, prior to the time fixed for said hearing, written protests had not been filed against the proposed annexation of territory to CFD No. 2005-1 by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in CFD No. 2005-1, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the territory proposed to be annexed to CFD No. 2005-1, or (iii) owners of one-half or more of the area of land in the territory proposed to be annexed to CFD No. 2005-1; and

**WHEREAS**, a boundary map for Annexation No. 13 to CFD No. 2005-1 has been filed with the County Recorder of the County of Madera, which map shows the territory to be annexed in these proceedings, a copy thereof is on file with the City Clerk and the City Council ratifies that filing; and

**WHEREAS**, a boundary map for Annexation No. 13 to CFD No. 2005-1 is on file with the City Clerk and shall be filed with the County Recorder of the County of Madera, which map shows the territory to be annexed in these proceedings; and

**WHEREAS**, the City Of Madera Community Facilities District 2005-1 (Public Services)

Rate And Method Of Apportionment Of Special Tax is attached as **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED**, determined and ordered by the City Council for the City of Madera as follows:

**SECTION 1. Recitals.** The above recitals are all true and correct.

**SECTION 2. Prior Proceedings.** All prior proceedings taken by this Council with respect to CFD No. 2005-1 and the proposed annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act.

**SECTION 3. Boundaries.** The description and map of the boundaries of the territory to be annexed to CFD No. 2005-1, on file with the City Clerk are hereby finally approved, are incorporated herein by reference, and shall be included within the boundaries of CFD No. 2005-1, and said territory is hereby annexed to CFD No. 2005-1, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

**SECTION 4. Services.** The services which CFD No. 2005-1 is authorized to finance are in addition to those provided in or required for the territory within CFD No. 2005-1 and the territory to be annexed to CFD No. 2005-1 and will not be replacing services already available. A general description of the services to be financed is as follows:

Police protection services and fire protection and suppression services, including but not limited to (i) the costs of contracting services, (ii) equipment, vehicles, ambulances and paramedics, fire apparatus, supplies, (iii) the salaries and benefits of City staff that directly provide police protection services and fire protection and suppression services and other services as defined herein, respectively, and (iv) City overhead costs associated with providing such services within the District. On each July 1 following the Base Year the increases attributed to salaries and benefits shall be calculated and limited to the increase based on the Annual Escalation Factor as provided in the Rate and Method of Apportionment of the Special Taxes. The Special Tax will finance Services that are in addition to those provided in or required for the territory within the District and will not be replacing services already available. The Special Tax provides only partial funding for police and fire services.

Park Maintenance of the City of Madera, including but not limited to, labor, material, administration, personnel, equipment, and utilities necessary to maintain park improvements within the District, including recreational facilities, trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, public restrooms, signs, monuments, and associated appurtenant facilities located within the District.

Storm drainage system maintenance and operations of the City of Madera, including but not limited to, labor, material, administration, personnel, equipment, and utilities necessary to maintain and operate the storm drainage system within the District.

**SECTION 5.** Special Taxes. It is the intention of this City Council that, except where funds are otherwise available, a special tax sufficient to pay for said services to be provided in CFD No. 2005-1 and the territory proposed to be annexed as part of Annexation No. 13, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 13, will be levied annually within the boundaries of Annexation No. 13 from and after the annexation of such property to CFD No. 2005-1. The special taxes shall be those as originally authorized through the formation of CFD No. 2005-1 and adopted by Ordinance of this legislative body, and no changes or modifications are proposed in the special taxes from those as originally set forth and made applicable to CFD No. 2005-1.

For particulars as to the rate and method of apportionment of the proposed special tax (the "RMA"), reference is made to the attached and incorporated Exhibit "A," which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within the Annexation No. 13 to clearly estimate the maximum annual amount that said person will have to pay on said special tax.

**SECTION 6.** No Majority Protest. Written protests against the annexation of the territory in Annexation No. 13 to CFD No. 2005-1 have not been received by the Council. The proposed special tax to be levied within Annexation No. 13 has not been precluded by majority protest.

**SECTION 7.** Election. The provisions of the Resolution of Intention of the City each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.

(a) Pursuant to the provisions of the Act, the proposition of the levy of the special tax within Annexation No. 13 shall be submitted to the voters within Annexation No. 13 at a special election called therefor as hereinafter provided. This Council hereby finds that fewer than 12 persons have been registered to vote within Annexation No. 13 for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within Annexation No. 13 and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in Annexation No. 13.

(b) Pursuant to Section 53326 of the Act, the election shall be conducted by mail ballot or hand-delivered ballot under applicable sections of the California

Elections Code commencing with Section 4000 with respect to elections conducted by mail.. The Council hereby calls a special election to consider the measure described and incorporated in the form of ballot as **Exhibit "B,"** which election will be conducted on November 16, 2022 (hereafter referred to as "Election Day"). The City Clerk shall act as the election official to conduct the election and shall have provided each landowner in the territory to be annexed to CFD No. 2005-1, a ballot in the form of Exhibit "B", which form is hereby approved. The City Clerk has accepted the ballots of the qualified electors received prior to 6:00 p.m. on Election Day, whether received by mail or by personal delivery.

(c) This Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters, that the voters have waived such requirement and the date for the election hereinabove specified is established accordingly. The Council also finds that any applicable notices of hearing or election have been waived by the sole landowner of the area to be annexed.

(d) The Council hereby calls and schedules an election for November 16, 2022, at 6 p.m. on the measure of the annual levy of special taxes on taxable property within Annexation No. 13 to CFD No. 2005-1 to finance public services within CFD No. 2005-1, including Annexation No. 13 to CFD No. 2005-1.

(e) The measure to be submitted to the voters of Annexation No. 13 at such special election shall be as follows:

The measure to be submitted to the voters of Annexation No. 13 at such special election shall be as follows:

Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on September 21, 2022.

**Section 8. Election Procedures.** The procedures to be followed in conducting the election shall be as follows:

(a) Pursuant to Section 53326 of the California Government Code, ballots for the Special Election shall be distributed to the qualified electors by the City Clerk by mail or by personal service.

(b) Pursuant to applicable sections of the California Elections Code governing the conduct of mail ballot elections of cities, and in particular Division 4 (commencing with Section 4000) of that Code with respect to election conducted by mail, the City Clerk, or designated official shall mail or deliver to each qualified

elector an official ballot in the appropriate form attached hereto as Exhibit "A," and shall also mail or deliver to all such qualified electors a ballot pamphlet and instructions to voter, a return identification envelope addressed to the City Clerk for the return of voted official ballots.

(c) The official ballot to be mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted on the official ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes to which the landowner-voter is entitled based on its land ownership on the propositions set forth in the official ballot as marked thereon in the voting square opposite each such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within Annexation No. 13 to CFD No. 2005-1.

(d) The return identification envelope mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the following: (i) the name of the landowner, (ii) the address of the landowner, (iii) a declaration under penalty of perjury stating that the voter is the landowner or the authorized representative of the landowner entitled to vote on the enclosed ballot and is the person whose name appears on the identification envelope, (iv) the printed name and signature of the voter, (v) the address of the voter, (vi) the date of signing and place of execution of the declaration, and (vii) a notice that the envelope contains an official ballot and is to be opened only by the City Clerk.

(e) The information to voter form to be delivered by the City Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the City Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 6:00 p.m. on the 16th day of November 2022; provided that if all qualified electors have voted, the elections shall be closed with the concurrence of the City Clerk.

(f) Upon receipt of the return identification envelopes, which are returned prior to the voting deadline on the date of the elections, the City Clerk shall canvass the votes cast in the election and shall file a statement with the City

Council as to the results of such canvass and the election on each proposition set forth in the official ballot.

**SECTION 9. Certification.** The City Clerk shall certify to the adoption of this resolution.

**SECTION 10. Effective Date.** This resolution is effective immediately.

## EXHIBIT A TO RESOLUTION OF ANNEXATION

### CITY OF MADERA

#### COMMUNITY FACILITIES DISTRICT 2005-1 (PUBLIC SERVICES) RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax of Community Facilities District No. 2005-1 of the City of Madera (the "District") shall be levied on all Assessor's Parcels in the District and collected each Fiscal Year commencing Fiscal Year 2006-07 in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the District, unless exempted by law or by the provisions hereof shall be taxed for the purposes, to the extent and in the manner herein provided.

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**"Acre or Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, other final map, other parcel map, other condominium plan, or functionally equivalent map or instrument recorded in the Office of the County Recorder. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560.

**"Act"** means the Mello-Roos Community Facilities Act of 1982, being Chapter 2.5, Part 1, Division 2 of Titles of the Government Code of the State of California, as amended, which authorizes the establishment of the District to finance: a) police protection services, and b) fire protection and suppression services, c) park maintenance, d) storm drainage system operation and maintenance and other services as defined herein including but not limited to ambulance and paramedic services.

**"Administrative Expenses"** means the actual or estimated costs incurred by the City as administrator of the District to determine, levy and collect the Special Taxes, including the proportionate amount of the salaries and benefits of City employees whose duties are directly related to administration of the District and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes upon the general tax rolls, preparation of required reports; and any other costs required to administer the District as determined by the City.

**"Annual Escalation Factor"** means the greater of the increase in the annual percentage change of the All Urban Consumers Consumer Price Index (CPI) or three percent (3%). The annual CPI used shall be for the area of San Francisco- Oakland-San Jose, CA as reflected in the then-current April update. The annual CPI used shall be as determined by the United

States Department of Labor, Bureau of Labor Statistics, and may be obtained through the California Division of Labor Statistics and Research ([www.dir.ca.gov/dlsr](http://www.dir.ca.gov/dlsr)). If the foregoing index is not available, the District Administrator shall select a reasonably comparable index.

**“Assessor’s Parcel”** means a lot or parcel shown in an Assessor’s Parcel Map with an assigned assessor’s parcel number.

**“Assessor’s Parcel Map”** means an official map of the Assessor of the County designating parcels by assessor’s parcel number.

**“Base Year”** means Fiscal Year ending June 30, 2007.

**“City”** means the City of Madera.

**“Council”** means the City Council of the City of Madera, acting as the legislative body of the District. **“County”** means the County of Madera, California.

**“Developed Multi-Family Residence”** means all Assessor’s Parcels of Developed Property for which a building permit has been issued for purposes of constructing a residential structure consisting of two or more residential units that share common walls, including but not limited to, duplexes, triplexes, town homes, condominiums, and apartment units.

**“Developed Property”** means all Taxable Property, exclusive of Property Owner Association Property, Non-Residential Property, or Public Property, for which a building permit was issued after January 1, 2005, and prior to May 1st preceding the Fiscal Year in which the Special Tax is being levied.

**“Developed Single-Family Residence”** means all Assessor’s Parcels of Developed Property for which a building permit(s) has been issued for purposes of constructing one single-family residential dwelling unit.

**“District Administrator”** means an official of the City, or designee thereof responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

**“District”** means Community Facilities District No. 2005-1 of the City of Madera.

**“Entitled Property”** means an Assessor’s Parcel and/or Lot in the District, which has a Final Map recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, but for which no building permit has been issued prior to the May Pt preceding the Fiscal Year in which the Special Tax is being levied. The term “Entitled Property” shall apply only to Assessors’ Parcels and/or Lots, which have been subdivided for the purpose of residential development, excluding any Assessor’s Parcel that is designated as a

remainder parcel determined by final documents and/or maps available to the District Administrator.

**“Final Map”** means an Assessor’s Parcel Map, a final subdivision map, other parcel map, other final map, other condominium plan, or functionally equivalent map that has been recorded in the Office of the County Recorder.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.

**“Land Use Class”** means any of the classes listed in Table 1.

**“Lot”** means property within a recorded Final Map identified by a lot number for which a building permit has been issued or may be issued.

**“Maximum Special Tax”** means the maximum Special Tax, determined in accordance with Section C below that can be levied in the District in any Fiscal Year on any Assessor’s Parcel.

**“Non-Residential Property”** means all Assessors’ Parcels for which a building permit(s) has been issued for a non-residential use and does not contain any residential units as defined under Developed Single Family Residence or Developed Multi-Family Residence.

**“Property Owner Association Property”** means any property within the boundaries of the District that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to a property owner association, including any master or sub-association.

**“Proportionately”** means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels within each Land Use Class.

**“Public Property”** means any property within the boundaries of the District that is, at the time of the District formation or at the time of an annexation, expected to be used for rights-of-way, parks, schools or any other public purpose and is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency.

**“Service Costs”** means the estimated and reasonable costs of providing police protection services and fire protection and suppression services, including but not limited to (i) the costs of contracting services, (ii) equipment, vehicles, ambulances and paramedics, fire apparatus, supplies, (iii) the salaries and benefits of City staff that directly provide police protection services and fire protection and suppression services and other services as defined herein, respectively, (iv) City overhead costs associated with providing such services within the District, (v) park maintenance, and (vi) storm drainage system operation and maintenance. On each July 1 following the Base Year, the increases attributed to salaries and benefits shall be calculated and limited to the increase based on the Annual Escalation

Factor. The Special Tax will finance Services that are in addition to those provided in or required for the territory within the District and will not be replacing Services already available. The Special Tax provides only partial finding for police services, fire suppression and protection services, park maintenance, and storm drainage system operation and maintenance.

**"Special Tax"** means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to find the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections C and D, below.

**"Special Tax Requirement"** means that amount required in any Fiscal Year for the District to: (i) pay for Service Costs; (ii) pay reasonable Administrative Expenses; (iii) pay any amounts required to establish or replenish any reserve funds; and (iv) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

**"State"** means the State of California.

**"Property"** means all of the Assessor's Parcels within the boundaries of the District and any future annexation to the District that are not exempt from the Special Tax pursuant to law or as defined herein.

**"Tax Exempt Property"** means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, (iii) Non-Residential Property, and (iv) property designated by the City or District Administrator as Tax-Exempt Property.

**"Undeveloped Property"** means, for each Fiscal Year, all Assessor's Parcels of Taxable Property not classified as Developed Property or Entitled Property, including an Assessor's Parcel that is designated as a remainder parcel and is not identified as potential Public Property by any final documents and/or maps available to the District Administrator means any separate residential dwelling unit in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use.

## **B ASSIGNMENT TO LAND USE CATEGORIES**

Each Fiscal Year using the definitions above, all Taxable Property within the District shall be classified as Developed Property, Entitled Property, or Undeveloped Property. Developed Property shall be further classified as Developed Single-Family Residence or Developed Multi-Family Residence. Commencing with the Base Year and for each subsequent Fiscal Year, all Taxable Property shall be subject to Special Taxes pursuant to Sections C and D below.

**C. MAXIMUM SPECIAL TAX RATE**

**1. DEVELOPED PROPERTY**

**TABLE 1  
MAXIMUM SPECIAL TAX FOR DEVELOPED PROPERTY  
COMMUNITY FACILITIES DISTRICT NO. 2005-1**

Land Use Class	Description	Maximum Special Tax Per Unit <sup>1</sup>
1	Developed Single-Family Residence	\$311 per unit
2	Developed Multi-Family Residence	\$285 per unit
<sup>1</sup> Maximum Special Tax includes Administrative Expenses		

**2. ENTITLED PROPERTY**

**TABLE 2  
MAXIMUM SPECIAL TAX FOR ENTITLED PROPERTY  
COMMUNITY FACILITIES DISTRICT NO. 2005-1**

Land Use Class	Description	Maximum Special Tax Per Unit <sup>1</sup>
3	Entitled Property	\$166 per lot
<sup>1</sup> Maximum Special Tax includes Administrative Expenses		

On each July 1 following the Base Year (i.e., July 1, 2007), the Maximum Special Tax Rates in Table 1 and Table 2 shall be increased in accordance with the Annual Escalation Factor.

**3. UNDEVELOPED PROPERTY**

No Special Tax shall be levied on Undeveloped Property.

**4. TAX-EXEMPT PROPERTY**

No Special Tax shall be levied on Tax-Exempt Property.

## **5. MULTIPLE LAND USE CLASSES**

In some instances, an Assessor's Parcel may contain more than one Land Use Class. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum Special Tax levies that can be imposed on all Land Use Classes located on that Assessor's Parcel.

### **D. METHOD OF APPORTIONMENT OF SPECIAL TAXES**

Commencing with Fiscal Year 2006-07, and for each subsequent Fiscal Year, the District Administrator shall calculate the Special Tax Requirement based on the definitions in Section A and levy the Special Tax as follows until the amount of the Special Tax levied equals the Special Tax Requirement. First, the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Developed Property Proportionately between Developed Single-Family Residence and Developed Multi-Family Residence up to 100% of the applicable Maximum Special Tax. Second, if the Special Tax Requirement has not been satisfied by the first step, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Entitled Property up to 100% of the applicable Maximum Special Tax for Entitled Property.

### **E. APPEALS**

Any taxpayer that believes that the amount of the Special Tax assigned to an Assessor's Parcel is in error may file a written notice with the District Administrator appealing the levy of the Special Tax. This notice is required to be filed with the District Administrator during the Fiscal Year the error is believed to have occurred. The District Administrator or designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the District Administrator verifies that the tax should be changed, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

### **F. EXEMPTIONS**

No Special Tax shall be levied on Non-Residential Property, Undeveloped Property, Property Owner Association Property or Public Property.

### **G. MANNER OF COLLECTION**

Special Tax as levied pursuant to Section D above shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that the District Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the District or as otherwise determined appropriate by the District Administrator.

### **H. TERM OF SPECIAL TAX**

After the establishment of the District, the City Council may reexamine, if deemed necessary by City Council, the necessity of the continuance of the Special Tax through the preparation of a Fiscal Impact Analysis, otherwise the Special Tax shall be levied in perpetuity.

**EXHIBIT B TO RESOLUTION OF ANNEXATION**

**City of Madera**

**Community Facilities District No. 2005-1, (Public Services), Annexation No. 13**

**OFFICIAL BALLOT**

**SPECIAL TAX ANNEXATION ELECTION**

This ballot is for the special landowner election. You must return this ballot in the enclosed envelope to the office of the City Clerk of the City of Madera no later than 6:00 o'clock p.m. on Wednesday, November 16, 2022, either by mail or in person. The City Clerk's office is located at City Hall, 205 W. Fourth Street, Madera, California 93637.

To vote, mark in the voting square after the word "YES" or after the word "NO". For a list of acceptable marks, please refer to the back of this ballot.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Madera and obtain another.

**BALLOT MEASURE:** Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on September 21, 2022?

**YES:**

**NO:**

By execution in the space provided below, you also confirm your waiver of the time limit pertaining to the conduct of the election and any requirement for notice of election and analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326 (a) and 53327 (b) of the California Government Code.

Acres Owned Within Territory Annexed: 30.450

Number of Votes: 31

Property Owner: DMP Development Corporation Inc  
2001 Howard Road # 211  
Madera. CA 93637

Property Owner/Authorized Representative Signature: \_\_\_\_\_

## BALLOT MARKS

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:



A check mark substantially inside a box;



An X mark substantially inside a box;



A dot or oval mark substantially inside a box;



A completely shaded or filled mark substantially inside a box;



A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box and/or associated clause; or



A square or rectangle around the box and/or associated clause.

*Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.*

## ATTACHMENT 2

### Resolution of Results of Election

Including:

Exhibit A – Statement of Votes Cast

Exhibit B – Annexation Map

Exhibit C – List of Properties

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
MAKING CERTAIN FINDINGS, DECLARING AND CERTIFYING THE RESULTS OF A  
SPECIAL ELECTION, AND ADDING THE TERRITORY IDENTIFIED AS  
ANNEXATION NO. 13 TO COMMUNITY FACILITIES DISTRICT NO. 2005-1  
(PUBLIC SERVICES)**

**WHEREAS**, the City Council of the City of Madera (the "City Council"), has previously formed a Community Facilities District pursuant to the provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, said Article 3.5 thereof. The existing Community Facilities District being designated as Community Facilities District No. 2005-1 (Public Services) (hereafter referred to as "CFD No. 2005-1"); and

**WHEREAS**, the City Council initiated proceedings to annex certain territory known as Vineyard Estates Tract S1-S-02 & S1-S-03/TSM 2020-04 Subdivision (hereafter referred to as "Annexation No. 13") to Community Facilities District No. 2005-1 (Public Services). Annexation No. 13 will consist of 135 single family residential units and 2 landscape lots located north of Sunset Avenue; and

**WHEREAS**, the City Council, following a public hearing on the annexation and special taxes, adopted a resolution calling an election and duly held an election in the area of Annexation No. 13 on November 16, 2022; and

**WHEREAS**, at this time the unanimous consent to the annexation of Annexation No. 13 has been received from the property owner or owners of such territory; and

**WHEREAS**, twelve (12) or more registered voters have not resided within the territory of Annexation No. 13 for each of the ninety (90) days preceding November 16, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 13 shall be the "landowners" of Annexation No. 13 as such term is defined in Government Code Section 53317(f), and each such landowner who is the owner of record, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that she or he owns within Annexation No. 13; and

**WHEREAS**, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the property within Annexation No. 13 to the qualified electors of Annexation No. 13 and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified electors of Annexation No. 13; and

**WHEREAS**, the City Clerk of the City of Madera has caused ballots to be distributed to the qualified electors of Annexation No. 13, has received and canvassed such ballots and made a report to the City Council regarding the results of such canvas, a copy of which is attached as **Exhibit A** hereto and incorporated herein by this reference; and

**WHEREAS**, at this time the measure voted upon did receive the favorable 2/3's vote of the qualified electors, and the City Council desires to declare the results of the election; and

**WHEREAS**, a map showing the territory to be annexed and designated as Annexation No. 13 (hereafter referred to as the "Annexation Map"), a copy of which is attached as **Exhibit B** hereto and incorporated herein by this reference, and a list of Assessor Parcel Numbers and landowners, a copy of which is attached as **Exhibit C** hereto and incorporated herein by this reference, has been submitted to the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, determined and ordered by the City Council for the City of Madera Community Facilities District No. 2005-1 (Public Services), Annexation No. 13 as follows:

**SECTION 1.** The above recitals are all true and correct and incorporated herein.

**SECTION 2.** This City Council does hereby find and determine as follows:

(a) The canvass of the votes cast in the Property to be annexed to the District at the special election held in the territory of Annexation No. 13 on November 16, 2022, as shown in the Certificate of Election Official and Statement of Votes Cast is hereby approved and confirmed.

(b) The unanimous consent to the annexation of Annexation No. 13 to CFD No. 2005-1 has been given by all of the owners within Annexation No. 13, and such consent shall be kept on file in the Office of the City Clerk.

(c) Twelve (12) or more registered voters have not resided within the territory of Annexation No. 13 for each of the ninety (90) days preceding November 16, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 13 shall be the "landowners" of such Annexation No. 13 as such term is defined in Government Code Section 53317(f).

(d) The qualified electors of Annexation No. 13 have voted in favor of the levy of special taxes within Annexation No. 13 upon its annexation to CFD No. 2005-1.

(e) The City Council is hereby authorized to take the necessary steps to levy the special tax authorized by the Measure in the area of Annexation No. 13.

**SECTION 3.** The boundaries and parcels of territory within Annexation No. 13 and on which special taxes will be levied in order to pay for the costs and expenses of authorized public services are shown on the Annexation Map as submitted to and hereby approved by this City Council.

**SECTION 4.** The City Council does hereby determine and declare that the territory in Annexation No. 13 is now added to and becomes a part of CFD No. 2005-1. The City Council, acting as the legislative body of CFD No. 2005-1, is hereby empowered to levy the authorized special tax within Annexation No. 13 and hereby authorizes the levy of a Special

Tax at the Rate and Method of Apportionment set forth in Exhibit A to the Resolution Authorizing Annexation, Authorizing levy of Special Tax, and Calling Special Election.

**SECTION 5.** Immediately upon adoption of this Resolution, notice shall be given as follows:

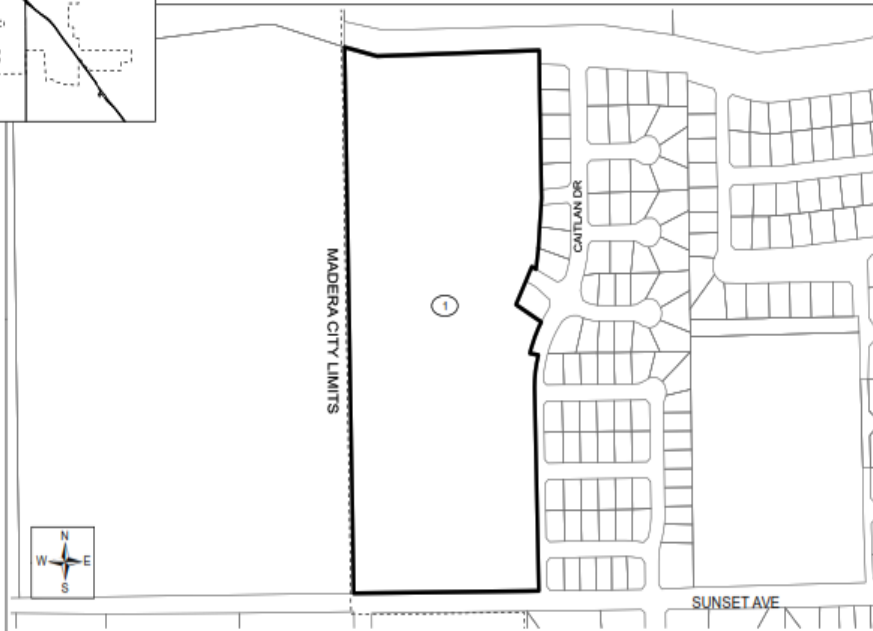
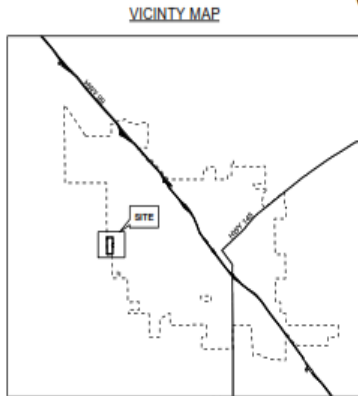
- A. A copy of the Annexation Map as approved shall be filed in the Office of the County Recorder not later than fifteen (15) days after the date of adoption of this Resolution.
- B. An Amendment No. 13 to the Notice of Special Tax Lien shall be recorded in the Office of the County Recorder for Madera County not later than fifteen (15) days after the date of adoption of this Resolution.

**SECTION 6.** This resolution is effective immediately.



# ANNEXATION MAP NO. 13 COMMUNITY FACILITIES DISTRICT NO. 2005-01

CITY OF MADERA  
COUNTY OF MADERA  
STATE OF CALIFORNIA



**Legend**

- City Boundaries
- Annexation Parcels
- 1 Map Reference Number

1 in = 250 feet

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	006-450-011

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION MAP NO. 13 OF COMMUNITY FACILITIES DISTRICT NO. 2005-01, CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MADERA AT A REGULAR MEETING, THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BY ITS RESOLUTION NO. \_\_\_\_\_.

CITY CLERK  
CITY OF MADERA

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ PAGE(S) \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AND INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF MADERA, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF MADERA  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY OF COMMUNITY FACILITIES DISTRICT NO. 2005-01 OF THE CITY OF MADERA RECORDED WITH THE MADERA COUNTY RECORDER'S OFFICE ON OCTOBER 7, 2005, IN BOOK 4 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT ON PAGES 42 THROUGH 45.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE MADERA COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE MADERA COUNTY ASSESSOR'S MAP SHALL GOVERN FOR ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



Exhibit B  
Annexation Map

**Exhibit C**  
**List of Assessor Parcel Numbers and Landowners**

**APN**

006-450-011-000

**Landowner**

DMP Development Corp.

**ATTACHMENT 3**

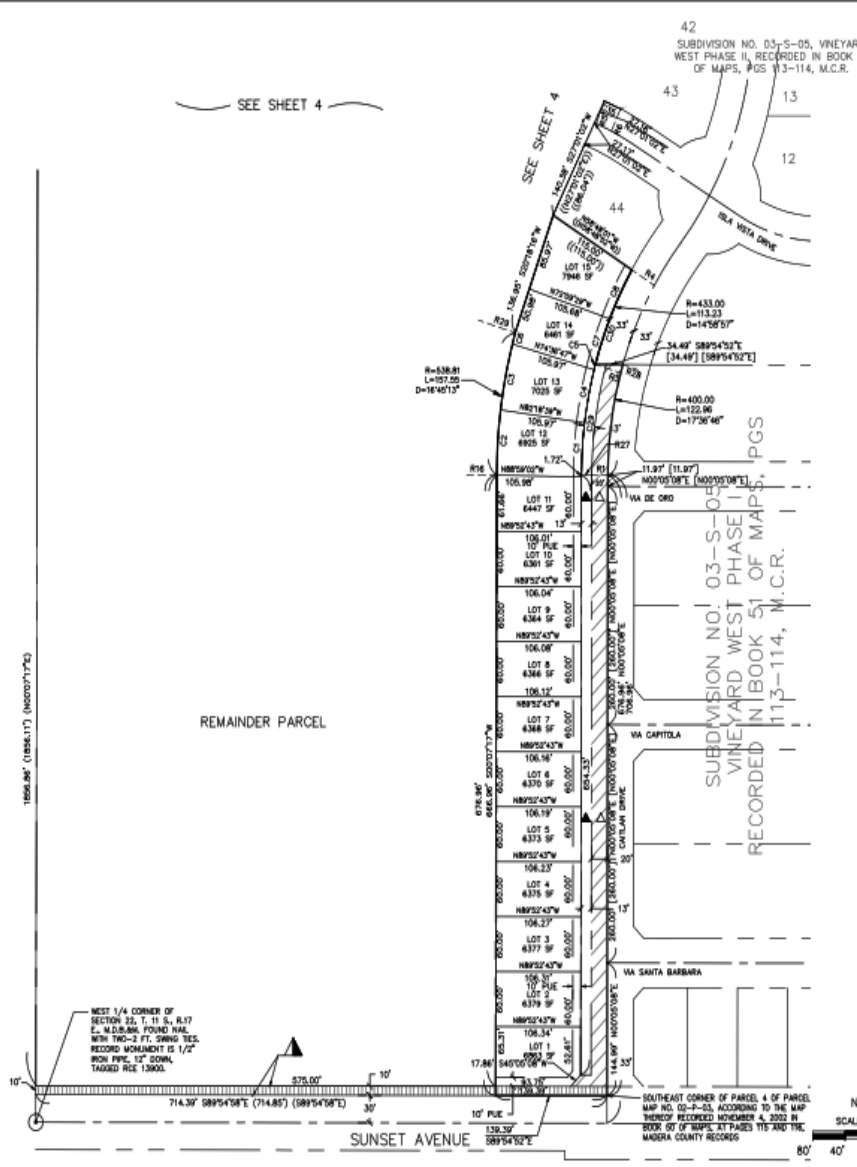
**Vineyard Estates, Tract S1-S-02 & S1-S-03/TSM 2020-04  
Subdivision Map**

SEE SHEET 4

42  
SUBDIVISION NO. 03-S-05, VINEYARD  
WEST PHASE II, RECORDED IN BOOK 51  
OF MAPS, PGS 113-114, M.C.R.

**SUBDIVISION NO. 21-S-02  
VINEYARD ESTATES PHASE III-A  
(A PLANNED UNIT DEVELOPMENT)**  
IN THE CITY OF MADERA,  
MADERA COUNTY, CALIFORNIA

SURVEYED AND PLATTED BY:  
**Harbison International, Inc.**  
Engineers - Surveyors - Planners  
2708 E. Shaw Ave., Suite 102, Fresno CA 93710, USA  
P.O. (509) 284-7485 FAX (509) 284-7488  
MAY 17, 2021 SHEET THREE OF FOUR



Curve Table				Curve Table				Road Table		Road Table			
Curve #	Length	Radius	Delta	Chord	Curve #	Length	Radius	Delta	Chord	Line #	Direction	Line #	Direction
C1	57.46'	433.00'	73°07'33"	57.42'	C22	106.75'	373.00'	165°11'33"	109.36'	R1	S89°54'52"E	R16	N89°55'04"W
C2	71.63'	538.81'	73°07'21"	71.47'	C23	56.32'	427.00'	72°02'22"	56.28'	R2	NOT USED	R17	N00°07'17"E
C3	73.41'	538.81'	74°02'33"	73.36'	C24	67.33'	427.00'	95°02'04"	67.26'	R3	N73°40'59"W	R18	NOT USED
C4	59.17'	433.00'	74°02'49"	59.13'	C25	53.86'	427.00'	75°33'33"	53.86'	R4	N68°42'02"W	R19	NOT USED
C5	6.03'	433.00'	074°52'	6.03'	C26	142.96'	400.00'	205°04'48"	142.23'	R5	N21°07'59"E	R20	NOT USED
C6	13.61'	538.81'	125°29'	12.61'	C27	37.63'	400.00'	37°27'28"	27.62'	R6	S25°02'38"W	R21	S41°44'34"W
C7	53.04'	433.00'	70°10'36"	53.01'	C28	160.14'	400.00'	22°56'11"	159.07'	R7	N85°36'03"W	R22	N01°41'09"E
C8	60.19'	433.00'	75°57'51"	60.14'	C29	122.66'	433.00'	161°25'44"	122.26'	R8	N89°17'25"W	R23	N16°20'27"E
C9	59.48'	375.00'	93°07'15"	59.42'	C30	113.23'	433.00'	145°02'51"	112.80'	R9	N89°12'12"W	R24	N15°11'32"E
C10	24.93'	375.00'	374°33'	24.93'	C31	229.30'	50.00'	262°46'00"	75.03'	R10	N72°20'40"W	R25	N41°17'33"W
C11	37.89'	50.00'	43°19'16"	36.91'	C32	106.67'	426.00'	143°01'11"	108.37'	R11	S54°24'40"W	R26	N27°17'44"E
C12	18.19'	50.00'	205°02'49"	18.09'	C33	25.36'	327.00'	426°33'	25.36'	R12	S39°24'04"E	R27	N89°54'52"W
C13	53.68'	50.00'	61°30'48"	51.14'	C34	176.64'	427.00'	23°41'21"	175.29'	R13	S89°07'33"E	R28	N72°18'06"W
C14	43.33'	50.00'	49°39'23"	41.99'	C35	22.32'	327.00'	374°40'	22.32'	R14	N41°20'04"E	R29	N73°09'52"W
C15	43.29'	50.00'	49°36'29"	41.96'	C36	84.41'	376.00'	123°53'	84.23'	R15	N20°10'43"W		
C16	46.96'	50.00'	53°48'45"	45.25'									
C17	23.85'	50.00'	37°19'54"	23.63'									
C18	34.96'	50.00'	40°13'33"	34.25'									
C19	5.29'	425.00'	074°24'	5.29'									
C20	60.42'	425.00'	85°04'44"	60.37'									
C21	42.96'	425.00'	5°47'31"	42.94'									

**LEGEND**

- ⊙ SECTION CORNER MONUMENT FOUND AND ACCEPTED AS SHOWN
- MONUMENT FOUND AS DESCRIBED
- ( ) DATA PER PARCEL MAP NO. 02-P-03, RECORDED IN BOOK 50 OF MAPS AT PAGES 115 AND 116, M.C.R.
- (( )) DATA PER SUBDIVISION NO. 03-S-11, VINEYARD WEST PHASE I, RECORDED IN BOOK 52 OF MAPS, PGS 110-111, M.C.R.
- [ ] DATA PER SUBDIVISION NO. 03-S-05, VINEYARD WEST PHASE II, RECORDED IN BOOK 51 OF MAPS, PGS 113-114, M.C.R.
- △ PREVIOUSLY DEDICATED FOR PUBLIC STREET FOR DOC NO. 2003020827, O.R.M.C.
- M.C.R. MADERA COUNTY RECORDS
- O.R.M.C. OFFICIAL RECORDS MADERA COUNTY
- ▲ 10' PREVIOUSLY DEDICATED FOR PUBLIC STREET AND UTILITY PURPOSES PER DOCUMENT RECORDED NUMBER 474, 2002 AS DOCUMENT 2002038767, MADERA COUNTY OFFICIAL RECORDS.
- ▲ REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENT FOR PUBLIC PURPOSES
- ▲ AREA NOW OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES FOR PUBLIC USE.
- ▲ NOW OFFERED FOR DEDICATION FOR PUBLIC UTILITY EASEMENT PURPOSES FOR PUBLIC USE.

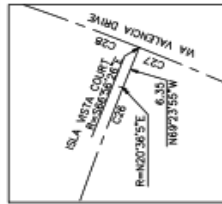
**SUBDIVISION NO. 21-S-02  
VINEYARD ESTATES PHASE III-A  
(A PLANNED UNIT DEVELOPMENT)**

IN THE CITY OF MADERA,  
MADERA COUNTY, CALIFORNIA

PREPARED AND PLATTED BY:  
**Harbison International, Inc.**  
Engineers - Surveyors - Planners  
1400 N. GARDEN ST. SUITE 200  
MADERA, CA 95354  
TEL: (562) 844-7400 FAX: (562) 844-7408  
MAY 17, 2021  
SHEET FOUR OF FOUR



Curve Table			Sight Table			Road Table			Road Table			
Curve #	Length	Radius	Delta	Chord	Line #	Delta	Chord	Line #	Delta	Chord	Line #	Direction
C1	57.46'	433.00'	72°52'37"	87.12'	R1	100.35'	373.00'	R1	58°24'52"E	100.35'	R16	N89°25'04"W
C2	71.53'	538.00'	74°23'27"	117.47'	R2	58.32'	427.00'	R2	NOT USED	58.32'	R17	N00°07'17"E
C3	73.41'	538.00'	73°30'37"	119.33'	R3	67.33'	427.00'	R3	N73°40'59"W	67.33'	R18	NOT USED
C4	69.17'	433.00'	74°49'49"	109.33'	R4	53.89'	427.00'	R4	N64°52'02"W	53.89'	R19	NOT USED
C5	63.37'	433.00'	74°12'52"	103.33'	R5	142.86'	463.00'	R5	N02°17'08"E	142.86'	R20	NOT USED
C6	131.61'	538.00'	70°27'08"	212.81'	R6	27.63'	400.00'	R6	S28°02'36"W	27.63'	R21	S44°42'34"W
C7	53.04'	433.00'	70°00'00"	93.01'	R7	160.14'	400.00'	R7	N67°00'00"W	160.14'	R22	N01°14'12"W
C8	60.19'	433.00'	78°37'01"	105.14'	R8	122.66'	433.00'	R8	N89°17'35"W	122.66'	R23	N85°20'27"E
C9	58.48'	375.00'	87°07'07"	104.42'	R9	113.33'	433.00'	R9	N89°17'35"W	113.33'	R24	N05°17'32"E
C10	24.87'	375.00'	24°42'32"	44.82'	R10	229.30'	300.00'	R10	N72°24'42"W	229.30'	R25	N41°33'37"W
C11	37.87'	50.00'	47°39'36"	58.21'	R11	103.20'	450.00'	R11	108.37'	103.20'	R26	N27°44'42"E
C12	18.19'	50.00'	30°29'48"	31.44'	R12	208.35'	25.00'	R12	S28°24'04"E	208.35'	R27	N89°25'04"W
C13	53.87'	50.00'	47°39'36"	81.14'	R13	176.94'	427.00'	R13	S80°07'32"E	176.94'	R28	N72°00'00"W
C14	43.37'	50.00'	47°39'36"	64.39'	R14	23.52'	327.00'	R14	N41°20'04"E	23.52'	R29	N73°09'55"W
C15	43.37'	50.00'	47°39'36"	64.39'	R15	84.41'	370.00'	R15	N02°17'08"E	84.41'	R30	N73°09'55"W
C16	48.96'	50.00'	39°46'42"	74.25'	R16	143.20'	450.00'	R16	N27°44'42"E	143.20'	R31	N73°09'55"W
C17	23.86'	50.00'	27°18'54"	38.83'	R17	271.94'	23.87'	R17	S28°24'04"E	271.94'	R32	N27°44'42"E
C18	34.96'	50.00'	40°17'37"	54.29'	R18	100.00'	400.00'	R18	N00°00'00"E	100.00'	R33	N00°00'00"E
C19	5.33'	425.00'	0°42'44"	5.33'	R19	425.00'	425.00'	R19	N00°00'00"E	425.00'	R34	N00°00'00"E
C20	60.47'	425.00'	0°42'44"	60.47'	R20	425.00'	425.00'	R20	N00°00'00"E	425.00'	R35	N00°00'00"E
C21	42.26'	425.00'	24°17'37"	74.25'	R21	425.00'	425.00'	R21	N00°00'00"E	425.00'	R36	N00°00'00"E

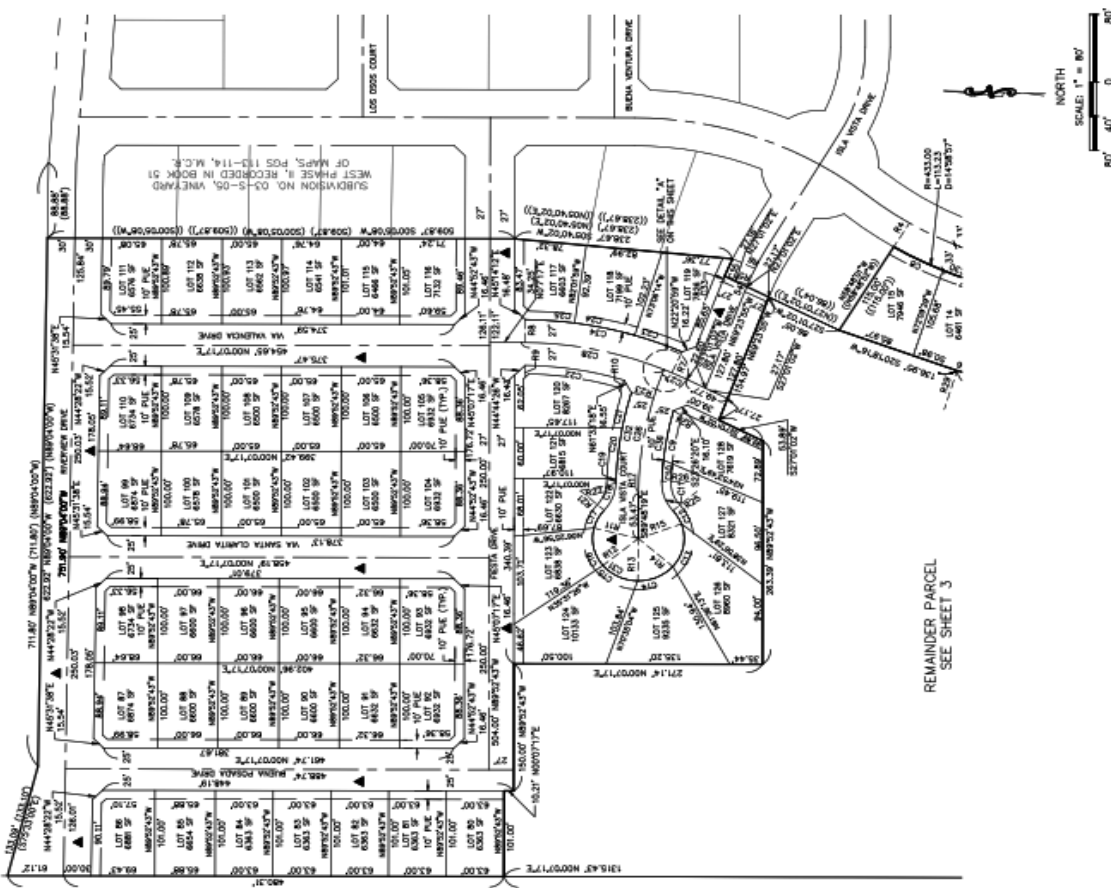


**DETAIL "A"**  
SCALE: 1" = 10'

**LEGEND**

- (D) SECTION CORNER MONUMENT FOUND AND ACCEPTED AS SHOWN
- (M) MONUMENT FOUND AS DESCRIBED
- (P) DATA PER PARCEL MAP NO. 02-P-03, RECORDED IN BOOK 50 OF MAPS AT PHASES 115 AND 116, M.C.R.
- (U) DATA PER SUBDIVISION NO. 02-S-11, VINEYARD WEST PHASE I, RECORDED IN BOOK 02 OF MAPS, PDS 102-101, M.C.R.
- (V) DATA PER SUBDIVISION NO. 03-S-05, VINEYARD WEST PHASE I, RECORDED IN BOOK 02 OF MAPS, PDS 102-101, M.C.R.
- (W) DATA PER SUBDIVISION NO. 03-S-05, VINEYARD WEST PHASE I, RECORDED IN BOOK 01 OF MAPS, PDS 102-101, M.C.R.
- (X) DATA PER PUBLIC STREET PER DOC NO. 200302867, O.S.M.C.
- (Y) M.C.R. OFFICIAL RECORDS MADERA COUNTY

THE REAL PROPERTY DESCRIBED BELOW IS DESIGNATED AS EASEMENT FOR PUBLIC PURPOSES  
 AREA NOW OFFERED FOR DEDICATION FOR PUBLIC UTILITY PURPOSES FOR PUBLIC USE.  
 AREA NOW OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES FOR PUBLIC USE.



REMAINDER PARCEL  
SEE SHEET 3

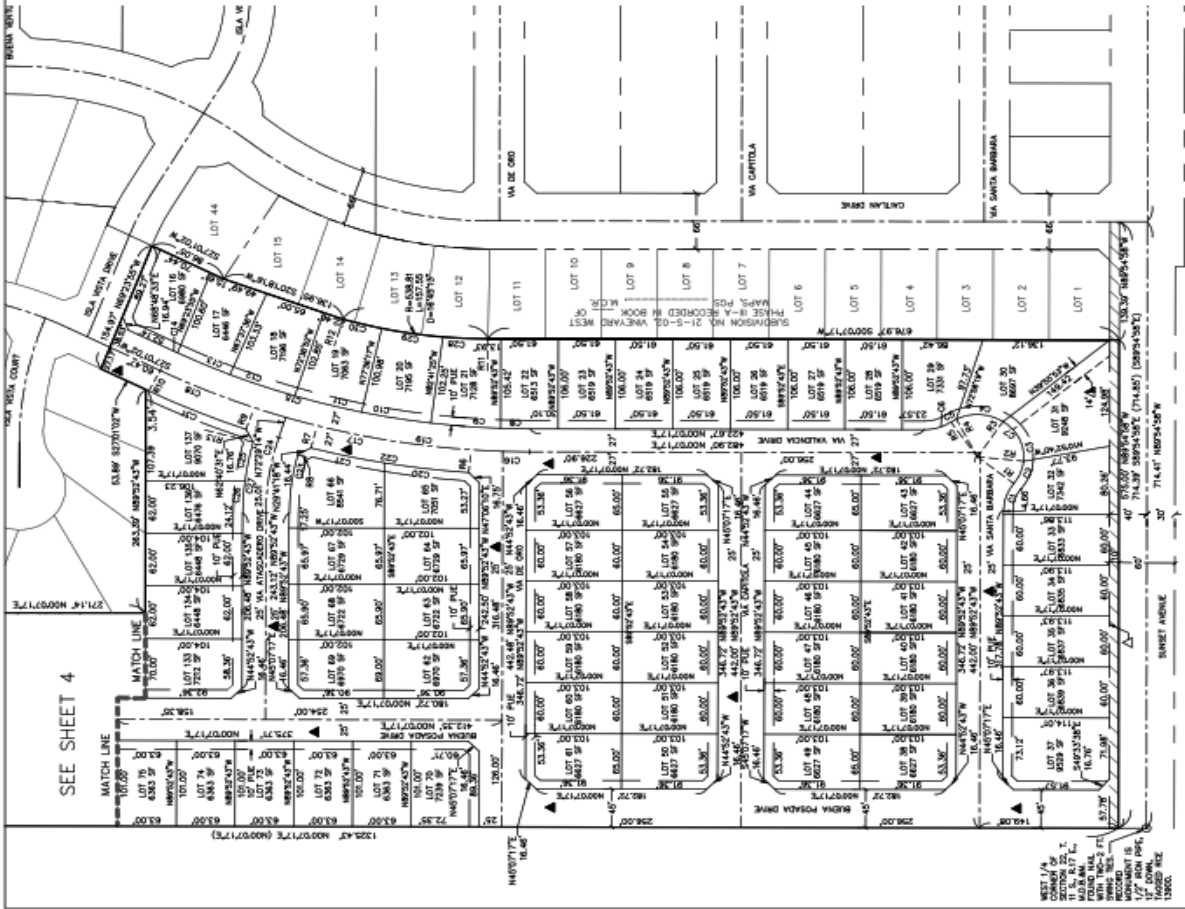
NORTH  
SCALE: 1" = 80'  
80' 40' 0' 80'

**SUBDIVISION NO. 21-S-03  
VINEYARD ESTATES PHASE III-1  
(A PLANNED UNIT DEVELOPMENT)  
IN THE CITY OF MADERA,  
MADERA COUNTY, CALIFORNIA**

SUBMITTED AND DATED BY:  
**Harbison International, Inc.**  
Engineers - Surveyors - Planners  
2000 E. Shaw Ave., Suite 101, Fresno, CA 93720  
TEL: (559) 233-1000 FAX: (559) 233-1001  
SHEET THREE OF FORTY

Use #	Direction	Radius	Chord
R1	S30°01'30"W	100.00'	33.17'
R2	N60°02'48"E	100.00'	28.82'
R3	N42°04'10"W	100.00'	61.86'
R4	S01°29'15"W	100.00'	61.86'
R5	N02°12'22"E	100.00'	6.79'
R6	N85°43'20"W	100.00'	20.00'
R7	N74°48'20"W	100.00'	86.96'
R8	N14°43'03"E	100.00'	31.41'
R9	S70°05'30"E	100.00'	75.21'
R10	N82°08'48"E	100.00'	75.42'
R11	N89°05'00"W	100.00'	74.01'
R12	N73°08'00"W	100.00'	73.87'
R13	N10°10'48"E	100.00'	61.86'

Curve #	Length	Radius	Delta	Chord
C1	33.85'	50.00'	36°44'22"	33.17'
C2	28.83'	50.00'	37°08'00"	28.82'
C3	54.47'	50.00'	42°03'04"	61.86'
C4	52.83'	50.00'	40°18'30"	61.86'
C5	6.79'	50.00'	7°46'22"	6.79'
C6	20.47'	50.00'	24°24'52"	20.00'
C7	142.82'	50.00'	183°03'17"	86.96'
C8	31.41'	50.00'	20°07'02"	31.41'
C9	75.21'	50.00'	53°14'36"	75.21'
C10	75.44'	50.00'	53°00'00"	75.42'
C11	74.01'	50.00'	49°25'00"	74.01'
C12	73.87'	50.00'	45°04'36"	73.87'
C13	61.86'	50.00'	4°10'30"	61.86'
C14	6.94'	50.00'	0°00'00"	6.94'
C15	394.00'	50.00'	28°33'45"	394.35'
C16	28.10'	877.00'	1°54'04"	28.10'
C17	236.96'	877.00'	1°57'50"	236.34'
C18	144.82'	877.00'	1°02'46"	144.44'
C19	411.88'	877.00'	2°03'42"	402.90'
C20	91.20'	904.00'	5°47'13"	91.20'
C21	80.81'	904.00'	5°07'25"	80.84'
C22	172.17'	904.00'	1°53'46"	171.92'
C23	69.95'	273.00'	14°59'40"	66.30'
C24	90.48'	268.00'	17°02'00"	90.11'
C25	46.92'	323.00'	8°19'23"	46.88'
C26	37.87'	323.00'	6°44'08"	37.86'
C27	84.89'	323.00'	1°03'13"	84.87'
C28	48.30'	328.81'	5°08'11"	48.20'
C29	66.46'	328.81'	7°04'01"	66.42'
C30	42.79'	328.81'	4°33'01"	42.78'
C31	113.54'	904.00'	7°11'45"	113.46'



**LEGEND**

- SECTION CORNER MONUMENT FOUND AND ACCEPTED AS SHOWN
- MONUMENT FOUND AS DESCRIBED
- ( ) DATA FOR PARCEL MAP NO. 02-P-03, RECORDED IN BOOK 50 OF MAPS AT PAGES 115 AND 116, M.C.R.
- ( [ ] DATA FOR SUBDIVISION NO. 03-S-11, WINEYARD WEST PHASE II, RECORDED IN BOOK 52 OF MAPS, DATA FOR SUBDIVISION NO. 03-S-06, WINEYARD WEST PHASE I, RECORDED IN BOOK 51 OF MAPS, PARCELS 107, M.C.R. EXAMINER PREVIOUSLY DESIGNATED FOR PUBLIC STREET AND UTILITY PURPOSES FOR DOCUMENT RECORDED NOVEMBER 4th, 2002 AS DOCUMENT 2002030767, MADERA COUNTY OFFICIAL M.C.R. MADERA COUNTY RECORDS
- ▲ THE REAL PROPERTY DESCRIBED BELOW IS DESIGNATED AS EASEMENT FOR PUBLIC PURPOSES
- ▲ AREA NOW OFFERED FOR DESIGNATION FOR PUBLIC STREET AND UTILITY PURPOSES FOR PUBLIC USE
- ▲ AREA NOW OFFERED FOR DESIGNATION FOR PEDESTRIAN PURPOSES FOR PUBLIC USE
- ▲ NOW OFFERED FOR DESIGNATION FOR PUBLIC UTILITY EASEMENT PURPOSES FOR PUBLIC USE.



**SUBDIVISION NO. 21-S-03  
VINEYARD ESTATES PHASE III-B  
(A PLANNED UNIT DEVELOPMENT)**  
IN THE CITY OF MADERA,  
MADERA COUNTY, CALIFORNIA

SURVEYED AND PLATTED BY:  
**Harbison International, Inc.**  
Engineers - Surveyors - Planners  
2700 E. Shaw Ave., Suite 101, Fresno CA 93710, USA  
P.H. (509) 294-7489 FAX (509) 294-7481  
MAY, 2021 SHEET FOUR OF FOUR



**LEGEND**

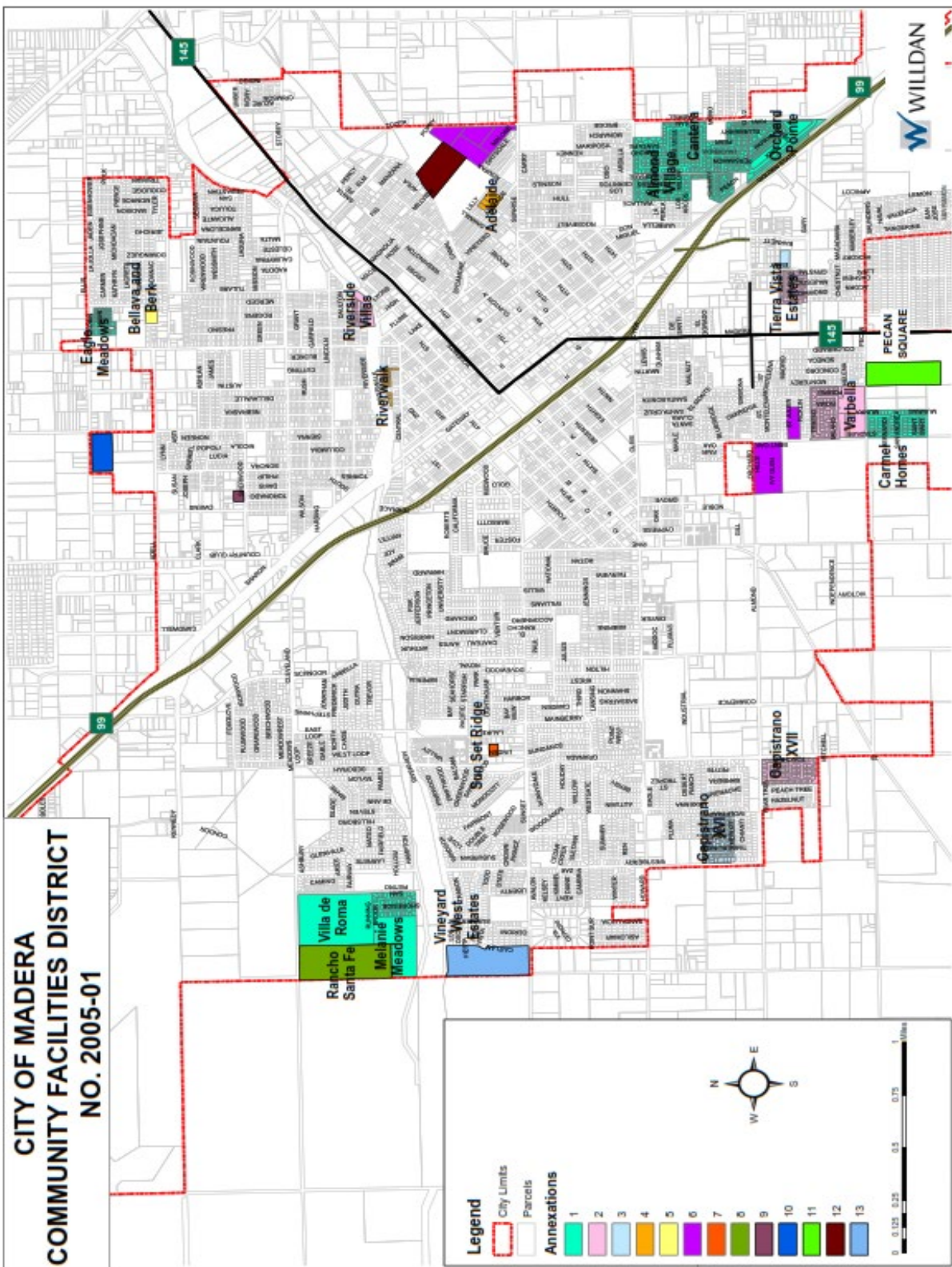
- ⊙ SECTION CORNER MONUMENT FOUND AND ACCEPTED AS SHOWN
  - MONUMENT FOUND AS DESCRIBED
  - ( ) DATA PER PARCEL MAP NO. 02-P-03, RECORDED IN BOOK 50 OF MAPS AT PAGES 115 AND 116, M.C.R.
  - ( [ ] ) DATA PER SUBDIVISION NO. 03-S-11, VINEYARD WEST PHASE II, RECORDED IN BOOK 52 OF MAPS, PAGES 110-111, M.C.R.
  - [ ] DATA PER SUBDIVISION NO. 03-S-05, VINEYARD WEST PHASE I, RECORDED IN BOOK 51 OF MAPS, PAGES 113-114, M.C.R.
  - △ PREVIOUSLY DEDICATED FOR PUBLIC STREET PER DOC. NO. 200228787, O.R.M.C.
- M.C.R. MADERA COUNTY RECORDS  
O.R.M.C. OFFICIAL RECORDS MADERA COUNTY

**THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENT FOR PUBLIC PURPOSES**

- ▲ AREA NOW OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES FOR PUBLIC USE.
- ▲ NOW OFFERED FOR DEDICATION FOR PEDESTRIAN PURPOSES FOR PUBLIC USE.
- PUE NOW OFFERED FOR DEDICATION FOR PUBLIC UTILITY EASEMENT PURPOSES FOR PUBLIC USE.

ATTACHMENT 4  
CFD 2005-1 Map

**CITY OF MADERA  
COMMUNITY FACILITIES DISTRICT  
NO. 2005-01**



**Legend**

- City Limits
- Parcels

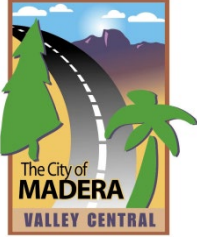
**Annexations**

- 1
- 2
- 3
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0 0.125 0.25 0.5 0.75 1 Miles

N  
W E  
S





# REPORT TO CITY COUNCIL

**Approved by:**

Will Tackett, Community Development Director

Arnaldo Rodriguez, City Manager

**Meeting of:** November 16, 2022

**Agenda Item:** C-2

**SUBJECT:**

Vacation of a Portion of Clark Street Right-of-Way Between Owens Street and Taylor Street (ABN 2022-01)

**RECOMMENDATION:**

Hold a Public Hearing and Adopt a Resolution adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion of Clark Street Between Owens Street and Taylor Street

**SUMMARY:**

The City received an application for the vacation of an unimproved portion of Clark Street (ABN 2022-01) between Taylor Street and Owens Street (Attachment 1) that proposes to vacate a 10-foot-wide section (4,665 square feet) on either side of the street centerline between Owens Street and Taylor Street reducing the overall existing right-of-way width from 80 to 60 feet (Attachment 3, Exhibits A & B). The affected parcels are APN 003-250-024 to the north of Clark Street and APN 003-240-001 to the south of Clark Street. The vacation of the street portions will add approximately 4,665 square feet to each parcel.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	ABN 2022-01
<i>Applicant:</i>	New Alliance Investments, LLC
<i>Location:</i>	Clark Street between Taylor Street and Owens Street
<i>Project Area:</i>	4,665 square feet on either side of Clark Street
<i>Plan Land Use:</i>	Clark Street is designated Collector; Property north and south of right-of-way designated HD – High Density Residential

<i>Zoning District:</i>	PD 1,500 (Planned Development, one unit per 1,500 square feet of site area) north and south of existing right-of-way
<i>Site Characteristics</i>	This segment of Clark Street right-of-way is undeveloped – no street improvements are present.

**ANALYSIS:**

Pursuant to Section 8309 of the California Streets and Highways Code, “vacation” means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

The applicant, New Alliance Investments, LLC, requests a partial vacation of Clark Street between Taylor and Owens Streets to reduce the existing street right-of-way width from 80 to 60 feet. The subject request is related to the Bella Vita Residences Project where, on August 10, 2021, the Planning Commission (Commission) approved entitlements for the project by way of Resolution No. 1931 (Attachment 2). As part of the resolution, Condition No. 69 required a portion of Clark Street between Taylor and Owens Streets be vacated prior to issuance of building permits. The applicant’s request for a partial vacation of Clark Street between Taylor and Owens Streets complies with the requirements of Condition No. 69. The vacation will not include the removal, construction or modification of existing infrastructure or structures.

Pursuant to the California Streets and Highways Code, upon the vacation of a street or portion(s) of a street, the underlying property reverts to whomever owns underlying fee title. The 10-foot-wide portions of the north and south sides of Clark Street to be vacated will revert to the adjacent property owner(s) to the north and south, respectively. Upon recordation of the vacation, the City would relinquish its rights to use of the respective portions of property as a roadway.

West of Owen Street, Clark Street is an 80-foot-wide right-of-way, which has been improved along the frontage of the multi-family residential development located on the south side. At the eastern boundary of the Clark Street segment proposed to be vacated, Clark Street is improved as a 60-foot-wide local street within the limits of the abutting single family residential neighborhood. An approximately 130-foot long “stub” street segment was dedicated and improved west of Taylor Street to provide for future connectivity. Reducing the Clark Street right-of-way width to 60-foot for the remaining segment east of Owens Street would have a minimum impact on circulation connecting to an existing 60-foot-wide right-of-way within the adjacent single family residential neighborhood.

Emergency and solid waste service vehicle access, and necessary right-of-way capacity for anticipated traffic volumes and circulation within the area would not be impacted. There are no known utilities or public utility easements located within the portions of right-of-way proposed to be vacated and no public utility easements will need to be retained.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

Staff performed a preliminary environmental assessment and have determined that the project is exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA

Guidelines because the project relates to City right of way. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

**PLANNING COMMISSION REVIEW:**

California Government Code Section 65402 provides, "...no street shall be vacated or abandoned...until the location, purpose and extent of such...street vacation or abandonment...have been submitted to and reported upon by the planning agency as to the conformity with (the) adopted general plan or part thereof." Further, California Streets and Highways Code Section 8313(a) provides, "[I]f the proposed vacation of a street, highway, or public service easement is within an area for which a general plan is adopted by a local agency, the legislative body of the public entity shall consider the general plan prior to vacating the street, highway, or public service easement." Accordingly, the Planning Commission held a public hearing to consider the project at their regular meeting on August 9, 2022. No members of the public addressed the Commission on this item. On a 5-0 vote, the Commission adopted Resolution No. 1931 finding the vacation in conformance with the goals and policies of the General Plan (Attachment 2).

**PUBLIC NOTICE:**

Section 8322 of the California Streets and Highways Code requires that notice of the public hearing for a vacation be published for at least two successive weeks prior to the public hearing. Public notice was published accordingly in the Madera Tribune. Further, Section 8323 of the Code requires that at least two weeks prior to the public hearing, notices of the requested right-of-way vacation be posted conspicuously along the line of the street proposed to be vacated. The notices were posted along Clark Street on November 2, 2022. Property owners and occupants within at least a 300-foot radius of the subject vacation property were notified by mail of hearing.

**FISCAL IMPACT:**

The applicant paid Planning Department application processing fees in accordance with the Master Fee Schedule to offset the cost associated with processing Right-of-Way Abandonment Application No. ABN 2022-01.

**ALTERNATIVES:**

Council could consider alternatives other than the Planning Commission and staff's recommendation for approval of the partial vacation of Clark Street. The Council may:

1. Deny the partial vacation of Clark Street. Should the request be denied, the Bella Vita Residences Project approved by the Planning Commission on August 10, 2021 would be unable to move forward and the Project's Precise Plan (PPL 2020-02) and Variance (VAR 2020-03) would be suspended.
2. Move to continue the item with direction to staff to provide additional information.

**ATTACHMENTS:**

1. Vicinity Map
2. Planning Commission Resolution No. 1931
3. Resolution of the City Council

ATTACHMENT 1  
Vicinity Map

# Attachment 1: Vicinity Map



**ATTACHMENT 2**  
**Planning Commission Resolution No. 1931**

**RESOLUTION NO. 1931**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
DETERMINING THAT THE VACATION OF A PORTION OF CLARK STREET  
BETWEEN OWENS STREET AND TAYLOR STREET BY THE CITY OF MADERA  
IS IN CONFORMANCE WITH THE GOALS AND POLICIES OF THE GENERAL  
PLAN**

**WHEREAS**, the California Government Code Section 65402 and Streets and Highways Code Section 8313 requires the Planning Commission review the disposition of any property, include street vacation, by the City for conformity with the adopted General Plan; and

**WHEREAS**, the Planning Commission review is intended to assure that the street vacation is consistent with the City's long-range objectives; and

**WHEREAS**, the proposed right of way to be vacated is the northern 10 feet and southern 10 feet of an undeveloped portion of Clark Street located between Owens Street and Taylor Street (the "Vacation"). The General Plan Land Use designation of the property north and south of the right-of-way is HD-High Density Residential and zoned PD 1,500 (Planned Development, one unit per 1,500 square feet of site area); and

**WHEREAS**, the Vacation is consistent with Circulation Element Goal CI-3 (A roadway system that accommodates land uses at the City's desired level of service, provides multiple options for travel routes, protects residential areas from excessive traffic, coexists with other travel modes, and contributes to the quality of the City's residential, commercial, office, and industrial areas) and Circulation Element Policy CI-1 (Implement a Circulation Master Plan that supports the General Plan); and

**WHEREAS**, the Vacation is consistent with the circulation system identified within the General Plan Circulation Element. The portion of Clark Street between Owens Street and Taylor Street is currently unimproved but planned to connect the existing Clark Street to the east with Clark Street to the west. West of Owen Street, Clark Street is a developed 80-foot-wide right-of-way. East of Taylor Street, Clark Street is a developed 60-foot-wide right-of-way. The vacation of 10 feet on either side of the Clark Street right-of-way, reducing the right-of-way width to 60 feet east of Owens Street would have a minimum impact on circulation as Clark Street transitions from 80' to 60' west to east connecting to an existing 60' Right of Way at West Clark Street. The street portion being proposed for a right-of-way reduction is adjacent to all properties owned by the same entity. Existing and future land use anticipated by the General Plan and provided for within the Zoning Code will be supported.

**NOW THEREFORE**, be it resolved by the Commission of the City of Madera as follows:

1. **Recitals**: The above recitals are true and correct and are incorporated herein by reference.
2. **Street Vacation**: The Planning Commission hereby determines that the street vacation of the northern 10 feet and southern 10 feet of an undeveloped portion of Clark Street located between Owens Street and Taylor Street by the City of Madera is in conformance with the adopted General Plan.

3. Recommendation: The Planning Commission recommends the City Council adopt a resolution to order the summary vacation of the portion of Clark Street described herein.
4. Effective Date: This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 9<sup>th</sup> day of August 2022, by the following vote:

AYES: Commissioner Rohi Zacharia, Bobby Sheikh, Balwinder Singh, Saim Mohammad,  
Jose Eduardo Chavez, Chairperson Robert Gran Jr., Vice Chair Ramon Lopez

NOES: None

ABSTENTIONS: None

ABSENT: None



---

Robert Gran Jr.  
Planning Commission Chairperson

Attest:



---

Gary Conte, AICP  
Planning Manager

**ATTACHMENT 3**  
**Resolution of the City Council**

Including:

Exhibit A – Clark Street Right-of-Way Vacation Legal Description

Exhibit B – Clark Street Right-of-Way Map

RESOLUTION NO. \_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING  
A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION  
15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) AND  
APPROVING THE VACATION OF A PORTION OF CLARK STREET BETWEEN  
OWENS STREET AND TAYLOR STREET**

**WHEREAS**, the City Council of the City of Madera (Council) is authorized by Chapter 3, Part 3, Division 9 of the Streets and Highways Code of the State of California to vacate and close to public use any right-of-way dedicated for public streets, or parts thereof, within the limits of the City; and

**WHEREAS**, the California Government Code Section 65402 and Streets and Highways Code Section 8313 require the Council review the disposition of any property, including street vacations, by the City; and

**WHEREAS**, the right-of-way to be vacated is an unimproved strip of land 10 feet in width, the north boundary of which is coincident with the north right-of-way line of Clark Street between Owens Street and Taylor Street, a distance of 466.57± feet; and

**WHEREAS**, the right-of-way also to be vacated is an unimproved strip of land 10 feet in width, the southern boundary of which is coincident with the south right-of-way line of Clark Street between Owens Street and Taylor Street, a distance of 466.57± feet; and

**WHEREAS**, it has been determined that the proposed vacation will not preclude public access to any properties; and

**WHEREAS**, in accordance with Streets and Highways Code Section 8313 and California Government Code 65402, the proposed vacation of a portion of the public right-of-way dedicated for Clark Street was submitted to and reported upon by the Planning Commission of the City of Madera (Commission); and

**WHEREAS**, on August 9, 2022, the Commission adopted Resolution No. 1931 determining the proposed vacation of a portion of the public right-of-way dedicated for Clark Street between Owens Taylor Streets was in conformance with the City of Madera General Plan; and

**WHEREAS**, the City Clerk did cause to be published a notice of the public hearing, and did cause to be posted notices of vacation along the line of the subject public right-of-way, as required by the statute; and

**WHEREAS**, Council held a duly noticed public hearing as required by the statute, and has considered all evidence submitted concerning the portion of the public right-of-way dedicated

for Clark Street between Owens and Taylor Streets being the vacated area described and shown in Exhibit A, attached hereto and made part hereof; and

**NOW THEREFORE**, the City Council of the City of Madera finds and resolves as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein by reference.
2. CEQA: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Council finds and determines that the request for a vacation is categorically exempt under CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) because the project relates to the reduction of City right of way and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Street Vacation: The City Council hereby determines that the street vacation of the northern 10 feet and southern 10 feet of an undeveloped portion of Clark Street located between Owens Street and Taylor Street by the City of Madera meets the requirements of Street and Highway Code Section 8300 *et seq.*
4. The City Council hereby orders the vacation of portion of Clark Street described and shown in Exhibits 'A' and 'B' attached to this resolution and incorporated by reference .
5. The Council authorizes and directs the City Clerk to cause this Resolution of Vacation to be recorded with the Clerk/Recorder of the County of Madera.
6. Effective Date: This resolution is effective immediately upon adoption.

# EXHIBIT "A"

## VACATION OF PORTIONS OF CLARK STREET RIGHT-OF-WAY

Portions of that certain 80-foot wide street now known as Clark Street, as shown on and dedicated for public use by "Part Two of Miller & Lux's Subdivision of Lands at Madera, Fresno County, California", according to the Map thereof filed in Volume 1 of Maps, at Page 11, Madera County Records, being situated in Section 13, Township 11 South, Range 17 East, Mount Diablo Base and Meridian, described as follows:

### Northerly Portion:

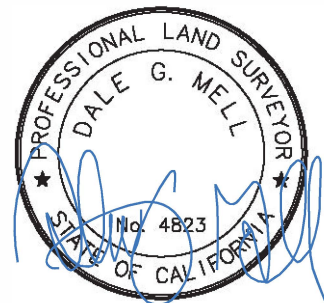
A strip of land 10 feet in width the north boundary of which is coincident with the north right-of-way line of said 80-foot wide street now known as Clark Street, bounded on the west by the east right-of-way line of that certain 80-foot wide street now known as Owens Street and bounded on the east by the west line of Lot 10 of Block 2 of "Martin Subdivision", filed in Book 30 of Maps, at Page 111, Madera County Records.

Area: 4,666 Square Feet, more or less

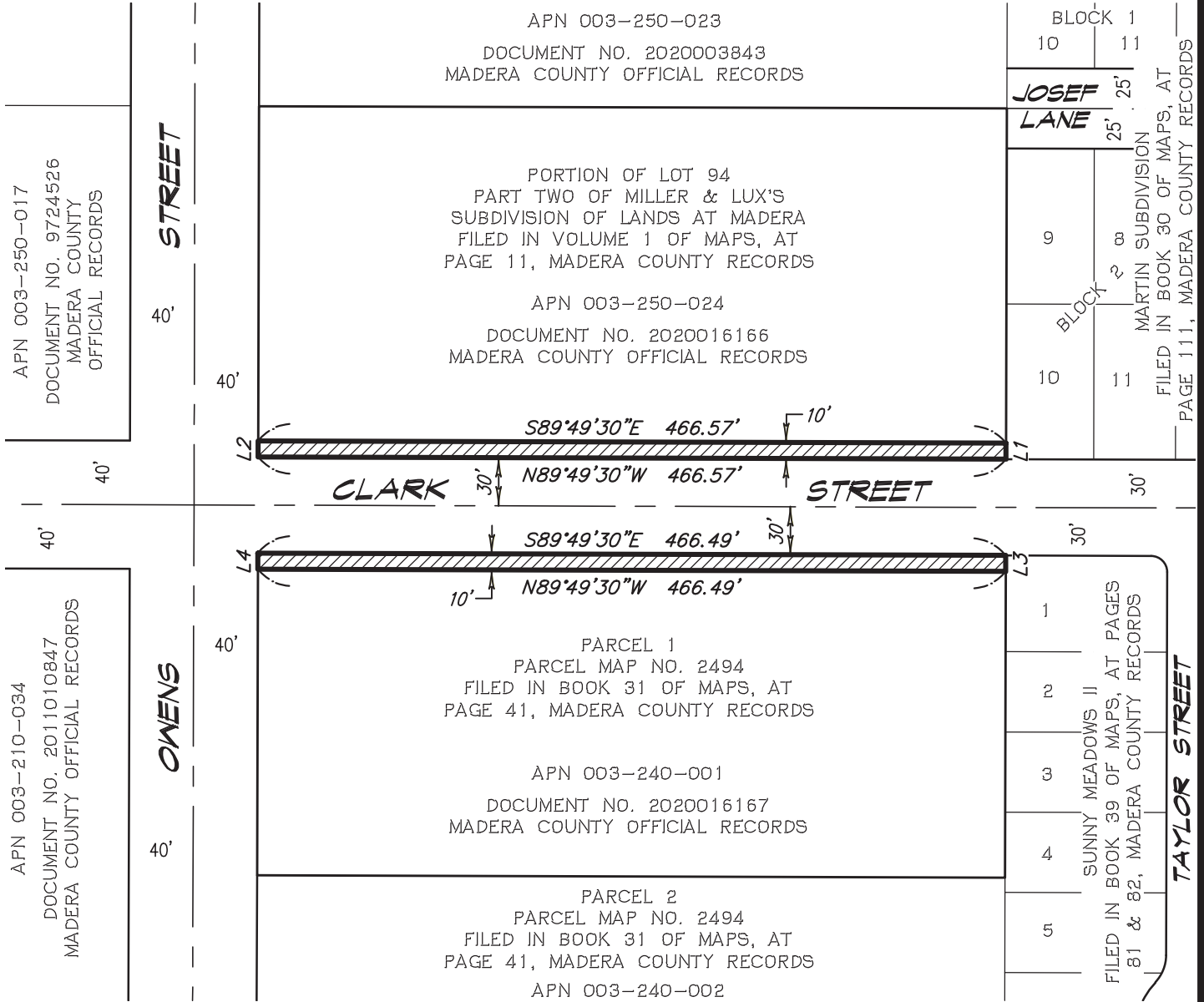
### Southerly Portion:

A strip of land 10 feet in width the south boundary of which is coincident with the south right-of-way line of said 80-foot wide street now known as Clark Street, bounded on the west by the east right-of-way line of that certain 80-foot wide street now known as Owens Street and bounded on the east by the west line of Lot 1 of "Sunny Meadows II", filed in Book 39 of Maps, at Pages 81 and 82, Madera County Records.

Area: 4,665 Square Feet, more or less



# EXHIBIT "B"



**NOTE:**

RECORD OR CALCULATED BEARINGS AND DISTANCES PER PARCEL MAP NO. 2494, FILED IN BOOK 31 OF MAPS, AT PAGE 41, MADERA COUNTY RECORDS AND MARTIN SUBDIVISION, FILED IN BOOK 30 OF MAPS, AT PAGE 111, MADERA COUNTY RECORDS

**RECORD OWNER:**

NEW ALLIANCE INVESTMENTS, LLC  
A CALIFORNIA LIMITED LIABILITY COMPANY



PORTION OF CLARK STREET  
RIGHT-OF-WAY TO BE VACATED  
CONSISTING OF 9,331 SQ. FT.

**LINE TABLE**

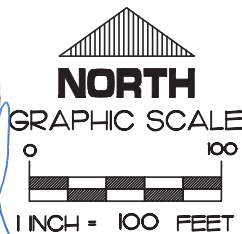
LINE #	BEARING	LENGTH
L1	S0°07'30"W	10.00'
L2	N0°06'50"E	10.00'
L3	S0°08'51"W	10.00'
L4	N0°10'00"E	10.00'

PREPARED BY:



**DALE G. MELL  
& ASSOCIATES**

ENGINEERING & SURVEYING SERVICES  
2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703  
(559) 292-4046 \* FAX 251-9220 \* EMAIL: STAFF@DALEMELL.COM



**BY: M. ESLIMI -09/30/21**  
**DMA CADFILE: 19-111.01EX01**

**MAP CLOSURE REPORT  
NEW ALLIANCE INVESTMENTS, LLC  
PUBLIC STREET VACATION  
DMA PROJECT NO. 19-111.01  
DATE: SEPTEMBER 30, 2021**

Parcel Name:   **VACATION OF CLARK STREET - NORTHERLY PORTION**

North:1,815,539.6888'      East:6,687,276.6073'  
Segment# 1: Line Course: S89° 49' 30"E      Length: 466.57'  
North: 1,815,538.2637'      East: 6,687,743.1752'  
Segment# 2: Line Course: S0° 07' 30"W      Length: 10.00'  
North: 1,815,528.2637'      East: 6,687,743.1534'  
Segment# 3: Line Course: N89° 49' 30"W      Length: 466.57'  
North: 1,815,529.6888'      East: 6,687,276.5855'  
Segment# 4: Line Course: N0° 06' 50"E      Length: 10.00'  
North: 1,815,539.6888'      East: 6,687,276.6054'

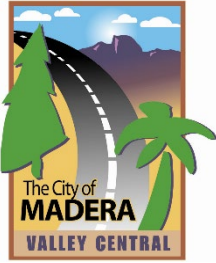
Perimeter: 953.15'      Area: 4,665.73 Sq.Ft.  
Error Closure: 0.0019      Course: N89° 52' 50"W  
Error North : 0.00000      East: -0.00194  
Precision 1: 501,652.63

Parcel Name:   **VACATION OF CLARK STREET - SOUTHERLY PORTION**

North:1,815,469.6890'      East:6,687,276.4405'  
Segment# 1: Line Course: S89° 49' 30"E      Length: 466.49'  
North: 1,815,468.2641'      East: 6,687,742.9284'  
Segment# 2: Line Course: S0° 08' 51"W      Length: 10.00'  
North: 1,815,458.2642'      East: 6,687,742.9026'  
Segment# 3: Line Course: N89° 49' 30"W      Length: 466.49'  
North: 1,815,459.6890'      East: 6,687,276.4148'  
Segment# 4: Line Course: N0° 10' 00"E      Length: 10.00'  
North: 1,815,469.6889'      East: 6,687,276.4439'

Perimeter: 952.98'      Area: 4,664.91 Sq.Ft.  
Error Closure: 0.0033      Course: S89° 50' 35"E  
Error North : -0.00001      East: 0.00335  
Precision 1: 288,781.82






## REPORT TO CITY COUNCIL

**Approved by:**

  
\_\_\_\_\_  
Will Tackett, Community Development Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Meeting of:** November 16, 2022

**Agenda Item:** C-3

**SUBJECT:**

Vacation of a Portion of Noble Street (Alley) along the east side and corner of Noble Street and Maple Street at southeast corner for right-of-way vacation (ABN 2020-02 and ABN 2021-01)

**RECOMMENDATION:**

Hold a Public Hearing and:

1. Adopt a Resolution adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion of Noble Street (Alley) along the east side and corner of Noble Street and Maple Street at southeast corner.

**SUMMARY:**

The City received an application proposing the vacation of portions of existing right-of-way located along the east side Noble Street south of Maple Avenue (Attachment 1). The proposed vacations include a 10-foot (wide) by 275-foot (long), 2,750 square-foot portion of Noble Street (originally dedicated as right-of-way for an alley) located along the east side of Noble Street and south of Maple Street (ABN 2020-02). The City also received an application proposing the vacation of a triangular 9-foot (wide) by 52-foot (long) by 58-foot (long), 184 square-foot portion of the Noble Street right-of-way located at the immediate southeast corner of its intersection with Maple Street (ABN 2021-01). These right-of-way vacation areas are described and illustrated in Attachment 4, Exhibits A through D.

The alley vacation on the east side of noble street south of Maple Street would reduce the overall existing right-of-way width from 40 to 30 feet east of centerline. In total, the proposed vacation

of the respective portions of street and alley rights-of-way will add approximately 2,934 square feet to the affected parcel, Assessor Parcel Number (APN) 012-026-001, located along the east side of the Noble Street frontage.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	ABN 2020-02 and ABN 2021-01
<i>Applicant:</i>	Larry Moore
<i>Location:</i>	Noble Street (Alley) along the east side of the street south of Maple Street and corner of Noble Street and Maple Street at southeast corner of intersection.
<i>Project Area:</i>	2,934 square feet on east side of Noble Street
<i>Plan Land Use:</i>	Noble Street is designated Other Road; Property to the east of the right-of-way designated HD – High Density Residential
<i>Zoning District:</i>	PD 2,000 (Planned Development, one unit per 2,000 square feet of site area) east of existing right-of-way
<i>Site Characteristics</i>	This segment of Noble Street right-of-way is improved with street pavement, curb and gutter only (i.e., there are no existing sidewalks, streetlights, drive approaches or curb returns on the east side of Noble Street within the limits of the proposed vacation areas).

**ANALYSIS:**

Pursuant to Section 8309 of the California Streets and Highways Code, “vacation” means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

The applicant, Berry Development, requests a partial vacation of Noble Street (Alley) along the east side of the street south of Maple Street and corner of Noble Street and Maple Street at southeast corner to remove a portion of the existing street right-of-way for 10-foot of width and 275-foot of length at the alley and the corner triangle of Maple Street and Noble Street measuring 9 ft by 52 ft by 58 ft. The subject request is related to the Grove Gardens project, where on May 12, 2020, the Planning Commission (Commission) approved entitlements for the project by way of Resolution No. 1852. As part of the resolution, Condition 34 required the portion of Noble Street to be vacated prior to issuance of building permits. The applicant’s request for a partial vacation of Noble Street complies with the requirements of Condition 34. The vacation will not include the removal, construction or modification of existing infrastructure or structures.

Pursuant to the California Streets and Highways Code, upon the vacation of a street or portion(s) of a street, the underlying property reverts to whomever owns underlying fee title. The subject portions of Noble Street/Alley to be vacated will revert to the adjacent property and owner(s) to the east. Upon recordation of the vacation, the City would relinquish its rights to use of the property as a roadway.

North of Maple Street is an existing predominantly single-family residential neighborhood. A dedicated and minimally improved 20-foot-wide alley, which serves the existing residential

neighborhood, extends north of Maple Street; offset slightly to the east of the Noble Street alignment. South of Maple Street the Noble Street right-of-way primarily serves industrial uses. Access to the gated multi-family residential project approved at the southeast corner of Noble and Maple Streets will take primary access from Grove Street; a single Emergency Vehicle Access (EVA) point with crash gate is proposed along the Noble Street frontage. Vacating the proposed portions of the right-of-way associated with Noble Street would have a minimum impact on circulation as this 10-foot portion is currently undeveloped and no other connections were intended to be made to this street segment. Service and vehicular access would be maintained to industrial properties to the south.

Emergency and solid waste service vehicle access, and necessary right-of-way capacity for anticipated traffic volumes and circulation within the area would not be impacted.

There are overhead utility lines which are conditioned to be undergrounded with development of the multi-family residential project. The development project was also conditioned with a requirement to dedicate a minimum 10-foot wide Public Utility Easement (PUE) along the entirety of the Noble Street frontage. The remaining right-of-way following vacation and the dedication of an on-site Public Utility Easement will provide sufficient space to accommodate undergrounding. The project was also conditioned to complete public frontage improvements including but not limited to sidewalk. A Pedestrian Easement (PE) may be required to be deeded to the City if final designs demonstrate insufficient width to accommodate minimum accessible paths of travel within the right-of-way. No easements are proposed to be retained with the proposed vacation of right-of-way at this time.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

Staff performed a preliminary environmental assessment and have determined that the project is exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines because the project relates to City right of way. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

#### **PLANNING COMMISSION REVIEW:**

California Government Code Section 65402 provides, "...no street shall be vacated or abandoned...until the location, purpose and extent of such...street vacation or abandonment...have been submitted to and reported upon by the planning agency as to the conformity with (the) adopted general plan or part thereof." Further, California Streets and Highways Code Section 8313(a) provides, "[I]f the proposed vacation of a street, highway, or public service easement is within an area for which a general plan is adopted by a local agency, the legislative body of the public entity shall consider the general plan prior to vacating the street, highway, or public service easement." Accordingly, the Planning Commission held a public hearing to consider the project at their regular meeting on May 12, 2020. No members of the public addressed the Commission on this item. The Commission adopted Resolution No. 1852 finding the vacation in conformance with the goals and policies of the General Plan and imposing Condition of Approval No. 34 to ensure the applicant formally submitted this abandonment

application (Attachment 2). Additionally, on October 12, 2021 and November 9, 2021, the Planning Commission held public hearings to consider and adopt an addendum to the Negative Declaration, which was adopted by the Planning Commission for the Grove gardens project on May 12, 2020. This addendum was prepared to address the addition of project scope to include the abandonments of an alley and the portion of two roadways (ABN 2020-01, ABN 2020-02 and ABN 2021-01); and was adopted by the Commission as evidenced by Commission Resolution No. 1897 (Attachment 3).

**PUBLIC NOTICE:**

Section 8322 of the California Streets and Highways Code requires that notice of the public hearing for a vacation be published for at least two successive weeks prior to the public hearing. Public notice was published accordingly in the Madera Tribune. Further, Section 8323 of the Code requires that at least two weeks prior to the public hearing, notices of the requested right-of-way vacation be posted conspicuously along the line of the street proposed to be vacated. The notices were posted along Noble Street on November 2, 2022. Property owners and occupants within at least a 300-foot radius of the subject vacation property were notified by mail of hearing.

**FISCAL IMPACT:**

The applicant paid Planning Department application processing fees in accordance with the Master Fee Schedule to offset the cost associated with processing Right-of-Way Abandonment Application Nos. ABN 2020-02 and ABN 2021-01.

**ALTERNATIVES:**

Council could consider alternatives other than the Planning Commission and staff's recommendation for approval of the partial vacation of Noble Street (alley) and Noble Street and Maple Street. The Council may:

1. Deny the partial vacation of Noble Street (alley) and Noble Street and Maple Street. Should the request be denied, the Grove Gardens Project approved by the Planning Commission on May 12, 2020 would be unable to move forward and the Project's Precise Plan (PPL 2020-03) and Variance (VAR 2020-02) would be suspended.
2. Move to continue the item direction to staff to provide additional information.

**ATTACHMENTS:**

1. Vicinity Map
2. Planning Commission Resolution No. 1852
3. Planning Commission Resolution No. 1897
4. Resolution of the City Council

ATTACHMENT 1  
Vicinity Map

# Attachment 1: Vicinity Map



**ATTACHMENT 2**  
**Planning Commission Resolution No. 1852**

**RESOLUTION NO. 1852**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA APPROVAL OF AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 1.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF MAPLE STREET AND NOBLE STREET FROM THE I (INDUSTRIAL) TO HD (HIGH DENSITY) GENERAL PLAN LAND USE DESIGNATION AND THE REZONING OF THE PROPERTY FROM THE I (INDUSTRIAL) TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT**

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Madera has adopted a Comprehensive General Plan Update and Environmental Impact Report, and the City of Madera is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, the City has initiated an amendment to the Madera General Plan amending the land use designation for approximately 1.8 acres of property located on the southeast corner of the intersection of Maple Street and Noble Street from the I (Industrial) land use designation to the HD (High Density) land use designation, as shown in the attached Exhibit A; and

WHEREAS, the City has initiated a Rezone of the property from the I (Industrial) Zone District to the PD-2000 (Planned Development) Zone District, as shown in the attached Exhibit B; and

WHEREAS, the proposed General Plan amendment and Rezone will provide the required consistency between the General Plan and Zoning Ordinance; and

WHEREAS, the proposed General Plan amendment and Rezone are compatible with the neighborhood and are not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency, prepared an initial study and negative declaration for the project in compliance with the California Environmental Quality Act; and

WHEREAS, the negative declaration, General Plan amendment and rezoning were distributed for public review and comment to various local agencies and groups, and public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the negative declaration, and considered testimony received as a part of the public hearing process.

WHEREAS, Based upon the testimony and information presented at the hearing, including the initial study and negative declaration and all evidence in the whole record pertaining to this matter, the Commission found that the negative declaration has been prepared pursuant to the California Environmental Quality Act, that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgment of the City of Madera, and was adopted in accordance with the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.

2. The Planning Commission hereby recommends that the Madera General Plan land use map be amended as specified in the attached Exhibit "A".

3. The proposed amendment to the Land Use Map is hereby found consistent with all elements of the Madera General Plan.

4. The proposed rezoning is hereby found to be consistent with all elements of the General Plan, including the land use map as amended by this application.

5. The Planning Commission hereby recommends the City Council adopt an ordinance rezoning property as specified within the attached Exhibit "B".

6. This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of May 2020, by the following vote:

AYES: Commissioners; Israel Cortes, Robert Gran Jr., Richard Broadhead, Alex Salazar

NOES: None

ABSTENTIONS: None

ABSENT: Commissioners; Pam Tyler, Ryan Cerioni

  
\_\_\_\_\_  
Israel Cortes  
Planning Commission Chairperson

Attest:

  
\_\_\_\_\_  
Darrell Unruh  
Interim Planning Manager

**DRAFT ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP REZONING APPROXIMATELY 1.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF MAPLE STREET AND NOBLE STREET TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT "A"**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Madera and this Council have held public hearings upon the rezoning of this property and have determined that the proposed rezoning is consistent with the General Plan as amended and subsequent development will be in conformance with all standards and regulations of the Municipal Code.

SECTION 2. The City of Madera Zoning Map as provided for in Chapter 3 of Title 10 of the Madera Municipal Code is hereby amended as illustrated in the hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Manager and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Manager and City Clerk.

SECTION 3. Based upon the testimony and information presented at the hearing, the adoption of the proposed rezoning is in the best interest of the City of Madera, and the Council hereby approves the rezoning based on the following findings:

FINDINGS:

1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN AMENDMENT AND ZONING.
2. THE REZONE IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
3. CITY SERVICES AND UTILITIES ARE AVAILABLE OR CAN BE EXTENDED TO SERVE THE AREA.

SECTION 4. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

\* \* \* \* \*

**ATTACHMENT 3**  
Planning Commission Resolution No. 1897

**RESOLUTION NO. 1897**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
APPROVING GRAMMATICAL CHANGES TO AND ADOPTING THE ADDENDUM  
TO THE NEGATIVE DECLARATION FOR THE GROVE GARDENS PROJECT**

**WHEREAS**, an Initial Study/Negative Declaration was previously prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA) for the Grove Gardens Project (General Plan Amendment 2020-02, REZ 2020-01, PPL 2020-03 and VAR 2020-02), and was found that the project will not individually or cumulatively have an adverse effect on wildlife resources, and the City of Madera Planning Commission approved the assessment at a duly noticed meeting on May 12, 2020; and

**WHEREAS**, an addendum to the previously adopted Initial Study/Negative Declaration for Grove Gardens Project was drafted that considers the addition of project scope to include the abandonments of an alley and the portion of two roadways (ABN 2020-01, ABN 2020-02 and ABN 2021-01) and lot line adjustment (LLA 2020-04) as well as the site plan and floor plan modifications proposed in PPL 2020-03 MOD, and it is determined the previously Negative Declaration adopted by the Planning Commission on May 12, 2020, is sufficient and no additional environmental analysis is required; and

**WHEREAS**, the addendum to the previously adopted Initial Study/Negative Declaration for Grove Gardens Project was adopted by the Planning Commission on October 12, 2021 where staff erroneously titled the addendum as "Amendment to the Initial Study/Negative Declaration for Grove Gardens Project"; and

**WHEREAS**, the California Environmental Quality Act (CEQA) Guidelines Section 15164 provides procedural steps for addendums to Negative Declarations and Section 15164(b) states that minor technical changes or additions to a Negative Declaration are not required to be recirculated for review; and

**WHEREAS**, the City provided notice of the November 9, 2021, Planning Commission hearing as required by law; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the grammatical error in the title of the Initial Study/Negative Declaration referring to the document as an "amendment" rather than an "addendum" has been corrected to properly reflect the provisions of CEQA Guidelines Section 15164, and is hereby approved as an Addendum to the Initial Study/Negative Declaration for the Grove Gardens Project.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: The Planning Commission finds and determines that the correction of grammatical errors is not a "project" for the purposes of CEQA pursuant to CEQA Guidelines Section 15378 as it involves minor grammatical changes and does not change the validity of the adopted

Initial Study/Negative Declaration by the commission on October 12, 2021, for the Grove Gardens Multifamily Housing Project and adopts the Addendum to the Initial Study/Negative Declaration for the Grove Gardens Project.

3. Effective Date: This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 9<sup>th</sup> day of November 2021, by the following vote:

AYES: Commissioners Ramon Lopez, Rohi Zacharia, Bobby Sheikh, Balwinder Singh, Alex Salazar and Robert Gran Jr.

NOES: None

ABSTENTIONS: None

ABSENT: None



Robert Gran Jr.  
Planning Commission Chairperson

Attest:



Gary Conte, AICP  
Planning Manager

## ATTACHMENT 4

### Resolution of the City Council

Including:

Exhibit A – Noble Street (Alley) Right-of-Way Vacation Legal Description

Exhibit B – Noble Street (Alley) Right-of-Way Map

Exhibit C – Noble Street (Corner) Right-of-Way Vacation Legal Description

Exhibit D – Noble Street (Corner) Right-of-Way Map

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING  
A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION  
15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) AND  
APPROVING THE VACATION OF A PORTION OF EAST NOBLE STREET ALLEY  
AND SOUTHEAST CORNER OF NOBLE STREET AND MAPLE STREET**

**WHEREAS**, the City Council of the City of Madera (Council), is authorized by Chapter 3, Part 3, Division 9 of the Streets and Highways Code of the State of California to vacate and close to public use any right-of-way dedicated for public streets, or parts thereof, within the limits of the City; and

**WHEREAS**, the California Government Code Section 65402 and Streets and Highways Code Section 8313 require the Council review the disposition of any property, include street vacations, by the City; and

**WHEREAS**, the right-of-way to be vacated is an unimproved strip of land 10 feet in width, the west boundary of which is coincident with the east right-of-way line of Noble Street a distance of 275 feet south of Maple Street as well as a corner of Maple Street and Noble Street measuring 9 ft by 52 ft by 58 ft; and

**WHEREAS**, it has been determined that the proposed vacation will not preclude public access to any properties; and

**WHEREAS**, in accordance with Streets and Highways Code 8313 and California Government Code 65402, the proposed vacation of a portion of the public right-of-way dedicated for Noble Street (Alley) and Noble Street and corner Maple Street was submitted to and reported upon by the Planning Commission of the City of Madera (Commission); and

**WHEREAS**, on May 12, 2020, the Commission adopted Resolution No. 1852 determining the proposed vacation of a portion of the public right-of-way dedicated for Noble Street (Alley) and corner of Noble Street and Maple Street would be required to be vacated and included a condition of approval to ensure a vacation application be submitted; and

**WHEREAS**, the City Clerk did cause to be published a notice of the public hearing, and did cause to be posted notices of vacation along the line of the subject public right-of-way, as required by the statute; and

**WHEREAS**, Council held a duly noticed public hearing as required by the statute, and has considered all evidence submitted concerning the portion of the public right-of-way dedicated for Noble Street (alley) and corner of Noble Street and Maple Street being the vacated area described and shown in Exhibits A through D, attached hereto and made part hereof; and

**NOW THEREFORE**, the City Council of the City of Madera finds and resolves as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein by reference.
2. CEQA: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Council finds and determines that the request for a vacation is categorical exempt under CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) because the project relates to the reduction of City right of way and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Street Vacation: The City Council hereby determines that the street (alley) vacation of the eastern 10 feet of an undeveloped portion of Noble Street by the City of Madera meets the requirements of Street and Highway Code Section 8300 et seq.
4. The City Council hereby orders the vacation of portion of Noble Street (alley) described and shown in Exhibits 'A' and 'B' attached to this resolution and incorporated by reference.
5. The Council authorizes and directs the City Council to cause this Resolution of Vacation to be recorded with the Clerk/Recorder of the County of Madera
6. Effective Date: This resolution is effective immediately upon adoption.

**NOW THEREFORE**, be it resolved by the Council as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein by reference.
2. CEQA Recommendation: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Council finds and determines that the request for a vacation is categorical exempt under CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) because the project relates to the reduction of City right of way and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Street Vacation: The City Council hereby determines that the street vacation of southeastern corner of Noble Street and Maple Street of an undeveloped triangle portion by the City of Madera meets the requirements of Street and Highway Code Section 8300 et seq.

4. The City Council hereby orders the vacation of portion of corner triangle of Noble Street and Maple Street described and shown in Exhibits 'C' and 'D' attached to this resolution and incorporated by reference.
5. The Council authorizes and directs the City Clerk to cause this Resolution of Vacation to be recorded with the Clerk/Recorder of the County of Madera.
6. Effective Date: This resolution is effective immediately upon adoption.

## EXHIBIT "A"

### ALLEY ABANDONMENT LEGAL DESCRIPTION

#### EXISTING PARCEL 1

ALL OF LOTS ONE (1), TWO (2) AND THREE (3), EXCEPT THE EASTERLY 75 FEET THEREOF, AND ALL OF LOTS FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10) AND ELEVEN (11); IN BLOCK TEN (10) OF PARK ADDITION TO MADERA, ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893.

#### ADJUSTED PARCEL "A"

ALL OF LOTS ONE (1), TWO (2) AND THREE (3), EXCEPT THE EASTERLY 75 FEET THEREOF, AND ALL OF LOTS FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10) AND ELEVEN (11); IN BLOCK TEN (10) OF PARK ADDITION TO MADERA, ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893.

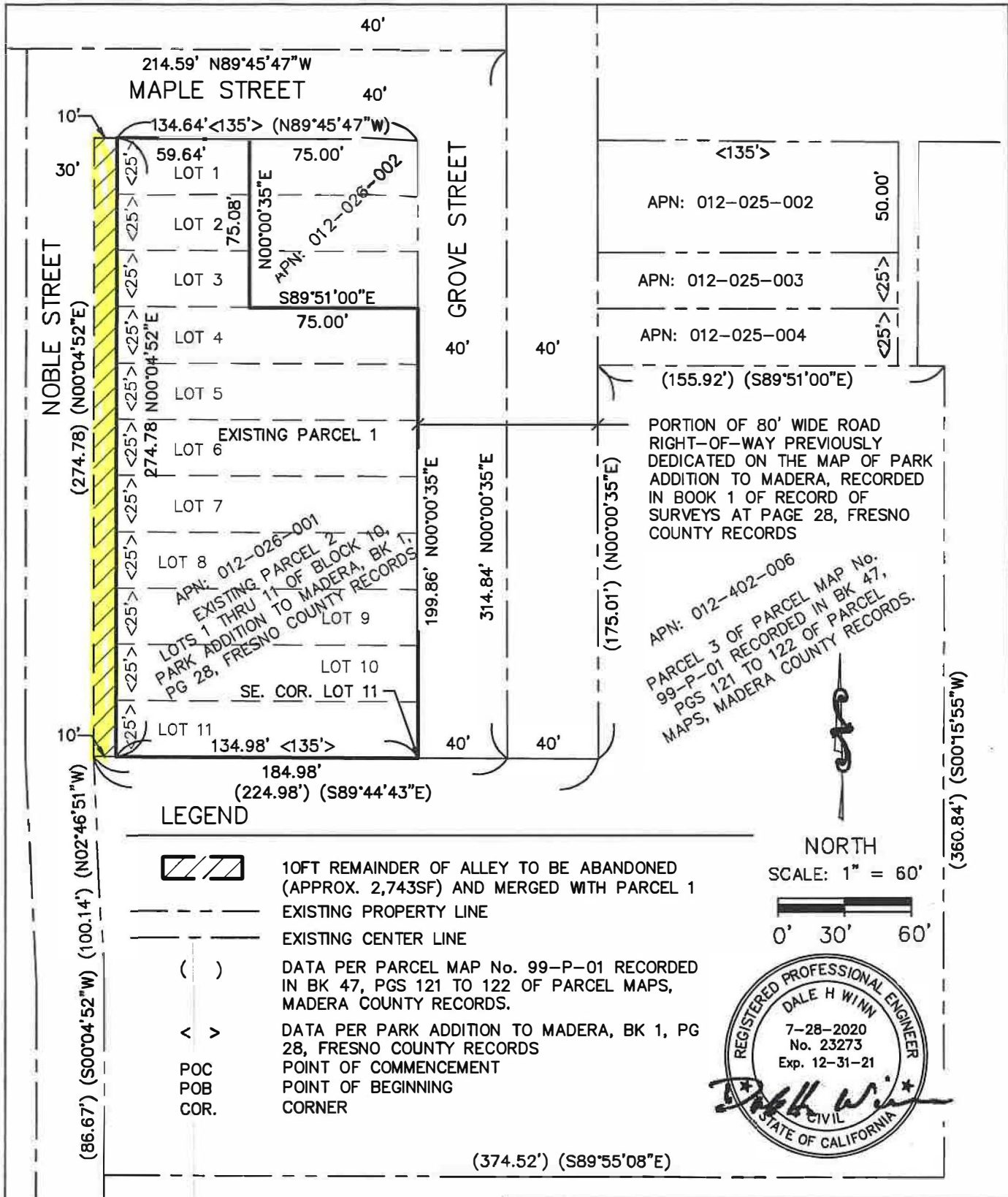
TOGETHER WITH THE EAST HALF OF THAT PORTION OF A 20 FOOT WIDE ALLEY ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893.

PREPARED BY



---

DALE H. WINN RCE 23273 EXP 12-31-2021



**EXHIBIT "B"**  
**ALLEY ABANDONMENT**

**HARBISON INTERNATIONAL INC.,**  
ENGINEERS - SURVEYORS - PLANNERS  
2755 E. SHAW AVE., SUITE 101, FRESNO, CA 93710  
PHONE: (559) 294-7485 FAX: (559) 294-7481

Segment# 8 : Line

Course: S89°51,00"E

North: 89287.3303'

Length: 75.00'

East: 93620.7217'

Perimeter: 839.34'

Error Closure: 0.0029

Error North : -0.00007

Area: 34166.96Sq.Ft.

Course: S88°35,24"E

East: 0.00292

Precision 1: 289427.59

**EXHIBIT "C"**

**NOBLE STREET ABANDONMENT (PORTION) LEGAL DESCRIPTION**

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 IN BLOCK TEN (10) OF PARK ADDITION TO MADERA, ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893, THENCE NORTH 89°45'47" WEST, A DISTANCE OF 10 FEET, TO THE POINT OF BEGINNING;

THENCE SOUTH 43°42'14" WEST, A DISTANCE OF 9.08 FEET;

THENCE SOUTH 6°46'10" EAST, A DISTANCE OF 52.53 FEET;

THENCE NORTH 00°04'52" EAST, A DISTANCE OF 58.73 FEET, TO THE POINT OF BEGINNING.

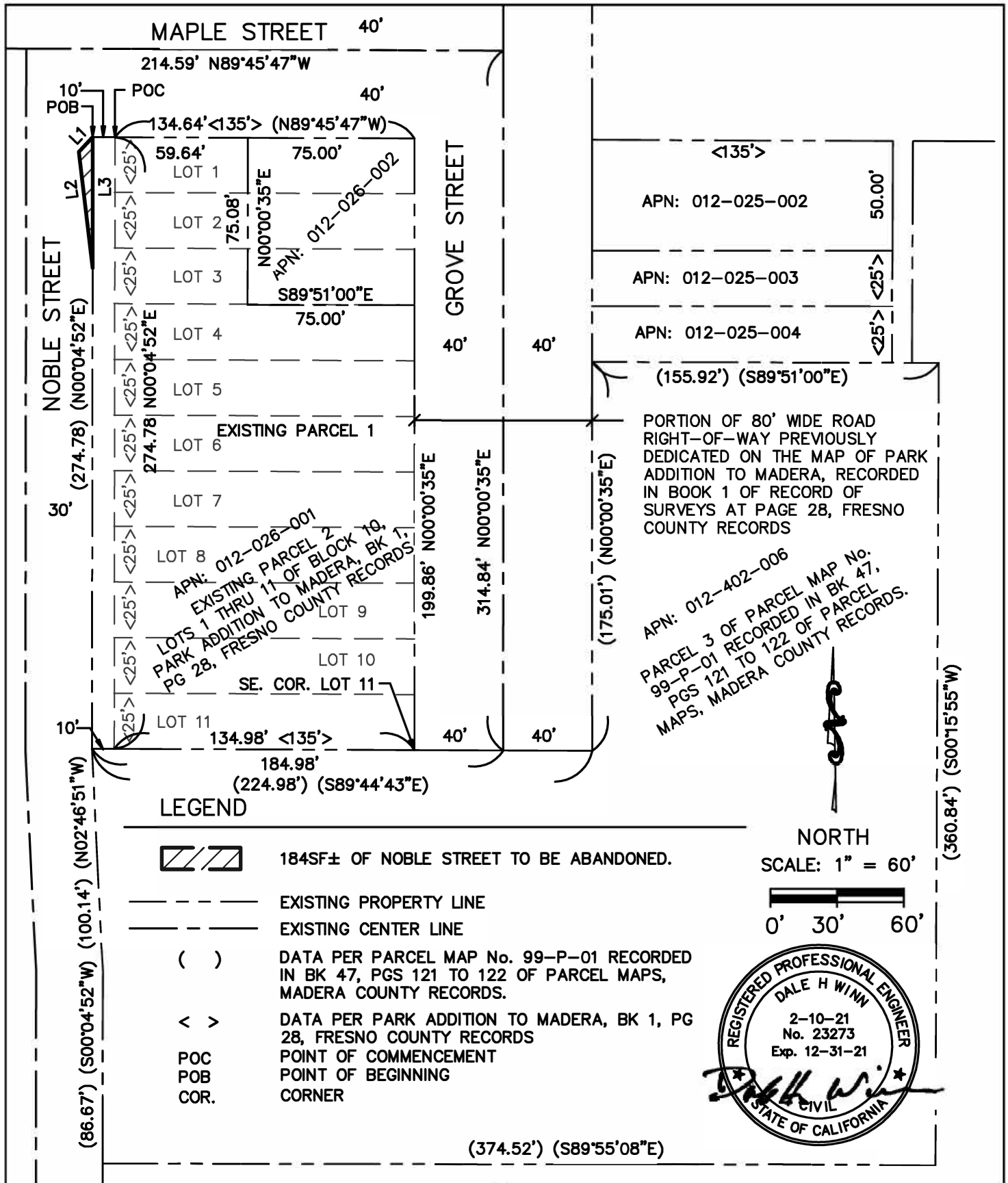
AREA CONTAINS APPROXIMATELY 184 SQUARE FEET;

PREPARED BY:



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DALE H. WINN RCE 23273 EXP 12-31-2021



**EXHIBIT "D"**  
**NOBLE STREET ABANDONMENT**  
**(PORTION)**



**HARBISON INTERNATIONAL INC.,**  
**ENGINEERS - SURVEYORS - PLANNERS**

2755 E. SHAW AVE., SUITE 101, FRESNO, CA 93710

PHONE: (559) 294-7485 FAX: (559) 294-7481

Line Table		
Line #	Length	Direction
L1	9.08'	S43°42'14"W
L2	52.53'	S06°46'10"E
L3	58.73'	N00°04'52"E



EXHIBIT "D"  
NOBLE STREET ABANDONMENT  
(PORTION)



HARBISON INTERNATIONAL INC.,  
ENGINEERS - SURVEYORS - PLANNERS

2755 E. SHAW AVE., SUITE 101, FRESNO, CA 93710

PHONE: (559) 294-7485 FAX: (559) 294-7481

Name: NOBLE STREET ABANDONMENT (PORTION)

North: 89607.3372' East: 92214.9846'

Segment #1 : Line

Course: S43°42'14"W Length: 9.08'  
North: 89600.7730' East: 92208.7109'

Segment #2 : Line

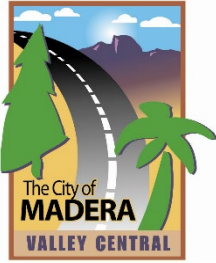
Course: S06°46'10"E Length: 52.53'  
North: 89548.6093' East: 92214.9029'

Segment #3 : Line

Course: N00°04'52"E Length: 58.73'  
North: 89607.3392' East: 92214.9860'

Perimeter: 120.35' Area: 184.02 Sq. Ft.  
Error Closure: 0.0025 Course: N34°59'28"E  
Error North: 0.00204 East: 0.00143


Precision 1: 48136.00



# REPORT TO CITY COUNCIL

**Approved by:**

  
\_\_\_\_\_  
Will Tackett, Community Development Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Meeting of:** November 16, 2022

**Agenda Item:** C-4

**SUBJECT:**

Vacation of a Portion of Grove Street right-of-way South of Maple Street (ABN 2020-01)

**RECOMMENDATION:**

Hold a Public Hearing and Adopt a Resolution adopting a Categorical Exemption Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15305 (Minor Alterations in Land Use Limitations) and Approving the Vacation of a Portion of Grove Street south of Maple Street

**SUMMARY:**

The City received an application for the vacation of an unimproved portion of Grove Street (ABN 2020-01) south of Maple Street (Attachment 1) that proposes to vacate the entire right-of-way for an 80-foot-wide by 175-foot-long section (14,000 square feet) for the portion of the street starting 140-foot south of Maple Street (Attachment 4, Exhibits A & B). The affected parcels are APNs 012-026-001 and; 012-402-006. Title reports have been submitted showing the applicant as owner of APN’s 012-026-001 and 012-402-006. The vacation of the street portion will add 14,000 square feet to the parcels to accommodate approved and future development at this location.

<b>Table 1: Project Overview</b>	
<i>Project Number:</i>	ABN 2020-01
<i>Applicant:</i>	Larry Moore
<i>Location:</i>	Grove Street south of Maple Street
<i>Project Area:</i>	14,000 square feet of entire right of way 140-foot south of Maple Street

<i>Plan Land Use:</i>	Maple Street is designated Other Road; Property north and south of right-of-way designated HD – High Density Residential
<i>Zoning District:</i>	PD 2,000 (Planned Development, one unit per 2,000 square feet of site area)
<i>Site Characteristics</i>	This segment of Grove Street right-of-way is undeveloped – no street improvements are present

**ANALYSIS:**

Pursuant to Section 8309 of the California Streets and Highways Code, “vacation” means the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

The applicant, Berry Development, requests a partial vacation of Grove Street south of Maple Street to remove a portion of the existing street right-of-way for the full 80-foot of width and 175-foot of length. The subject request is related to the Grove Gardens project, where on May 12, 2020, the Planning Commission (Commission) approved entitlements for the project by way of Resolution No. 1852. As part of the resolution, Condition No. 34 required the portion of Grove Street to be vacated prior to issuance of building permits. The applicant’s request for a partial vacation of Grove Street complies with the requirements of Condition No. 34. The vacation will not include the removal, construction or modification of existing infrastructure or structures.

Pursuant to the California Streets and Highways Code, upon the vacation of a street or portion(s) of a street, the underlying property reverts to whomever owns underlying fee title. The subject portion of Grove Street to be vacated will revert to the adjacent properties and owner(s). Upon recordation of the vacation, the City would relinquish its rights to use of the property as a roadway.

North of Grove Street is a developed 80-foot-wide right-of-way. South of Maple Street only 140-foot of Grove Street is developed with the remainder of the right-of-way undeveloped and terminating at the northern property line of industrial buildings to the south. Removing this portion of the right-of-way would have a minimum impact on circulation as no future connections were intended to be made on this street to the south.

Emergency and solid waste service vehicle access, and necessary right-of-way capacity for anticipated traffic volumes and circulation within the area would not be impacted. There are no known utilities or public utility easements located within the portions of right-of-way proposed to be vacated and no public utility easements will need to be retained.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

Staff performed a preliminary environmental assessment and have determined that the project is exempt under Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines because the project relates to City right of way. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

## **PLANNING COMMISSION REVIEW:**

California Government Code Section 65402 provides, "...no street shall be vacated or abandoned...until the location, purpose and extent of such...street vacation or abandonment...have been submitted to and reported upon by the planning agency as to the conformity with (the) adopted general plan or part thereof." Further, California Streets and Highways Code Section 8313(a) provides, "[I]f the proposed vacation of a street, highway, or public service easement is within an area for which a general plan is adopted by a local agency, the legislative body of the public entity shall consider the general plan prior to vacating the street, highway, or public service easement." Accordingly, the Planning Commission held a public hearing to consider the project at their regular meeting on May 12, 2020. No members of the public addressed the Commission on this item. The Commission adopted Resolution No. 1852 finding the vacation in conformance with the goals and policies of the General Plan and imposing Condition of Approval No. 34 to ensure the applicant formally submitted this abandonment application (Attachment 2). Additionally, on October 12, 2021 and November 9, 2021, the Planning Commission held public hearings to consider and adopt an addendum to the Negative Declaration, which was adopted by the Planning Commission for the Grove gardens project on May 12, 2020. This addendum was prepared to address the addition of project scope to include the abandonments of an alley and the portion of two roadways (ABN 2020-01, ABN 2020-02 and ABN 2021-01); and was adopted by the Commission as evidenced by Commission Resolution No. 1897 (Attachment 3).

## **PUBLIC NOTICE:**

Section 8322 of the California Streets and Highways Code requires that notice of the public hearing for a vacation be published for at least two successive weeks prior to the public hearing. Public notice was published accordingly in the Madera Tribune. Further, Section 8323 of the Code requires that at least two weeks prior to the public hearing, notices of the requested right-of-way vacation be posted conspicuously along the line of the street proposed to be vacated. The notices were posted along Grove Street on November 2, 2022. Property owners and occupants within at least a 300-foot radius of the subject vacation property were notified by mail of hearing.

## **FISCAL IMPACT:**

The applicant paid Planning Department application processing fees in accordance with the Master Fee Schedule to offset the cost associated with processing Right-of-Way Abandonment Application No. ABN 2020-01.

## **ALTERNATIVES:**

Council could consider alternatives other than the Planning Commission and staff's recommendation for approval of the partial vacation of Grove Street. The Council may:

1. Deny the partial vacation of Grove Street. Should the request be denied, the Grove Gardens Project approved by the Planning Commission on May 12, 2020 would be unable

to move forward and the Project's Precise Plan (PPL 2020-03) and Variance (VAR 2020-02) would be suspended.

2. Move to continue the item direction to staff to provide additional information.

**ATTACHMENTS:**

1. Vicinity Map
2. Planning Commission Resolution No. 1852
3. Planning Commission Resolution No. 1897
4. Resolution of the City Council

ATTACHMENT 1  
Vicinity Map

# Attachment 1: Vicinity Map



**ATTACHMENT 2**  
**Planning Commission Resolution No. 1852**

**RESOLUTION NO. 1852**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA APPROVAL OF AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 1.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF MAPLE STREET AND NOBLE STREET FROM THE I (INDUSTRIAL) TO HD (HIGH DENSITY) GENERAL PLAN LAND USE DESIGNATION AND THE REZONING OF THE PROPERTY FROM THE I (INDUSTRIAL) TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT**

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Madera has adopted a Comprehensive General Plan Update and Environmental Impact Report, and the City of Madera is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, the City has initiated an amendment to the Madera General Plan amending the land use designation for approximately 1.8 acres of property located on the southeast corner of the intersection of Maple Street and Noble Street from the I (Industrial) land use designation to the HD (High Density) land use designation, as shown in the attached Exhibit A; and

WHEREAS, the City has initiated a Rezone of the property from the I (Industrial) Zone District to the PD-2000 (Planned Development) Zone District, as shown in the attached Exhibit B; and

WHEREAS, the proposed General Plan amendment and Rezone will provide the required consistency between the General Plan and Zoning Ordinance; and

WHEREAS, the proposed General Plan amendment and Rezone are compatible with the neighborhood and are not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency, prepared an initial study and negative declaration for the project in compliance with the California Environmental Quality Act; and

WHEREAS, the negative declaration, General Plan amendment and rezoning were distributed for public review and comment to various local agencies and groups, and public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the negative declaration, and considered testimony received as a part of the public hearing process.

WHEREAS, Based upon the testimony and information presented at the hearing, including the initial study and negative declaration and all evidence in the whole record pertaining to this matter, the Commission found that the negative declaration has been prepared pursuant to the California Environmental Quality Act, that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgment of the City of Madera, and was adopted in accordance with the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.

2. The Planning Commission hereby recommends that the Madera General Plan land use map be amended as specified in the attached Exhibit "A".

3. The proposed amendment to the Land Use Map is hereby found consistent with all elements of the Madera General Plan.

4. The proposed rezoning is hereby found to be consistent with all elements of the General Plan, including the land use map as amended by this application.

5. The Planning Commission hereby recommends the City Council adopt an ordinance rezoning property as specified within the attached Exhibit "B".

6. This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 12<sup>th</sup> day of May 2020, by the following vote:

AYES: Commissioners; Israel Cortes, Robert Gran Jr., Richard Broadhead, Alex Salazar

NOES: None

ABSTENTIONS: None

ABSENT: Commissioners; Pam Tyler, Ryan Cerioni

  
\_\_\_\_\_  
Israel Cortes  
Planning Commission Chairperson

Attest:

  
\_\_\_\_\_  
Darrell Unruh  
Interim Planning Manager

**DRAFT ORDINANCE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP REZONING APPROXIMATELY 1.8 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF MAPLE STREET AND NOBLE STREET TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT "A"**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Madera and this Council have held public hearings upon the rezoning of this property and have determined that the proposed rezoning is consistent with the General Plan as amended and subsequent development will be in conformance with all standards and regulations of the Municipal Code.

SECTION 2. The City of Madera Zoning Map as provided for in Chapter 3 of Title 10 of the Madera Municipal Code is hereby amended as illustrated in the hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Manager and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Manager and City Clerk.

SECTION 3. Based upon the testimony and information presented at the hearing, the adoption of the proposed rezoning is in the best interest of the City of Madera, and the Council hereby approves the rezoning based on the following findings:

FINDINGS:

1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN AMENDMENT AND ZONING.
2. THE REZONE IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
3. CITY SERVICES AND UTILITIES ARE AVAILABLE OR CAN BE EXTENDED TO SERVE THE AREA.

SECTION 4. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

\* \* \* \* \*

**ATTACHMENT 3**  
Planning Commission Resolution No. 1897

**RESOLUTION NO. 1897**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA  
APPROVING GRAMMATICAL CHANGES TO AND ADOPTING THE ADDENDUM  
TO THE NEGATIVE DECLARATION FOR THE GROVE GARDENS PROJECT**

**WHEREAS**, an Initial Study/Negative Declaration was previously prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act (CEQA) for the Grove Gardens Project (General Plan Amendment 2020-02, REZ 2020-01, PPL 2020-03 and VAR 2020-02), and was found that the project will not individually or cumulatively have an adverse effect on wildlife resources, and the City of Madera Planning Commission approved the assessment at a duly noticed meeting on May 12, 2020; and

**WHEREAS**, an addendum to the previously adopted Initial Study/Negative Declaration for Grove Gardens Project was drafted that considers the addition of project scope to include the abandonments of an alley and the portion of two roadways (ABN 2020-01, ABN 2020-02 and ABN 2021-01) and lot line adjustment (LLA 2020-04) as well as the site plan and floor plan modifications proposed in PPL 2020-03 MOD, and it is determined the previously Negative Declaration adopted by the Planning Commission on May 12, 2020, is sufficient and no additional environmental analysis is required; and

**WHEREAS**, the addendum to the previously adopted Initial Study/Negative Declaration for Grove Gardens Project was adopted by the Planning Commission on October 12, 2021 where staff erroneously titled the addendum as "Amendment to the Initial Study/Negative Declaration for Grove Gardens Project"; and

**WHEREAS**, the California Environmental Quality Act (CEQA) Guidelines Section 15164 provides procedural steps for addendums to Negative Declarations and Section 15164(b) states that minor technical changes or additions to a Negative Declaration are not required to be recirculated for review; and

**WHEREAS**, the City provided notice of the November 9, 2021, Planning Commission hearing as required by law; and

**WHEREAS**, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

**WHEREAS**, the grammatical error in the title of the Initial Study/Negative Declaration referring to the document as an "amendment" rather than an "addendum" has been corrected to properly reflect the provisions of CEQA Guidelines Section 15164, and is hereby approved as an Addendum to the Initial Study/Negative Declaration for the Grove Gardens Project.

**NOW THEREFORE**, be it resolved by the Planning Commission of the City of Madera as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.
2. CEQA: The Planning Commission finds and determines that the correction of grammatical errors is not a "project" for the purposes of CEQA pursuant to CEQA Guidelines Section 15378 as it involves minor grammatical changes and does not change the validity of the adopted

Initial Study/Negative Declaration by the commission on October 12, 2021, for the Grove Gardens Multifamily Housing Project and adopts the Addendum to the Initial Study/Negative Declaration for the Grove Gardens Project.

3. Effective Date: This resolution is effective immediately.

\* \* \* \* \*

Passed and adopted by the Planning Commission of the City of Madera this 9<sup>th</sup> day of November 2021, by the following vote:

AYES: Commissioners Ramon Lopez, Rohi Zacharia, Bobby Sheikh, Balwinder Singh, Alex Salazar and Robert Gran Jr.

NOES: None

ABSTENTIONS: None

ABSENT: None



Robert Gran Jr.  
Planning Commission Chairperson

Attest:



Gary Conte, AICP  
Planning Manager

**ATTACHMENT 4**  
**Resolution of the City Council**

Including:

Exhibit A – Grove Street Right-of-Way Vacation Legal Description

Exhibit B – Gove Street Right-of-Way Map

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING  
A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION  
15305 (MINOR ALTERATIONS IN LAND USE LIMITATIONS) AND  
APPROVING THE VACATION OF A PORTION OF GROVE STREET**

**WHEREAS**, the City Council of the City of Madera (Council), is authorized by Chapter 3, Part 3, Division 9 of the Streets and Highways Code of the State of California to vacate and close to public use any right-of-way dedicated for public streets, or parts thereof, within the limits of the City; and

**WHEREAS**, the California Government Code Section 65402 and Streets and Highways Code Section 8313 require the Council review the disposition of any property, include street vacations, by the City; and

**WHEREAS**, the right-of-way to be vacated is an unimproved portion of the entire right of way of 80-foot width, for 175-foot for the portion of the street starting 140-foot south of Maple Street; and

**WHEREAS**, it has been determined that the proposed vacation will not preclude public access to any properties; and

**WHEREAS**, in accordance with Streets and Highways Code Section 8313 and California Government Code 65402, the proposed vacation of a portion of the public right-of-way dedicated for Grove Street was submitted to and reported upon by the Planning Commission of the City of Madera (Commission); and

**WHEREAS**, on May 12, 2020, the Commission adopted Resolution No. 1852 determining the proposed vacation of a portion of the public right-of-way dedicated for Grove Street would be required to be vacated and included a condition of approval to ensure a vacation application be submitted; and

**WHEREAS**, the City Clerk did cause to be published a notice of the public hearing, and did cause to be posted notices of vacation along the line of the subject public right-of-way, as required by the statute; and

**WHEREAS**, Council held a duly noticed public hearing as required by the statute, and has considered all evidence submitted concerning the portion of the public right-of-way dedicated for Grove Street being the vacated area described and shown in Exhibit A, attached hereto and made part hereof; and

**NOW THEREFORE**, the City Council of the City of Madera Finds and resolves as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein by reference.
2. CEQA: A preliminary environmental assessment was prepared for this activity in accordance with the requirements of the California Environmental Quality Act (CEQA). The Council finds and determines that the request for a vacation is categorical exempt under CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) because the project relates to the reduction of City right of way and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.
3. Street Vacation: The City Council hereby determines that the street vacation of the entire 80-foot width of Grove Street, for 175-foot length at 140-foot south of Maple Street of an undeveloped portion of Grove Street by the City of Madera meets the requirements of Street and Highway Code Section 8300 et seq.
4. The City Council hereby orders the vacation of portion of Grove Street described and shown in Exhibits 'A' and 'B' attached to this resolution and incorporated by reference.
5. The Council authorizes and directs the City Clerk to cause this Resolution of Vacation to be recorded with the Clerk/Recorder of the County of Madera.
6. Effective Date: This resolution is effective immediately upon adoption.

**EXHIBIT "A"**

**GROVE STREET RIGHT-OF-WAY VACATION LEGAL DESCRIPTIONS**

**EXISTING PARCEL 1**

PARCEL 3 OF PARCEL MAP NO. 99-P-01, IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED MAY 28, 1999 IN VOLUME 47 OF MAPS, AT PAGES 121 AND 122, MADERA COUNTY RECORDS.

**EXISTING PARCEL 2**

ALL OF LOTS ONE (1), TWO (2) AND THREE (3), EXCEPT THE EASTERLY 75 FEET THEREOF, AND ALL OF LOTS FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10) AND ELEVEN (11); IN BLOCK TEN (10) OF PARK ADDITION TO MADERA, ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893, AND RECORDED NO. 284

**ADJUSTED PARCEL "A"**

PARCEL 3 OF PARCEL MAP 99-P-01 IN THE CITY OF MADERA OF THE COUNTY OF MADERA, STATE OF CALIFORNIA, AS PER MAP RECORDED MAY 28, 1999 IN BOOK 47, PAGE 121 AND 122 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

IN ADDITION TO A PORTION OF AN 80 FOOT WIDE ROAD RIGHT-OF-WAY PREVIOUSLY DEDICATED ON THE MAP OF PARK ADDITION TO MADERA, RECORDED IN BOOK 1 OF RECORD OF SURVEYS AT PAGE 28, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHWEST CORNER OF PAD PARCEL 3 OF PARCEL MAP 99-P-01, THENCE NORTH 89°51'00" WEST, ALONG THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID PARCEL 3, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF SAID 80 FOOT RIGHT-OF-WAY;

THENCE SOUTH 00°00'35 WEST, ALONG THE CENTERLINE OF SAID 80 FOOT RIGHT-OF-WAY, A DISTANCE OF 174.94 FEET;

THENCE SOUTH 89°44'43" EAST, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°00'35" EAST, A DISTANCE OF 175.01 FEET TO **THE POINT OF BEGINNING;**

**AREA CONTAINS APPROXIMATELY 104,244 SQUARE FEET**

**ADJUSTED PARCEL "B"**

ALL OF LOTS ONE (1), TWO (2) AND THREE (3), EXCEPT THE EASTERLY 75 FEET THEREOF, AND ALL OF LOTS FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8), NINE (9), TEN (10) AND ELEVEN (11); IN BLOCK TEN (10) OF PARK ADDITION TO MADERA, ACCORDING TO MAP ENTITLED "PARK ADDITION TO MADERA" FILES AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, STATE OF CALIFORNIA, APRIL 27, 1893.

IN ADDITION TO A PORTION OF AN 80 FOOT WIDE ROAD RIGHT-OF-WAY PREVIOUSLY DEDICATED ON THE MAP OF PARK ADDITION TO MADERA, RECORDED IN BOOK 1 OF RECORD OF SURVEYS AT PAGE 28, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF PAD PARCEL 3 OF PARCEL MAP 99-P-01, THENCE NORTH 89°51'00" WEST, ALONG THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID PARCEL 3, A DISTANCE OF 40.00 FEET TO THE CENTERLINE OF SAID 80 FOOT RIGHT-OF-WAY, AND TO **THE POINT OF BEGINNING;**

THENCE CONTINUING NORTH 89°51'00" WEST, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 00°00'35" WEST, ALONG THE EASTERLY BOUNDARY OF LOTS 5 THROUGH 11 OF SAID BLOCK 10 OF "PARK ADDITION TO MADERA", A DISTANCE OF 174.86 FEET, TO THE SOUTHEAST CORNER OF LOT 11 OF SAID "PARK ADDITION TO MADERA";

THENCE SOUTH 89°44'43" EAST, A DISTANCE OF 40.00 FEET;

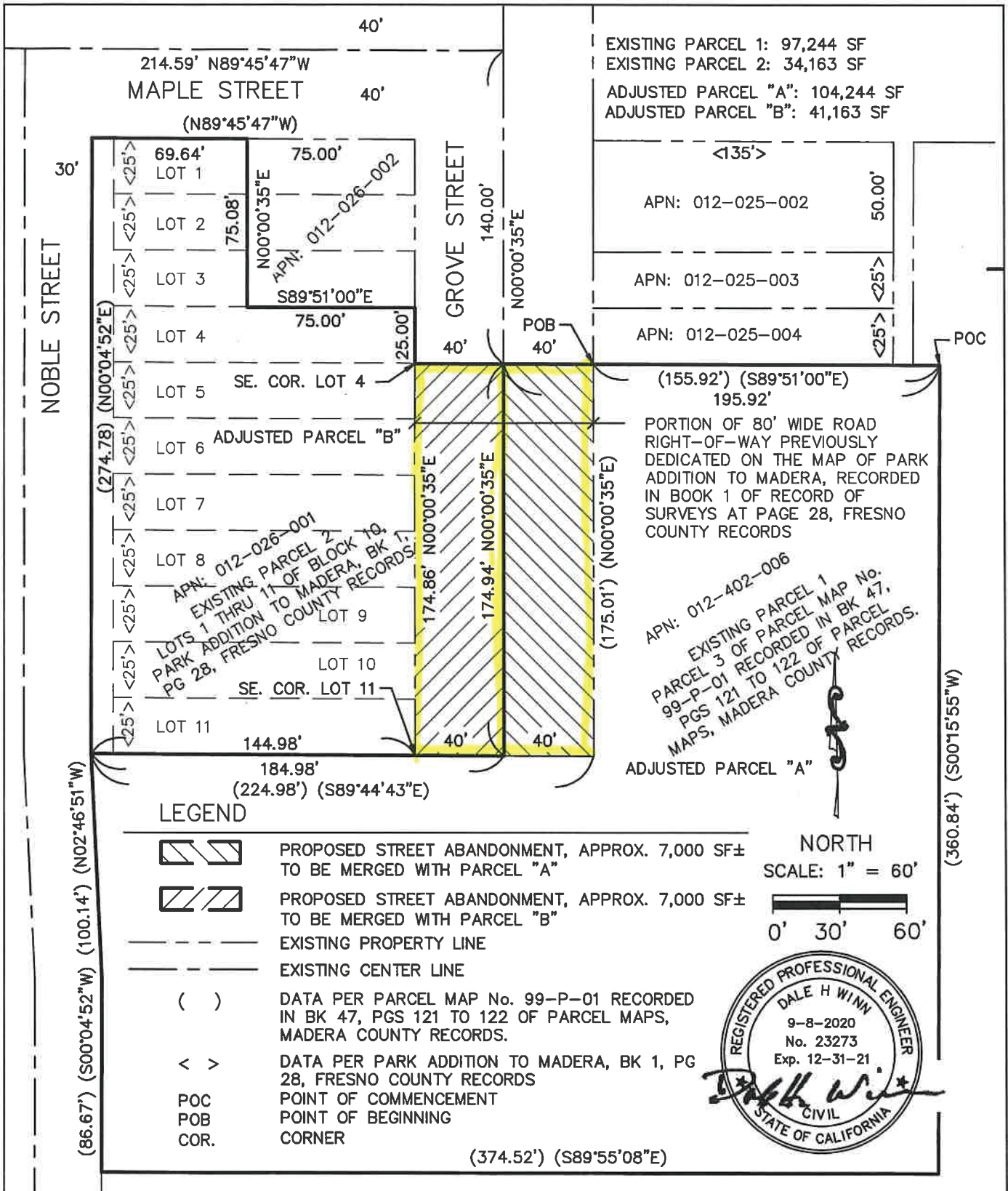
THENCE NORTH 00°00'35" EAST, A DISTANCE OF 174.94 FEET TO **THE POINT OF BEGINNING;**

**AREA CONTAINS APPROXIMATELY 41,163 SQUARE FEET**

PREPARED BY



DALE H. WINN RCE 23273 EXP: 12/31/2021



**LEGEND**



PROPOSED STREET ABANDONMENT, APPROX. 7,000 SF± TO BE MERGED WITH PARCEL "A"



PROPOSED STREET ABANDONMENT, APPROX. 7,000 SF± TO BE MERGED WITH PARCEL "B"



EXISTING PROPERTY LINE



EXISTING CENTER LINE



DATA PER PARCEL MAP No. 99-P-01 RECORDED IN BK 47, PGS 121 TO 122 OF PARCEL MAPS, MADERA COUNTY RECORDS.



DATA PER PARK ADDITION TO MADERA, BK 1, PG 28, FRESNO COUNTY RECORDS

POC

POINT OF COMMENCEMENT

POB

POINT OF BEGINNING

COR.

CORNER

NORTH  
SCALE: 1" = 60'



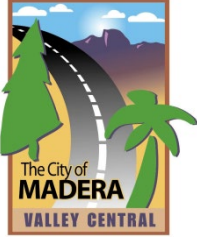
**EXHIBIT "B"**  
**STREET ABANDONMENT**

JOB: 20-215  
DATE: 9-8-2020



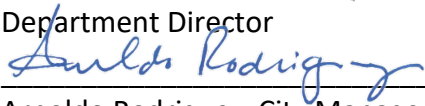
**HARBISON INTERNATIONAL INC.,**  
ENGINEERS - SURVEYORS - PLANNERS

2755 E. SHAW AVE., SUITE 101, FRESNO, CA 93710  
PHONE: (559) 294-7485 FAX: (559) 294-7481



## REPORT TO CITY COUNCIL

Approved by: 

Department Director  
  
Arnoldo Rodriguez, City Manager

Council Meeting of: November 16, 2022

Agenda Number: C-5

### SUBJECT:

Permanent Local Housing Allocation (PLHA) Grant Application

### RECOMMENDATION:

Conduct the public hearing and, Adopt a Resolution authorizing submittal of a grant application for the PLHA program

### SUMMARY:

In 2017, Governor Brown signed the Legislative Housing Package to address the State's housing shortage and high housing costs. The Building Homes and Jobs Act (Senate Bill (SB) 2) was signed into law in 2017. The goal of SB 2 is to provide a permanent and on-going source of funding to local governments for housing related projects and programs that assist in addressing the unmet housing needs of local communities. SB 2 established a \$75 fee to be paid at the time of recording of every real estate instrument, paper, or notice required per single parcel of property. The SB 2 Bill requires that the revenue generated by the imposition of the recording fee appropriate a state-mandated local program (PLHA). The revenue from SB 2 will vary from year to year, as it is dependent on real estate transactions with fluctuating activity. Thus, the PLHA annual allocations will also vary.

The California Department of Housing and Community Development (HCD) announced the 2022 PLHA Notice of Funding Availability (NOFA) for approximately \$335 million in calendar year 2021 funds in addition to the \$131 million in calendar year 2019 and 2020 funds for Entitlement and Non-Entitlement Local governments. This NOFA is funded from moneys deposited in the Building Homes and Jobs Trust Fund (Fund) in calendar year 2021 and includes any remaining unawarded funds not requested for calendar years 2019 and 2020.

The City is an Entitlement jurisdiction based on the formula prescribed under federal law for the Community Development Block Grant (CDBG). The City has not previously requested PLHA funds, therefore this PLHA application request is soliciting all PLHA funds accumulated since 2019. This current NOFA provides the final opportunity for the City to apply for its 2019 PLHA funding allocation in the amount of \$422,319. Funds allocated to Local governments that do not submit a complete application by the deadline will revert to the State's Multifamily Housing Program or State-administered technical assistance to Local governments.

The City must meet the following threshold requirements to apply for and request funds:

- The City's Housing Element must be in compliance with State Housing Element Law.
- The City must have submitted Annual Progress Reports on the housing element for the corresponding calendar years for which the City is requesting PLHA funds.
- The City must submit a 5-year PLHA application that outlines a plan detailing how the allocated funds will be used.

After HCD accepts the PLHA application along with the outlined 5-year spending plan and the 2019 funds are awarded, annual applications are required during the term of the 5-year period to claim the remaining PLHA allocations for calendar years 2020, 2021, 2022, and 2023. Staff will prepare each application annually and submit to HCD as authorized by Council. The PLHA is a permanent program with revenue estimates updated on a 5-year cycle.

#### **DISCUSSION:**

As an Entitlement jurisdiction, HCD estimates the City will receive an allocation over a five-year period (2019-2023) totaling \$2,533,914 from revenue collected and deposited into the Fund beginning in calendar year 2019.

Eligible activities for the PLHA are limited to the following:

1. The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-Very low-, Low-, or Moderate-income households.
2. The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs).
3. Matching portions of funds placed into Local or Regional Housing Trust Funds.
4. Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund.
5. Capitalized Reserves for services connected to the preservation and creation of new, permanent supportive housing.
6. Assisting persons who are experiencing or at-risk of homelessness.
7. Accessibility modifications in Lower-Income owner-occupied housing.
8. Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.
9. Homeownership opportunities, including, but not limited to, down payment assistance.

Funds available for administrative expenses are limited to five percent of the allocation. Eligible activities must also be consistent and compliant with the City's Adopted Housing Element.

The PLHA application includes a proposed 5-year allocation plan for the current funding cycle (2019-2023). Staff recommends utilizing PLHA funding for two core purposes: 1) services to homeless individuals and those at risk of homelessness, and 2) the development and/or rehabilitation of affordable rental housing.

Staff is proposing that the 2019 PLHA allocation in the amount of \$422,319 be allocated towards the operational costs for homeless emergency shelter as outlined in the PLHA Plan. The City will utilize its procurement process to solicit for a qualified subgrantee to manage and operate an emergency shelter facility, including the provision of support services to homeless persons or those at-risk of homelessness. Support services include but are not limited to:

- Operational costs of implementing and managing an emergency shelter including case management
- Housing navigation
- Payroll expenses
- Food, supplies
- Utilities
- Maintenance
- Transportation

Staff is also proposing utilizing the remaining PLHA allocations for calendar years 2020-2023 (approximately \$2,111,595) for the predevelopment, development, acquisition, rehabilitation, and preservation of housing that is affordable to Extremely Low-Income, Very Low- Income, and Low-Income households. This assistance will be offered in the form of low-interest, deferred loans. The loans will be evidenced through a Promissory Note secured by a Deed of Trust, and a Regulatory Agreement that will restrict occupancy and rents for a term of at least 55 years.

The proposed PLHA allocation plan is detailed for a term of five years. However, the City pursuant to council authorization and approval may request an amendment to the PLHA allocation plan in each succeeding year within the 5-year approved term. The HCD will consider and approve such requested amendment as appropriate.

**FINANCIAL IMPACT:**

The activities proposed will not impact the City's General Fund as the costs will be paid with PLHA grant funds. It is anticipated that the City of Madera will receive an estimated total of \$2,533,914 in PLHA funds grant award over the five-year (2019-2023) allocation period.

**ALTERNATIVES:**

As an alternative, Council may:

1. Direct staff to reconsider this proposed allocation and identify an alternative activity(ies).
2. Ask staff to seek alternative revenue sources to finance the indicated homeless and affordable rental housing programs.

**ATTACHMENTS:**

1. Attachment A - Resolution Authorizing Submittal of PLHA Grant Application and adopting the 5-Year Plan.
2. Attachment B PLHA Plan and Application

**RESOLUTION NO. 22-\_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
AUTHORIZING THE APPLICATION FOR THE PERMANENT LOCAL HOUSING  
ALLOCATION PROGRAM**

**WHEREAS**, the Department of Housing and Community Development is authorized to provide up to \$197 million under the SB2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties as describes in the Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB2)); and

**WHEREAS**, the State of California (the “State”), Department of Housing and Community Development (“Department”) issued an amended Notice of Funding Availability (“NOFA”) dated 10/18/2022 under the Permanent Local Housing Allocation (PLHA) Program; and

**WHEREAS**, the City of Madera is an eligible local government who has applied for program funds to administer one or more eligible activities; and

**WHEREAS**, the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement and other contracts between the Department and PLHA grant recipients.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA** does hereby find, resolve, and order:

1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.
2. That Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA \$ 2,533,914 in accordance with all applicable rules and laws.
3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.
4. Pursuant to section 302 (c )(4) of the Guidelines, Applicant’s PLHA Plan is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.
5. Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing

developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.

6. Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.
7. Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
8. Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
9. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.
10. City Manager or his designee is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program of the PLHA grant awarded to Applicant, as the Department may deem appropriate.
11. This resolution is effective immediately upon adoption.

\*\*\*\*\*

# **Permanent Local Housing Allocation (PLHA) Formula Allocation**

## **2022 Application for New Applicants**



**State of California  
Governor, Gavin Newsom**

**Lourdes Castro Ramírez, Secretary  
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director  
Department of Housing and Community Development**

Program Design and Implementation, PLHA Program  
2020 West El Camino Avenue, Suite 150, Sacramento, CA 95833  
PLHA Program Email: [PLHA@hcd.ca.gov](mailto:PLHA@hcd.ca.gov)

**Final Filing Date: October 31, 2022  
at 4:00 P.M. PST**

### Instructions

## This application form is limited to Applicants who did not apply to the 2020 and 2021 Formula Allocation NOFA

Rev. 2/16/22

**When opening this file, a yellow banner at the top may appear with a button that says "Enable Content". It is essential that you click this box so that the macros are enabled. Enabling macros is necessary for full worksheet functionality. Macros do not work with Microsoft's Excel version for Apple Mac.**

Applications must be submitted electronically to the Department's website. Requirements for uploading the Application Workbook and required supporting documentation, including naming conventions, are described in the application instructions available at <https://www.hcd.ca.gov/grants-funding/active-funding/plha.shtml>. All applicable information must be received by HCD no later than 4:00 p.m. on:

**Monday, October 31, 2022**

Applications must be on the Department's forms and cannot be altered or modified by the Applicant. Excel forms must be in Excel format and 'save as' .xls or .xlsx. Do not 'save as' .xlsm or .pdf format. If you encounter problems with the application, please fill out the Application Support worksheet and email the entire workbook to Application Support at [AppSupport@hcd.ca.gov](mailto:AppSupport@hcd.ca.gov) and [PLHA@hcd.ca.gov](mailto:PLHA@hcd.ca.gov)

**General Instructions** Additional instructions and guidance are given throughout the Formula Allocation Application in "red" text and in cell comments.

**Guideline references are made with "\$" and the corresponding guideline section number.**

"Yellow" cells are for Applicant input. Failure to provide the required attachments and documentation will disqualify your application from consideration.

Required attachments are indicated in "orange" throughout the Supplemental Application. Failure to provide the required attachments and documentation may disqualify your application from consideration. Electronically attached files must use the naming convention in the PLHA Application. For Example: "App1 Payee Data" for Applicant 1 Payee Data Record/STD. 204.

Threshold items are indicated in "blue" cells.

"Red" shaded cells indicate the Sponsor has failed to meet a requirement of the program.

**Applicant must complete the following worksheets in the PLHA Formula Allocation Application.**

**Formula Allocation Application**


**302(c)(4) Plan**

**Legislative Contacts**

### Checklist

Threshold Requirement	Electronic File Name	Document Description	Included?
X	<b>Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso</b>	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.	Included
	<b>App1 TIN</b>	0	
X	<b>Applicant Delegation Agreement</b>	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column AI)	N/A
X	<b>Reuse Plan</b>	Program Income Reuse Plan describing how repaid loans or accrued interest will be used for eligible activities in Section 301.	Included
X	<b>Executed Application</b>	Provide a copy of the signed application. Signature in blue ink preferred.	Included

**Disclosure of Application (California Public Records Act Statutes of 1968 Chapter 1473):** Information provided in the application will become a public record available for review by the public, pursuant to the California Public Records Act Statutes of 1968 Chapter 1473. As such, any materials provided will be disclosable to any person making a request under this Act. The Department cautions Applicants to use discretion in providing information not specifically requested, including but not limited to, bank accounts, personal phone numbers and home addresses. By providing this information to the Department, the Applicant is waiving any claim of confidentiality and consents to the disclosure of submitted material upon request.

Local Government Formula Allocation for New Applicants				Rev. 2/16/22
Eligible Applicant Type:		Entitlement.		
Local Government Recipient of PLHA Formula Allocation:		Madera		
2020 PLHA NOFA Formula Allocation Amount:	\$422,319	2020 NOFA Allowable Local Admin (5%):	\$21,116	
2021 PLHA NOFA Formula Allocation Amount:	\$656,414	2021 NOFA Allowable Local Admin (5%):	\$32,821	
2022 PLHA NOFA Formula Allocation Amount:	\$722,364	2022 NOFA Allowable Local Admin (5%):	\$36,118	
Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government, the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.				
The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home, could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.				
If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.				
<b>For each year (2019-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%.</b>				
<b>Eligible Applicants §300</b>				
§300(a) and (b) Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.				
Applicant:	City of Madera			
Address:	305 W. 4th Street			
City:	Madera	State:	CA	Zip: 93637
County:	Madera			
Auth Rep Name:	Arnoldo Rodriguez	Title:	City Manager	Auth Rep. Email: arodriguez@madera.gov
Address:	305 W. 4th Street	City:	Madera	State: CA
Zip Code:	93637			
Contact Name:	Marcela Zuniga	Title:	Grant Administrator	Contact Email: mzuniga@madera.gov
Address:	305 W. 4th Street	City:	Madera	State: CA
Zip Code:	93637			
§300(d) Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds?				
				No
§300(d) If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300 (c) and (d)?				<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
A sample agreement can be found by double clicking on the icon to the right				
File Name:	<a href="#">Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso</a>	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.		Uploaded to HCD?
File Name:	<a href="#">App1 TIN</a>			Uploaded to HCD?
File Name:	<a href="#">Applicant Delegation Agreement</a>	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column A1)		Uploaded to HCD?
<b>Eligible Activities, §301</b>				
§301(a) Eligible activities are limited to the following:				Included?
§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies.				<input checked="" type="checkbox"/> YES
§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.				<input type="checkbox"/> YES
§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.				<input type="checkbox"/> YES
§301(a)(4) Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.				<input type="checkbox"/> YES
§301(a)(5) Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.				<input type="checkbox"/> YES
§301(a)(6) Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.				<input checked="" type="checkbox"/> YES
§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.				<input type="checkbox"/> YES
§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.				<input type="checkbox"/> YES
§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.				<input type="checkbox"/> YES
§301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.				<input type="checkbox"/> YES
<b>Threshold Requirements, §302</b>				
§302(a) The Applicant's Housing Element and Delegating Local Government's Housing Element (if applicable) was/were adopted by the Local Government's governing body by the application submittal date subsequently determined to be in substantial compliance with state Housing Element Law pursuant to Government Code Section 65585.				Yes
§302(b) Applicant or Delegating Local Government has submitted the current or prior year's Annual Progress Report to the Department of Housing and Community Development pursuant to Government Code Section 65400.				Yes
§302(c)(2) Applicant certified in the Resolution submitted with this application that submission of the application was authorized by the governing board of the Applicant.				Yes
§302(c)(3) Applicant certified in the Resolution submitted with this application that, if the Local Government proposes allocation of funds for any activity to another entity, the Local government's selection process had no conflicts of interest and was accessible to the public.				Yes
§302(c)(4) Applicant certified in the Resolution submitted with this application that the application include a Plan in accordance with §302(c)(4)?				Yes
§302(c)(4)(D) Applicant certified in the Resolution submitted with this application that the Plan was authorized and adopted by resolution by the Local Government and that the public had an adequate opportunity to review and comment on its content.				Yes
§302(c)(5) Applicant certified in the Resolution submitted with this application that the Plan submitted is for a term of five years (2019-2023). Local Governments agree to inform the Department of changes made to the Plan in each succeeding year of the term of the Plan.				Yes
§302(c)(6) Applicant certified in the Resolution submitted with this application that it will ensure compliance with §302(c)(6) if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units within for-sale housing projects.				Yes
§302(c)(7) Applicant certified in the Resolution submitted with this application that it will ensure that the PLHA assistance is in the form of a low-interest, deferred loan to the Sponsor of the Project, if funds are used for the development of an Affordable Rental Housing Development. The loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with the Local government-approved underwriting of the Project for a term of at least 55 years.				Yes
§302(c)(8) Has Applicant attached a program income reuse plan describing how repaid loans or accrued interest will be reused for eligible activities specified in Section 301?				Yes
File Name:	<a href="#">Reuse Plan</a>	Program Income Reuse Plan describing how repaid loans or accrued interest will be used		Narrative uploaded to HCD? Yes

<b>Administration</b>			
Applicant agrees to adhere to <b>§500</b> , Accounting Records.			Yes
Applicant agrees to adhere to <b>§501</b> , Audits/Monitoring of Project Files.			Yes
Applicant agrees to adhere to <b>§502</b> , Cancellation/Termination.			Yes
Applicant agrees to adhere to <b>§503</b> , Reporting.			Yes
<b>Certifications</b>			
On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.			
Arnoldo Rodriguez	City Manager		
Authorized Representative Printed Name	Title	Signature	Date

**§302(c)(4) Plan**

Rev. 2/16/22

**§302(c)(4)(A)** Describe the manner in which allocated funds will be used for eligible activities.  
 The City of Madera plans to use the PLHA funds for low Eligible Activities: 1) for the predevelopment, development, acquisition, rehabilitation and preservation of rental housing that is affordable to extremely low-income, very low-income, and low income households; and 2) assisting persons who are experiencing or at risk of homelessness. PLHA funding for programs that assist persons who are experiencing or at risk of homelessness will be provided as a grant. PLHA assistance for development or preservation of affordable rental housing will be offered in the form of no-interest, deferred payment loans.

**§302(c)(4)(B)** Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).  
 PLHA funds will be made available to rental property owners or affordable housing developers who have experience working within the City of Madera expanding and/or preserving affordable housing inventory. The City will prioritize investments of PLHA funds to increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI). The City of Madera will also be utilizing PLHA funding to provide services to homeless individuals who are classified as "presumed beneficiaries" under the Department of Housing and Urban Development (HUD) guidelines. This classification considers this group of individuals to be "extremely-low income" with incomes at 30% of AMI or less.

**§302(c)(4)(C)** Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.  
 The City of Madera PLHA Plan furthers the Goal of the City support the creation and retention of affordable housing units. The following sections of the City's Housing Element demonstrate that the PLHA Plan is consistent with the City's overall Goals:  
 Housing Element Goal H-2: Coordination between the City, private developers, and nonprofit entities to support the creation of new affordable housing opportunities.  
 Housing Element Goal H-3: Conserve and improve the existing housing stock, improving housing availability and conditions for lower-income households.  
 Housing Element Goal H-4: Provide decent housing and quality living environment for all Madera residents, and to provide a range of housing services for households with special needs, including homeless.

**Activities Detail (Activities Detail (Must Make a Selection on Formula Allocation Application worksheet under Eligible Activities, §301))**

**§301(a)(1)** The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary Operating subsidies.

**§302(c)(4)(E)(i)** Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental Housing Activity.  
 The PLHA funds will be used for the predevelopment, development, acquisition, rehabilitation and/or preservation of multifamily rental housing that is affordable to low-income persons earning 80% or less of the area median income (AMI). Funds will be evidenced through a Promissory Note and secured by a Deed of Trust and a Regulatory Agreement restricting occupancy and rents in accordance with PLHA required terms.

Complete the table below for each proposed Affordable Rental Housing Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019	2020	2021	2022	2023										
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for the Proposed Affordable Rental Housing Activity		95.0%	95.0%	95.0%	95.0%										
<b>§302(c)(4)(E)(ii)</b> Area Median Income Level Served		80%	80%	80%	80%										<b>TOTAL</b>
<b>§302(c)(4)(E)(ii)</b> Unmet share of the RHNA at the AMI Level <b>Note: complete for years 2019, 2020, 2021 only</b>		640	558												1198
<b>§302(c)(4)(E)(ii)</b> Projected Number of Households Served		10	10	10	10										40
<b>§302(c)(4)(E)(iv)</b> Period of Affordability for the Proposed Affordable Rental Housing Activity ( <b>55 years required for rental housing projects</b> )	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.  
 The PLHA funds will be included in the City's 2024-2025 NOFA that will be released in late 2023. The NOFA will include PLHA funds and any other housing funding awards received by the City. The City may award additional years funds to applicants who meet the guidelines of the PLHA program and offer ongoing activities.

**§301(a)(6)** Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

**§302(c)(4)(E)(i)** Provide a detailed and complete description of how allocated funds will be used for the proposed Activity.

The City will utilize its procurement process to solicit qualified subgrantees to manage and operate emergency shelter facilities, including the provision of support services to homeless person or those at risk of homelessness. Support services include but are not limited to : operational costs of managing an emergency shelter. The PLHA funding will be utilized for the provision of Homeless Services in 2023-2024

Complete the table below for each proposed Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019																
Type of Activity for Persons Experiencing or At Risk of Homelessness	Emergency Shelter																
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for the Proposed Activity	95.00%																
<b>§302(c)(4)(E)(ii)</b> Area Median Income Level Served	30%																<b>TOTAL</b>
<b>§302(c)(4)(E)(ii)</b> Unmet share of the RHNA at AMI Level <b>Note: complete for years 2019, 2020, 2021 only</b>	1172																1172
<b>§302(c)(4)(E)(ii)</b> Projected Number of Households Served	500																500
<b>§302(c)(4)(E)(iv)</b> Period of Affordability for the Proposed Activity ( <b>55 years required for rental housing projects</b> )	NA																

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.

Upon approval of the City of Madewra's PLHA application and execution of the Standard Agreement, the City will begin its procurement process to select subgrantee/service provider than will provide the services necessary to implement the proposed activity and will award contract to the provider that is most qualified and able to provide the required service. It is anticipated that subgrantee will be awarded funds during the 2023-2024 program year. To monitor program funded with PLHA, staff will use similar reporting requirements as used for other grant funded programs the City administers. Sub grantee will be required to provide appropriate documentation demonstrating adherence to program regulations. Sub grantee will submit quarterly reports including numbers of persons served, description of beneficiaries, and description of services provided.

**Application Development Team (ADT) Support Form**

Rev. 2/16/22

Please complete the "yellow" cells in the form below and email a copy to: [AppSupport@hcd.ca.gov](mailto:AppSupport@hcd.ca.gov). and [PLHA@hcd.ca.gov](mailto:PLHA@hcd.ca.gov). A member of the Application Development Team will respond to your request within ASAP.

Full Name:		Date Requested:		Application Version Date:	
Organization:		Email:		Contact Phone:	
Justification:					

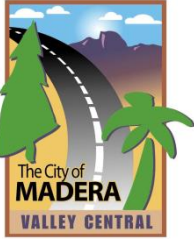
Issue #	Program Name &	Tab	Section	Cell#	Update/Comment	Urgency	ADT Status	Status Date
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## City of Madera

### PLHA Program Income Reuse Plan


All repayments of Permanent Local Housing Allocation (PLHA) loan principal and any loan interest accrued shall be deposited to a separately maintained PLHA Program Income Reuse Account governed by a reuse plan reviewed and approved by the Department of Housing and Community Development. The City of Madera commits to maintaining policies and procedures that separate out PLHA program income for future reuse in accordance with the following policies:

1. All repayments of PLHA loan principal and interest shall be received by the City of Madera (or its agent) and deposited into a separate reuse account maintained by the City's Finance staff. The City's PLHA loan documents will track information such as borrower name, address, loan/reference number, grant year, and principal and interest.
2. The City of Madera Finance Department will establish an account for PLHA funds which is separate from any other funding sources and provides for timely processing and appropriate reporting ability
3. The reuse account shall be an interest-bearing account into which all payments are deposited. Interest earned on this account shall be considered reuse funds and will be used in the same manner and with the same restrictions as principal and interest payments.
4. All funds deposited into the reuse account shall be the property of the City of Madera. Up to 5% of funds deposited may be used towards administration costs incurred by the City.
5. All PLHA reuse funds shall be expended in accordance with PLHA regulations
6. Reuse funds may be used for PLHA eligible activities in alignment with the State approved PLHA Plan.
7. Reuse funds must be used within the boundaries of the City of Madera.
8. The City shall allow HCD full access to the reuse account records for the purpose of determining compliance with PLHA regulations.



## REPORT TO CITY COUNCIL

**Approved by:**

  
Wendy Silva, Director of Human Resources

  
Arnoldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** D-1

**SUBJECT:**

Employee wage adjustments to offset inflation, minimum wage compaction, and recruitment and retention of full-time employees

**RECOMMENDATION:**

Adopt Resolutions:

1. Approving Side Letter Agreements effecting additional cost-of-living (COLA) increases and certain salary range adjustments as a direct result of minimum wage increases for the following employee bargaining units:
  - a. Madera Affiliated City Employees' Association, representing the General Bargaining Unit
  - b. Mid Management Employee Group
  - c. Madera Police Officers' Association
  - d. Law Enforcement Mid Management Employee Group
2. Approving revised Standard Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions effecting additional COLA increases
3. Approving amendments to the City of Madera Classification Plan removing job classifications no longer utilized, adding the Parks Manager classification, and modifying salary range assignments for certain job classifications as a direct result of minimum wage increases

**SUMMARY:**

In an effort to address minimum wage compaction, inflation, and recruitment and retention issues currently being experienced by the City, the City Council authorized staff to offer Side Letter Agreements to the City's four (4) bargaining units providing additional COLA adjustments beyond those captured in current Memorandums of Understanding (MOUs) with the groups and to make adjustments to assigned salary ranges for positions directly impacted by increases in the California Minimum Wage. The current MOUs will end June 30, 2025 and provide for

compensation adjustments each July with additional lump sum payments. Specifically, the MOUs provide between now and the end of their term a two percent (2%) COLA and \$1,500 lump sum payment for represented employees July 2023 and July 2024. The proposed Side Letter Agreements would add additional two percent (2%) COLAs each January between now and the MOU termination, as illustrated in Figure 1. Additionally, range assignments for represented classifications will be adjusted so that all full-time classifications begin at one dollar (\$1.00) above minimum wage.

**Figure 1.** Proposed additional COLA Adjustments



The proposed COLAs offered to the bargaining units have also been authorized to be offered to unrepresented department head positions. These positions do not have an MOU as they are not a recognized employee group; the City has adopted Standard Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions (Standard Terms and Conditions) to capture the wages, terms, and conditions of employment for applicable positions. The proposed action will update the Standard Terms and Conditions the City Manager is authorized to offer department heads to include the same additional January COLAs offered to the bargaining units. No minimum wage adjustments are included in the update to the Standard Terms and Conditions for department head positions.

**DISCUSSION:**

The City has four (4) represented bargaining units:

1. Madera Affiliated City Employees’ Association (MACEA), representing the General Bargaining Unit (GBU);
2. Mid Management Employee Group (MM);
3. Madera Police Officers’ Association (MPOA); and
4. Law Enforcement Mid Management Group (LEMM)

In addition to the represented bargaining units, the City has unrepresented department heads. This includes the following positions:

- Police Chief

- Director of Parks & Community Services
- City Engineer
- Director of Human Resources
- Information Services Manager
- Chief Building Official
- Planning Manager
- Director of Financial Services
- Public Works Operations Director
- Director of Community Development

Each of the bargaining units has an MOU with the City that outlines the terms and conditions of employment specific to salaries, benefits, and conditions of work for represented positions. In 2021, the City entered into four-year (4-year) MOUs with each unit that called for COLAs each July during the term of the agreement along with lump sum payments to each full-time employee of \$1,500 each July.

Salaries and benefits that can be offered by the City Manager to unrepresented department heads are captured in the Standard Terms and Conditions as adopted by Council. In November 2021, Council approved Standard Terms and Conditions that included the same COLAs and lump sum payments that were offered to bargaining units in the July 2021 MOUs.

Since execution of those agreements and approval of the Standard Terms and Conditions, economic factors have shifted, and while the compensation elements in the MOUs were negotiated in good faith at that time, the City has recognized that due to higher-than-expected inflation and additional adjustments to the California Minimum Wage caused by inflation, the City's wages have been outpaced by these unexpected economic impacts. For this reason, the City has offered additional COLAs to offset these economic impacts as well as adjustments specifically designed to offset minimum wage, more specifically described below.

#### *Cost of Living Increases*

In addition to the COLAs already agreed to in the existing MOUs and adopted Standard Terms and Conditions, the City has offered six percent (6%) to be applied to salary schedules between January 2023 and January 2025 in two percent (2%) increments each January. Figure 1 in the Summary section of this report illustrates the revised COLA schedule that has been offered. If effected, salary schedules will be adjusted two percent (2%) on the following dates between now and the contract term date of the MOUs, June 30, 2025.

- 2% COLA effective 12/31/2022, with paycheck date 1/20/2023 (new)
- 2% COLA effective 6/17/2023, with paycheck date 7/7/2023 (existing)
- 2% COLA effective 12/30/2023, with paycheck date 1/19/2024 (new)
- 2% COLA effective 6/15/2024, with paycheck date 7/5/2024 (existing)
- 2% COLA effective 12/28/2024, with paycheck date 1/17/2025 (new)

### Minimum Wage Offsets

Over the last several years, California Minimum Wage has been adjusted and was expected to cap at \$15.00 per hour. However, due to inflation, an automatic increase will now be applied effective January 1, 2023, making the California Minimum Wage \$15.50 per hour. The City’s adopted salary schedule includes salary ranges assigned to job classifications that will now fall below minimum wage. Table 1 summarizes some of these positions in comparison to the minimum wage.

<b>Table 1. Examples of current salary ranges compared to minimum wage (hourly rate)</b>						
<i>Job Title</i>	<i>Step A</i>	<i>Step B</i>	<i>Step C</i>	<i>Step D</i>	<i>Step E</i>	<i>Step F</i>
Office Assistant I	12.61	13.24	13.90	14.59	15.32	16.09
Office Assistant II	13.93	14.63	15.35	16.12	16.93	17.78
Accounting Technician I	14.43	15.15	15.90	16.70	17.53	18.41
Parks Worker I	15.01	15.76	16.55	17.37	18.25	19.15
Public Works Maintenance Worker I	15.47	16.24	17.05	17.91	18.80	19.74
<i>Shading Key:</i>						
Steps below January 2022 Minimum Wage: \$15.00 per hour						
Steps below January 2023 Minimum Wage: \$15.50 per hour						

In reviewing City of Madera job specifications and minimum requirements for applicants, all full-time positions require at least one year (1 year) of prior work experience. For this reason, staff has proposed that full time positions be set to \$1.00 above minimum wage for Step A, taking into account the COLA to be applied January 2023 as previously discussed in this report. This would mean that while all full-time positions will be adjusted two percent (2%) for the COLA, some positions will see an additional adjustment in order to offset minimum wage. The specific adjustments planned are noted in Table 2, showing the City’s bi-weekly pay schedule at the current range and the new proposed range. As a point of reference, range 263 will be the minimum salary range assigned to any full-time position with Step A starting pay of \$1.00 above minimum wage, or the equivalent of \$16.50 per hour. If approved, these range adjustments will be effective the pay period beginning December 31, 2022 with paycheck date January 20, 2023.

Range adjustments are being recommended by class series. For example, if Parks Worker I is adjusted, this also requires adjustment of Parks Worker II, Parks Worker III, Parks Leadworker, and Parks Supervisor. Of the positions recommended for adjustment, twenty-four (24) positions are in the GBU represented by MACEA and three (3) positions are represented by MM.

**Table 2.** Proposed salary range adjustments to offset minimum wage increases

Job Title		Unit	Range	Bi-Weekly Pay Rate					
				A	B	C	D	E	F
Accounting Technician I	Current	GBU	240	1177.15	1235.98	1297.46	1362.65	1430.49	1502.04
Accounting Technician I	Proposed	GBU	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Accounting Technician II	Current	GBU	260	1300.64	1365.30	1433.67	1505.22	1580.49	1659.46
Accounting Technician II	Proposed	GBU	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Accounting Technician III	Current	GBU	280	1436.85	1508.41	1584.20	1663.17	1746.38	1833.83
Accounting Technician III	Proposed	GBU	300	1587.38	1666.88	1750.09	1837.54	1929.76	2026.22
Administrative Assistant	Current	GBU	299	1579.43	1658.40	1741.61	1828.53	1920.22	2016.15
Administrative Assistant	Proposed	GBU	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Maintenance Technician	Current	GBU	290	1510.53	1585.79	1665.29	1748.50	1835.95	1927.64
Maintenance Technician	Proposed	GBU	308	1652.04	1734.72	1821.64	1912.80	2008.20	2108.37
Office Assistant I	Current	GBU	213	1028.75	1080.16	1134.22	1190.93	1250.29	1312.83
Office Assistant I	Proposed	GBU	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Office Assistant II	Current	GBU	233	1136.34	1193.58	1252.94	1315.48	1381.73	1450.63
Office Assistant II	Proposed	GBU	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Parks Leadworker	Current	GBU	308	1652.04	1734.72	1821.64	1912.80	2008.20	2108.37
Parks Leadworker	Proposed	GBU	323	1780.30	1869.34	1963.15	2061.20	2164.03	2272.15
Parks Supervisor	Current	MM	335	1890.54	1984.88	2083.99	2188.41	2297.59	2412.60
Parks Supervisor	Proposed	MM	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Parks Worker I	Current	GBU	248	1224.85	1286.33	1350.46	1417.77	1488.79	1563.00
Parks Worker I	Proposed	GBU	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Parks Worker II	Current	GBU	268	1353.11	1420.95	1491.97	1566.71	1645.15	1727.30
Parks Worker II	Proposed	GBU	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Parks Worker III	Current	GBU	288	1495.15	1569.89	1648.33	1731.01	1817.40	1908.56
Parks Worker III	Proposed	GBU	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Public Works Equipment Operator	Current	GBU	285	1472.89	1546.57	1623.95	1705.04	1790.37	1879.94
Public Works Equipment Operator	Proposed	GBU	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Public Works Maintenance Lead Worker	Current	GBU	310	1668.47	1752.21	1839.66	1931.88	2028.34	2129.58
Public Works Maintenance Lead Worker	Proposed	GBU	323	1780.30	1869.34	1963.15	2061.20	2164.03	2272.15

**Table 2.** Proposed salary range adjustments to offset minimum wage increases, continued

Job Title		Unit	Range	Bi-Weekly Pay Rate					
				A	B	C	D	E	F
Public Works Maintenance Worker I	Current	GBU	254	1261.95	1325.02	1391.27	1461.23	1533.85	1610.70
Public Works Maintenance Worker I	Proposed	GBU	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Public Works Maintenance Worker II	Current	GBU	274	1394.45	1464.41	1537.56	1614.41	1694.97	1779.77
Public Works Maintenance Worker II	Proposed	GBU	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Streets & Storm Drainage Supervisor	Current	MM	340	1938.24	2034.70	2136.46	2243.53	2355.89	2473.55
Streets & Storm Drainage Supervisor	Proposed	MM	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Water Quality Specialist I	Current	GBU	311	1676.95	1760.69	1848.67	1941.42	2038.41	2140.18
Water Quality Specialist I	Proposed	GBU	320	1753.80	1841.78	1934.00	2030.46	2132.23	2238.76
Water Quality Specialist II	Current	GBU	330	1843.90	1936.12	2032.58	2134.35	2240.88	2353.24
Water Quality Specialist II	Proposed	GBU	340	1938.24	2034.70	2136.46	2243.53	2355.89	2473.55
Water Quality Specialist In Training	Current	GBU	272	1380.67	1449.57	1522.19	1597.98	1678.01	1762.28
Water Quality Specialist In Training	Proposed	GBU	293	1532.79	1609.64	1690.20	1774.47	1863.51	1956.79
Water System Lead Worker	Current	GBU	354	2078.16	2182.05	2291.23	2405.71	2526.02	2652.16
Water System Lead Worker	Proposed	GBU	365	2195.30	2305.01	2420.55	2541.39	2668.59	2802.16
Water System Supervisor	Current	MM	365	2195.30	2305.01	2420.55	2541.39	2668.59	2802.16
Water System Supervisor	Proposed	MM	385	2425.85	2546.69	2674.42	2807.99	2948.44	3095.78
Water System Technician	Current	GBU	344	1976.93	2076.04	2179.93	2288.58	2403.06	2523.37
Water System Technician	Proposed	GBU	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Water System Worker I	Current	GBU	272	1380.67	1449.57	1522.19	1597.98	1678.01	1762.28
Water System Worker I	Proposed	GBU	293	1532.79	1609.64	1690.20	1774.47	1863.51	1956.79
Water System Worker II	Current	GBU	311	1676.95	1760.69	1848.67	1941.42	2038.41	2140.18
Water System Worker II	Proposed	GBU	320	1753.80	1841.78	1934.00	2030.46	2132.23	2238.76
Water System Worker III	Current	GBU	330	1843.90	1936.12	2032.58	2134.35	2240.88	2353.24
Water System Worker III	Proposed	GBU	340	1938.24	2034.70	2136.46	2243.53	2355.89	2473.55
Water Conservation Customer Service Representative	Current	GBU	260	1300.64	1365.30	1433.67	1505.22	1580.49	1659.46
Water Conservation Customer Service Representative	Proposed	GBU	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90

*Classification Plan Amendment*

In reviewing existing job classifications that would no longer meet the minimum threshold of salary range 263, staff identified a few positions that are not currently utilized and have not been utilized in several years. It is recommended these positions be removed from the classification plan rather than adjusting salary ranges for non-existent positions. The classifications recommended for removal are:

- Facility Aide (full-time; part-time will still be utilized and is listed on the part-time salary schedule)
- Airport Maintenance Worker I/II/III
- Administrative Secretary

In addition, with the adoption of the Fiscal Year (FY) 2022-23 operating budget, the position of Parks Manager was added to the staffing allocations of the Parks and Community Services Department. The Parks Manager position was previously removed from the classification plan when the Park Planning Manager position was added. Based on an evaluation of current projects and work assignments, the Parks Manager classification was determined to be a better fit. The classification is similar in responsibilities and duties to operations managers in the Public Works Department. For this reason, it is recommended the Parks Manager salary range be set equal to the Streets & Storm Drainage Operations Manager salary range (Schedule M, Range 385).

<b>Table 3. Schedule M, Range 385</b>						
	<i>Step A</i>	<i>Step B</i>	<i>Step C</i>	<i>Step D</i>	<i>Step E</i>	<i>Step F</i>
Bi-Weekly Pay Rate	\$2,378.28	\$2,496.76	\$2,621.98	\$2,752.93	\$2,890.63	\$3,035.08
Annual Equivalent	\$61,835	\$64,916	\$68,172	\$71,576	\$75,156	\$78,912

**FINANCIAL IMPACT:**

The current fiscal year costs associated with the additional COLA and minimum wage adjustments are summarized by fund in Table 4. The total cost of the proposed additional January COLAs and existing July COLAs over the remaining term of the MOUs is summarized in Table 5 by fiscal year. Both tables assume current budgeted positions and the calculations represent what maximum exposure will be if all budgeted positions are filled with employees and stated increases are applied to all full-time employees.

<b>Table 4. FY 2022-23 Cost of 2% COLA and Equity Adjustments Effective 12/31/2022</b>		
<i>Fund Name</i>	<i>2% COLA All Full Time</i>	<i>Minimum Wage Adjustments after COLA</i>
General Fund	126,255	47,551
General Fund - Grants	1,034	-
Measure K	12,208	-
Water Fund	13,643	20,491
Sewer Fund	13,766	8,204

<b>Table 4. FY 2022-23 Cost of 2% COLA and Equity Adjustments Effective 12/31/2022, continued</b>		
<i>Fund Name</i>	<i>2% COLA All Full Time</i>	<i>Minimum Wage Adjustments after COLA</i>
Airport Operations Fund	902	2,864
Transit - Demand Service Fund (Dial-A-Ride)	1,834	-
Transit - Fixed Route Fund (Madera Metro)	1,834	-
Equipment Maintenance Fund	2,869	-
Facility Maintenance Fund	6,767	-
Computer Acquisition and Maintenance Fund	3,879	-
Housing Development Fund	265	-
Drainage System Operations Fund	2,773	8,515
Solid Waste Disposal Fund	4,551	9,527
Tobacco Grant Fund	521	-
<b>Total FY 2022-23</b>	<b>\$ 193,101</b>	<b>\$ 97,151</b>

<b>Table 5. Cost of compensation adjustments through term of MOUs</b>			
<i>Fiscal Year</i>	<i>Cost to General Fund</i>	<i>Cost to All Funds</i>	<i>Compensation Element</i>
2022/23	126,255	193,101	Add 2% COLA in January
	47,551	97,151	Equity Adjustments in January
	<b>173,806</b>	<b>290,252</b>	<b>Total cost for fiscal year</b>
2023/24	347,611	580,503	Recurring cost from prior year
	254,412	390,088	Existing 2% COLA in July
	127,206	195,044	Add 2% COLA in January
	<b>729,229</b>	<b>1,165,635</b>	<b>Total cost for fiscal year</b>
2024/25	854,533	1,356,793	Recurring cost from prior year
	254,412	390,088	Existing 2% COLA in July
	127,206	195,044	Add 2% COLA in January
	<b>1,236,151</b>	<b>1,941,925</b>	<b>Total cost for fiscal year</b>

**ALTERNATIVES:**

Council could direct staff to engage in additional discussions with bargaining units.

**ATTACHMENTS:**

1. Resolution approving Side Letter Agreements
  - a. Attachment A: Side Letter Agreement with Madera Affiliated City Employees' Association
    - i. Exhibit A: Salary Plan
  - b. Attachment B: Side Letter Agreement #2 with Mid Management Employee Group

- i. Exhibit A: Salary Plan
  - c. Attachment C: Side Letter Agreement with Madera Police Officers' Association
    - i. Exhibit A: Salary Plan
  - d. Attachment D: Side Letter Agreement #2 with Law Enforcement Mid Management Group
    - i. Exhibit A: Salary Plan
- 2. Resolution approving revised Standard Terms and Conditions for Employment Agreements of Unrepresented Department Head Positions
  - a. Attachment A: Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads
- 3. Resolution amending the City of Madera Classification Plan and setting the assigned salary range for the noted classifications
  - a. Attachment A: Parks Manager job description

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING SIDE LETTER AGREEMENTS WITH MADERA AFFILIATED CITY EMPLOYEES' ASSOCIATION, MID MANAGEMENT EMPLOYEE GROUP, MADERA POLICE OFFICERS' ASSOCIATION, AND LAW ENFORCEMENT MID MANAGEMENT GROUP PROVIDING ADDITIONAL COST-OF-LIVING INCREASES AND MAKING CERTAIN SALARY RANGE ADJUSTMENTS**

**WHEREAS**, the City of Madera (City) desires to adjust employee wages in an effort to offset the economic impacts of inflation and minimum wage adjustments and address recruitment and retention of full-time employees; and

**WHEREAS**, the City and representatives of Madera Affiliated City Employees' Association, Mid Management Employee Group, Madera Police Officers' Association, and Law Enforcement Mid Management Group have conferred and agree to the additional proposed wage increases; and

**WHEREAS**, Side Letter Agreements have been prepared for each bargaining unit to reflect three (3) additional two percent (2%) cost-of-living increases and certain range adjustments for positions directly affected by minimum wage increases.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA** hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Side Letter Agreement between the City of Madera and the Madera Affiliated City Employees' Association, a copy of which is attached hereto as Attachment A, is approved.
3. The Side Letter Agreement between the City of Madera and the Mid Management Employee Group, a copy of which is attached hereto as Attachment B, is approved.
4. The Side Letter Agreement between the City of Madera and the Madera Police Officers' Association, a copy of which is attached hereto as Attachment C, is approved.
5. The Side Letter Agreement between the City of Madera and the Law Enforcement Mid Management Group, a copy of which is attached hereto as Exhibit D, is approved.
6. The City Manager is authorized to execute the Side Letter Agreements on behalf of the City.
7. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**SIDE LETTER AGREEMENT #1  
BETWEEN THE CITY OF MADERA  
AND  
MADERA AFFILIATED CITY EMPLOYEES' ASSOCIATION**

The parties have conferred, and do hereby agree to the following changes to the Memorandum of Understanding between the City of Madera and the Madera Affiliated City Employees' Association dated July 21, 2021, to June 30, 2025:

**Section 1.**

Article 12 – Salary Plan is amended to read as follows:

**Article 12 – Salary Plan**

Employees represented by this unit employed with the City as of the date this Agreement is approved by the City Council will receive a two percent (2%) base wage increase effective the pay period beginning 7/17/2021 with pay date 8/6/2021.

Effective the first paycheck on or after July 1, 2022, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/31/2022, with pay date 1/20/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/17/2023, with pay date 7/7/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/30/2023, with pay date 1/19/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/15/2024, with pay date 7/5/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/28/2024, with pay date 1/17/2025, employees represented by this unit and employed with the City will receive a 2% base wage increase.

The salary schedule attached as Exhibit A to this Side Letter Agreement reflects the salary plan that will be effective upon implementation of the 2% base wage increase on each effective date noted above. In addition, Exhibit A reflects revised range assignments for the following classifications to be effective 12/31/2022 due to ongoing increases in the California minimum wage.

- Accounting Technician I
- Accounting Technician II
- Accounting Technician III
- Office Assistant I
- Office Assistant II
- Administrative Assistant
- Parks Worker I
- Parks Worker II
- Parks Worker III
- Parks Lead Worker
- Public Works Maintenance Worker I
- Public Works Maintenance Worker II
- Public Works Equipment Operator
- Maintenance Technician
- Public Works Maintenance Lead Worker
- Water Conservation Customer Service Representative
- Water System Worker I
- Water System Worker II
- Water System Worker III
- Water System Technician
- Water System Lead Worker
- Water Quality Specialist-in-Training
- Water Quality Specialist I
- Water Quality Specialist II

In addition to the percent-based wage increases noted above, employees represented by this unit and employed with the City at the time of paycheck issuance will receive lump sum \$1,500 payments to be paid on the first regular paycheck of July 2021, July 2022, July 2023, and July 2024, subject to applicable taxes and deductions. The parties agree that this one-time payment does not meet the definition of compensation earnable nor does it qualify as any applicable special compensation for CalPERS reporting purposes. The City will issue this payment as a separate check from normal wages.

The City acknowledges the bargaining unit's concerns regarding salary compaction in the Streets and Water Divisions of Public Works. The City and bargaining unit representatives agree to meet within ninety (90) days of adoption of this MOU to develop a recommendation for potential salary adjustments. Any proposed adjustments will be subject to approval by the City Council through formal action at a City Council meeting.

This Side Letter Agreement is effective upon adoption and shall remain in full force and effect until a successor Memorandum of Understanding between the City of Madera and the Madera Affiliated City Employees' Association is fully executed by both parties.

\_\_\_\_\_  
Dustin Pickett, MACEA President

\_\_\_\_\_  
Arnoldo Rodriguez, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 6/18/2022 (current)								
Accountant (Junior)	GBU	282	\$1,422.71	\$1,493.90	\$1,568.72	\$1,647.18	\$1,729.28	\$1,816.06
Accounting Technician I	GBU	240	\$1,154.07	\$1,211.75	\$1,272.02	\$1,335.93	\$1,402.44	\$1,472.59
Accounting Technician II	GBU	260	\$1,275.14	\$1,338.53	\$1,405.56	\$1,475.71	\$1,549.50	\$1,626.92
Accounting Technician III	GBU	280	\$1,408.68	\$1,478.83	\$1,553.13	\$1,630.56	\$1,712.14	\$1,797.87
Administrative Assistant	GBU	299	\$1,548.46	\$1,625.88	\$1,707.46	\$1,792.68	\$1,882.57	\$1,976.62
Airport Maintenance Worker I	GBU	254	\$1,237.21	\$1,299.04	\$1,363.99	\$1,432.58	\$1,503.77	\$1,579.11
Airport Maintenance Worker II	GBU	274	\$1,367.11	\$1,435.70	\$1,507.41	\$1,582.75	\$1,661.73	\$1,744.87
Airport Maintenance Worker III	GBU	281	\$1,415.44	\$1,486.62	\$1,560.93	\$1,638.87	\$1,720.97	\$1,806.71
Animal Control Officer	GBU	290	\$1,480.91	\$1,554.69	\$1,632.63	\$1,714.21	\$1,799.95	\$1,889.85
Assistant Planner	GBU	352	\$2,017.15	\$2,117.96	\$2,223.96	\$2,335.16	\$2,452.07	\$2,574.70
Building Permit Technician	GBU	288	\$1,465.84	\$1,539.10	\$1,616.01	\$1,697.07	\$1,781.76	\$1,871.14
Combination Building Inspector	GBU	348	\$1,977.14	\$2,076.39	\$2,179.79	\$2,288.91	\$2,403.75	\$2,523.78
Computer Technician	GBU	344	\$1,938.17	\$2,035.34	\$2,137.18	\$2,243.70	\$2,355.94	\$2,473.89
Construction Inspector I	GBU	322	\$1,737.08	\$1,823.85	\$1,914.79	\$2,010.40	\$2,111.20	\$2,216.68
Construction Inspector II	GBU	342	\$1,918.94	\$2,015.07	\$2,115.88	\$2,221.36	\$2,332.56	\$2,449.47
Deputy City Clerk	GBU	311	\$1,644.07	\$1,726.17	\$1,812.42	\$1,903.35	\$1,998.44	\$2,098.21
Electrician II	GBU	361	\$2,109.64	\$2,215.12	\$2,326.32	\$2,442.20	\$2,564.31	\$2,692.65
Electrician III	GBU	381	\$2,331.00	\$2,447.91	\$2,577.82	\$2,698.37	\$2,833.47	\$2,975.32
Engineering Technician I	GBU	302	\$1,571.84	\$1,650.82	\$1,732.92	\$1,819.70	\$1,910.63	\$2,006.24
Engineering Technician II	GBU	322	\$1,737.08	\$1,823.85	\$1,914.79	\$2,010.40	\$2,111.20	\$2,216.68
Engineering Technician III	GBU	350	\$1,997.41	\$2,097.17	\$2,202.13	\$2,311.77	\$2,427.65	\$2,548.72
Facilities Maintenance Technician	GBU	289	\$1,473.11	\$1,546.90	\$1,624.32	\$1,705.38	\$1,790.60	\$1,880.49
Grants Specialist	GBU	299	\$1,548.46	\$1,625.88	\$1,707.46	\$1,792.68	\$1,882.57	\$1,976.62
Industrial Electrical Technician	GBU	381	\$2,331.00	\$2,447.91	\$2,577.82	\$2,698.37	\$2,833.47	\$2,975.32
Lead Electrician	GBU	401	\$2,575.74	\$2,704.60	\$2,839.70	\$2,981.56	\$3,130.69	\$3,287.09
Maintenance Technician	GBU	290	\$1,480.91	\$1,554.69	\$1,632.63	\$1,714.21	\$1,799.95	\$1,889.85
Mechanic I	GBU	286	\$1,451.29	\$1,524.03	\$1,600.42	\$1,680.44	\$1,764.10	\$1,852.43
Mechanic II	GBU	301	\$1,564.05	\$1,642.51	\$1,724.61	\$1,810.86	\$1,901.28	\$1,996.37
Mechanic III	GBU	321	\$1,728.24	\$1,814.50	\$1,905.43	\$2,000.52	\$2,100.81	\$2,205.77
Neighborhood Outreach Assistant	GBU	276	\$1,380.62	\$1,449.73	\$1,522.48	\$1,598.34	\$1,678.36	\$1,762.54
Neighborhood Outreach Coordinator	GBU	306	\$1,603.54	\$1,684.08	\$1,768.25	\$1,856.59	\$1,949.08	\$2,046.77
Neighborhood Preservation Specialist I	GBU	310	\$1,635.75	\$1,717.85	\$1,803.59	\$1,894.00	\$1,988.57	\$2,087.82
Neighborhood Preservation Specialist II	GBU	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10
Neighborhood Preservation Specialist III	GBU	350	\$1,997.41	\$2,097.17	\$2,202.13	\$2,311.77	\$2,427.65	\$2,548.72
Office Assistant I	GBU	213	\$1,008.58	\$1,058.98	\$1,111.98	\$1,167.58	\$1,225.78	\$1,287.09
Office Assistant II	GBU	233	\$1,114.06	\$1,170.18	\$1,228.37	\$1,289.69	\$1,354.64	\$1,422.19
Parks Leadworker	GBU	308	\$1,619.64	\$1,700.70	\$1,785.92	\$1,875.30	\$1,968.83	\$2,067.03
Parks Worker I	GBU	248	\$1,200.83	\$1,261.11	\$1,323.98	\$1,389.97	\$1,459.60	\$1,532.35

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 6/18/2022 (continued)								
Parks Worker II	GBU	268	\$1,326.58	\$1,393.09	\$1,462.72	\$1,535.99	\$1,612.89	\$1,693.43
Parks Worker III	GBU	288	\$1,465.84	\$1,539.10	\$1,616.01	\$1,697.07	\$1,781.76	\$1,871.14
Payroll Specialist	GBU	316	\$1,685.64	\$1,769.81	\$1,858.67	\$1,951.16	\$2,048.85	\$2,151.21
Plans Examiner	GBU	360	\$2,099.25	\$2,204.21	\$2,314.37	\$2,430.25	\$2,551.84	\$2,679.14
Public Works Equipment Operator	GBU	285	\$1,444.01	\$1,516.24	\$1,592.10	\$1,671.61	\$1,755.26	\$1,843.08
Public Works Maintenance Lead Worker	GBU	310	\$1,635.75	\$1,717.85	\$1,803.59	\$1,894.00	\$1,988.57	\$2,087.82
Public Works Maintenance Worker I	GBU	254	\$1,237.21	\$1,299.04	\$1,363.99	\$1,432.58	\$1,503.77	\$1,579.11
Public Works Maintenance Worker II	GBU	274	\$1,367.11	\$1,435.70	\$1,507.41	\$1,582.75	\$1,661.73	\$1,744.87
Purchasing Assistant	GBU	280	\$1,408.68	\$1,478.83	\$1,553.13	\$1,630.56	\$1,712.14	\$1,797.87
Recreation/Community Programs Coordinator	GBU	313	\$1,660.69	\$1,743.83	\$1,830.61	\$1,922.58	\$2,018.71	\$2,119.52
Solid Waste/Recycling Assistant	GBU	283	\$1,429.98	\$1,501.17	\$1,576.52	\$1,655.50	\$1,738.12	\$1,824.89
Solid Waste/Recycling Coordinator	GBU	313	\$1,660.69	\$1,743.83	\$1,830.61	\$1,922.58	\$2,018.71	\$2,119.52
Water Conservation Customer Service Representative	GBU	260	\$1,275.14	\$1,338.53	\$1,405.56	\$1,475.71	\$1,549.50	\$1,626.92
Water Conservation Specialist	GBU	283	\$1,429.98	\$1,501.17	\$1,576.52	\$1,655.50	\$1,738.12	\$1,824.89
Water Quality Specialist I	GBU	311	\$1,644.07	\$1,726.17	\$1,812.42	\$1,903.35	\$1,998.44	\$2,098.21
Water Quality Specialist II	GBU	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10
Water Quality Specialist In Training	GBU	272	\$1,353.60	\$1,421.15	\$1,492.34	\$1,566.64	\$1,645.11	\$1,727.72
Water System Lead Worker	GBU	354	\$2,037.42	\$2,139.26	\$2,246.30	\$2,358.54	\$2,476.49	\$2,600.16
Water System Technician	GBU	344	\$1,938.17	\$2,035.34	\$2,137.18	\$2,243.70	\$2,355.94	\$2,473.89
Water System Worker I	GBU	272	\$1,353.60	\$1,421.15	\$1,492.34	\$1,566.64	\$1,645.11	\$1,727.72
Water System Worker II	GBU	311	\$1,644.07	\$1,726.17	\$1,812.42	\$1,903.35	\$1,998.44	\$2,098.21
Water System Worker III	GBU	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$1,948.04	\$2,045.21	\$2,147.57	\$2,255.13	\$2,367.89	\$2,486.36
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,152.25	\$2,259.81	\$2,373.09	\$2,491.56	\$2,616.27	\$2,747.21
WWTP Lead Operator	GBU	383	\$2,354.38	\$2,472.33	\$2,596.00	\$2,725.39	\$2,862.05	\$3,004.94
WWTP Mechanic	GBU	375	\$2,262.41	\$2,375.69	\$2,494.16	\$2,618.87	\$2,749.81	\$2,887.51
WWTP Operator I	GBU	322	\$1,737.08	\$1,823.85	\$1,914.79	\$2,010.40	\$2,111.20	\$2,216.68
WWTP Operator II	GBU	344	\$1,938.17	\$2,035.34	\$2,137.18	\$2,243.70	\$2,355.94	\$2,473.89
WWTP Operator III	GBU	364	\$2,141.86	\$2,248.90	\$2,361.14	\$2,479.09	\$2,603.28	\$2,733.18
WWTP Operator In Training	GBU	301	\$1,564.05	\$1,642.51	\$1,724.61	\$1,810.86	\$1,901.28	\$1,996.37

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/31/2022 (revised range assignments in <i>italics</i> )								
Accountant (Junior)	GBU	282	\$1,451.16	\$1,523.77	\$1,600.10	\$1,680.13	\$1,763.87	\$1,852.38
Accounting Technician I	GBU	263	\$1,320.25	\$1,385.97	\$1,455.40	\$1,528.02	\$1,604.34	\$1,684.90
Accounting Technician II	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Accounting Technician III	GBU	300	\$1,587.38	\$1,666.88	\$1,750.09	\$1,837.54	\$1,929.76	\$2,026.22
Administrative Assistant	GBU	303	\$1,611.23	\$1,691.79	\$1,776.59	\$1,865.63	\$1,958.91	\$2,056.43
Animal Control Officer	GBU	290	\$1,510.53	\$1,585.79	\$1,665.29	\$1,748.50	\$1,835.95	\$1,927.64
Assistant Planner	GBU	352	\$2,057.49	\$2,160.32	\$2,268.44	\$2,381.86	\$2,501.11	\$2,626.19
Building Permit Technician	GBU	288	\$1,495.15	\$1,569.89	\$1,648.33	\$1,731.01	\$1,817.40	\$1,908.56
Combination Building Inspector	GBU	348	\$2,016.68	\$2,117.92	\$2,223.39	\$2,334.69	\$2,451.82	\$2,574.25
Computer Technician	GBU	344	\$1,976.93	\$2,076.04	\$2,179.93	\$2,288.58	\$2,403.06	\$2,523.37
Construction Inspector I	GBU	322	\$1,771.82	\$1,860.33	\$1,953.08	\$2,050.60	\$2,153.43	\$2,261.02
Construction Inspector II	GBU	342	\$1,957.32	\$2,055.37	\$2,158.20	\$2,265.79	\$2,379.21	\$2,498.46
Deputy City Clerk	GBU	311	\$1,676.95	\$1,760.69	\$1,848.67	\$1,941.42	\$2,038.41	\$2,140.18
Electrician II	GBU	361	\$2,151.84	\$2,259.43	\$2,372.85	\$2,491.04	\$2,615.59	\$2,746.51
Electrician III	GBU	381	\$2,377.62	\$2,496.87	\$2,629.37	\$2,752.34	\$2,890.14	\$3,034.83
Engineering Technician I	GBU	302	\$1,603.28	\$1,683.84	\$1,767.58	\$1,856.09	\$1,948.84	\$2,046.36
Engineering Technician II	GBU	322	\$1,771.82	\$1,860.33	\$1,953.08	\$2,050.60	\$2,153.43	\$2,261.02
Engineering Technician III	GBU	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69
Facilities Maintenance Technician	GBU	289	\$1,502.57	\$1,577.84	\$1,656.81	\$1,739.49	\$1,826.41	\$1,918.10
Grants Specialist	GBU	299	\$1,579.43	\$1,658.40	\$1,741.61	\$1,828.53	\$1,920.22	\$2,016.15
Industrial Electrical Technician	GBU	381	\$2,377.62	\$2,496.87	\$2,629.37	\$2,752.34	\$2,890.14	\$3,034.83
Lead Electrician	GBU	401	\$2,627.25	\$2,758.70	\$2,896.50	\$3,041.19	\$3,193.30	\$3,352.83
Maintenance Technician	GBU	308	\$1,652.04	\$1,734.72	\$1,821.64	\$1,912.80	\$2,008.20	\$2,108.37
Mechanic I	GBU	286	\$1,480.31	\$1,554.52	\$1,632.43	\$1,714.05	\$1,799.38	\$1,889.48
Mechanic II	GBU	301	\$1,595.33	\$1,675.36	\$1,759.10	\$1,847.08	\$1,939.30	\$2,036.29
Mechanic III	GBU	321	\$1,762.81	\$1,850.79	\$1,943.54	\$2,040.53	\$2,142.83	\$2,249.89
Neighborhood Outreach Assistant	GBU	276	\$1,408.23	\$1,478.72	\$1,552.93	\$1,630.31	\$1,711.93	\$1,797.79
Neighborhood Outreach Coordinator	GBU	306	\$1,635.61	\$1,717.76	\$1,803.62	\$1,893.72	\$1,988.06	\$2,087.70
Neighborhood Preservation Specialist I	GBU	310	\$1,668.47	\$1,752.21	\$1,839.66	\$1,931.88	\$2,028.34	\$2,129.58
Neighborhood Preservation Specialist II	GBU	330	\$1,843.90	\$1,936.12	\$2,032.58	\$2,134.35	\$2,240.88	\$2,353.24
Neighborhood Preservation Specialist III	GBU	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69
Office Assistant I	GBU	263	\$1,320.25	\$1,385.97	\$1,455.40	\$1,528.02	\$1,604.34	\$1,684.90
Office Assistant II	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Parks Leadworker	GBU	323	\$1,780.30	\$1,869.34	\$1,963.15	\$2,061.20	\$2,164.03	\$2,272.15
Parks Worker I	GBU	263	\$1,320.25	\$1,385.97	\$1,455.40	\$1,528.02	\$1,604.34	\$1,684.90
Parks Worker II	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Parks Worker III	GBU	303	\$1,611.23	\$1,691.79	\$1,776.59	\$1,865.63	\$1,958.91	\$2,056.43
Payroll Specialist	GBU	316	\$1,719.35	\$1,805.21	\$1,895.84	\$1,990.18	\$2,089.82	\$2,194.24

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/31/2022 (continued)								
Plans Examiner	GBU	360	\$2,141.24	\$2,248.30	\$2,360.66	\$2,478.85	\$2,602.87	\$2,732.73
Public Works Equipment Operator	GBU	303	\$1,611.23	\$1,691.79	\$1,776.59	\$1,865.63	\$1,958.91	\$2,056.43
Public Works Maintenance Lead Worker	GBU	323	\$1,780.30	\$1,869.34	\$1,963.15	\$2,061.20	\$2,164.03	\$2,272.15
Public Works Maintenance Worker I	GBU	263	\$1,320.25	\$1,385.97	\$1,455.40	\$1,528.02	\$1,604.34	\$1,684.90
Public Works Maintenance Worker II	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Purchasing Assistant	GBU	280	\$1,436.85	\$1,508.41	\$1,584.20	\$1,663.17	\$1,746.38	\$1,833.83
Recreation/Community Programs Coordinator	GBU	313	\$1,693.91	\$1,778.71	\$1,867.22	\$1,961.03	\$2,059.08	\$2,161.91
Solid Waste/Recycling Assistant	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Solid Waste/Recycling Coordinator	GBU	313	\$1,693.91	\$1,778.71	\$1,867.22	\$1,961.03	\$2,059.08	\$2,161.91
Water Conservation Customer Service Representative	GBU	263	\$1,320.25	\$1,385.97	\$1,455.40	\$1,528.02	\$1,604.34	\$1,684.90
Water Conservation Specialist	GBU	283	\$1,458.58	\$1,531.20	\$1,608.05	\$1,688.61	\$1,772.88	\$1,861.39
Water Quality Specialist I	GBU	340	\$1,938.24	\$2,034.70	\$2,136.46	\$2,243.53	\$2,355.89	\$2,473.55
Water Quality Specialist II	GBU	320	\$1,753.80	\$1,841.78	\$1,934.00	\$2,030.46	\$2,132.23	\$2,238.76
Water Quality Specialist In Training	GBU	293	\$1,532.79	\$1,609.64	\$1,690.20	\$1,774.47	\$1,863.51	\$1,956.79
Water System Lead Worker	GBU	365	\$2,195.30	\$2,305.01	\$2,420.55	\$2,541.39	\$2,668.59	\$2,802.16
Water System Technician	GBU	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69
Water System Worker I	GBU	293	\$1,532.79	\$1,609.64	\$1,690.20	\$1,774.47	\$1,863.51	\$1,956.79
Water System Worker II	GBU	320	\$1,753.80	\$1,841.78	\$1,934.00	\$2,030.46	\$2,132.23	\$2,238.76
Water System Worker III	GBU	340	\$1,938.24	\$2,034.70	\$2,136.46	\$2,243.53	\$2,355.89	\$2,473.55
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$1,987.00	\$2,086.11	\$2,190.53	\$2,300.24	\$2,415.25	\$2,536.09
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,195.30	\$2,305.01	\$2,420.55	\$2,541.39	\$2,668.59	\$2,802.16
WWTP Lead Operator	GBU	383	\$2,401.47	\$2,521.78	\$2,647.92	\$2,779.90	\$2,919.29	\$3,065.04
WWTP Mechanic	GBU	375	\$2,307.66	\$2,423.20	\$2,544.04	\$2,671.24	\$2,804.81	\$2,945.26
WWTP Operator I	GBU	322	\$1,771.82	\$1,860.33	\$1,953.08	\$2,050.60	\$2,153.43	\$2,261.02
WWTP Operator II	GBU	344	\$1,976.93	\$2,076.04	\$2,179.93	\$2,288.58	\$2,403.06	\$2,523.37
WWTP Operator III	GBU	364	\$2,184.70	\$2,293.88	\$2,408.36	\$2,528.67	\$2,655.34	\$2,787.85
WWTP Operator In Training	GBU	301	\$1,595.33	\$1,675.36	\$1,759.10	\$1,847.08	\$1,939.30	\$2,036.29

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 06/17/2023								
Accountant (Junior)	GBU	282	\$1,480.19	\$1,554.25	\$1,632.10	\$1,713.73	\$1,799.15	\$1,889.43
Accounting Technician I	GBU	263	\$1,346.66	\$1,413.69	\$1,484.51	\$1,558.58	\$1,636.42	\$1,718.60
Accounting Technician II	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Accounting Technician III	GBU	300	\$1,619.12	\$1,700.22	\$1,785.09	\$1,874.29	\$1,968.36	\$2,066.75
Administrative Assistant	GBU	303	\$1,643.45	\$1,725.62	\$1,812.12	\$1,902.94	\$1,998.09	\$2,097.56
Animal Control Officer	GBU	290	\$1,540.74	\$1,617.50	\$1,698.59	\$1,783.47	\$1,872.67	\$1,966.19
Assistant Planner	GBU	352	\$2,098.64	\$2,203.52	\$2,313.81	\$2,429.50	\$2,551.13	\$2,678.72
Building Permit Technician	GBU	288	\$1,525.06	\$1,601.28	\$1,681.29	\$1,765.63	\$1,853.75	\$1,946.73
Combination Building Inspector	GBU	348	\$2,057.02	\$2,160.27	\$2,267.85	\$2,381.38	\$2,500.86	\$2,625.74
Computer Technician	GBU	344	\$2,016.47	\$2,117.57	\$2,223.52	\$2,334.35	\$2,451.12	\$2,573.84
Construction Inspector I	GBU	322	\$1,807.26	\$1,897.54	\$1,992.14	\$2,091.62	\$2,196.49	\$2,306.24
Construction Inspector II	GBU	342	\$1,996.47	\$2,096.48	\$2,201.36	\$2,311.10	\$2,426.79	\$2,548.43
Deputy City Clerk	GBU	311	\$1,710.49	\$1,795.90	\$1,885.64	\$1,980.25	\$2,079.18	\$2,182.98
Electrician II	GBU	361	\$2,194.87	\$2,304.62	\$2,420.31	\$2,540.86	\$2,667.90	\$2,801.44
Electrician III	GBU	381	\$2,425.17	\$2,546.81	\$2,681.96	\$2,807.38	\$2,947.94	\$3,095.53
Engineering Technician I	GBU	302	\$1,635.34	\$1,717.51	\$1,802.93	\$1,893.21	\$1,987.82	\$2,087.29
Engineering Technician II	GBU	322	\$1,807.26	\$1,897.54	\$1,992.14	\$2,091.62	\$2,196.49	\$2,306.24
Engineering Technician III	GBU	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69
Facilities Maintenance Technician	GBU	289	\$1,532.63	\$1,609.39	\$1,689.94	\$1,774.28	\$1,862.94	\$1,956.46
Grants Specialist	GBU	299	\$1,611.01	\$1,691.57	\$1,776.44	\$1,865.10	\$1,958.63	\$2,056.48
Industrial Electrical Technician	GBU	381	\$2,425.17	\$2,546.81	\$2,681.96	\$2,807.38	\$2,947.94	\$3,095.53
Lead Electrician	GBU	401	\$2,679.80	\$2,813.87	\$2,954.43	\$3,102.01	\$3,257.17	\$3,419.89
Maintenance Technician	GBU	308	\$1,685.08	\$1,769.41	\$1,858.07	\$1,951.06	\$2,048.37	\$2,150.54
Mechanic I	GBU	286	\$1,509.92	\$1,585.61	\$1,665.08	\$1,748.33	\$1,835.37	\$1,927.27
Mechanic II	GBU	301	\$1,627.23	\$1,708.86	\$1,794.28	\$1,884.02	\$1,978.09	\$2,077.02
Mechanic III	GBU	321	\$1,798.07	\$1,887.81	\$1,982.41	\$2,081.34	\$2,185.68	\$2,294.89
Neighborhood Outreach Assistant	GBU	276	\$1,436.40	\$1,508.30	\$1,583.98	\$1,662.91	\$1,746.17	\$1,833.75
Neighborhood Outreach Coordinator	GBU	306	\$1,668.32	\$1,752.11	\$1,839.69	\$1,931.60	\$2,027.82	\$2,129.46
Neighborhood Preservation Specialist I	GBU	310	\$1,701.84	\$1,787.25	\$1,876.45	\$1,970.52	\$2,068.91	\$2,172.17
Neighborhood Preservation Specialist II	GBU	330	\$1,880.78	\$1,974.84	\$2,073.24	\$2,177.03	\$2,285.69	\$2,400.30
Neighborhood Preservation Specialist III	GBU	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69
Office Assistant I	GBU	263	\$1,346.66	\$1,413.69	\$1,484.51	\$1,558.58	\$1,636.42	\$1,718.60
Office Assistant II	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Parks Leadworker	GBU	323	\$1,815.91	\$1,906.73	\$2,002.42	\$2,102.43	\$2,207.31	\$2,317.59
Parks Worker I	GBU	263	\$1,346.66	\$1,413.69	\$1,484.51	\$1,558.58	\$1,636.42	\$1,718.60
Parks Worker II	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Parks Worker III	GBU	303	\$1,643.45	\$1,725.62	\$1,812.12	\$1,902.94	\$1,998.09	\$2,097.56
Payroll Specialist	GBU	316	\$1,753.74	\$1,841.31	\$1,933.76	\$2,029.99	\$2,131.62	\$2,238.12

**MACEA Side Letter #1**  
**Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 06/17/2023 (continued)								
Plans Examiner	GBU	360	\$2,184.06	\$2,293.26	\$2,407.87	\$2,528.43	\$2,654.93	\$2,787.38
Public Works Equipment Operator	GBU	303	\$1,643.45	\$1,725.62	\$1,812.12	\$1,902.94	\$1,998.09	\$2,097.56
Public Works Maintenance Lead Worker	GBU	323	\$1,815.91	\$1,906.73	\$2,002.42	\$2,102.43	\$2,207.31	\$2,317.59
Public Works Maintenance Worker I	GBU	263	\$1,346.66	\$1,413.69	\$1,484.51	\$1,558.58	\$1,636.42	\$1,718.60
Public Works Maintenance Worker II	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Purchasing Assistant	GBU	280	\$1,465.59	\$1,538.57	\$1,615.88	\$1,696.43	\$1,781.31	\$1,870.51
Recreation/Community Programs Coordinator	GBU	313	\$1,727.79	\$1,814.28	\$1,904.57	\$2,000.25	\$2,100.27	\$2,205.14
Solid Waste/Recycling Assistant	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Solid Waste/Recycling Coordinator	GBU	313	\$1,727.79	\$1,814.28	\$1,904.57	\$2,000.25	\$2,100.27	\$2,205.14
Water Conservation Customer Service Representative	GBU	263	\$1,346.66	\$1,413.69	\$1,484.51	\$1,558.58	\$1,636.42	\$1,718.60
Water Conservation Specialist	GBU	283	\$1,487.76	\$1,561.82	\$1,640.21	\$1,722.38	\$1,808.34	\$1,898.62
Water Quality Specialist I	GBU	340	\$1,977.01	\$2,075.40	\$2,179.19	\$2,288.40	\$2,403.01	\$2,523.02
Water Quality Specialist II	GBU	320	\$1,788.87	\$1,878.62	\$1,972.68	\$2,071.07	\$2,174.87	\$2,283.53
Water Quality Specialist In Training	GBU	293	\$1,563.44	\$1,641.83	\$1,724.00	\$1,809.96	\$1,900.78	\$1,995.93
Water System Lead Worker	GBU	365	\$2,239.20	\$2,351.11	\$2,468.96	\$2,592.22	\$2,721.97	\$2,858.20
Water System Technician	GBU	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69
Water System Worker I	GBU	293	\$1,563.44	\$1,641.83	\$1,724.00	\$1,809.96	\$1,900.78	\$1,995.93
Water System Worker II	GBU	320	\$1,788.87	\$1,878.62	\$1,972.68	\$2,071.07	\$2,174.87	\$2,283.53
Water System Worker III	GBU	340	\$1,977.01	\$2,075.40	\$2,179.19	\$2,288.40	\$2,403.01	\$2,523.02
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$2,026.74	\$2,127.84	\$2,234.34	\$2,346.24	\$2,463.56	\$2,586.81
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,239.20	\$2,351.11	\$2,468.96	\$2,592.22	\$2,721.97	\$2,858.20
WWTP Lead Operator	GBU	383	\$2,449.50	\$2,572.22	\$2,700.88	\$2,835.49	\$2,977.67	\$3,126.34
WWTP Mechanic	GBU	375	\$2,353.81	\$2,471.66	\$2,594.92	\$2,724.67	\$2,860.90	\$3,004.16
WWTP Operator I	GBU	322	\$1,807.26	\$1,897.54	\$1,992.14	\$2,091.62	\$2,196.49	\$2,306.24
WWTP Operator II	GBU	344	\$2,016.47	\$2,117.57	\$2,223.52	\$2,334.35	\$2,451.12	\$2,573.84
WWTP Operator III	GBU	364	\$2,228.39	\$2,339.76	\$2,456.53	\$2,579.25	\$2,708.45	\$2,843.60
WWTP Operator In Training	GBU	301	\$1,627.23	\$1,708.86	\$1,794.28	\$1,884.02	\$1,978.09	\$2,077.02

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/30/2023								
Accountant (Junior)	GBU	282	\$1,509.79	\$1,585.34	\$1,664.74	\$1,748.01	\$1,835.13	\$1,927.22
Accounting Technician I	GBU	263	\$1,373.59	\$1,441.97	\$1,514.20	\$1,589.75	\$1,669.15	\$1,752.97
Accounting Technician II	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Accounting Technician III	GBU	300	\$1,651.51	\$1,734.22	\$1,820.79	\$1,911.78	\$2,007.72	\$2,108.08
Administrative Assistant	GBU	303	\$1,676.32	\$1,760.14	\$1,848.36	\$1,941.00	\$2,038.05	\$2,139.51
Animal Control Officer	GBU	290	\$1,571.55	\$1,649.85	\$1,732.56	\$1,819.14	\$1,910.12	\$2,005.52
Assistant Planner	GBU	352	\$2,140.62	\$2,247.59	\$2,360.08	\$2,478.09	\$2,602.16	\$2,732.29
Building Permit Technician	GBU	288	\$1,555.56	\$1,633.31	\$1,714.92	\$1,800.94	\$1,890.82	\$1,985.67
Combination Building Inspector	GBU	348	\$2,098.16	\$2,203.48	\$2,313.21	\$2,429.01	\$2,550.87	\$2,678.25
Computer Technician	GBU	344	\$2,056.80	\$2,159.92	\$2,267.99	\$2,381.04	\$2,500.14	\$2,625.32
Construction Inspector I	GBU	322	\$1,843.40	\$1,935.49	\$2,031.99	\$2,133.45	\$2,240.42	\$2,352.36
Construction Inspector II	GBU	342	\$2,036.40	\$2,138.41	\$2,245.39	\$2,357.33	\$2,475.33	\$2,599.40
Deputy City Clerk	GBU	311	\$1,744.70	\$1,831.82	\$1,923.36	\$2,019.86	\$2,120.77	\$2,226.64
Electrician II	GBU	361	\$2,238.77	\$2,350.71	\$2,468.71	\$2,591.68	\$2,721.26	\$2,857.46
Electrician III	GBU	381	\$2,473.67	\$2,597.75	\$2,735.60	\$2,863.53	\$3,006.90	\$3,157.44
Engineering Technician I	GBU	302	\$1,668.05	\$1,751.87	\$1,838.99	\$1,931.08	\$2,027.58	\$2,129.04
Engineering Technician II	GBU	322	\$1,843.40	\$1,935.49	\$2,031.99	\$2,133.45	\$2,240.42	\$2,352.36
Engineering Technician III	GBU	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72
Facilities Maintenance Technician	GBU	289	\$1,563.28	\$1,641.58	\$1,723.74	\$1,809.76	\$1,900.20	\$1,995.59
Grants Specialist	GBU	299	\$1,643.23	\$1,725.40	\$1,811.97	\$1,902.40	\$1,997.80	\$2,097.61
Industrial Electrical Technician	GBU	381	\$2,473.67	\$2,597.75	\$2,735.60	\$2,863.53	\$3,006.90	\$3,157.44
Lead Electrician	GBU	401	\$2,733.39	\$2,870.15	\$3,013.52	\$3,164.05	\$3,322.31	\$3,488.29
Maintenance Technician	GBU	308	\$1,718.78	\$1,804.80	\$1,895.23	\$1,990.08	\$2,089.33	\$2,193.55
Mechanic I	GBU	286	\$1,540.12	\$1,617.32	\$1,698.38	\$1,783.30	\$1,872.07	\$1,965.82
Mechanic II	GBU	301	\$1,659.78	\$1,743.04	\$1,830.17	\$1,921.70	\$2,017.65	\$2,118.56
Mechanic III	GBU	321	\$1,834.03	\$1,925.56	\$2,022.06	\$2,122.97	\$2,229.40	\$2,340.78
Neighborhood Outreach Assistant	GBU	276	\$1,465.13	\$1,538.47	\$1,615.66	\$1,696.17	\$1,781.09	\$1,870.42
Neighborhood Outreach Coordinator	GBU	306	\$1,701.69	\$1,787.16	\$1,876.49	\$1,970.23	\$2,068.38	\$2,172.05
Neighborhood Preservation Specialist I	GBU	310	\$1,735.87	\$1,823.00	\$1,913.98	\$2,009.93	\$2,110.29	\$2,215.61
Neighborhood Preservation Specialist II	GBU	330	\$1,918.39	\$2,014.34	\$2,114.70	\$2,220.57	\$2,331.41	\$2,448.31
Neighborhood Preservation Specialist III	GBU	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72
Office Assistant I	GBU	263	\$1,373.59	\$1,441.97	\$1,514.20	\$1,589.75	\$1,669.15	\$1,752.97
Office Assistant II	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Parks Leadworker	GBU	323	\$1,852.22	\$1,944.86	\$2,042.46	\$2,144.48	\$2,251.45	\$2,363.94
Parks Worker I	GBU	263	\$1,373.59	\$1,441.97	\$1,514.20	\$1,589.75	\$1,669.15	\$1,752.97
Parks Worker II	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Parks Worker III	GBU	303	\$1,676.32	\$1,760.14	\$1,848.36	\$1,941.00	\$2,038.05	\$2,139.51
Payroll Specialist	GBU	316	\$1,788.81	\$1,878.14	\$1,972.43	\$2,070.59	\$2,174.25	\$2,282.88

**MACEA Side Letter #1**  
**Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/30/2023 (continued)								
Plans Examiner	GBU	360	\$2,227.74	\$2,339.13	\$2,456.03	\$2,579.00	\$2,708.03	\$2,843.13
Public Works Equipment Operator	GBU	303	\$1,676.32	\$1,760.14	\$1,848.36	\$1,941.00	\$2,038.05	\$2,139.51
Public Works Maintenance Lead Worker	GBU	323	\$1,852.22	\$1,944.86	\$2,042.46	\$2,144.48	\$2,251.45	\$2,363.94
Public Works Maintenance Worker I	GBU	263	\$1,373.59	\$1,441.97	\$1,514.20	\$1,589.75	\$1,669.15	\$1,752.97
Public Works Maintenance Worker II	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Purchasing Assistant	GBU	280	\$1,494.90	\$1,569.34	\$1,648.20	\$1,730.36	\$1,816.93	\$1,907.92
Recreation/Community Programs Coordinator	GBU	313	\$1,762.34	\$1,850.57	\$1,942.66	\$2,040.26	\$2,142.27	\$2,249.25
Solid Waste/Recycling Assistant	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Solid Waste/Recycling Coordinator	GBU	313	\$1,762.34	\$1,850.57	\$1,942.66	\$2,040.26	\$2,142.27	\$2,249.25
Water Conservation Customer Service Representative	GBU	263	\$1,373.59	\$1,441.97	\$1,514.20	\$1,589.75	\$1,669.15	\$1,752.97
Water Conservation Specialist	GBU	283	\$1,517.51	\$1,593.06	\$1,673.01	\$1,756.83	\$1,844.50	\$1,936.59
Water Quality Specialist I	GBU	340	\$2,016.55	\$2,116.91	\$2,222.78	\$2,334.17	\$2,451.07	\$2,573.48
Water Quality Specialist II	GBU	320	\$1,824.65	\$1,916.19	\$2,012.14	\$2,112.49	\$2,218.37	\$2,329.20
Water Quality Specialist In Training	GBU	293	\$1,594.71	\$1,674.67	\$1,758.48	\$1,846.16	\$1,938.80	\$2,035.85
Water System Lead Worker	GBU	365	\$2,283.99	\$2,398.13	\$2,518.34	\$2,644.06	\$2,776.41	\$2,915.36
Water System Technician	GBU	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72
Water System Worker I	GBU	293	\$1,594.71	\$1,674.67	\$1,758.48	\$1,846.16	\$1,938.80	\$2,035.85
Water System Worker II	GBU	320	\$1,824.65	\$1,916.19	\$2,012.14	\$2,112.49	\$2,218.37	\$2,329.20
Water System Worker III	GBU	340	\$2,016.55	\$2,116.91	\$2,222.78	\$2,334.17	\$2,451.07	\$2,573.48
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$2,067.28	\$2,170.39	\$2,279.02	\$2,393.17	\$2,512.83	\$2,638.55
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,283.99	\$2,398.13	\$2,518.34	\$2,644.06	\$2,776.41	\$2,915.36
WWTP Lead Operator	GBU	383	\$2,498.49	\$2,623.66	\$2,754.90	\$2,892.20	\$3,037.23	\$3,188.87
WWTP Mechanic	GBU	375	\$2,400.89	\$2,521.10	\$2,646.82	\$2,779.16	\$2,918.12	\$3,064.25
WWTP Operator I	GBU	322	\$1,843.40	\$1,935.49	\$2,031.99	\$2,133.45	\$2,240.42	\$2,352.36
WWTP Operator II	GBU	344	\$2,056.80	\$2,159.92	\$2,267.99	\$2,381.04	\$2,500.14	\$2,625.32
WWTP Operator III	GBU	364	\$2,272.96	\$2,386.55	\$2,505.66	\$2,630.83	\$2,762.62	\$2,900.48
WWTP Operator In Training	GBU	301	\$1,659.78	\$1,743.04	\$1,830.17	\$1,921.70	\$2,017.65	\$2,118.56

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 6/15/2024								
Accountant (Junior)	GBU	282	\$1,539.99	\$1,617.04	\$1,698.04	\$1,782.97	\$1,871.83	\$1,965.76
Accounting Technician I	GBU	263	\$1,401.06	\$1,470.81	\$1,544.49	\$1,621.54	\$1,702.53	\$1,788.03
Accounting Technician II	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Accounting Technician III	GBU	300	\$1,684.54	\$1,768.90	\$1,857.21	\$1,950.01	\$2,047.88	\$2,150.25
Administrative Assistant	GBU	303	\$1,709.85	\$1,795.34	\$1,885.33	\$1,979.82	\$2,078.81	\$2,182.30
Animal Control Officer	GBU	290	\$1,602.98	\$1,682.85	\$1,767.22	\$1,855.52	\$1,948.32	\$2,045.63
Assistant Planner	GBU	352	\$2,183.43	\$2,292.54	\$2,407.28	\$2,527.65	\$2,654.20	\$2,786.94
Building Permit Technician	GBU	288	\$1,586.67	\$1,665.98	\$1,749.22	\$1,836.96	\$1,928.64	\$2,025.38
Combination Building Inspector	GBU	348	\$2,140.12	\$2,247.55	\$2,359.48	\$2,477.59	\$2,601.89	\$2,731.82
Computer Technician	GBU	344	\$2,097.94	\$2,203.11	\$2,313.35	\$2,428.66	\$2,550.15	\$2,677.82
Construction Inspector I	GBU	322	\$1,880.27	\$1,974.20	\$2,072.63	\$2,176.12	\$2,285.23	\$2,399.41
Construction Inspector II	GBU	342	\$2,077.13	\$2,181.18	\$2,290.29	\$2,404.47	\$2,524.84	\$2,651.39
Deputy City Clerk	GBU	311	\$1,779.59	\$1,868.46	\$1,961.82	\$2,060.25	\$2,163.18	\$2,271.17
Electrician II	GBU	361	\$2,283.54	\$2,397.72	\$2,518.09	\$2,643.51	\$2,775.69	\$2,914.61
Electrician III	GBU	381	\$2,523.15	\$2,649.70	\$2,790.31	\$2,920.80	\$3,067.04	\$3,220.59
Engineering Technician I	GBU	302	\$1,701.41	\$1,786.90	\$1,875.77	\$1,969.70	\$2,068.13	\$2,171.62
Engineering Technician II	GBU	322	\$1,880.27	\$1,974.20	\$2,072.63	\$2,176.12	\$2,285.23	\$2,399.41
Engineering Technician III	GBU	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81
Facilities Maintenance Technician	GBU	289	\$1,594.54	\$1,674.41	\$1,758.22	\$1,845.96	\$1,938.20	\$2,035.50
Grants Specialist	GBU	299	\$1,676.10	\$1,759.90	\$1,848.21	\$1,940.45	\$2,037.75	\$2,139.56
Industrial Electrical Technician	GBU	381	\$2,523.15	\$2,649.70	\$2,790.31	\$2,920.80	\$3,067.04	\$3,220.59
Lead Electrician	GBU	401	\$2,788.06	\$2,927.55	\$3,073.79	\$3,227.34	\$3,388.76	\$3,558.06
Maintenance Technician	GBU	308	\$1,753.16	\$1,840.90	\$1,933.14	\$2,029.88	\$2,131.12	\$2,237.42
Mechanic I	GBU	286	\$1,570.92	\$1,649.66	\$1,732.34	\$1,818.96	\$1,909.52	\$2,005.13
Mechanic II	GBU	301	\$1,692.97	\$1,777.90	\$1,866.77	\$1,960.14	\$2,058.00	\$2,160.93
Mechanic III	GBU	321	\$1,870.71	\$1,964.07	\$2,062.50	\$2,165.43	\$2,273.98	\$2,387.60
Neighborhood Outreach Assistant	GBU	276	\$1,494.43	\$1,569.23	\$1,647.98	\$1,730.09	\$1,816.71	\$1,907.83
Neighborhood Outreach Coordinator	GBU	306	\$1,735.72	\$1,822.90	\$1,914.02	\$2,009.63	\$2,109.75	\$2,215.49
Neighborhood Preservation Specialist I	GBU	310	\$1,770.59	\$1,859.46	\$1,952.26	\$2,050.13	\$2,152.49	\$2,259.92
Neighborhood Preservation Specialist II	GBU	330	\$1,956.76	\$2,054.63	\$2,156.99	\$2,264.98	\$2,378.04	\$2,497.28
Neighborhood Preservation Specialist III	GBU	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81
Office Assistant I	GBU	263	\$1,401.06	\$1,470.81	\$1,544.49	\$1,621.54	\$1,702.53	\$1,788.03
Office Assistant II	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Parks Leadworker	GBU	323	\$1,889.27	\$1,983.76	\$2,083.31	\$2,187.37	\$2,296.48	\$2,411.22
Parks Worker I	GBU	263	\$1,401.06	\$1,470.81	\$1,544.49	\$1,621.54	\$1,702.53	\$1,788.03
Parks Worker II	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Parks Worker III	GBU	303	\$1,709.85	\$1,795.34	\$1,885.33	\$1,979.82	\$2,078.81	\$2,182.30
Payroll Specialist	GBU	316	\$1,824.59	\$1,915.70	\$2,011.88	\$2,112.00	\$2,217.74	\$2,328.54

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 6/15/2024 (continued)								
Plans Examiner	GBU	360	\$2,272.30	\$2,385.91	\$2,505.15	\$2,630.58	\$2,762.19	\$2,899.99
Public Works Equipment Operator	GBU	303	\$1,709.85	\$1,795.34	\$1,885.33	\$1,979.82	\$2,078.81	\$2,182.30
Public Works Maintenance Lead Worker	GBU	323	\$1,889.27	\$1,983.76	\$2,083.31	\$2,187.37	\$2,296.48	\$2,411.22
Public Works Maintenance Worker I	GBU	263	\$1,401.06	\$1,470.81	\$1,544.49	\$1,621.54	\$1,702.53	\$1,788.03
Public Works Maintenance Worker II	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Purchasing Assistant	GBU	280	\$1,524.80	\$1,600.73	\$1,681.16	\$1,764.97	\$1,853.27	\$1,946.07
Recreation/Community Programs Coordinator	GBU	313	\$1,797.59	\$1,887.58	\$1,981.51	\$2,081.06	\$2,185.12	\$2,294.23
Solid Waste/Recycling Assistant	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Solid Waste/Recycling Coordinator	GBU	313	\$1,797.59	\$1,887.58	\$1,981.51	\$2,081.06	\$2,185.12	\$2,294.23
Water Conservation Customer Service Representative	GBU	263	\$1,401.06	\$1,470.81	\$1,544.49	\$1,621.54	\$1,702.53	\$1,788.03
Water Conservation Specialist	GBU	283	\$1,547.86	\$1,624.92	\$1,706.47	\$1,791.96	\$1,881.39	\$1,975.32
Water Quality Specialist I	GBU	340	\$2,056.88	\$2,159.24	\$2,267.23	\$2,380.85	\$2,500.09	\$2,624.95
Water Quality Specialist II	GBU	320	\$1,861.14	\$1,954.51	\$2,052.38	\$2,154.74	\$2,262.73	\$2,375.79
Water Quality Specialist In Training	GBU	293	\$1,626.60	\$1,708.16	\$1,793.65	\$1,883.08	\$1,977.57	\$2,076.56
Water System Lead Worker	GBU	365	\$2,329.67	\$2,446.09	\$2,568.71	\$2,696.95	\$2,831.93	\$2,973.67
Water System Technician	GBU	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81
Water System Worker I	GBU	293	\$1,626.60	\$1,708.16	\$1,793.65	\$1,883.08	\$1,977.57	\$2,076.56
Water System Worker II	GBU	320	\$1,861.14	\$1,954.51	\$2,052.38	\$2,154.74	\$2,262.73	\$2,375.79
Water System Worker III	GBU	340	\$2,056.88	\$2,159.24	\$2,267.23	\$2,380.85	\$2,500.09	\$2,624.95
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$2,108.62	\$2,213.80	\$2,324.60	\$2,441.03	\$2,563.08	\$2,691.32
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,329.67	\$2,446.09	\$2,568.71	\$2,696.95	\$2,831.93	\$2,973.67
WWTP Lead Operator	GBU	383	\$2,548.46	\$2,676.13	\$2,810.00	\$2,950.05	\$3,097.97	\$3,252.65
WWTP Mechanic	GBU	375	\$2,448.91	\$2,571.52	\$2,699.76	\$2,834.75	\$2,976.48	\$3,125.53
WWTP Operator I	GBU	322	\$1,880.27	\$1,974.20	\$2,072.63	\$2,176.12	\$2,285.23	\$2,399.41
WWTP Operator II	GBU	344	\$2,097.94	\$2,203.11	\$2,313.35	\$2,428.66	\$2,550.15	\$2,677.82
WWTP Operator III	GBU	364	\$2,318.42	\$2,434.28	\$2,555.77	\$2,683.45	\$2,817.87	\$2,958.48
WWTP Operator In Training	GBU	301	\$1,692.97	\$1,777.90	\$1,866.77	\$1,960.14	\$2,058.00	\$2,160.93

**MACEA Side Letter #1**  
**Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/28/2024								
Accountant (Junior)	GBU	282	\$1,570.79	\$1,649.38	\$1,732.00	\$1,818.62	\$1,909.27	\$2,005.08
Accounting Technician I	GBU	263	\$1,429.08	\$1,500.22	\$1,575.38	\$1,653.97	\$1,736.59	\$1,823.79
Accounting Technician II	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Accounting Technician III	GBU	300	\$1,718.23	\$1,804.28	\$1,894.35	\$1,989.01	\$2,088.84	\$2,193.25
Administrative Assistant	GBU	303	\$1,744.04	\$1,831.25	\$1,923.04	\$2,019.42	\$2,120.39	\$2,225.95
Animal Control Officer	GBU	290	\$1,635.04	\$1,716.51	\$1,802.56	\$1,892.63	\$1,987.29	\$2,086.54
Assistant Planner	GBU	352	\$2,227.10	\$2,338.39	\$2,455.43	\$2,578.20	\$2,707.28	\$2,842.68
Building Permit Technician	GBU	288	\$1,618.40	\$1,699.29	\$1,784.20	\$1,873.70	\$1,967.21	\$2,065.89
Combination Building Inspector	GBU	348	\$2,182.92	\$2,292.50	\$2,406.67	\$2,527.14	\$2,653.93	\$2,786.45
Computer Technician	GBU	344	\$2,139.90	\$2,247.18	\$2,359.62	\$2,477.23	\$2,601.15	\$2,731.38
Construction Inspector I	GBU	322	\$1,917.87	\$2,013.68	\$2,114.08	\$2,219.64	\$2,330.94	\$2,447.40
Construction Inspector II	GBU	342	\$2,118.67	\$2,224.80	\$2,336.10	\$2,452.56	\$2,575.33	\$2,704.42
Deputy City Clerk	GBU	311	\$1,815.18	\$1,905.83	\$2,001.06	\$2,101.46	\$2,206.44	\$2,316.59
Electrician II	GBU	361	\$2,329.22	\$2,445.68	\$2,568.45	\$2,696.38	\$2,831.20	\$2,972.91
Electrician III	GBU	381	\$2,573.61	\$2,702.69	\$2,846.12	\$2,979.22	\$3,128.38	\$3,285.00
Engineering Technician I	GBU	302	\$1,735.44	\$1,822.64	\$1,913.28	\$2,009.09	\$2,109.49	\$2,215.05
Engineering Technician II	GBU	322	\$1,917.87	\$2,013.68	\$2,114.08	\$2,219.64	\$2,330.94	\$2,447.40
Engineering Technician III	GBU	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99
Facilities Maintenance Technician	GBU	289	\$1,626.44	\$1,707.90	\$1,793.38	\$1,882.88	\$1,976.97	\$2,076.22
Grants Specialist	GBU	299	\$1,709.62	\$1,795.10	\$1,885.17	\$1,979.26	\$2,078.51	\$2,182.35
Industrial Electrical Technician	GBU	381	\$2,573.61	\$2,702.69	\$2,846.12	\$2,979.22	\$3,128.38	\$3,285.00
Lead Electrician	GBU	401	\$2,843.82	\$2,986.10	\$3,135.26	\$3,291.88	\$3,456.53	\$3,629.22
Maintenance Technician	GBU	308	\$1,788.22	\$1,877.72	\$1,971.80	\$2,070.48	\$2,173.74	\$2,282.17
Mechanic I	GBU	286	\$1,602.34	\$1,682.66	\$1,766.99	\$1,855.34	\$1,947.71	\$2,045.24
Mechanic II	GBU	301	\$1,726.83	\$1,813.46	\$1,904.11	\$1,999.34	\$2,099.16	\$2,204.15
Mechanic III	GBU	321	\$1,908.12	\$2,003.35	\$2,103.75	\$2,208.74	\$2,319.46	\$2,435.35
Neighborhood Outreach Assistant	GBU	276	\$1,524.32	\$1,600.62	\$1,680.94	\$1,764.70	\$1,853.05	\$1,945.99
Neighborhood Outreach Coordinator	GBU	306	\$1,770.43	\$1,859.36	\$1,952.30	\$2,049.83	\$2,151.94	\$2,259.80
Neighborhood Preservation Specialist I	GBU	310	\$1,806.00	\$1,896.65	\$1,991.31	\$2,091.13	\$2,195.54	\$2,305.12
Neighborhood Preservation Specialist II	GBU	330	\$1,995.90	\$2,095.72	\$2,200.13	\$2,310.28	\$2,425.60	\$2,547.22
Neighborhood Preservation Specialist III	GBU	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99
Office Assistant I	GBU	263	\$1,429.08	\$1,500.22	\$1,575.38	\$1,653.97	\$1,736.59	\$1,823.79
Office Assistant II	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Parks Leadworker	GBU	323	\$1,927.05	\$2,023.43	\$2,124.98	\$2,231.11	\$2,342.41	\$2,459.45
Parks Worker I	GBU	263	\$1,429.08	\$1,500.22	\$1,575.38	\$1,653.97	\$1,736.59	\$1,823.79
Parks Worker II	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Parks Worker III	GBU	303	\$1,744.04	\$1,831.25	\$1,923.04	\$2,019.42	\$2,120.39	\$2,225.95
Payroll Specialist	GBU	316	\$1,861.08	\$1,954.02	\$2,052.12	\$2,154.24	\$2,262.09	\$2,375.11

**MACEA Side Letter #1  
Exhibit A: Salary Plan**

Attachment A

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/28/2024 (continued)								
Plans Examiner	GBU	360	\$2,317.74	\$2,433.63	\$2,555.25	\$2,683.19	\$2,817.43	\$2,957.99
Public Works Equipment Operator	GBU	303	\$1,744.04	\$1,831.25	\$1,923.04	\$2,019.42	\$2,120.39	\$2,225.95
Public Works Maintenance Lead Worker	GBU	323	\$1,927.05	\$2,023.43	\$2,124.98	\$2,231.11	\$2,342.41	\$2,459.45
Public Works Maintenance Worker I	GBU	263	\$1,429.08	\$1,500.22	\$1,575.38	\$1,653.97	\$1,736.59	\$1,823.79
Public Works Maintenance Worker II	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Purchasing Assistant	GBU	280	\$1,555.30	\$1,632.75	\$1,714.78	\$1,800.27	\$1,890.34	\$1,985.00
Recreation/Community Programs Coordinator	GBU	313	\$1,833.54	\$1,925.33	\$2,021.14	\$2,122.68	\$2,228.82	\$2,340.12
Solid Waste/Recycling Assistant	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Solid Waste/Recycling Coordinator	GBU	313	\$1,833.54	\$1,925.33	\$2,021.14	\$2,122.68	\$2,228.82	\$2,340.12
Water Conservation Customer Service Representative	GBU	263	\$1,429.08	\$1,500.22	\$1,575.38	\$1,653.97	\$1,736.59	\$1,823.79
Water Conservation Specialist	GBU	283	\$1,578.82	\$1,657.42	\$1,740.60	\$1,827.80	\$1,919.02	\$2,014.83
Water Quality Specialist I	GBU	340	\$2,098.02	\$2,202.43	\$2,312.58	\$2,428.47	\$2,550.09	\$2,677.45
Water Quality Specialist II	GBU	320	\$1,898.37	\$1,993.60	\$2,093.43	\$2,197.84	\$2,307.99	\$2,423.30
Water Quality Specialist In Training	GBU	293	\$1,659.14	\$1,742.32	\$1,829.52	\$1,920.74	\$2,017.12	\$2,118.09
Water System Lead Worker	GBU	365	\$2,376.26	\$2,495.01	\$2,620.08	\$2,750.88	\$2,888.57	\$3,033.14
Water System Technician	GBU	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99
Water System Worker I	GBU	293	\$1,659.14	\$1,742.32	\$1,829.52	\$1,920.74	\$2,017.12	\$2,118.09
Water System Worker II	GBU	320	\$1,898.37	\$1,993.60	\$2,093.43	\$2,197.84	\$2,307.99	\$2,423.30
Water System Worker III	GBU	340	\$2,098.02	\$2,202.43	\$2,312.58	\$2,428.47	\$2,550.09	\$2,677.45
WW Lab Analyst/Environmental Compliance Inspector I	GBU	345	\$2,150.80	\$2,258.08	\$2,371.10	\$2,489.85	\$2,614.34	\$2,745.15
WW Lab Analyst/Environmental Compliance Inspector II	GBU	365	\$2,376.26	\$2,495.01	\$2,620.08	\$2,750.88	\$2,888.57	\$3,033.14
WWTP Lead Operator	GBU	383	\$2,599.43	\$2,729.66	\$2,866.20	\$3,009.05	\$3,159.93	\$3,317.70
WWTP Mechanic	GBU	375	\$2,497.88	\$2,622.95	\$2,753.75	\$2,891.44	\$3,036.01	\$3,188.04
WWTP Operator I	GBU	322	\$1,917.87	\$2,013.68	\$2,114.08	\$2,219.64	\$2,330.94	\$2,447.40
WWTP Operator II	GBU	344	\$2,139.90	\$2,247.18	\$2,359.62	\$2,477.23	\$2,601.15	\$2,731.38
WWTP Operator III	GBU	364	\$2,364.79	\$2,482.97	\$2,606.89	\$2,737.12	\$2,874.23	\$3,017.65
WWTP Operator In Training	GBU	301	\$1,726.83	\$1,813.46	\$1,904.11	\$1,999.34	\$2,099.16	\$2,204.15

**SIDE LETTER AGREEMENT #2  
BETWEEN THE CITY OF MADERA  
AND  
THE MID MANAGEMENT EMPLOYEE GROUP**

The parties have conferred, and do hereby agree to the following changes to the Memorandum of Understanding (MOU) between the City of Madera and the Mid Management Employee Group dated July 1, 2021, to June 30, 2025, and Side Letter Agreement adopted November 17, 2021:

**Section 1.**

Article 6 – Salaries and Benefits is amended to read as follows:

**Article 6 – Salaries and Benefits**

The salary schedule attached as Exhibit A to this Side Letter Agreement reflects the salary plan for positions represented by this unit that will be effective upon implementation of the 2% base wage increase on each effective date noted below. For Steps A through F, employees are eligible to be considered for a merit increase each year on their merit anniversary date as defined by the City’s Personnel Rules and Regulations. After an employee has been F-step of their salary range for one year (on their anniversary date), the employee is eligible for a 2.5% step increase (F + 2.5%), upon recommendation of the supervisor. Additional 2.5% step increases will be awarded upon recommendation of the supervisor in 5-year increments thereafter, not to exceed F + 10%.

Effective the first paycheck on or after July 1, 2021, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the first paycheck on or after July 1, 2022, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/31/2022, with pay date 1/20/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/17/2023, with pay date 7/7/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/30/2023, with pay date 1/19/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/15/2024, with pay date 7/5/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/28/2024, with pay date 1/17/2025, employees represented by this unit and employed with the City will receive a 2% base wage increase.

In addition to the percent-based wage increases noted above, Exhibit A reflects revised range assignments for the following classifications to be effective 12/31/2022 due to ongoing increases in the California minimum wage.

- Parks Supervisor
- Water System Supervisor
- Streets and Storm Drainage Supervisor

In addition to the percent-based wage increases noted above, employees represented by this unit and employed with the City at the time of paycheck issuance will receive lump sum \$1,500 payments to be paid on the first regular paycheck of July 2021, July 2022, July 2023, and July 2024, subject to applicable taxes and deductions. The parties agree that this one-time payment does not meet the definition of compensation earnable nor does it qualify as any applicable special compensation for CalPERS reporting purposes. The City will issue this payment as a separate check from normal wages.

This Side Letter Agreement is effective upon adoption and shall remain in full force and effect until a successor Memorandum of Understanding between the City of Madera and the Mid Management Employee Group is fully executed by both parties.

\_\_\_\_\_  
Nicole Say, President

\_\_\_\_\_  
Arnoldo Rodriguez, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 6/18/2022 (current)												
Accountant I	MM	322	\$1,737.08	\$1,823.85	\$1,914.79	\$2,010.40	\$2,111.20	\$2,216.68	\$2,272.10	\$2,327.52	\$2,382.93	\$2,438.35
Accountant II	MM	362	\$2,120.55	\$2,226.56	\$2,337.75	\$2,454.67	\$2,577.30	\$2,706.16	\$2,773.82	\$2,841.47	\$2,909.12	\$2,976.78
Administrative Analyst I	MM	358	\$2,078.47	\$2,182.39	\$2,291.51	\$2,406.34	\$2,526.37	\$2,652.64	\$2,718.96	\$2,785.27	\$2,851.59	\$2,917.91
Administrative Analyst II	MM	386	\$2,390.24	\$2,509.75	\$2,634.98	\$2,766.96	\$2,905.18	\$3,050.15	\$3,126.40	\$3,202.66	\$3,278.91	\$3,355.16
Assistant Engineer	MM	392	\$2,462.46	\$2,585.61	\$2,715.00	\$2,850.62	\$2,993.51	\$3,143.16	\$3,221.74	\$3,300.32	\$3,378.90	\$3,457.48
Associate Civil Engineer	MM	420	\$2,831.91	\$2,973.25	\$3,121.86	\$3,278.26	\$3,441.94	\$3,613.93	\$3,704.28	\$3,794.63	\$3,884.98	\$3,975.33
Associate Planner	MM	368	\$2,184.99	\$2,294.11	\$2,408.94	\$2,528.97	\$2,655.76	\$2,788.26	\$2,857.97	\$2,927.67	\$2,997.38	\$3,067.09
Communications Specialist	MM	358	\$2,078.47	\$2,182.39	\$2,291.51	\$2,406.34	\$2,526.37	\$2,652.64	\$2,718.96	\$2,785.27	\$2,851.59	\$2,917.91
Deputy City Engineer	MM	467	\$3,579.64	\$3,758.91	\$3,946.49	\$4,143.94	\$4,351.27	\$4,568.47	\$4,682.68	\$4,796.89	\$4,911.10	\$5,025.31
Electrical and Facilities Operations Manager	MM	421	\$2,845.94	\$2,988.31	\$3,137.44	\$3,294.37	\$3,459.09	\$3,632.12	\$3,722.92	\$3,813.72	\$3,904.53	\$3,995.33
Engineering Project Manager	MM	419	\$2,817.36	\$2,958.70	\$3,106.27	\$3,261.63	\$3,424.79	\$3,596.27	\$3,686.17	\$3,776.08	\$3,865.99	\$3,955.89
Executive Secretary	MM	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10	\$2,364.77	\$2,422.45	\$2,480.13	\$2,537.81
Executive Secretary to City Administrator	MM	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10	\$2,364.77	\$2,422.45	\$2,480.13	\$2,537.81
Financial Services Manager	MM	446	\$3,223.70	\$3,384.78	\$3,554.18	\$3,731.89	\$3,918.43	\$4,114.32	\$4,217.18	\$4,320.04	\$4,422.90	\$4,525.76
Fleet Operations Manager	MM	404	\$2,614.71	\$2,745.13	\$2,882.31	\$3,026.77	\$3,177.97	\$3,336.98	\$3,420.40	\$3,503.83	\$3,587.25	\$3,670.67
Grant Administrator	MM	446	\$3,223.70	\$3,384.78	\$3,554.18	\$3,731.89	\$3,918.43	\$4,114.32	\$4,217.18	\$4,320.04	\$4,422.90	\$4,525.76
Grant Analyst	MM	358	\$2,078.47	\$2,182.39	\$2,291.51	\$2,406.34	\$2,526.37	\$2,652.64	\$2,718.96	\$2,785.27	\$2,851.59	\$2,917.91
Human Resources Technician	MM	290	\$1,480.91	\$1,554.69	\$1,632.63	\$1,714.21	\$1,799.95	\$1,889.85	\$1,937.09	\$1,984.34	\$2,031.58	\$2,078.83
Human Resources Technician II	MM	310	\$1,635.75	\$1,717.85	\$1,803.59	\$1,894.00	\$1,988.57	\$2,087.82	\$2,140.01	\$2,192.21	\$2,244.41	\$2,296.60
Neighborhood Preservation Supervisor	MM	380	\$2,319.57	\$2,435.44	\$2,557.03	\$2,685.38	\$2,819.44	\$2,960.25	\$3,034.26	\$3,108.27	\$3,182.27	\$3,256.28
Network Administrator	MM	389	\$2,426.09	\$2,547.16	\$2,674.47	\$2,808.53	\$2,948.82	\$3,096.39	\$3,173.80	\$3,251.21	\$3,328.62	\$3,406.03
Park Planning Manager	MM	426	\$2,917.65	\$3,063.66	\$3,216.95	\$3,377.51	\$3,546.38	\$3,723.57	\$3,816.66	\$3,909.75	\$4,002.84	\$4,095.93
Parks Manager	MM	385	\$2,378.28	\$2,496.76	\$2,621.98	\$2,752.93	\$2,890.63	\$3,035.08	\$3,110.96	\$3,186.83	\$3,262.71	\$3,338.59
Parks Supervisor	MM	335	\$1,853.47	\$1,945.96	\$2,043.13	\$2,145.50	\$2,252.54	\$2,365.29	\$2,424.43	\$2,483.56	\$2,542.69	\$2,601.82
Procurement Services Manager	MM	358	\$2,078.47	\$2,182.39	\$2,291.51	\$2,406.34	\$2,526.37	\$2,652.64	\$2,718.96	\$2,785.27	\$2,851.59	\$2,917.91
Program Manager-Grants	MM	366	\$2,163.16	\$2,271.24	\$2,385.04	\$2,504.03	\$2,629.26	\$2,760.72	\$2,829.74	\$2,898.76	\$2,967.78	\$3,036.79
Recreation/Community Programs Manager	MM	390	\$2,438.04	\$2,560.15	\$2,687.98	\$2,822.56	\$2,963.37	\$3,111.98	\$3,189.78	\$3,267.58	\$3,345.38	\$3,423.18
Recreation/Community Programs Supervisor	MM	353	\$2,027.54	\$2,128.87	\$2,234.87	\$2,346.59	\$2,464.02	\$2,587.17	\$2,651.85	\$2,716.53	\$2,781.21	\$2,845.89
Redevelopment Agency Secretary	MM	342	\$1,918.94	\$2,015.07	\$2,115.88	\$2,221.36	\$2,332.56	\$2,449.47	\$2,510.71	\$2,571.95	\$2,633.18	\$2,694.42
Redevelopment Manager	MM	427	\$2,932.20	\$3,078.73	\$3,233.05	\$3,394.65	\$3,564.05	\$3,742.28	\$3,835.83	\$3,929.39	\$4,022.95	\$4,116.51
Safety Officer	MM	358	\$2,078.47	\$2,182.39	\$2,291.51	\$2,406.34	\$2,526.37	\$2,652.64	\$2,718.96	\$2,785.27	\$2,851.59	\$2,917.91
Senior Civil Engineer	MM	439	\$3,113.02	\$3,268.91	\$3,432.07	\$3,604.06	\$3,783.85	\$3,972.99	\$4,072.31	\$4,171.64	\$4,270.96	\$4,370.29
Senior Planner	MM	429	\$2,961.81	\$3,109.90	\$3,265.27	\$3,428.43	\$3,599.90	\$3,779.69	\$3,874.18	\$3,968.67	\$4,063.17	\$4,157.66
Solid Waste Manager	MM	353	\$2,027.54	\$2,128.87	\$2,234.87	\$2,346.59	\$2,464.02	\$2,587.17	\$2,651.85	\$2,716.53	\$2,781.21	\$2,845.89
Streets & Storm Drainage Ops. Manager	MM	385	\$2,378.28	\$2,496.76	\$2,621.98	\$2,752.93	\$2,890.63	\$3,035.08	\$3,110.96	\$3,186.83	\$3,262.71	\$3,338.59
Streets & Storm Drainage Supervisor	MM	340	\$1,900.24	\$1,994.81	\$2,094.57	\$2,199.54	\$2,309.70	\$2,425.05	\$2,485.68	\$2,546.30	\$2,606.93	\$2,667.55
Tyler Munis Implementation Project Manager	MM	408	\$2,667.19	\$2,800.73	\$2,940.51	\$3,087.56	\$3,241.89	\$3,404.01	\$3,489.11	\$3,574.21	\$3,659.31	\$3,744.41
Utility Billing Supervisor	MM	334	\$1,844.12	\$1,936.09	\$2,033.26	\$2,134.58	\$2,241.62	\$2,353.34	\$2,412.18	\$2,471.01	\$2,529.84	\$2,588.68
Waste Water Treatment Plant Manager	MM	459	\$3,439.86	\$3,611.85	\$3,792.16	\$3,981.82	\$4,180.83	\$4,390.24	\$4,500.00	\$4,609.75	\$4,719.51	\$4,829.26
Wastewater Collection System Supervisor	MM	346	\$1,957.91	\$2,055.60	\$2,158.49	\$2,266.57	\$2,379.84	\$2,498.84	\$2,561.31	\$2,623.78	\$2,686.25	\$2,748.72
Water & Sewer Operations Manager	MM	423	\$2,874.52	\$3,017.93	\$3,169.14	\$3,327.62	\$3,493.90	\$3,668.49	\$3,760.20	\$3,851.92	\$3,943.63	\$4,035.34
Water Meter & Conservation Supervisor	MM	340	\$1,900.24	\$1,994.81	\$2,094.57	\$2,199.54	\$2,309.70	\$2,425.05	\$2,485.68	\$2,546.30	\$2,606.93	\$2,667.55
Water System Supervisor	MM	365	\$2,152.25	\$2,259.81	\$2,373.09	\$2,491.56	\$2,616.27	\$2,747.21	\$2,815.89	\$2,884.57	\$2,953.25	\$3,021.93

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 12/31/2022 (revised range assignments in <i>italics</i> )												
Accountant I	MM	322	\$1,771.82	\$1,860.33	\$1,953.08	\$2,050.60	\$2,153.43	\$2,261.02	\$2,317.54	\$2,374.07	\$2,430.59	\$2,487.12
Accountant II	MM	362	\$2,162.97	\$2,271.09	\$2,384.51	\$2,503.76	\$2,628.84	\$2,760.29	\$2,829.29	\$2,898.30	\$2,967.31	\$3,036.31
Administrative Analyst I	MM	358	\$2,120.03	\$2,226.04	\$2,337.34	\$2,454.47	\$2,576.90	\$2,705.69	\$2,773.34	\$2,840.98	\$2,908.62	\$2,976.26
Administrative Analyst II	MM	386	\$2,438.04	\$2,559.94	\$2,687.67	\$2,822.30	\$2,963.28	\$3,111.15	\$3,188.93	\$3,266.71	\$3,344.49	\$3,422.27
Assistant Engineer	MM	392	\$2,511.71	\$2,637.32	\$2,769.30	\$2,907.63	\$3,053.38	\$3,206.02	\$3,286.17	\$3,366.32	\$3,446.47	\$3,526.63
Associate Civil Engineer	MM	420	\$2,888.55	\$3,032.71	\$3,184.29	\$3,343.83	\$3,510.78	\$3,686.21	\$3,778.37	\$3,870.52	\$3,962.68	\$4,054.83
Associate Planner	MM	368	\$2,228.69	\$2,339.99	\$2,457.12	\$2,579.55	\$2,708.87	\$2,844.03	\$2,915.13	\$2,986.23	\$3,057.33	\$3,128.43
Communications Specialist	MM	358	\$2,120.03	\$2,226.04	\$2,337.34	\$2,454.47	\$2,576.90	\$2,705.69	\$2,773.34	\$2,840.98	\$2,908.62	\$2,976.26
Deputy City Engineer	MM	467	\$3,651.23	\$3,834.08	\$4,025.42	\$4,226.82	\$4,438.29	\$4,659.84	\$4,776.33	\$4,892.83	\$5,009.32	\$5,125.82
Electrical and Facilities Operations Manager	MM	421	\$2,902.86	\$3,048.08	\$3,200.19	\$3,360.26	\$3,528.27	\$3,704.76	\$3,797.38	\$3,890.00	\$3,982.62	\$4,075.24
Engineering Project Manager	MM	419	\$2,873.71	\$3,017.87	\$3,168.39	\$3,326.86	\$3,493.29	\$3,668.19	\$3,759.90	\$3,851.60	\$3,943.31	\$4,035.01
Executive Secretary	MM	330	\$1,843.90	\$1,936.12	\$2,032.58	\$2,134.35	\$2,240.88	\$2,353.24	\$2,412.07	\$2,470.90	\$2,529.73	\$2,588.56
Executive Secretary to City Administrator	MM	330	\$1,843.90	\$1,936.12	\$2,032.58	\$2,134.35	\$2,240.88	\$2,353.24	\$2,412.07	\$2,470.90	\$2,529.73	\$2,588.56
Financial Services Manager	MM	446	\$3,288.17	\$3,452.48	\$3,625.26	\$3,806.52	\$3,996.80	\$4,196.61	\$4,301.52	\$4,406.44	\$4,511.35	\$4,616.27
Fleet Operations Manager	MM	404	\$2,667.00	\$2,800.04	\$2,939.96	\$3,087.30	\$3,241.53	\$3,403.72	\$3,488.81	\$3,573.90	\$3,658.99	\$3,744.09
Grant Administrator	MM	446	\$3,288.17	\$3,452.48	\$3,625.26	\$3,806.52	\$3,996.80	\$4,196.61	\$4,301.52	\$4,406.44	\$4,511.35	\$4,616.27
Grant Analyst	MM	358	\$2,120.03	\$2,226.04	\$2,337.34	\$2,454.47	\$2,576.90	\$2,705.69	\$2,773.34	\$2,840.98	\$2,908.62	\$2,976.26
Human Resources Technician	MM	290	\$1,510.53	\$1,585.79	\$1,665.29	\$1,748.50	\$1,835.95	\$1,927.64	\$1,975.83	\$2,024.02	\$2,072.22	\$2,120.41
Human Resources Technician II	MM	310	\$1,668.47	\$1,752.21	\$1,839.66	\$1,931.88	\$2,028.34	\$2,129.58	\$2,182.81	\$2,236.05	\$2,289.29	\$2,342.53
Neighborhood Preservation Supervisor	MM	380	\$2,365.96	\$2,484.15	\$2,608.17	\$2,739.09	\$2,875.83	\$3,019.46	\$3,094.95	\$3,170.43	\$3,245.92	\$3,321.41
Network Administrator	MM	389	\$2,474.61	\$2,598.10	\$2,727.96	\$2,864.70	\$3,007.80	\$3,158.32	\$3,237.28	\$3,316.24	\$3,395.20	\$3,474.15
Park Planning Manager	MM	426	\$2,976.00	\$3,124.93	\$3,281.28	\$3,445.06	\$3,617.31	\$3,798.04	\$3,892.99	\$3,987.94	\$4,082.90	\$4,177.85
Parks Manager	MM	385	\$2,425.85	\$2,546.69	\$2,674.42	\$2,807.99	\$2,948.44	\$3,095.78	\$3,173.18	\$3,250.57	\$3,327.96	\$3,405.36
Parks Supervisor	MM	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69	\$2,664.69	\$2,729.68	\$2,794.67	\$2,859.66
Procurement Services Manager	MM	358	\$2,120.03	\$2,226.04	\$2,337.34	\$2,454.47	\$2,576.90	\$2,705.69	\$2,773.34	\$2,840.98	\$2,908.62	\$2,976.26
Program Manager-Grants	MM	366	\$2,206.43	\$2,316.67	\$2,432.74	\$2,554.11	\$2,681.84	\$2,815.94	\$2,886.33	\$2,956.73	\$3,027.13	\$3,097.53
Recreation/Community Programs Manager	MM	390	\$2,486.80	\$2,611.35	\$2,741.74	\$2,879.01	\$3,022.64	\$3,174.22	\$3,253.58	\$3,332.93	\$3,412.29	\$3,491.64
Recreation/Community Programs Supervisor	MM	353	\$2,068.09	\$2,171.45	\$2,279.57	\$2,393.52	\$2,513.30	\$2,638.91	\$2,704.89	\$2,770.86	\$2,836.83	\$2,902.80
Redevelopment Agency Secretary	MM	342	\$1,957.32	\$2,055.37	\$2,158.20	\$2,265.79	\$2,379.21	\$2,498.46	\$2,560.92	\$2,623.38	\$2,685.85	\$2,748.31
Redevelopment Manager	MM	427	\$2,990.84	\$3,140.30	\$3,297.71	\$3,462.55	\$3,635.33	\$3,817.12	\$3,912.55	\$4,007.98	\$4,103.41	\$4,198.83
Safety Officer	MM	358	\$2,120.03	\$2,226.04	\$2,337.34	\$2,454.47	\$2,576.90	\$2,705.69	\$2,773.34	\$2,840.98	\$2,908.62	\$2,976.26
Senior Civil Engineer	MM	439	\$3,175.28	\$3,334.29	\$3,500.71	\$3,676.14	\$3,859.52	\$4,052.45	\$4,153.76	\$4,255.07	\$4,356.38	\$4,457.69
Senior Planner	MM	429	\$3,021.05	\$3,172.10	\$3,330.58	\$3,497.00	\$3,671.90	\$3,855.28	\$3,951.67	\$4,048.05	\$4,144.43	\$4,240.81
Solid Waste Manager	MM	353	\$2,068.09	\$2,171.45	\$2,279.57	\$2,393.52	\$2,513.30	\$2,638.91	\$2,704.89	\$2,770.86	\$2,836.83	\$2,902.80
Streets & Storm Drainage Ops. Manager	MM	385	\$2,425.85	\$2,546.69	\$2,674.42	\$2,807.99	\$2,948.44	\$3,095.78	\$3,173.18	\$3,250.57	\$3,327.96	\$3,405.36
Streets & Storm Drainage Supervisor	MM	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69	\$2,664.69	\$2,729.68	\$2,794.67	\$2,859.66
Tyler Munis Implementation Project Manager	MM	408	\$2,720.53	\$2,856.75	\$2,999.32	\$3,149.31	\$3,306.72	\$3,472.09	\$3,558.89	\$3,645.69	\$3,732.49	\$3,819.30
Utility Billing Supervisor	MM	334	\$1,881.00	\$1,974.81	\$2,073.92	\$2,177.28	\$2,286.46	\$2,400.41	\$2,460.42	\$2,520.43	\$2,580.44	\$2,640.45
Waste Water Treatment Plant Manager	MM	459	\$3,508.66	\$3,684.09	\$3,868.00	\$4,061.46	\$4,264.45	\$4,478.04	\$4,589.99	\$4,701.95	\$4,813.90	\$4,925.85
Wastewater Collection System Supervisor	MM	346	\$1,997.07	\$2,096.71	\$2,201.66	\$2,311.90	\$2,427.44	\$2,548.81	\$2,612.53	\$2,676.25	\$2,739.97	\$2,803.69
Water & Sewer Operations Manager	MM	423	\$2,932.01	\$3,078.29	\$3,232.52	\$3,394.18	\$3,563.78	\$3,741.86	\$3,835.41	\$3,928.96	\$4,022.50	\$4,116.05
Water Meter & Conservation Supervisor	MM	340	\$1,938.24	\$2,034.70	\$2,136.46	\$2,243.53	\$2,355.89	\$2,473.55	\$2,535.39	\$2,597.23	\$2,659.07	\$2,720.91
Water System Supervisor	MM	385	\$2,425.85	\$2,546.69	\$2,674.42	\$2,807.99	\$2,948.44	\$3,095.78	\$3,173.18	\$3,250.57	\$3,327.96	\$3,405.36

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 06/17/2023												
Accountant I	MM	322	\$1,807.26	\$1,897.54	\$1,992.14	\$2,091.62	\$2,196.49	\$2,306.24	\$2,363.89	\$2,421.55	\$2,479.21	\$2,536.86
Accountant II	MM	362	\$2,206.23	\$2,316.51	\$2,432.20	\$2,553.84	\$2,681.42	\$2,815.49	\$2,885.88	\$2,956.27	\$3,026.65	\$3,097.04
Administrative Analyst I	MM	358	\$2,162.44	\$2,270.56	\$2,384.09	\$2,503.56	\$2,628.44	\$2,759.81	\$2,828.80	\$2,897.80	\$2,966.79	\$3,035.79
Administrative Analyst II	MM	386	\$2,486.80	\$2,611.14	\$2,741.43	\$2,878.74	\$3,022.54	\$3,173.37	\$3,252.71	\$3,332.04	\$3,411.38	\$3,490.71
Assistant Engineer	MM	392	\$2,561.95	\$2,690.07	\$2,824.68	\$2,965.78	\$3,114.45	\$3,270.14	\$3,351.90	\$3,433.65	\$3,515.40	\$3,597.16
Associate Civil Engineer	MM	420	\$2,946.32	\$3,093.36	\$3,247.98	\$3,410.70	\$3,580.99	\$3,759.93	\$3,853.93	\$3,947.93	\$4,041.93	\$4,135.93
Associate Planner	MM	368	\$2,273.26	\$2,386.79	\$2,506.26	\$2,631.14	\$2,763.05	\$2,900.91	\$2,973.43	\$3,045.95	\$3,118.48	\$3,191.00
Communications Specialist	MM	358	\$2,162.44	\$2,270.56	\$2,384.09	\$2,503.56	\$2,628.44	\$2,759.81	\$2,828.80	\$2,897.80	\$2,966.79	\$3,035.79
Deputy City Engineer	MM	467	\$3,724.25	\$3,910.76	\$4,105.92	\$4,311.36	\$4,527.06	\$4,753.03	\$4,871.86	\$4,990.69	\$5,109.51	\$5,228.34
Electrical and Facilities Operations Manager	MM	421	\$2,960.91	\$3,109.04	\$3,264.20	\$3,427.46	\$3,598.83	\$3,778.86	\$3,873.33	\$3,967.80	\$4,062.27	\$4,156.74
Engineering Project Manager	MM	419	\$2,931.18	\$3,078.23	\$3,231.76	\$3,393.40	\$3,563.15	\$3,741.55	\$3,835.09	\$3,928.63	\$4,022.17	\$4,115.71
Executive Secretary	MM	330	\$1,880.78	\$1,974.84	\$2,073.24	\$2,177.03	\$2,285.69	\$2,400.30	\$2,460.31	\$2,520.32	\$2,580.33	\$2,640.33
Executive Secretary to City Administrator	MM	330	\$1,880.78	\$1,974.84	\$2,073.24	\$2,177.03	\$2,285.69	\$2,400.30	\$2,460.31	\$2,520.32	\$2,580.33	\$2,640.33
Financial Services Manager	MM	446	\$3,353.94	\$3,521.53	\$3,697.76	\$3,882.65	\$4,076.73	\$4,280.54	\$4,387.56	\$4,494.57	\$4,601.58	\$4,708.60
Fleet Operations Manager	MM	404	\$2,720.34	\$2,856.04	\$2,998.76	\$3,149.05	\$3,306.36	\$3,471.79	\$3,558.59	\$3,645.38	\$3,732.17	\$3,818.97
Grant Administrator	MM	446	\$3,353.94	\$3,521.53	\$3,697.76	\$3,882.65	\$4,076.73	\$4,280.54	\$4,387.56	\$4,494.57	\$4,601.58	\$4,708.60
Grant Analyst	MM	358	\$2,162.44	\$2,270.56	\$2,384.09	\$2,503.56	\$2,628.44	\$2,759.81	\$2,828.80	\$2,897.80	\$2,966.79	\$3,035.79
Human Resources Technician	MM	290	\$1,540.74	\$1,617.50	\$1,698.59	\$1,783.47	\$1,872.67	\$1,966.19	\$2,015.35	\$2,064.50	\$2,113.66	\$2,162.81
Human Resources Technician II	MM	310	\$1,701.84	\$1,787.25	\$1,876.45	\$1,970.52	\$2,068.91	\$2,172.17	\$2,226.47	\$2,280.78	\$2,335.08	\$2,389.38
Neighborhood Preservation Supervisor	MM	380	\$2,413.28	\$2,533.83	\$2,660.34	\$2,793.87	\$2,933.34	\$3,079.85	\$3,156.85	\$3,233.84	\$3,310.84	\$3,387.83
Network Administrator	MM	389	\$2,524.10	\$2,650.06	\$2,782.51	\$2,921.99	\$3,067.96	\$3,221.49	\$3,302.03	\$3,382.56	\$3,463.10	\$3,543.64
Park Planning Manager	MM	426	\$3,035.52	\$3,187.43	\$3,346.91	\$3,513.96	\$3,689.66	\$3,874.00	\$3,970.85	\$4,067.70	\$4,164.55	\$4,261.40
Parks Manager	MM	385	\$2,474.37	\$2,597.63	\$2,727.91	\$2,864.15	\$3,007.41	\$3,157.70	\$3,236.64	\$3,315.58	\$3,394.52	\$3,473.47
Parks Supervisor	MM	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69	\$2,717.98	\$2,784.27	\$2,850.56	\$2,916.86
Procurement Services Manager	MM	358	\$2,162.44	\$2,270.56	\$2,384.09	\$2,503.56	\$2,628.44	\$2,759.81	\$2,828.80	\$2,897.80	\$2,966.79	\$3,035.79
Program Manager-Grants	MM	366	\$2,250.56	\$2,363.00	\$2,481.39	\$2,605.19	\$2,735.48	\$2,872.26	\$2,944.06	\$3,015.87	\$3,087.67	\$3,159.48
Recreation/Community Programs Manager	MM	390	\$2,536.54	\$2,663.58	\$2,796.57	\$2,936.59	\$3,083.09	\$3,237.71	\$3,318.65	\$3,399.59	\$3,480.53	\$3,561.48
Recreation/Community Programs Supervisor	MM	353	\$2,109.46	\$2,214.88	\$2,325.16	\$2,441.39	\$2,563.57	\$2,691.69	\$2,758.98	\$2,826.28	\$2,893.57	\$2,960.86
Redevelopment Agency Secretary	MM	342	\$1,996.47	\$2,096.48	\$2,201.36	\$2,311.10	\$2,426.79	\$2,548.43	\$2,612.14	\$2,675.85	\$2,739.56	\$2,803.27
Redevelopment Manager	MM	427	\$3,050.66	\$3,203.11	\$3,363.67	\$3,531.80	\$3,708.04	\$3,893.47	\$3,990.80	\$4,088.14	\$4,185.47	\$4,282.81
Safety Officer	MM	358	\$2,162.44	\$2,270.56	\$2,384.09	\$2,503.56	\$2,628.44	\$2,759.81	\$2,828.80	\$2,897.80	\$2,966.79	\$3,035.79
Senior Civil Engineer	MM	439	\$3,238.79	\$3,400.97	\$3,570.72	\$3,749.66	\$3,936.71	\$4,133.50	\$4,236.83	\$4,340.17	\$4,443.51	\$4,546.84
Senior Planner	MM	429	\$3,081.47	\$3,235.54	\$3,397.19	\$3,566.94	\$3,745.34	\$3,932.39	\$4,030.70	\$4,129.01	\$4,227.32	\$4,325.63
Solid Waste Manager	MM	353	\$2,109.46	\$2,214.88	\$2,325.16	\$2,441.39	\$2,563.57	\$2,691.69	\$2,758.98	\$2,826.28	\$2,893.57	\$2,960.86
Streets & Storm Drainage Ops. Manager	MM	385	\$2,474.37	\$2,597.63	\$2,727.91	\$2,864.15	\$3,007.41	\$3,157.70	\$3,236.64	\$3,315.58	\$3,394.52	\$3,473.47
Streets & Storm Drainage Supervisor	MM	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69	\$2,717.98	\$2,784.27	\$2,850.56	\$2,916.86
Tyler Munis Implementation Project Manager	MM	408	\$2,774.95	\$2,913.88	\$3,059.31	\$3,212.30	\$3,372.86	\$3,541.53	\$3,630.07	\$3,718.61	\$3,807.14	\$3,895.68
Utility Billing Supervisor	MM	334	\$1,918.62	\$2,014.31	\$2,115.40	\$2,220.82	\$2,332.19	\$2,448.42	\$2,509.63	\$2,570.84	\$2,632.05	\$2,693.26
Waste Water Treatment Plant Manager	MM	459	\$3,578.83	\$3,757.77	\$3,945.36	\$4,142.69	\$4,349.74	\$4,567.60	\$4,681.79	\$4,795.98	\$4,910.17	\$5,024.37
Wastewater Collection System Supervisor	MM	346	\$2,037.01	\$2,138.65	\$2,245.69	\$2,358.14	\$2,475.99	\$2,599.79	\$2,664.78	\$2,729.78	\$2,794.77	\$2,859.77
Water & Sewer Operations Manager	MM	423	\$2,990.65	\$3,139.86	\$3,297.17	\$3,462.06	\$3,635.05	\$3,816.70	\$3,912.12	\$4,007.53	\$4,102.95	\$4,198.37
Water Meter & Conservation Supervisor	MM	340	\$1,977.01	\$2,075.40	\$2,179.19	\$2,288.40	\$2,403.01	\$2,523.02	\$2,586.10	\$2,649.17	\$2,712.25	\$2,775.32
Water System Supervisor	MM	385	\$2,474.37	\$2,597.63	\$2,727.91	\$2,864.15	\$3,007.41	\$3,157.70	\$3,236.64	\$3,315.58	\$3,394.52	\$3,473.47

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 12/30/2023												
Accountant I	MM	322	\$1,843.40	\$1,935.49	\$2,031.99	\$2,133.45	\$2,240.42	\$2,352.36	\$2,411.17	\$2,469.98	\$2,528.79	\$2,587.60
Accountant II	MM	362	\$2,250.35	\$2,362.84	\$2,480.84	\$2,604.91	\$2,735.05	\$2,871.80	\$2,943.60	\$3,015.39	\$3,087.19	\$3,158.98
Administrative Analyst I	MM	358	\$2,205.68	\$2,315.97	\$2,431.77	\$2,553.63	\$2,681.01	\$2,815.00	\$2,885.38	\$2,955.75	\$3,026.13	\$3,096.50
Administrative Analyst II	MM	386	\$2,536.54	\$2,663.36	\$2,796.26	\$2,936.32	\$3,083.00	\$3,236.84	\$3,317.76	\$3,398.68	\$3,479.61	\$3,560.53
Assistant Engineer	MM	392	\$2,613.18	\$2,743.87	\$2,881.18	\$3,025.10	\$3,176.74	\$3,335.55	\$3,418.93	\$3,502.32	\$3,585.71	\$3,669.10
Associate Civil Engineer	MM	420	\$3,005.24	\$3,155.23	\$3,312.94	\$3,478.92	\$3,652.61	\$3,835.13	\$3,931.01	\$4,026.89	\$4,122.77	\$4,218.65
Associate Planner	MM	368	\$2,318.73	\$2,434.52	\$2,556.39	\$2,683.77	\$2,818.31	\$2,958.93	\$3,032.90	\$3,106.87	\$3,180.84	\$3,254.82
Communications Specialist	MM	358	\$2,205.68	\$2,315.97	\$2,431.77	\$2,553.63	\$2,681.01	\$2,815.00	\$2,885.38	\$2,955.75	\$3,026.13	\$3,096.50
Deputy City Engineer	MM	467	\$3,798.74	\$3,988.98	\$4,188.04	\$4,397.58	\$4,617.60	\$4,848.09	\$4,969.30	\$5,090.50	\$5,211.70	\$5,332.90
Electrical and Facilities Operations Manager	MM	421	\$3,020.13	\$3,171.22	\$3,329.48	\$3,496.01	\$3,670.81	\$3,854.43	\$3,950.79	\$4,047.16	\$4,143.52	\$4,239.88
Engineering Project Manager	MM	419	\$2,989.81	\$3,139.79	\$3,296.40	\$3,461.27	\$3,634.42	\$3,816.39	\$3,911.80	\$4,007.21	\$4,102.61	\$4,198.02
Executive Secretary	MM	330	\$1,918.39	\$2,014.34	\$2,114.70	\$2,220.57	\$2,331.41	\$2,448.31	\$2,509.52	\$2,570.73	\$2,631.93	\$2,693.14
Executive Secretary to City Administrator	MM	330	\$1,918.39	\$2,014.34	\$2,114.70	\$2,220.57	\$2,331.41	\$2,448.31	\$2,509.52	\$2,570.73	\$2,631.93	\$2,693.14
Financial Services Manager	MM	446	\$3,421.02	\$3,591.96	\$3,771.72	\$3,960.31	\$4,158.27	\$4,366.15	\$4,475.31	\$4,584.46	\$4,693.61	\$4,802.77
Fleet Operations Manager	MM	404	\$2,774.75	\$2,913.16	\$3,058.73	\$3,212.03	\$3,372.49	\$3,541.23	\$3,629.76	\$3,718.29	\$3,806.82	\$3,895.35
Grant Administrator	MM	446	\$3,421.02	\$3,591.96	\$3,771.72	\$3,960.31	\$4,158.27	\$4,366.15	\$4,475.31	\$4,584.46	\$4,693.61	\$4,802.77
Grant Analyst	MM	358	\$2,205.68	\$2,315.97	\$2,431.77	\$2,553.63	\$2,681.01	\$2,815.00	\$2,885.38	\$2,955.75	\$3,026.13	\$3,096.50
Human Resources Technician	MM	290	\$1,571.55	\$1,649.85	\$1,732.56	\$1,819.14	\$1,910.12	\$2,005.52	\$2,055.66	\$2,105.79	\$2,155.93	\$2,206.07
Human Resources Technician II	MM	310	\$1,735.87	\$1,823.00	\$1,913.98	\$2,009.93	\$2,110.29	\$2,215.61	\$2,271.00	\$2,326.39	\$2,381.78	\$2,437.17
Neighborhood Preservation Supervisor	MM	380	\$2,461.54	\$2,584.51	\$2,713.54	\$2,849.74	\$2,992.01	\$3,141.45	\$3,219.98	\$3,298.52	\$3,377.05	\$3,455.59
Network Administrator	MM	389	\$2,574.59	\$2,703.07	\$2,838.16	\$2,980.43	\$3,129.31	\$3,285.92	\$3,368.07	\$3,450.21	\$3,532.36	\$3,614.51
Park Planning Manager	MM	426	\$3,096.23	\$3,251.18	\$3,413.85	\$3,584.24	\$3,763.45	\$3,951.48	\$4,050.27	\$4,149.06	\$4,247.84	\$4,346.63
Parks Manager	MM	385	\$2,523.85	\$2,649.58	\$2,782.47	\$2,921.43	\$3,067.56	\$3,220.85	\$3,301.37	\$3,381.89	\$3,462.41	\$3,542.94
Parks Supervisor	MM	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72	\$2,772.34	\$2,839.96	\$2,907.57	\$2,975.19
Procurement Services Manager	MM	358	\$2,205.68	\$2,315.97	\$2,431.77	\$2,553.63	\$2,681.01	\$2,815.00	\$2,885.38	\$2,955.75	\$3,026.13	\$3,096.50
Program Manager-Grants	MM	366	\$2,295.57	\$2,410.26	\$2,531.02	\$2,657.30	\$2,790.19	\$2,929.70	\$3,002.94	\$3,076.19	\$3,149.43	\$3,222.67
Recreation/Community Programs Manager	MM	390	\$2,587.27	\$2,716.85	\$2,852.50	\$2,995.32	\$3,144.75	\$3,302.46	\$3,385.02	\$3,467.58	\$3,550.15	\$3,632.71
Recreation/Community Programs Supervisor	MM	353	\$2,151.64	\$2,259.17	\$2,371.66	\$2,490.22	\$2,614.84	\$2,745.53	\$2,814.16	\$2,882.80	\$2,951.44	\$3,020.08
Redevelopment Agency Secretary	MM	342	\$2,036.40	\$2,138.41	\$2,245.39	\$2,357.33	\$2,475.33	\$2,599.40	\$2,664.38	\$2,729.37	\$2,794.35	\$2,859.34
Redevelopment Manager	MM	427	\$3,111.67	\$3,267.17	\$3,430.94	\$3,602.43	\$3,782.20	\$3,971.33	\$4,070.62	\$4,169.90	\$4,269.18	\$4,368.47
Safety Officer	MM	358	\$2,205.68	\$2,315.97	\$2,431.77	\$2,553.63	\$2,681.01	\$2,815.00	\$2,885.38	\$2,955.75	\$3,026.13	\$3,096.50
Senior Civil Engineer	MM	439	\$3,303.56	\$3,468.99	\$3,642.14	\$3,824.66	\$4,015.45	\$4,216.17	\$4,321.57	\$4,426.97	\$4,532.38	\$4,637.78
Senior Planner	MM	429	\$3,143.10	\$3,300.26	\$3,465.13	\$3,638.28	\$3,820.25	\$4,011.04	\$4,111.31	\$4,211.59	\$4,311.87	\$4,412.14
Solid Waste Manager	MM	353	\$2,151.64	\$2,259.17	\$2,371.66	\$2,490.22	\$2,614.84	\$2,745.53	\$2,814.16	\$2,882.80	\$2,951.44	\$3,020.08
Streets & Storm Drainage Ops. Manager	MM	385	\$2,523.85	\$2,649.58	\$2,782.47	\$2,921.43	\$3,067.56	\$3,220.85	\$3,301.37	\$3,381.89	\$3,462.41	\$3,542.94
Streets & Storm Drainage Supervisor	MM	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72	\$2,772.34	\$2,839.96	\$2,907.57	\$2,975.19
Tyler Munis Implementation Project Manager	MM	408	\$2,830.44	\$2,972.16	\$3,120.49	\$3,276.54	\$3,440.32	\$3,612.36	\$3,702.67	\$3,792.98	\$3,883.29	\$3,973.60
Utility Billing Supervisor	MM	334	\$1,956.99	\$2,054.60	\$2,157.71	\$2,265.24	\$2,378.83	\$2,497.39	\$2,559.82	\$2,622.26	\$2,684.69	\$2,747.12
Waste Water Treatment Plant Manager	MM	459	\$3,650.41	\$3,832.93	\$4,024.27	\$4,225.54	\$4,436.73	\$4,658.96	\$4,775.43	\$4,891.90	\$5,008.38	\$5,124.85
Wastewater Collection System Supervisor	MM	346	\$2,077.75	\$2,181.42	\$2,290.60	\$2,405.30	\$2,525.51	\$2,651.78	\$2,718.08	\$2,784.37	\$2,850.67	\$2,916.96
Water & Sewer Operations Manager	MM	423	\$3,050.46	\$3,202.65	\$3,363.12	\$3,531.30	\$3,707.76	\$3,893.03	\$3,990.36	\$4,087.68	\$4,185.01	\$4,282.34
Water Meter & Conservation Supervisor	MM	340	\$2,016.55	\$2,116.91	\$2,222.78	\$2,334.17	\$2,451.07	\$2,573.48	\$2,637.82	\$2,702.16	\$2,766.49	\$2,830.83
Water System Supervisor	MM	385	\$2,523.85	\$2,649.58	\$2,782.47	\$2,921.43	\$3,067.56	\$3,220.85	\$3,301.37	\$3,381.89	\$3,462.41	\$3,542.94

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 6/15/2024												
Accountant I	MM	322	\$1,880.27	\$1,974.20	\$2,072.63	\$2,176.12	\$2,285.23	\$2,399.41	\$2,459.39	\$2,519.38	\$2,579.37	\$2,639.35
Accountant II	MM	362	\$2,295.36	\$2,410.10	\$2,530.46	\$2,657.01	\$2,789.75	\$2,929.24	\$3,002.47	\$3,075.70	\$3,148.93	\$3,222.16
Administrative Analyst I	MM	358	\$2,249.80	\$2,362.29	\$2,480.40	\$2,604.70	\$2,734.63	\$2,871.30	\$2,943.09	\$3,014.87	\$3,086.65	\$3,158.43
Administrative Analyst II	MM	386	\$2,587.27	\$2,716.63	\$2,852.18	\$2,995.04	\$3,144.66	\$3,301.58	\$3,384.12	\$3,466.66	\$3,549.20	\$3,631.74
Assistant Engineer	MM	392	\$2,665.45	\$2,798.75	\$2,938.80	\$3,085.60	\$3,240.27	\$3,402.26	\$3,487.31	\$3,572.37	\$3,657.43	\$3,742.48
Associate Civil Engineer	MM	420	\$3,065.35	\$3,218.34	\$3,379.20	\$3,548.49	\$3,725.67	\$3,911.84	\$4,009.63	\$4,107.43	\$4,205.22	\$4,303.02
Associate Planner	MM	368	\$2,365.10	\$2,483.21	\$2,607.52	\$2,737.44	\$2,874.68	\$3,018.10	\$3,093.56	\$3,169.01	\$3,244.46	\$3,319.91
Communications Specialist	MM	358	\$2,249.80	\$2,362.29	\$2,480.40	\$2,604.70	\$2,734.63	\$2,871.30	\$2,943.09	\$3,014.87	\$3,086.65	\$3,158.43
Deputy City Engineer	MM	467	\$3,874.71	\$4,068.76	\$4,271.80	\$4,485.54	\$4,709.95	\$4,945.06	\$5,068.68	\$5,192.31	\$5,315.94	\$5,439.56
Electrical and Facilities Operations Manager	MM	421	\$3,080.54	\$3,234.65	\$3,396.07	\$3,565.93	\$3,744.23	\$3,931.52	\$4,029.81	\$4,128.10	\$4,226.39	\$4,324.67
Engineering Project Manager	MM	419	\$3,049.60	\$3,202.59	\$3,362.32	\$3,530.50	\$3,707.10	\$3,892.71	\$3,990.03	\$4,087.35	\$4,184.67	\$4,281.98
Executive Secretary	MM	330	\$1,956.76	\$2,054.63	\$2,156.99	\$2,264.98	\$2,378.04	\$2,497.28	\$2,559.71	\$2,622.14	\$2,684.57	\$2,747.00
Executive Secretary to City Administrator	MM	330	\$1,956.76	\$2,054.63	\$2,156.99	\$2,264.98	\$2,378.04	\$2,497.28	\$2,559.71	\$2,622.14	\$2,684.57	\$2,747.00
Financial Services Manager	MM	446	\$3,489.44	\$3,663.80	\$3,847.15	\$4,039.51	\$4,241.43	\$4,453.48	\$4,564.81	\$4,676.15	\$4,787.49	\$4,898.82
Fleet Operations Manager	MM	404	\$2,830.25	\$2,971.42	\$3,119.91	\$3,276.27	\$3,439.94	\$3,612.05	\$3,702.35	\$3,792.65	\$3,882.95	\$3,973.26
Grant Administrator	MM	446	\$3,489.44	\$3,663.80	\$3,847.15	\$4,039.51	\$4,241.43	\$4,453.48	\$4,564.81	\$4,676.15	\$4,787.49	\$4,898.82
Grant Analyst	MM	358	\$2,249.80	\$2,362.29	\$2,480.40	\$2,604.70	\$2,734.63	\$2,871.30	\$2,943.09	\$3,014.87	\$3,086.65	\$3,158.43
Human Resources Technician	MM	290	\$1,602.98	\$1,682.85	\$1,767.22	\$1,855.52	\$1,948.32	\$2,045.63	\$2,096.77	\$2,147.91	\$2,199.05	\$2,250.19
Human Resources Technician II	MM	310	\$1,770.59	\$1,859.46	\$1,952.26	\$2,050.13	\$2,152.49	\$2,259.92	\$2,316.42	\$2,372.92	\$2,429.42	\$2,485.91
Neighborhood Preservation Supervisor	MM	380	\$2,510.77	\$2,636.20	\$2,767.81	\$2,906.74	\$3,051.85	\$3,204.28	\$3,284.38	\$3,364.49	\$3,444.60	\$3,524.70
Network Administrator	MM	389	\$2,626.08	\$2,757.13	\$2,894.93	\$3,040.04	\$3,191.90	\$3,351.64	\$3,435.43	\$3,519.22	\$3,603.01	\$3,686.80
Park Planning Manager	MM	426	\$3,158.15	\$3,316.20	\$3,482.12	\$3,655.92	\$3,838.72	\$4,030.51	\$4,131.28	\$4,232.04	\$4,332.80	\$4,433.56
Parks Manager	MM	385	\$2,574.33	\$2,702.57	\$2,838.12	\$2,979.86	\$3,128.91	\$3,285.27	\$3,367.40	\$3,449.53	\$3,531.66	\$3,613.79
Parks Supervisor	MM	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81	\$2,827.78	\$2,896.76	\$2,965.73	\$3,034.70
Procurement Services Manager	MM	358	\$2,249.80	\$2,362.29	\$2,480.40	\$2,604.70	\$2,734.63	\$2,871.30	\$2,943.09	\$3,014.87	\$3,086.65	\$3,158.43
Program Manager-Grants	MM	366	\$2,341.48	\$2,458.47	\$2,581.64	\$2,710.44	\$2,845.99	\$2,988.29	\$3,063.00	\$3,137.71	\$3,212.42	\$3,287.12
Recreation/Community Programs Manager	MM	390	\$2,639.01	\$2,771.19	\$2,909.55	\$3,055.23	\$3,207.65	\$3,368.51	\$3,452.72	\$3,536.94	\$3,621.15	\$3,705.36
Recreation/Community Programs Supervisor	MM	353	\$2,194.68	\$2,304.36	\$2,419.10	\$2,540.02	\$2,667.14	\$2,800.44	\$2,870.45	\$2,940.46	\$3,010.47	\$3,080.48
Redevelopment Agency Secretary	MM	342	\$2,077.13	\$2,181.18	\$2,290.29	\$2,404.47	\$2,524.84	\$2,651.39	\$2,717.67	\$2,783.96	\$2,850.24	\$2,916.53
Redevelopment Manager	MM	427	\$3,173.90	\$3,332.51	\$3,499.56	\$3,674.48	\$3,857.84	\$4,050.76	\$4,152.03	\$4,253.30	\$4,354.57	\$4,455.84
Safety Officer	MM	358	\$2,249.80	\$2,362.29	\$2,480.40	\$2,604.70	\$2,734.63	\$2,871.30	\$2,943.09	\$3,014.87	\$3,086.65	\$3,158.43
Senior Civil Engineer	MM	439	\$3,369.63	\$3,538.37	\$3,714.98	\$3,901.15	\$4,095.76	\$4,300.49	\$4,408.00	\$4,515.51	\$4,623.03	\$4,730.54
Senior Planner	MM	429	\$3,205.96	\$3,366.26	\$3,534.43	\$3,711.04	\$3,896.65	\$4,091.26	\$4,193.54	\$4,295.82	\$4,398.10	\$4,500.38
Solid Waste Manager	MM	353	\$2,194.68	\$2,304.36	\$2,419.10	\$2,540.02	\$2,667.14	\$2,800.44	\$2,870.45	\$2,940.46	\$3,010.47	\$3,080.48
Streets & Storm Drainage Ops. Manager	MM	385	\$2,574.33	\$2,702.57	\$2,838.12	\$2,979.86	\$3,128.91	\$3,285.27	\$3,367.40	\$3,449.53	\$3,531.66	\$3,613.79
Streets & Storm Drainage Supervisor	MM	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81	\$2,827.78	\$2,896.76	\$2,965.73	\$3,034.70
Tyler Munis Implementation Project Manager	MM	408	\$2,887.05	\$3,031.60	\$3,182.90	\$3,342.08	\$3,509.12	\$3,684.61	\$3,776.72	\$3,868.84	\$3,960.95	\$4,053.07
Utility Billing Supervisor	MM	334	\$1,996.13	\$2,095.69	\$2,200.86	\$2,310.54	\$2,426.41	\$2,547.33	\$2,611.02	\$2,674.70	\$2,738.38	\$2,802.07
Waste Water Treatment Plant Manager	MM	459	\$3,723.42	\$3,909.59	\$4,104.76	\$4,310.05	\$4,525.47	\$4,752.14	\$4,870.94	\$4,989.74	\$5,108.55	\$5,227.35
Wastewater Collection System Supervisor	MM	346	\$2,119.31	\$2,225.05	\$2,336.41	\$2,453.40	\$2,576.02	\$2,704.82	\$2,772.44	\$2,840.06	\$2,907.68	\$2,975.30
Water & Sewer Operations Manager	MM	423	\$3,111.47	\$3,266.71	\$3,430.38	\$3,601.93	\$3,781.91	\$3,970.89	\$4,070.17	\$4,169.44	\$4,268.71	\$4,367.98
Water Meter & Conservation Supervisor	MM	340	\$2,056.88	\$2,159.24	\$2,267.23	\$2,380.85	\$2,500.09	\$2,624.95	\$2,690.58	\$2,756.20	\$2,821.82	\$2,887.45
Water System Supervisor	MM	385	\$2,574.33	\$2,702.57	\$2,838.12	\$2,979.86	\$3,128.91	\$3,285.27	\$3,367.40	\$3,449.53	\$3,531.66	\$3,613.79

**Mid Management Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 12/28/2024												
Accountant I	MM	322	\$1,917.87	\$2,013.68	\$2,114.08	\$2,219.64	\$2,330.94	\$2,447.40	\$2,508.58	\$2,569.77	\$2,630.95	\$2,692.14
Accountant II	MM	362	\$2,341.26	\$2,458.30	\$2,581.07	\$2,710.15	\$2,845.55	\$2,987.82	\$3,062.52	\$3,137.21	\$3,211.91	\$3,286.60
Administrative Analyst I	MM	358	\$2,294.79	\$2,409.53	\$2,530.01	\$2,656.80	\$2,789.32	\$2,928.73	\$3,001.95	\$3,075.17	\$3,148.39	\$3,221.60
Administrative Analyst II	MM	386	\$2,639.01	\$2,770.96	\$2,909.23	\$3,054.95	\$3,207.55	\$3,367.61	\$3,451.80	\$3,535.99	\$3,620.18	\$3,704.37
Assistant Engineer	MM	392	\$2,718.76	\$2,854.72	\$2,997.57	\$3,147.31	\$3,305.08	\$3,470.30	\$3,557.06	\$3,643.82	\$3,730.57	\$3,817.33
Associate Civil Engineer	MM	420	\$3,126.66	\$3,282.70	\$3,446.78	\$3,619.46	\$3,800.18	\$3,990.07	\$4,089.82	\$4,189.58	\$4,289.33	\$4,389.08
Associate Planner	MM	368	\$2,412.40	\$2,532.88	\$2,659.67	\$2,792.19	\$2,932.17	\$3,078.47	\$3,155.43	\$3,232.39	\$3,309.35	\$3,386.31
Communications Specialist	MM	358	\$2,294.79	\$2,409.53	\$2,530.01	\$2,656.80	\$2,789.32	\$2,928.73	\$3,001.95	\$3,075.17	\$3,148.39	\$3,221.60
Deputy City Engineer	MM	467	\$3,952.21	\$4,150.13	\$4,357.24	\$4,575.25	\$4,804.15	\$5,043.96	\$5,170.06	\$5,296.16	\$5,422.25	\$5,548.35
Electrical and Facilities Operations Manager	MM	421	\$3,142.15	\$3,299.34	\$3,463.99	\$3,637.25	\$3,819.11	\$4,010.15	\$4,110.41	\$4,210.66	\$4,310.91	\$4,411.17
Engineering Project Manager	MM	419	\$3,110.59	\$3,266.64	\$3,429.57	\$3,601.11	\$3,781.25	\$3,970.57	\$4,069.83	\$4,169.10	\$4,268.36	\$4,367.62
Executive Secretary	MM	330	\$1,995.90	\$2,095.72	\$2,200.13	\$2,310.28	\$2,425.60	\$2,547.22	\$2,610.90	\$2,674.58	\$2,738.26	\$2,801.94
Executive Secretary to City Administrator	MM	330	\$1,995.90	\$2,095.72	\$2,200.13	\$2,310.28	\$2,425.60	\$2,547.22	\$2,610.90	\$2,674.58	\$2,738.26	\$2,801.94
Financial Services Manager	MM	446	\$3,559.23	\$3,737.07	\$3,924.10	\$4,120.30	\$4,326.26	\$4,542.54	\$4,656.11	\$4,769.67	\$4,883.24	\$4,996.80
Fleet Operations Manager	MM	404	\$2,886.85	\$3,030.85	\$3,182.31	\$3,341.79	\$3,508.74	\$3,684.29	\$3,776.40	\$3,868.51	\$3,960.61	\$4,052.72
Grant Administrator	MM	446	\$3,559.23	\$3,737.07	\$3,924.10	\$4,120.30	\$4,326.26	\$4,542.54	\$4,656.11	\$4,769.67	\$4,883.24	\$4,996.80
Grant Analyst	MM	358	\$2,294.79	\$2,409.53	\$2,530.01	\$2,656.80	\$2,789.32	\$2,928.73	\$3,001.95	\$3,075.17	\$3,148.39	\$3,221.60
Human Resources Technician	MM	290	\$1,635.04	\$1,716.51	\$1,802.56	\$1,892.63	\$1,987.29	\$2,086.54	\$2,138.71	\$2,190.87	\$2,243.03	\$2,295.20
Human Resources Technician II	MM	310	\$1,806.00	\$1,896.65	\$1,991.31	\$2,091.13	\$2,195.54	\$2,305.12	\$2,362.75	\$2,420.38	\$2,478.01	\$2,535.63
Neighborhood Preservation Supervisor	MM	380	\$2,560.99	\$2,688.93	\$2,823.17	\$2,964.87	\$3,112.89	\$3,268.36	\$3,350.07	\$3,431.78	\$3,513.49	\$3,595.20
Network Administrator	MM	389	\$2,678.60	\$2,812.27	\$2,952.83	\$3,100.84	\$3,255.74	\$3,418.67	\$3,504.14	\$3,589.60	\$3,675.07	\$3,760.54
Park Planning Manager	MM	426	\$3,221.32	\$3,382.53	\$3,551.77	\$3,729.04	\$3,915.49	\$4,111.12	\$4,213.90	\$4,316.68	\$4,419.46	\$4,522.24
Parks Manager	MM	385	\$2,625.82	\$2,756.62	\$2,894.88	\$3,039.45	\$3,191.49	\$3,350.97	\$3,434.75	\$3,518.52	\$3,602.30	\$3,686.07
Parks Supervisor	MM	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99	\$2,884.34	\$2,954.69	\$3,025.04	\$3,095.39
Procurement Services Manager	MM	358	\$2,294.79	\$2,409.53	\$2,530.01	\$2,656.80	\$2,789.32	\$2,928.73	\$3,001.95	\$3,075.17	\$3,148.39	\$3,221.60
Program Manager-Grants	MM	366	\$2,388.31	\$2,507.64	\$2,633.28	\$2,764.65	\$2,902.91	\$3,048.06	\$3,124.26	\$3,200.46	\$3,276.66	\$3,352.87
Recreation/Community Programs Manager	MM	390	\$2,691.79	\$2,826.61	\$2,967.74	\$3,116.33	\$3,271.80	\$3,435.88	\$3,521.78	\$3,607.67	\$3,693.57	\$3,779.47
Recreation/Community Programs Supervisor	MM	353	\$2,238.57	\$2,350.44	\$2,467.48	\$2,590.82	\$2,720.48	\$2,856.44	\$2,927.86	\$2,999.27	\$3,070.68	\$3,142.09
Redevelopment Agency Secretary	MM	342	\$2,118.67	\$2,224.80	\$2,336.10	\$2,452.56	\$2,575.33	\$2,704.42	\$2,772.03	\$2,839.64	\$2,907.25	\$2,974.86
Redevelopment Manager	MM	427	\$3,237.38	\$3,399.16	\$3,569.55	\$3,747.97	\$3,935.00	\$4,131.78	\$4,235.07	\$4,338.36	\$4,441.66	\$4,544.95
Safety Officer	MM	358	\$2,294.79	\$2,409.53	\$2,530.01	\$2,656.80	\$2,789.32	\$2,928.73	\$3,001.95	\$3,075.17	\$3,148.39	\$3,221.60
Senior Civil Engineer	MM	439	\$3,437.03	\$3,609.14	\$3,789.28	\$3,979.17	\$4,177.67	\$4,386.50	\$4,496.16	\$4,605.82	\$4,715.49	\$4,825.15
Senior Planner	MM	429	\$3,270.08	\$3,433.59	\$3,605.12	\$3,785.26	\$3,974.58	\$4,173.08	\$4,277.41	\$4,381.74	\$4,486.06	\$4,590.39
Solid Waste Manager	MM	353	\$2,238.57	\$2,350.44	\$2,467.48	\$2,590.82	\$2,720.48	\$2,856.44	\$2,927.86	\$2,999.27	\$3,070.68	\$3,142.09
Streets & Storm Drainage Ops. Manager	MM	385	\$2,625.82	\$2,756.62	\$2,894.88	\$3,039.45	\$3,191.49	\$3,350.97	\$3,434.75	\$3,518.52	\$3,602.30	\$3,686.07
Streets & Storm Drainage Supervisor	MM	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99	\$2,884.34	\$2,954.69	\$3,025.04	\$3,095.39
Tyler Munis Implementation Project Manager	MM	408	\$2,944.79	\$3,092.23	\$3,246.56	\$3,408.92	\$3,579.31	\$3,758.30	\$3,852.26	\$3,946.21	\$4,040.17	\$4,134.13
Utility Billing Supervisor	MM	334	\$2,036.06	\$2,137.60	\$2,244.88	\$2,356.75	\$2,474.94	\$2,598.28	\$2,663.24	\$2,728.19	\$2,793.15	\$2,858.11
Waste Water Treatment Plant Manager	MM	459	\$3,797.88	\$3,987.78	\$4,186.85	\$4,396.25	\$4,615.98	\$4,847.18	\$4,968.36	\$5,089.54	\$5,210.72	\$5,331.90
Wastewater Collection System Supervisor	MM	346	\$2,161.70	\$2,269.55	\$2,383.14	\$2,502.47	\$2,627.54	\$2,758.92	\$2,827.89	\$2,896.86	\$2,965.84	\$3,034.81
Water & Sewer Operations Manager	MM	423	\$3,173.70	\$3,332.04	\$3,498.99	\$3,673.97	\$3,857.55	\$4,050.31	\$4,151.57	\$4,252.83	\$4,354.08	\$4,455.34
Water Meter & Conservation Supervisor	MM	340	\$2,098.02	\$2,202.43	\$2,312.58	\$2,428.47	\$2,550.09	\$2,677.45	\$2,744.39	\$2,811.32	\$2,878.26	\$2,945.20
Water System Supervisor	MM	385	\$2,625.82	\$2,756.62	\$2,894.88	\$3,039.45	\$3,191.49	\$3,350.97	\$3,434.75	\$3,518.52	\$3,602.30	\$3,686.07

**SIDE LETTER AGREEMENT #1  
BETWEEN THE CITY OF MADERA  
AND  
MADERA POLICE OFFICERS' ASSOCIATION**

The parties have conferred, and do hereby agree to the following changes to the Memorandum of Understanding between the City of Madera and the Madera Police Officer's Association dated July 21, 2021, to June 30, 2025:

**Section 1.**

Article 7 – Salary is amended to read as follows:

**Article 7 – Salary**

Effective the first paycheck on or after July 1, 2021, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the first paycheck on or after July 1, 2022, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/31/2022, with pay date 1/20/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/17/2023, with pay date 7/7/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/30/2023, with pay date 1/19/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/15/2024, with pay date 7/5/2024,, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/28/2024, with pay date 1/17/2025, employees represented by this unit and employed with the City will receive a 2% base wage increase.

The salary schedule attached as Exhibit A to this Side Letter Agreement reflects the salary plan that will be effective upon implementation of the 2% base wage increase on each effective date noted above.

In addition to the percent-based wage increases noted above, employees represented by this unit and employed with the City at the time of paycheck issuance will receive lump sum \$1,500 payments to be paid on the first regular paycheck of July 2021, July

2022, July 2023, and July 2024, subject to applicable taxes and deductions. The parties agree that this one-time payment does not meet the definition of compensation earnable nor does it qualify as any applicable special compensation for CalPERS reporting purposes. The City will issue this payment as a separate check from normal wages.

This Side Letter Agreement is effective upon adoption and shall remain in full force and effect until a successor Memorandum of Understanding between the City of Madera and the Madera Police Officers' Association is fully executed by both parties.

\_\_\_\_\_  
Jaron McAlister, MPOA President

\_\_\_\_\_  
Arnoldo Rodriguez, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

MPOA Side Letter #1

Exhibit A: Salary Plan

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 6/18/2022 (current)								
Crime Analysis Technician	MPOA	306	\$1,603.54	\$1,684.08	\$1,768.25	\$1,856.59	\$1,949.08	\$2,046.77
Police Corporal	MPOA	383	\$2,354.38	\$2,472.33	\$2,596.00	\$2,725.39	\$2,862.05	\$3,004.94
Police Officer I	MPOA	363	\$2,130.95	\$2,237.47	\$2,349.19	\$2,466.62	\$2,590.29	\$2,719.67
Police Officer II	MPOA	373	\$2,240.07	\$2,351.78	\$2,469.74	\$2,592.89	\$2,722.79	\$2,858.93
Police Officer Trainee	MPOA	333	\$1,834.77	\$1,926.74	\$2,022.87	\$2,124.19	\$2,230.19	\$2,341.91
Police Sergeant	MPOA	426	\$2,917.65	\$3,063.66	\$3,216.95	\$3,377.51	\$3,546.38	\$3,723.57
Property & Evidence Officer	MPOA	296	\$1,525.59	\$1,601.98	\$1,682.00	\$1,766.18	\$1,854.51	\$1,947.00
Public Safety Dispatcher	MPOA	294	\$1,510.53	\$1,585.87	\$1,665.37	\$1,748.51	\$1,835.81	\$1,927.78
Records Clerk	MPOA	270	\$1,340.09	\$1,407.12	\$1,477.27	\$1,551.57	\$1,629.00	\$1,710.58
Effective 12/31/2022								
Crime Analysis Technician	MPOA	306	\$1,635.61	\$1,717.76	\$1,803.62	\$1,893.72	\$1,988.06	\$2,087.70
Police Corporal	MPOA	383	\$2,401.47	\$2,521.78	\$2,647.92	\$2,779.90	\$2,919.29	\$3,065.04
Police Officer I	MPOA	363	\$2,173.57	\$2,282.22	\$2,396.17	\$2,515.95	\$2,642.09	\$2,774.07
Police Officer II	MPOA	373	\$2,284.87	\$2,398.82	\$2,519.13	\$2,644.74	\$2,777.25	\$2,916.11
Police Officer Trainee	MPOA	333	\$1,871.46	\$1,965.27	\$2,063.32	\$2,166.68	\$2,274.80	\$2,388.75
Police Sergeant	MPOA	426	\$2,976.00	\$3,124.93	\$3,281.28	\$3,445.06	\$3,617.31	\$3,798.04
Property & Evidence Officer	MPOA	296	\$1,556.11	\$1,634.02	\$1,715.64	\$1,801.50	\$1,891.60	\$1,985.94
Public Safety Dispatcher	MPOA	294	\$1,540.74	\$1,617.59	\$1,698.68	\$1,783.48	\$1,872.52	\$1,966.33
Records Clerk	MPOA	270	\$1,366.89	\$1,435.26	\$1,506.81	\$1,582.61	\$1,661.58	\$1,744.79
Effective 6/17/2023								
Crime Analysis Technician	MPOA	306	\$1,668.32	\$1,752.11	\$1,839.69	\$1,931.60	\$2,027.82	\$2,129.46
Police Corporal	MPOA	383	\$2,449.50	\$2,572.22	\$2,700.88	\$2,835.49	\$2,977.67	\$3,126.34
Police Officer I	MPOA	363	\$2,217.04	\$2,327.86	\$2,444.09	\$2,566.27	\$2,694.94	\$2,829.55
Police Officer II	MPOA	373	\$2,330.56	\$2,446.80	\$2,569.51	\$2,697.64	\$2,832.79	\$2,974.43
Police Officer Trainee	MPOA	333	\$1,908.89	\$2,004.58	\$2,104.59	\$2,210.01	\$2,320.29	\$2,436.52
Police Sergeant	MPOA	426	\$3,035.52	\$3,187.43	\$3,346.91	\$3,513.96	\$3,689.66	\$3,874.00
Property & Evidence Officer	MPOA	296	\$1,587.23	\$1,666.70	\$1,749.95	\$1,837.53	\$1,929.43	\$2,025.66
Public Safety Dispatcher	MPOA	294	\$1,571.55	\$1,649.94	\$1,732.65	\$1,819.15	\$1,909.97	\$2,005.66
Records Clerk	MPOA	270	\$1,394.23	\$1,463.97	\$1,536.95	\$1,614.26	\$1,694.81	\$1,779.68

MPOA Side Letter #1

Exhibit A: Salary Plan

Job Title	B/U	Range	Bi-Weekly Pay Rate					
			A	B	C	D	E	F
Effective 12/30/2023								
Crime Analysis Technician	MPOA	306	\$1,701.69	\$1,787.16	\$1,876.49	\$1,970.23	\$2,068.38	\$2,172.05
Police Corporal	MPOA	383	\$2,498.49	\$2,623.66	\$2,754.90	\$2,892.20	\$3,037.23	\$3,188.87
Police Officer I	MPOA	363	\$2,261.38	\$2,374.42	\$2,492.97	\$2,617.60	\$2,748.83	\$2,886.14
Police Officer II	MPOA	373	\$2,377.18	\$2,495.73	\$2,620.90	\$2,751.59	\$2,889.45	\$3,033.92
Police Officer Trainee	MPOA	333	\$1,947.07	\$2,044.67	\$2,146.68	\$2,254.21	\$2,366.70	\$2,485.26
Police Sergeant	MPOA	426	\$3,096.23	\$3,251.18	\$3,413.85	\$3,584.24	\$3,763.45	\$3,951.48
Property & Evidence Officer	MPOA	296	\$1,618.97	\$1,700.03	\$1,784.95	\$1,874.28	\$1,968.02	\$2,066.18
Public Safety Dispatcher	MPOA	294	\$1,602.98	\$1,682.94	\$1,767.30	\$1,855.53	\$1,948.17	\$2,045.77
Records Clerk	MPOA	270	\$1,422.11	\$1,493.25	\$1,567.69	\$1,646.54	\$1,728.71	\$1,815.28
Effective 6/15/2024								
Crime Analysis Technician	MPOA	306	\$1,735.72	\$1,822.90	\$1,914.02	\$2,009.63	\$2,109.75	\$2,215.49
Police Corporal	MPOA	383	\$2,548.46	\$2,676.13	\$2,810.00	\$2,950.05	\$3,097.97	\$3,252.65
Police Officer I	MPOA	363	\$2,306.61	\$2,421.91	\$2,542.83	\$2,669.95	\$2,803.81	\$2,943.86
Police Officer II	MPOA	373	\$2,424.72	\$2,545.65	\$2,673.32	\$2,806.62	\$2,947.24	\$3,094.60
Police Officer Trainee	MPOA	333	\$1,986.01	\$2,085.56	\$2,189.62	\$2,299.29	\$2,414.03	\$2,534.96
Police Sergeant	MPOA	426	\$3,158.15	\$3,316.20	\$3,482.12	\$3,655.92	\$3,838.72	\$4,030.51
Property & Evidence Officer	MPOA	296	\$1,651.35	\$1,734.03	\$1,820.65	\$1,911.77	\$2,007.38	\$2,107.50
Public Safety Dispatcher	MPOA	294	\$1,635.04	\$1,716.60	\$1,802.65	\$1,892.64	\$1,987.13	\$2,086.69
Records Clerk	MPOA	270	\$1,450.56	\$1,523.11	\$1,599.04	\$1,679.47	\$1,763.28	\$1,851.58
Effective 12/28/2024								
Crime Analysis Technician	MPOA	306	\$1,770.43	\$1,859.36	\$1,952.30	\$2,049.83	\$2,151.94	\$2,259.80
Police Corporal	MPOA	383	\$2,599.43	\$2,729.66	\$2,866.20	\$3,009.05	\$3,159.93	\$3,317.70
Police Officer I	MPOA	363	\$2,352.74	\$2,470.35	\$2,593.69	\$2,723.35	\$2,859.89	\$3,002.74
Police Officer II	MPOA	373	\$2,473.21	\$2,596.56	\$2,726.79	\$2,862.76	\$3,006.18	\$3,156.49
Police Officer Trainee	MPOA	333	\$2,025.73	\$2,127.27	\$2,233.41	\$2,345.28	\$2,462.31	\$2,585.66
Police Sergeant	MPOA	426	\$3,221.32	\$3,382.53	\$3,551.77	\$3,729.04	\$3,915.49	\$4,111.12
Property & Evidence Officer	MPOA	296	\$1,684.38	\$1,768.71	\$1,857.06	\$1,950.00	\$2,047.53	\$2,149.65
Public Safety Dispatcher	MPOA	294	\$1,667.74	\$1,750.93	\$1,838.70	\$1,930.50	\$2,026.88	\$2,128.42
Records Clerk	MPOA	270	\$1,479.57	\$1,553.58	\$1,631.02	\$1,713.06	\$1,798.55	\$1,888.62

**SIDE LETTER AGREEMENT #2**  
**BETWEEN THE CITY OF MADERA AND**  
**THE LAW ENFORCEMENT MID MANAGEMENT GROUP**

The parties have conferred, and do hereby agree to the following changes to the Memorandum of Understanding (MOU) between the City of Madera and the Law Enforcement Mid Management Group dated July 1, 2021, to June 30, 2025, and Side Letter Agreement adopted November 17, 2021:

**Section 1.** Article 5 - Salaries and Benefits is amended to read as follows:

Effective the first paycheck on or after July 1, 2021, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the first paycheck on or after July 1, 2022, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/31/2022, with pay date 1/20/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/17/2023, with pay date 7/7/2023, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/30/2023, with pay date 1/19/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 6/15/2024, with pay date 7/5/2024, employees represented by this unit and employed with the City will receive a 2% base wage increase.

Effective the pay period beginning 12/28/2024, with pay date 1/17/2025, employees represented by this unit and employed with the City will receive a 2% base wage increase.

The salary schedule attached as Exhibit A to this Side Letter Agreement reflects the salary plan that will be effective upon implementation of the 2% base wage increase on each effective date noted above.

In addition to the percent-based wage increases noted above, employees represented by this unit and employed with the City at the time of paycheck issuance will receive lump sum \$1,500 payments to be paid on the first regular paycheck of July 2021, July 2022, July 2023, and July 2024, subject to applicable taxes and deductions. The parties agree that this one-time payment does not meet the definition of compensation earnable nor does it qualify as any applicable special compensation for CalPERS reporting purposes. The City will issue this payment as a separate check from normal wages.

For Steps A through F, employees are eligible to be considered for a merit increase each year on their merit anniversary date as defined by the City's Personnel Rules and

Regulations. After a non-sworn employee has been at F-step of their salary range for one year (on their anniversary date), the non-sworn employee is eligible for a 2.5% step increase (F + 2.5%), upon recommendation of the supervisor. Additional 2.5% step increases will be awarded to non-sworn employees upon recommendation of the supervisor in 5-year increments thereafter, not to exceed F + 10%.

A regular work week shall consist of 40 hours. These hours shall be scheduled by the City but shall not violate applicable State of California Labor Codes or existing Personnel Rules and Regulations. Employees in this unit may work a 4/10 schedule upon recommendation of the Chief of Police and approval of the City Administrator. Employees approved to work a 4/10 schedule will work a set 4-day work week; the day off pattern will not fluctuate unless a new 4/10 schedule is requested and approved.

All positions in the Law Enforcement Mid-Management Bargaining Unit are exempt from Overtime under either the 'Executive,' 'Professional,' or 'Administrative' exemption under the Fair Labor Standards Act (FLSA). In recognition of the fact that overtime is an expected and normal part of the duties of these classes, without the benefit of overtime pay or compensatory time off, five days (40 Hours) of Administrative Leave will be credited on the books at the beginning of a fiscal year. This leave may not be carried over or cashed out and shall be taken under the same conditions as vacation leave. It is recognized that such time is not intended to provide an hour for hour or greater leave for actual hours worked, over those scheduled.

This Side Letter Agreement is effective upon adoption and shall remain in full force and effect until a successor Memorandum of Understanding between the City of Madera and the Law Enforcement Mid Management Group addressing the subject matter of this Side Letter is fully executed by both parties.

\_\_\_\_\_  
Josiah Arnold, President

\_\_\_\_\_  
Arnoldo Rodriguez, City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**LEMM Side Letter #2**  
**Exhibit A: Salary Plan**

Job Title	B/U	Range	Bi-Weekly Pay Rate									
			A	B	C	D	E	F	F + 2.5%	F + 5%	F + 7.5%	F + 10%
Effective 6/18/2022 (current)												
Executive Secretary to the Chief of Police	LEMM	330	\$1,807.75	\$1,898.16	\$1,992.73	\$2,092.50	\$2,196.94	\$2,307.10	\$2,364.77	\$2,422.45	\$2,480.13	\$2,537.81
Police Auxiliary Services Supervisor	LEMM	350	\$1,997.41	\$2,097.17	\$2,202.13	\$2,311.77	\$2,427.65	\$2,548.72	\$2,612.44	\$2,676.15	\$2,739.87	\$2,803.59
Police Commander	LEMM	504	\$4,305.02	\$4,520.66	\$4,746.70	\$4,983.64	\$5,233.06	\$5,494.42				
Police Lieutenant	LEMM	487	\$3,955.32	\$4,152.77	\$4,360.62	\$4,578.86	\$4,807.49	\$5,048.07				
Police Office Supervisor	LEMM	350	\$1,997.41	\$2,097.17	\$2,202.13	\$2,311.77	\$2,427.65	\$2,548.72	\$2,612.44	\$2,676.15	\$2,739.87	\$2,803.59
Effective 12/31/2022												
Executive Secretary to the Chief of Police	LEMM	330	\$1,843.90	\$1,936.12	\$2,032.58	\$2,134.35	\$2,240.88	\$2,353.24	\$2,412.07	\$2,470.90	\$2,529.73	\$2,588.56
Police Auxiliary Services Supervisor	LEMM	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69	\$2,664.69	\$2,729.68	\$2,794.67	\$2,859.66
Police Commander	LEMM	504	\$4,391.12	\$4,611.08	\$4,841.63	\$5,083.31	\$5,337.72	\$5,604.31				
Police Lieutenant	LEMM	487	\$4,034.43	\$4,235.83	\$4,447.83	\$4,670.44	\$4,903.64	\$5,149.03				
Police Office Supervisor	LEMM	350	\$2,037.35	\$2,139.12	\$2,246.18	\$2,358.01	\$2,476.20	\$2,599.69	\$2,664.69	\$2,729.68	\$2,794.67	\$2,859.66
Effective 6/17/2023												
Executive Secretary to the Chief of Police	LEMM	330	\$1,880.78	\$1,974.84	\$2,073.24	\$2,177.03	\$2,285.69	\$2,400.30	\$2,460.31	\$2,520.32	\$2,580.33	\$2,640.33
Police Auxiliary Services Supervisor	LEMM	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69	\$2,717.98	\$2,784.27	\$2,850.56	\$2,916.86
Police Commander	LEMM	504	\$4,478.94	\$4,703.30	\$4,938.46	\$5,184.98	\$5,444.47	\$5,716.40				
Police Lieutenant	LEMM	487	\$4,115.12	\$4,320.55	\$4,536.79	\$4,763.85	\$5,001.71	\$5,252.02				
Police Office Supervisor	LEMM	350	\$2,078.10	\$2,181.90	\$2,291.10	\$2,405.17	\$2,525.73	\$2,651.69	\$2,717.98	\$2,784.27	\$2,850.56	\$2,916.86
Effective 12/30/2023												
Executive Secretary to the Chief of Police	LEMM	330	\$1,918.39	\$2,014.34	\$2,114.70	\$2,220.57	\$2,331.41	\$2,448.31	\$2,509.52	\$2,570.73	\$2,631.93	\$2,693.14
Police Auxiliary Services Supervisor	LEMM	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72	\$2,772.34	\$2,839.96	\$2,907.57	\$2,975.19
Police Commander	LEMM	504	\$4,568.52	\$4,797.36	\$5,037.23	\$5,288.68	\$5,553.36	\$5,830.73				
Police Lieutenant	LEMM	487	\$4,197.42	\$4,406.96	\$4,627.53	\$4,859.12	\$5,101.75	\$5,357.06				
Police Office Supervisor	LEMM	350	\$2,119.66	\$2,225.54	\$2,336.92	\$2,453.27	\$2,576.24	\$2,704.72	\$2,772.34	\$2,839.96	\$2,907.57	\$2,975.19
Effective 6/15/24												
Executive Secretary to the Chief of Police	LEMM	330	\$1,956.76	\$2,054.63	\$2,156.99	\$2,264.98	\$2,378.04	\$2,497.28	\$2,559.71	\$2,622.14	\$2,684.57	\$2,747.00
Police Auxiliary Services Supervisor	LEMM	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81	\$2,827.78	\$2,896.76	\$2,965.73	\$3,034.70
Police Commander	LEMM	504	\$4,659.89	\$4,893.31	\$5,137.98	\$5,394.45	\$5,664.43	\$5,947.34				
Police Lieutenant	LEMM	487	\$4,281.37	\$4,495.10	\$4,720.08	\$4,956.31	\$5,203.78	\$5,464.20				
Police Office Supervisor	LEMM	350	\$2,162.06	\$2,270.05	\$2,383.66	\$2,502.34	\$2,627.76	\$2,758.81	\$2,827.78	\$2,896.76	\$2,965.73	\$3,034.70
Effective 12/28/24												
Executive Secretary to the Chief of Police	LEMM	330	\$1,995.90	\$2,095.72	\$2,200.13	\$2,310.28	\$2,425.60	\$2,547.22	\$2,610.90	\$2,674.58	\$2,738.26	\$2,801.94
Police Auxiliary Services Supervisor	LEMM	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99	\$2,884.34	\$2,954.69	\$3,025.04	\$3,095.39
Police Commander	LEMM	504	\$4,753.09	\$4,991.18	\$5,240.74	\$5,502.34	\$5,777.72	\$6,066.29				
Police Lieutenant	LEMM	487	\$4,366.99	\$4,585.00	\$4,814.48	\$5,055.43	\$5,307.86	\$5,573.48				
Police Office Supervisor	LEMM	350	\$2,205.30	\$2,315.45	\$2,431.33	\$2,552.38	\$2,680.32	\$2,813.99	\$2,884.34	\$2,954.69	\$3,025.04	\$3,095.39

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING  
STANDARD TERMS AND CONDITIONS FOR EMPLOYMENT AGREEMENTS OF  
UNREPRESENTED DEPARTMENT HEAD POSITIONS**

**WHEREAS**, the City of Madera adopted Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads on November 17, 2021, that established the parameters of authority for the City Manager relative to wages, benefits, and terms of employment for employment agreements with his direct reports; and

**WHEREAS**, the City desires to modify the Authorized Terms and Conditions to include additional cost-of-living increases that have been offered to the City’s bargaining units.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA** hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The City Manager is authorized to execute individual at-will employment agreements within the parameters as set forth in the Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads as set forth in Attachment A to this resolution which is incorporated by reference and approved.
3. This resolution is effective immediately upon adoption.

\* \* \* \* \*

## **Authorized Terms and Conditions for Employment Agreements with Unrepresented Department Heads**

### **I. Unrepresented Department Head Positions**

- Police Chief
- Director of Parks & Community Services
- City Engineer
- Director of Human Resources
- Information Services Manager
- Chief Building Official
- Planning Manager
- Director of Financial Services
- Public Works Operations Director
- Director of Community Development

### **II. Employment Agreement Term**

- Up to 4 years

### **III. Annual Salary**

- Salary range assignments for each position are published on the City of Madera Salary Schedule publicly adopted by the City Council.
- The City Manager is authorized to set salaries for Department Heads consistent with the Salary Schedule.
- The City Manager is authorized to provide merit step increases for satisfactory job performance within the salary steps defined on the published Salary Schedule.
- The City Manager is authorized to provide Cost of Living Adjustment (COLA) increases to Department Heads as follows:
  - Effective the first paycheck on or after November 17, 2021, positions listed in Section I will receive a 2% base wage increase.
  - Effective the first paycheck on or after July 1, 2022, positions listed in Section I will receive a 2% base wage increase.
  - Effective the pay period beginning December 31, 2022, with paycheck date January 20, 2023, positions listed in Section I will receive a 2% base wage increase.
  - Effective June 17, 2023, with paycheck date July 7, 2023, positions listed in Section I will receive a 2% base wage increase.
  - Effective December 30, 2023, with paycheck date January 19, 2024, positions listed in Section I will receive a 2% base wage increase.
  - Effective June 15, 2024, with paycheck date July 5, 2024, positions listed in Section I will receive a 2% base wage increase.
  - Effective December 28, 2024, with paycheck date January 17, 2025, positions listed in Section I will receive a 2% base wage increase.

- In addition to the percent-based wage increases noted above, the City Manager is authorized to provide each employee employed by the City in positions listed in Section I with a lump sum \$1,500 payment to be paid on the first regular paycheck on or after November 17, 2021; July 1, 2022; July 1, 2023; and July 1, 2024; subject to applicable taxes and deductions.

#### IV. Severance

- Employment Agreements may include 1 ½ months salary & health benefits severance in one (1) lump sum payment for separation without cause

#### V. Paid Leave – Employment Agreements may include benefits as follows:

- Vacation – accrues based on years of service consistent with Mid Management accrual schedule; maximum accrued balance will be 360 hours. Employee also receives an 8-hour credit to vacation each year on the employee’s hire anniversary date.
  - Vacation Cash-out: Employee may cash-out unused vacation once per year if vacation balance is at least 160 hours.
    - 0-5 years of total City service – 40 hours
    - 6+ years of total City service – 80 hours
- Sick leave – accrues each pay cycle consistent with Mid Management accrual schedule; no cap on accrual. After 5 years of City service, employee may cash-out unused sick leave with positive separation or retirement based on the following schedule:

Years of Service	Sick Leave Cash-Out
5	7.5%
7	10.5%
10	15.0%
15	22.0%
20	30.0%

- Family Sick Leave - Up to 72 hours of sick leave may be used each year for family.
- Administrative Leave – 40 hours credited each July 1. Not available for carryover or cash-out. A pro-rated amount will be credited for the remainder of the fiscal year based on hire date if employee is hired mid-fiscal year.
- Holidays – Observed paid holidays will be consistent with Mid Management paid holidays.
- Floating Holiday – Employees with 5-9 years of total City service are credited with 20 hours of Floating Holiday each July 1; employees with 10+ years of total City service are credited with 40 hours of Floating Holiday each July 1.

- Holiday Closure - Employee will receive the same Holiday Closure benefit as that received by the City of Madera Mid Management Employee Group.

#### **VI. Retirement**

- CalPERS formula is defined by date of hire and position
  - Employee pays Employee Contribution to CalPERS
  - Employee pays an additional 2.375% of base pay for Miscellaneous employees and 3% of base pay for Safety employees towards Employer Contribution through either a salary reduction or post-tax payroll deduction.
  - Employee pays for 1959 Survivor Benefit.

#### **VII. Health Insurance**

- Employee will receive the same plan offerings and employer contribution as that received by the City of Madera Mid Management Employee Group.

#### **VIII. Longevity Pay**

- Longevity pay was frozen as of June 30, 2019. Employees in the positions listed in Section I who had achieved longevity pay as of that date continue to receive the benefit but cannot achieve additional longevity pay with additional years of service. This benefit is not available to employees hired or promoted into the positions listed in Section I after June 30, 2019.

#### **IX. Retiree Medical**

- Individuals who retire from City service are eligible to purchase medical, dental, and vision insurance for the retiree and eligible dependents at the retiree's expense until such time as the individual is eligible for Medicare
- For individuals who were employed in the positions listed in Section I as of April 3, 2019, and had at least fifteen (15) years of City service at that time, the City will contribute up to a cap of \$600 per month for retiree medical insurance until the individual is eligible for Medicare and up to a cap of \$300 per month for a Medicare supplement plan after the individual is eligible for Medicare. This benefit is not available to employees hired or promoted into the positions listed in Section I after April 3, 2019.

#### **X. Other Benefits**

- Employee may elect to receive a City-issued smart phone or use his/her personal phone and receive a \$75/month stipend. If stipend is elected, personal phone number must be publicly available.
- The Police Chief will receive the same Uniform Allowance as sworn members of the Law Enforcement Mid Management Group.
- Bereavement Leave: In addition to paid leave available, Employee will receive 3 days of leave per fiscal year in the event of the death of a grandparent, parent, spouse, registered domestic partner, or child.

- City paid life/AD&D insurance: \$50,000 employee/\$5,000 dependent; employee can purchase additional voluntary life insurance for self, spouse and/or dependents through the City's provider through payroll deduction.
- City paid Long Term Disability insurance

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING  
THE CITY OF MADERA CLASSIFICATION PLAN AND SETTING THE ASSIGNED  
SALARY RANGE FOR CERTAIN CLASSIFICATIONS**

**WHEREAS**, the City of Madera (the “City”) has an established Classification Plan adopted by Resolution No. 00-13 which has been amended from time to time (hereafter “Classification Plan, as amended”); and

**WHEREAS**, effective November 16, 2022, the City desires to modify the Classification Plan, as amended, to add Parks Manager and delete Administrative Secretary, Facility Aide, and Airport Maintenance Worker I/II/III to better reflect the current needs of the organization; and

**WHEREAS**, in direct response to increases in the California Minimum Wage, the City and representatives of Madera Affiliated City Employees’ Association and Mid Management Employee Group have agreed on modified range assignments for certain positions to be effective December 31, 2022.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA** hereby resolves, finds, and orders as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated by reference.

SECTION 2. Effective November 16, 2022, the City of Madera Employee Classification Plan, as amended, is amended as follows:

- a. By the addition of the Parks Manager classification. The job description for this classification is attached to this resolution as Attachment A.
- b. The Parks Manager classification is assigned to City of Madera Schedule M, Range 385, as shown in Table 1.

<b>Table 1. Schedule M, Range 385, Bi-weekly pay steps</b>					
<i>Step A</i>	<i>Step B</i>	<i>Step C</i>	<i>Step D</i>	<i>Step E</i>	<i>Step F</i>
\$2,378.28	\$2,496.76	\$2,621.98	\$2,752.93	\$2,890.63	\$3,035.08

- c. The Administrative Secretary, Facility Aide, and Airport Maintenance Worker I/II/III classifications are deleted.

SECTION 3. Effective December 31, 2022, salary range assignments will be modified for certain positions as listed in Table 2.

**Table 2. Salary Range Assignments to be effective 12/31/2022**

<i>Job Title</i>	<i>Range</i>	<i>Bi-Weekly Pay Rate</i>					
		<i>Step A</i>	<i>Step B</i>	<i>Step C</i>	<i>Step D</i>	<i>Step E</i>	<i>Step F</i>
Accounting Technician I	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Accounting Technician II	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Accounting Technician III	300	1587.38	1666.88	1750.09	1837.54	1929.76	2026.22
Administrative Assistant	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Maintenance Technician	308	1652.04	1734.72	1821.64	1912.80	2008.20	2108.37
Office Assistant I	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Office Assistant II	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Parks Leadworker	323	1780.30	1869.34	1963.15	2061.20	2164.03	2272.15
Parks Supervisor	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Parks Worker I	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Parks Worker II	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Parks Worker III	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Public Works Equipment Operator	303	1611.23	1691.79	1776.59	1865.63	1958.91	2056.43
Public Works Maintenance Lead Worker	323	1780.30	1869.34	1963.15	2061.20	2164.03	2272.15
Public Works Maintenance Worker I	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90
Public Works Maintenance Worker II	283	1458.58	1531.20	1608.05	1688.61	1772.88	1861.39
Streets & Storm Drainage Supervisor	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Water Quality Specialist I	320	1753.80	1841.78	1934.00	2030.46	2132.23	2238.76
Water Quality Specialist II	340	1938.24	2034.70	2136.46	2243.53	2355.89	2473.55
Water Quality Specialist In Training	293	1532.79	1609.64	1690.20	1774.47	1863.51	1956.79
Water System Lead Worker	365	2195.30	2305.01	2420.55	2541.39	2668.59	2802.16
Water System Supervisor	385	2425.85	2546.69	2674.42	2807.99	2948.44	3095.78
Water System Technician	350	2037.35	2139.12	2246.18	2358.01	2476.20	2599.69
Water System Worker I	293	1532.79	1609.64	1690.20	1774.47	1863.51	1956.79
Water System Worker II	320	1753.80	1841.78	1934.00	2030.46	2132.23	2238.76
Water System Worker III	340	1938.24	2034.70	2136.46	2243.53	2355.89	2473.55
Water Conservation Customer Service Representative	263	1320.25	1385.97	1455.40	1528.02	1604.34	1684.90

SECTION 4. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**CITY OF MADERA****PARKS MANAGER**

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

**DEFINITION:**

Under direction, plans, directs and coordinates the activities and operation of the Parks Division of the Parks and Community Services Department including the maintenance, repair and development of City parks, landscape areas, street medians and associated equipment and facilities; supervises, evaluates and participates in the work of personnel responsible for operation of the divisions; ensures safe work practices, work quality and accuracy; maintains appropriate work records; serves as a technical resource for assigned work personnel; performs other related duties as required.

**DISTINGUISHING CHARACTERISTICS:**

The **Parks Manager** is the management level class responsible for directing the activities of a variety of parks services including the maintenance, repair and development of City parks, sport fields, landscaped areas, street medians, and related facilities and programs. This classification is distinguished from the next lower classification of Parks Lead Worker by overseeing multiple programs and operations as well as having the administrative responsibilities for the division.

**SUPERVISION RECEIVED/EXERCISED:**

Receives direction from the Director of Parks and Community Services. Exercises direct and indirect supervision over assigned staff.

**ESSENTIAL FUNCTIONS:** *(include but are not limited to the following)*

- Accepts management responsibility for supervising activities, operations and services of the Parks Division of the Parks and Community Services Department including planning, coordinating, prioritizing, monitoring and participating in the maintenance, repair and development of City parks, landscaped areas and related facilities.
- Oversees and/or participates in the development, implementation and maintenance of the division goals, objectives, policies and procedures; ensures that program goals are achieved.
- Plans, coordinates and reviews the work plan for assigned projects and responsibilities which may include routine maintenance, repair and development of City parks, landscaped areas, recreation field and street medians; provides administrative and technical direction to park staff; ensures compliance with various reporting requirements.
- Coordinates in the selection and training of parks maintenance personnel; assumes responsibility for

## PARKS MANAGER

Page 2

motivating and evaluating assigned personnel; provides necessary training; initiates discipline procedures as is appropriate; recruits, hires and manages supplemental labor crews; assigns work to assigned staff and personnel; monitors work activities to ensure safe work practices, work quality and accuracy; ensures compliance to applicable rules, policies and procedures.

- Performs the more difficult and complex maintenance duties of the division including obtaining and reviewing bids, securing grants, oversight of irrigation systems and managing pesticide/herbicide applications through subordinate staff.
- Assists with new development designs; reads and interprets engineering plans; solicits bids from contractors and makes recommendations for new construction; monitors contractors and projects; provides basic plan checking for compliance with specifications.
- Maintains inventory control; solicits bids and prepares specs for purchasing of supplies, equipment and materials; prepares and manages materials and labor for City festivals and special events.
- Provides staff assistance and technical support to assigned program activities and other City departments; conducts organizational and operational service delivery studies; makes recommendations to address and resolve identified service delivery issues.
- Attends and participates in organizational and community meetings as necessary; stays current on issues relative to parks maintenance and development; responds to and resolves community and organizational inquiries and complaints.
- Establishes positive working relationships with representatives of community organizations, state/local agencies, City management and staff, and the public.

**WORKING CONDITIONS:**

Position requires sitting, standing, walking on level and slippery surfaces, reaching, twisting, turning, kneeling, bending, stooping, squatting, crouching, grasping and making repetitive hand movement in the performance of daily duties. The position also requires both near and far vision when inspecting work. The need to occasionally lift, carry and push tools, equipment and supplies weighing 25 pounds or more is also required. Additionally, the incumbent in this position may work in all weather conditions including wet, hot and cold. The nature of the work also requires the incumbent to climb ladders, drive motorized vehicles, work in heavy vehicle traffic conditions and often work with constant interruptions.

**QUALIFICATIONS:** *(The following are minimal qualifications necessary for entry into the classification)*

**Education and/or Experience:**

Any combination of education and experience that has provided the knowledge, skills and abilities necessary for a **Parks Manager**. A typical way of obtaining the required qualifications is to possess four years of experience in the construction, maintenance and improvement of parks and landscaped areas including two years experience as a lead worker or supervisor, and a high school diploma or equivalent.

**License/Certificate:**

Possession of, or ability to obtain, a valid class C California driver's license and possession of, or ability to obtain, a valid Pesticide Applicators License issued by State Department of Agriculture.

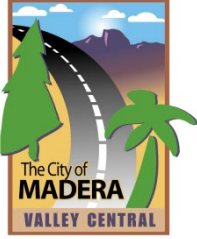
**KNOWLEDGE/ABILITIES/SKILLS:** *(The following are a representative sample of the KAS's necessary to perform essential duties of the position)*

**Knowledge of:**

Practices, techniques and materials used in maintenance, construction and repair of parks, landscaped areas, street medians and related facilities; practice and procedures used in weed abatement; safety practices and procedures for parks maintenance operations; basic principles of mathematics; principles and practices of budget administration; methods and techniques of supervision, training and motivation; horticulture and irrigation systems; applicable federal, state and local laws, codes and regulations; operational characteristics of standard maintenance equipment; methods and techniques for record keeping; occupational hazards and standard safety procedures.

**Ability to:**

Supervise and direct the work of others performing parks and facilities maintenance, repair and construction; analyze a complex issue and develop and implement an appropriate response; prepare and administer division budgets; analyze and evaluate new and existing service delivery methods and standard operating procedures; read and interpret construction plans and specifications and interpret them to others; ensure that safety principles are observed and practiced; prepare reports and maintain records; courteously respond to community issues, concerns and needs; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.



## REPORT TO THE CITY COUNCIL

**Approved by:**

  
\_\_\_\_\_  
Will Tackett, Community Development Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:**     D-2    

### **SUBJECT:**

Award of Contract for Hearing Officer Services for Cannabis Permitting Process

### **RECOMMENDATION:**

Adopt a Resolution approving a contract with Nastich Law, a Profession Corporation to serve as Hearing Officer for Cannabis Permitting Appeals and authorizing the City Manager to execute the agreement

### **SUMMARY:**

The cannabis permitting process is in progress. The process calls for appeals by a hearing officer. Staff published a Request for Proposals (RFP) seeking hearing officer providers to meet the City's ongoing needs for appeal hearings. Based on responses submitted and the review conducted, it is recommended an agreement be entered with Nastich Law, a Professional Corporation ('Nastich Law').

### **DISCUSSION:**

An RFP seeking proposals from law firms to provide Cannabis Appeal Hearing Officer services was released on September 30, 2022, to numerous law firms with hearing officer experience. The City received four proposals in response to the RFP. The proposals were rated by an in-house committee the week of November 7. Based on this review, it is recommended the City award an Agreement to Nastich Law, a Professional Corporation. Summer L. Nastich, JD is the President, CEO, and sole shareholder and employee of the firm. She is currently an administrative hearing officer for Solano, Alameda and Placer Counties. She is also an administrative hearing officer for the City of Burlingame. She has Cannabis experience which was listed as a desirable qualification in the RFP. Her rates are \$200 per hour.

**FINANCIAL IMPACT:**

The costs for the administrative appeals including the cost for a hearing officer was factored in the Council's recent approval of fees for the appeal process.

**ALTERNATIVES:**

Council could direct staff to solicit additional proposals.

**ATTACHMENTS:**

1. Resolution Approving Cannabis Hearing Officer Agreement
  - a. Exhibit A: Agreement with Nastich Law, a Professional Corporation

**ATTACHMENT 1**  
**Resolution Approving Cannabis Hearing Officer Agreement**

Including:  
Exhibit A – Agreement with Nastich Law, a Professional Corporation

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING AGREEMENT WITH NASTICH LAW, A PROFESSIONAL  
CORPORATION FOR OFFICER SERVICES ON CANNABIS PERMITTING  
APPEALS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE  
AGREEMENT**

**WHEREAS**, the City of Madera has a need for a hearing officer to conduct hearings on cannabis appeals; and

**WHEREAS**, the City prepared and issued a Request for Proposals (RFP) to solicit proposals for such services; and

**WHEREAS**, the City received four proposals through the RFP process; and

**WHEREAS**, Nastich Law, a Professional Corporation ('Nastich Law') is qualified to provide the requisite hearing officer services and staff is recommending an agreement with Nastich Law.

**NOW THEREFORE**, the City Council of the City of Madera hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Council approves an Agreement with Nastich Law, a Professional Corporation for Hearing Officer Services on Cannabis Permitting Appeals and authorizing the City Manager to execute the agreement. A copy of the Agreement is attached hereto as Exhibit A and incorporated herein.
3. The City Manager is authorized to execute the agreement.
4. This resolution is effective immediately upon adoption.

\*\*\*\*\*

**AGREEMENT FOR HEARING OFFICER SERVICES  
BETWEEN  
CITY OF MADERA  
AND  
Nastich Law, a Professional Corporation**

**(Cannabis Permitting Process)**

This Services Agreement, (hereinafter referred to as the "Agreement"), effective November 10, 2022, is entered between the City of Madera, a municipal corporation, (hereinafter referred to as "City"), and Nastich Law, a Professional Corporation, (hereinafter referred to as "Consultant").

**RECITALS**

WHEREAS, City issued a Request for Proposals for administrative hearing officer services; and

WHEREAS, Consultant submitted a proposal for performing the requested Services and is engaged in the business of furnishing such services as a consultant and hereby warrants and represents that it is qualified, licensed, and professionally capable of performing the Services called for in the Request for Proposals and this Agreement; and

WHEREAS, City desires to obtain the Services from Consultant, and Consultant desires to provide the Services to City, on a non-exclusive basis and in full compliance with controlling federal, state and local laws, rules and regulations; and

WHEREAS, Consultant provides such Services on a contract basis, as an independent contractor, possessed of and exercising the complete right to control the means of accomplishing said Services; and

WHEREAS, City desires to retain Consultant, and Consultant desires to provide City with the Services, on the terms and conditions as set forth in this Agreement.

NOW THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual promises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree as follows:

**TERMS AND CONDITIONS**

1. **Term.** The term of this Agreement shall be on an as-needed basis for a two-year period effective from the date first set forth above.
2. **Scope of Work.** Consultant shall perform the Services described in **Exhibit A** which is attached and incorporated by reference.

- 2.1. Consultant acknowledges and agrees that any Services provided to City shall be on a non-exclusive basis.
- 2.2. The parties acknowledge and agree that the Consultant, in the performance of this Agreement and the authority delegations provided for in this Agreement and **Exhibit A** hereto, shall exercise its independent judgment and shall not take direction, directly or indirectly, in connection therewith from the City Manager, the Mayor, the City Council (or any member thereof), or any other person.
- 2.3. Consultant represents and warrants that it is qualified to act as an administrative hearing officer for purposes of City of Madera Ordinance meeting all experience, training, and current requirements thereunder.
- 2.4. City will make available in its City Hall a suitable room for the conduct of hearings.

**3. Compensation.** City shall pay Consultant as follows:

- 3.1. Consultant shall be compensated in accordance with **Exhibit B** which is attached and incorporated by reference.
- 3.2. Such fee shall be payable monthly in arrears upon City's receipt and approval of Consultant's certified written payment request and within thirty (30) business days thereof. Consultant shall utilize the payment certification and request form supplied by the City.
- 3.3. Consultant agrees to provide any substantiation and support for Services, fees, costs, and expenses upon the reasonable request of the City for a period of one (1) year after final payment. Records of Consultant's expenses pertaining to the Services shall be kept on a generally recognized accounting basis and shall be available to City or its authorized representatives upon request during regular business hours throughout the life of this Agreement and for a period of three (3) years after final payment or, if longer, for any period required by law. In addition, all books, documents, papers, and records of Consultant pertaining to the Services shall be available for the purpose of making audits, examinations, excerpts, and transcriptions for the same period of time. This paragraph shall survive expiration or termination of this Agreement.

**4. Termination.** Remedies and Force Majeure.

- 4.1. This Agreement shall terminate without any liability of City to Consultant upon five (5) business days prior written notice by City to Consultant or by Consultant to City.
- 4.2. Immediately upon any termination of this Agreement, Consultant shall (i) immediately stop all work hereunder, except for completing those hearings that have commenced and where evidence has been presented prior to

termination or expiration of this Agreement; (ii) immediately cause any and all of its subcontractors to cease work, except for completing those hearings that have commenced and where evidence has been presented prior to termination or expiration of this Agreement; and (iii) return to City any and all unearned payments and all properties and materials in the possession of Consultant that are owned by City. Subject to the terms of this Agreement, Consultant shall be paid compensation for satisfactory rendition of services prior to the effective date of termination. Consultant shall not be paid for any work or Services performed, or costs incurred, which reasonably could have been avoided. Consultant shall complete those hearings that have commenced and where evidence has been presented prior to termination or expiration of this Agreement, and subject to the terms of this Agreement, Consultant shall be paid compensation for satisfactory rendition of such services. The requirements of the preceding sentence shall survive expiration or termination of this Agreement.

- 4.3. Upon any termination or expiration of the Agreement, City may (i) exercise any right, remedy (in contract, law, or equity), or privilege which may be available to it under applicable laws of the State of California or any other applicable law; (ii) proceed by appropriate court action to enforce the terms of the Agreement; and/or (iii) recover all direct, indirect, consequential, economic, and incidental damages for the breach of the Agreement.
- 4.4. Consultant shall be liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of Consultant and without its fault or negligence, such as: acts of God or the public enemy; acts of City in its contractual capacity; fires; floods; epidemics; quarantine restrictions; strikes; unusually severe weather; and delays of common carriers. Consultant shall notify City Manager in writing as soon as it is reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection therewith, and shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to City Manager of the cessation of such occurrence.

## **5. Indemnification and Insurance.**

- 5.1. Indemnification and Defense. Consultant shall indemnify, defend, and hold harmless the City, its officers, employees, agents and volunteers (“City indemnitees”), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels’ fees and costs of litigation (“claims”), arising out of the Consultant’s performance of its obligations under this agreement or out of the operations conducted by Consultant, except for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from Consultant’s performance of this agreement, the Consultant shall provide a defense to the City

indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims.

5.2. Insurance. Consultant shall obtain and maintain in full force and effect during the term of this Agreement the insurance policies set forth in **Exhibit C** attached hereto and incorporated herein by this reference. All insurance policies shall be subject to City approval as to form and content. Consultant shall provide City with copies of required certificates of insurance upon request.

5.3 The provision will survive expiration or termination of this Agreement.

6. **Conflict of Interest.** Prior to City's execution of this Agreement, Consultant shall complete a City of Madera Conflict of Interest Disclosure Statement. Said Statement is attached hereto as **Exhibit D** and incorporated herein by reference. During the term of this Agreement, Consultant shall have the obligation and duty to immediately notify City in writing of any change to the information provided by Consultant on **Exhibit D**.

6.1. Consultant shall not employ or retain the services of any person while such person either is employed by City or is a member of the City Council, any City commission, board, committee, or similar City body. This requirement may be waived in writing by the City Manager if no actual or potential conflict is involved.

6.2. Consultant shall comply with all applicable laws, rules, regulations, and professional canons/requirements governing avoidance of impermissible client conflicts, including without limitation the requirements of the California Political Reform Act (Government Codes Section 87100 *et seq.*) and the regulations of the Fair Political Practices Commission concerning disclosure and disqualification (2 California Code of Regulations Section 18700 *et seq.*).

6.3. Consultant represents and warrants that as of the effective date hereof, it represents no client whose interests are adverse to the City's.

6.4. This Section 6 shall survive expiration or termination of this Agreement.

7. **Nondiscrimination.** Consultant shall not employ discriminatory practices in the provision of services, employment of personnel, or in any other respect on the basis of race, color, creed, religion, sex, sexual preference, national origin, ancestry, ethnicity, age, marital status, status as a disabled veteran or veteran of the Vietnam era, medical condition, or physical or mental disability. During the performance of this Agreement, Consultant will comply with all laws and regulations, as applicable. Specifically, no person in the United States shall, on the grounds of race, color, creed, religion, sex, sexual preference, national origin, ancestry, ethnicity, age, marital status, status as a disabled veteran or veteran of the Vietnam era, medical condition, or physical or mental disability be excluded from

participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from this Agreement.

8. **Invalid Provisions.** The provisions of this Agreement are severable. In the event any term, covenant, condition or provision of the Agreement, or the application thereof to any person, entity, or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants, conditions or provisions of this Agreement, or the application thereof to any person, entity, or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated, provided that such invalidity, voiding or unenforceability of such covenant, condition or provision does not materially prejudice either party in its respective rights and obligations contained in the then remaining valid covenants, conditions or provisions of this Agreement.
9. **Independent Contractor.** Consultant is and throughout this Agreement shall be an independent contractor and not an employee, partner, or agent of the City. However, City shall retain the right to verify that Consultant is performing his respective obligations in accordance with the terms hereof.
  - 9.1. Because of his status as an independent contractor, Consultant shall have absolutely no right to employment rights and benefits available to City employees. Consultant shall be solely liable and responsible for all payroll and tax withholding and for providing to, or on behalf of, its employees all employee benefits including, without limitation, health, welfare, and retirement benefits. In addition, together with his other obligations under this Agreement, Consultant shall be solely responsible for all matters relating to employment and tax withholding for and payment of Consultant's employees, including, without limitation, (i) compliance with Social Security and unemployment insurance withholding, payment of workers compensation benefits, and all other laws and regulations governing matters of employee withholding, taxes and payment; and (ii) any claim of right or interest in City employment benefits, entitlements, programs and/or funds offered employees of City whether arising by reason of any common law, de facto, leased, or co- employee rights or other theory. It is acknowledged that during the term of this Agreement, Consultant may be providing services to others unrelated to City or to this Agreement.
10. **Partnership/Joint Venture.** This Agreement does not evidence a partnership or joint venture between Consultant and City. Unless specifically provided for herein, the Consultant shall have no authority to bind the City absent City's express written consent. Except to the extent otherwise provided in this Agreement, Consultant shall bear his own costs/expenses in pursuit hereof.
11. **Notices.** Any notice required or intended to be given to either party under the terms of this Agreement shall be in writing and shall be deemed to be duly given if delivered personally or deposited into the United States mail, by registered or certified mail, return

receipt requested with postage prepaid, addressed to the party to which notice is to be given at the party's address set forth on the signature page of this Agreement or at such other address as the parties may from time to time designate by written notice.

11.1. Personal service, as aforesaid, shall be deemed served and effective upon delivery thereof. Service by mail, as aforesaid, shall be deemed to be sufficiently served and effective as of 12:00:01 AM, on the fourth (4<sup>th</sup>) calendar day following date of deposit in the United States mail of such registered or certified mail, properly addressed and postage prepaid.

12. **Non-Assignment.** This Agreement is personal to Consultant and there shall be no assignment by Consultant of his rights or obligations under this Agreement without the prior written approval of City.
13. **Non-Solicitation.** Consultant represents and warrants that he has not paid or agreed to pay any compensation, contingent or otherwise, to solicit or procure this Agreement or any rights/benefits hereunder.
14. **Compliance with Law.** In providing the services required under this Agreement, Consultant shall at all times comply with all applicable laws of the United States, the State of California and City, and with all applicable regulations promulgated by federal, state, regional, or local administrative and regulatory agencies, now in force and as they may be enacted, issued, or amended during the term of this Agreement.
15. **Governing Law and Venue.** This Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of California. Venue for purposes of the filing of any case, controversy or proceeding regarding the enforcement or interpretation of this Agreement and any rights and duties hereunder shall be Madera County, California.
16. **Attorney's Fees.** If either party is required to commence any proceeding or legal action to enforce any term, covenant or condition of this Agreement, the prevailing party in such proceeding or action shall be entitled to recover from the other party its reasonable attorney's fees and legal expenses in addition to any other relief to which such party may be entitled.
17. **Waiver.** The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.
18. **Cumulative Remedies.** No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity.

**19. General Provisions.**

- 19.1. Once this Agreement is signed by all parties, it shall be binding upon, and shall inure to the benefit of, all parties, and each parties' respective heirs, successors, assigns, transferees, agents, servants, employees, and representatives.
- 19.2. The section headings in this Agreement are for convenience and reference only and shall not be construed or held in any way to explain, modify, or add to the interpretation or meaning of the provisions of this Agreement.
- 19.3. The parties acknowledge that this Agreement in its final form is the result of the combined efforts of the parties and that, should any provision of this Agreement be found to be ambiguous in any way, such ambiguity shall not be resolved by construing this Agreement in favor of or against either party, but rather by construing the terms in accordance with their generally accepted meaning.
- 19.4. In the event of any conflict between the body of this Agreement and any Exhibit or Attachment hereto, the terms and conditions of the body of this Agreement shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the parties, provided for within the body of this Agreement, shall be null and void.
- 19.5. The rights, interests, duties, and obligations defined within this Agreement are intended for the specific parties hereto as identified in the preamble of this Agreement. Notwithstanding anything stated to the contrary in this Agreement, it is not intended that any rights or interests in this Agreement benefit or flow to the interest of any third parties.

**20. Final Agreement.** This Agreement and any documents, instruments and materials referenced and incorporated herein represents the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior agreements between City and Consultant. This Agreement may be modified only by written instrument duly authorized and executed by both City and Consultant.

**Notice.** Any notice required pursuant to this Agreement shall be deemed delivered if given in writing, mailed with postage prepaid, addressed and directed as follows (or at such other address as the parties may from time to time designate by written notice)

CITY:

City of Madera  
Attn: Arnoldo Rodriguez  
205 W. 4th Street

CONSULTANT:

Nastich Law, a Professional Corporation  
Attn: Summer Nastich  
2341 Derby Street

Madera, CA 93637  
Phone: 559-661-5400  
Email: [arodriguez@madera.gov](mailto:arodriguez@madera.gov)

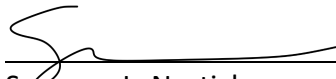
Berkeley, CA 94705  
Phone: 415-794-4210  
Email: [summer@nastichlaw.com](mailto:summer@nastichlaw.com)

IN WITNESS WHEREOF, the parties have executed this Agreement at Madera, California, the day and year first above written.

**CITY OF MADERA**  
a municipal corporation

**CONSULTANT**

By: \_\_\_\_\_  
Arnoldo Rodriguez  
City Manager

By:  \_\_\_\_\_  
Summer L. Nastich  
President and CEO

Date: \_\_\_\_\_

Date: November 10, 2022

ATTEST:  
Alicia Gonzales  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM

By: \_\_\_\_\_  
Hilda Cantú Montoy, City Attorney

Date: \_\_\_\_\_

- Exhibits:
- Exhibit A – Scope of Services
  - Exhibit B – Schedule of Compensation
  - Exhibit C – Insurance Requirements
  - Exhibit D – Conflict of Interest Disclosure Form

**EXHIBIT A**  
**SCOPE OF SERVICES**

**Agreement for Administrative Hearing Officer Services for Cannabis Permitting Process  
between  
City of Madera and Nastich Law, a Professional Corporation**

Consultant shall perform non-exclusive administrative hearing officer services as provided in this Agreement and in accordance with the following additional requirements and descriptions:

1. Depending on the number of appeals for which Consultant is assigned, Consultant shall provide the number of hours of services reasonably necessary to adequately perform the services of an Administrative Hearing Officer for the cases assigned to the Consultant. The assignments to Consultant will be on a case-by-case basis. There is no minimum number of cases or hours guaranteed to Consultant.
2. Consultant's point of contact with the City shall be City Manager, Arnaldo Rodriguez, or other designee named by the City Manager.
3. Consultant and City each acknowledge and agree that Consultant will be a fair and impartial hearing officer; and that City, except for purposes of submitting evidence and testimony as part of the hearing proceeds, will not in any manner influence, directly or indirectly, decisions made or to be made by Consultant.
4. Consultant shall immediately notify the City Manager of (i) any specific matter coming before Consultant for which Consultant must recuse himself from hearing the matter because of a conflict of interest, and (ii) any practical reason why Consultant is unable to serve. Under such circumstances, the City Manager may appoint another hearing officer to hear the respective administrative hearing(s) or have the matter assigned to another permanent hearing officer.
5. Consultant shall sit as the trier of fact and shall rule on questions of law and admissibility of evidence. Consultant shall demonstrate the objectivity necessary to conduct a fair and impartial review. Consultant shall ensure that all rulings are consistent with the Madera Municipal Code.
6. Consultant shall provide fair and impartial hearings for appeals of City's cannabis permitting process.
7. Consultant shall be responsible for performance of all aspects of conducting the administrative hearings, including related correspondence with appellants and respondents, scheduling of hearings, preparation and preservation of the hearing record and the rendering of a decision in each matter, all in accordance with and subject to controlling law and the time frames provided therein.

8. Consultant shall conduct hearings in the facility designated and provided by City.
9. Consultant shall keep an accounting of his time and submit to City Manager's Office on a monthly basis for the purpose of accounting and cost allocation to City Departments.

**EXHIBIT B  
SCHEDULE OF COMPENSATION**

**Agreement for Administrative Hearing Officer Services for Cannabis Permitting Process  
between  
City of Madera and Nastich Law, a Professional Corporation**

<i>Task</i>	<i>Description</i>	<i>Hourly Rate</i>	<i>Price per Task/Package</i>
1	Preparation for hearings as scheduled by City staff	\$200	N/A
2	Daily minimum hours	N/A	N/A
3	Minimum charge for no-show applicants/contestants; cancellation rates (including the number of days advance notice needed prior to charging the cancellation rate)	N/A	N/A
4	Conducting hearings at Madera City Hall	\$200	N/A
5	Conducting hearings remotely	\$200	N/A
6	Preparing written determinations	\$200	N/A
7	All other services, including all work necessary for the effective handling of the City's administrative appeal hearings	\$200	N/A
8	Initial orientation and subsequent trainings	N/A	N/A
9	All other rates of compensation for reimbursable charges	N/A	N/A

**EXHIBIT C  
INSURANCE REQUIREMENTS**

**Agreement for Administrative Hearing Officer Services for Cannabis Permitting Process  
between  
City of Madera and Nastich Law, a Professional Corporation**

A. Insurance Requirements.

Consultant shall maintain limits no less than:

- \$2,000,000 General Liability (including operations, products and completed operations) per occurrence, \$4,000,000 general aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. Coverage shall be at least as broad as Insurance Services Office (ISO) Commercial General Liability coverage form CG 00 01. General liability policies shall be endorsed using ISO form CG 20 10 that the City and its officers, officials, employees, and agents shall be additional insureds under such policies.
- \$2,000,000 Automobile Liability combined single limit per accident for bodily injury or property damage at least as broad as ISO Form CA 00 01 for all activities of Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles. Automobile Liability policies shall be endorsed to provide that the City and its officers, officials, employees, and agents shall be additional insureds under such policies.
- Worker's Compensation – waived.
- \$1,000,000 Professional Liability (Errors & Omissions) per claim and in the aggregate. Consultant shall maintain professional liability insurance that insures against professional errors and omission that may be made in performing the Services to be rendered in connection with this Agreement. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this Agreement. The cost of such insurance shall be included in Consultant's bid.

Maintenance of Coverage

Consultant shall procure and maintain, for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by Consultant, its agents, representatives, employees, subcontractors or subconsultants as specified in this Agreement.

### Proof of Insurance

Consultant shall provide to the City certificates of insurance and endorsements, as required, as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by the City prior to commencement of performance. Current evidence of insurance shall be kept on file with the City at all times during the term of this Agreement. Agency reserves the right to require complete, certified copies of all required insurance policies, at any time.

### Acceptable Insurers

All insurance policies shall be issued by an insurance company currently authorized by the Insurance commissioner to transact business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and a Financial Size Category Class VII (or larger), in accordance with the latest edition of Best's Key Rating Guide.

### Waiver of Subrogation

All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against the City, its elected or appointed officers, agents, officials, employees, and volunteers, or shall specifically allow Consultant, or others providing insurance evidence in compliance with these specifications, to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against the City and shall require similar written express waivers and insurance clauses from each of its subconsultants or subcontractors.

### Enforcement of Contract Provisions (non estoppel)

Consultant acknowledges and agrees that any actual or alleged failure on the part of the Agency to inform Consultant of non-compliance with any requirement imposes no additional obligations on the City, nor does it waive any rights hereunder.

### Specifications not Limiting

Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If Consultant maintains higher limits than the minimums required above, the entity shall be entitled to coverage at the higher limits maintained by Consultant.

### Notice of Cancellation

Consultant agrees to oblige its insurance agent or broker and insurers to provide to the City with thirty (30) calendar days' notice of cancellation (except for nonpayment for which ten (10) calendar days' notice is required) or nonrenewal of coverage for each required coverage.

### Self-insured Retentions

Any self-insured retentions must be declared to and approved by the City. The City reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City's Risk Manager.

### Timely Notice of Claims

Consultant shall give the City prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

### Additional Insurance

Consultant shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgement may be necessary for its proper protection and prosecution of the Work.

**EXHIBIT D**

**DISCLOSURE OF CONFLICT OF INTEREST**

Administrative Hearing Officer Services for Cannabis Permitting Process

		<b>YES*</b>	<b>NO</b>
1	Are you currently in litigation with the City of Madera or any of its agents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Do you represent any firm, organization or person who is in litigation with the City of Madera?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Do you currently represent or perform work for any clients who do business with the City of Madera?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	Are you or any of your principals, managers or professionals, owners or investors in a business which does business with the City of Madera, or in a business which is in litigation with the City of Madera?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Are you or any of your principals, managers, or professionals, related by blood or marriage to any City of Madera employee who has any significant role in the subject matter of this service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Do you or any of your subcontractors have, or expect to have, any interest, direct or indirect, in any other contract in connection with this Project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* If the answer to any question is yes, please explain in full below.			

Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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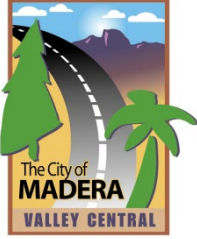
  
\_\_\_\_\_  
Signature

Summer L. Nastich  
\_\_\_\_\_  
(name)

2341 Derby Street  
\_\_\_\_\_  
(address)

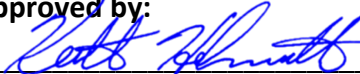
Berkeley, CA 94705  
\_\_\_\_\_  
(city state zip)

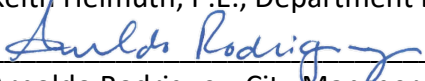
Additional page(s) attached.



## REPORT TO CITY COUNCIL

**Approved by:**

  
\_\_\_\_\_  
Keith Helmuth, P.E., Department Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** D-3

**SUBJECT:**

Improvement Agreement Amendment No. 1 for the Rancho Santa Fe Subdivision (Tract No. 19-S-06) Allowing Reimbursement for Park Improvements

**RECOMMENDATION:**

Adopt a Resolution Approving Amendment No. 1 to the Improvement Agreement Authorizing Construction of a Park Improvements Within the Rancho Santa Fe Subdivision and Reimbursement for Park Improvements Proposed to be Constructed by Subdivider

**SUMMARY:**

On November 13, 2018, the Planning Commission approved Tentative Subdivision Map No. TSM 2018-04 for the Rancho Santa Fe Subdivision (Map). On October 24, 2019, the Planning Department approved a modification/amendment to TSM 2018-04 conditions through TSM 2018-04 MOD. On April 1, 2020, the City Council (Council) approved Resolution 21-31, accepting the Final Map and approving the Improvement Agreement (Agreement) for the Rancho Santa Fe Subdivision (Tract No. 19-S-06). See the Site Location Map in Attachment 1.

As a result of the Subdivider's understanding of actions and direction from staff, the Subdivider initiated the design of a park within the physical boundaries of the Rancho Santa Fe subdivision under the expectation that such improvements would be reimbursed. In addition to designing the park, a KB Home representative, reliant upon the understanding they had, indicated that they had been telling buyers that a park would be built as part of the buildout of the subdivision.

In recent recognition that the Subdivider does not, in fact have authorization in accordance with Madera Municipal Code, staff has directed that the Subdivider's actions as they relate to the park should cease until such time as construction of the park is authorized. The proposed amendment

to the Improvement Agreement would authorize the construction of the park and the City's reimbursement for the same.

#### **DISCUSSION:**

Typically, off-site improvements for subdivisions are the direct result of conditions of approval placed upon a subdivision as part of the entitlement process in which a tentative subdivision map is approved. Of those conditions that include improvements that are eligible for reimbursement, they are referenced directly in the Agreement. The Agreement, when approved by Council, allows for reimbursement of those improvements. In this case, the Map conditions required dedication of the park land but did not expressly provide a condition for construction of Park improvements. As a result, the Agreement is silent regarding reimbursement of Park improvements.

Prior to Council's approval of an ordinance amendment to Establish a Method for Coordinated Acquisition and Development of City Park Facilities (Ordinance) on March 21, 2018, about eight months before the Map was approved by the Planning Commission on November 13, 2018, small neighborhood parks were not required as part of development of subdivisions. While a number of other tentative maps were considered by Planning Commission, many included the same omissions or at least the same result with regard to formal requirements for construction of park improvements or payment of in-lieu fees. Additionally, this Map was the first that went to Planning Commission that included discussions within the staff report relative to required dedication of a park in accordance with the Ordinance. As such, staff had little to no prior experience with implementation of the provisions being performed in accordance with the Ordinance and therefore did not adhere to the procedures. Of note, while this may have been the first to include a requirement for a park, another park went to construction prior to this one under similar circumstances regarding a lack of a condition to build park improvements.

Regardless of the requirement for park land or in-lieu fees, the Ordinance allows that park improvements may be constructed if application is made to the Engineering Department for permission to construct "specified park and recreation improvements" after the Planning Commission or Community Development Director determines that land is required for dedication and/or in-lieu payment. In this instance, (i) the conditions of approval did not require construction of the park as a result of a request by the Subdivider and (ii) the Engineering Department did not receive a subsequent request after the Planning Commission made the determination that land was required by virtue of the Map approval. Instead, it appears that the Subdivider was given the impression that construction of park improvements was integral to the approval of the Map with subsequent actions and verbal statements by staff only affirming that impression which resulted in an informal understanding that the Subdivider would build the park improvements.

Subsequent to alerting the City directing the Subdivider to cease any activities toward construction of park improvements, the Subdivider did make an email request for approval to

construct park improvements on October 26, 2022, thus satisfying one component of the Ordinance that required such a request.

Notwithstanding the lapses that have occurred as part of this Map, the park is considered a public benefit to the City and its residents. As such, construction of the park and ultimately reimbursement currently estimated at no more than the current Engineer's Estimate of \$1,024,570.06 is recommended by staff. Current feedback from Subdivider however indicates recent bids in their file show the actual construction cost to be around \$650,000, less other unknown items that may serve to increase that amount.

In the future, the staff shall adhere to a methodology that will result in requirements for park land and improvements being clearly expressed in the conditions of approval. When properly placed, reimbursements, if eligible, will be documented in the Improvement Agreement associated with that project.

**FINANCIAL IMPACT:**

This action would not have an impact on the City's General Fund, proposed reimbursements would be paid for with funds from the City's Development Impact Fee Program.

**ALTERNATIVES:**

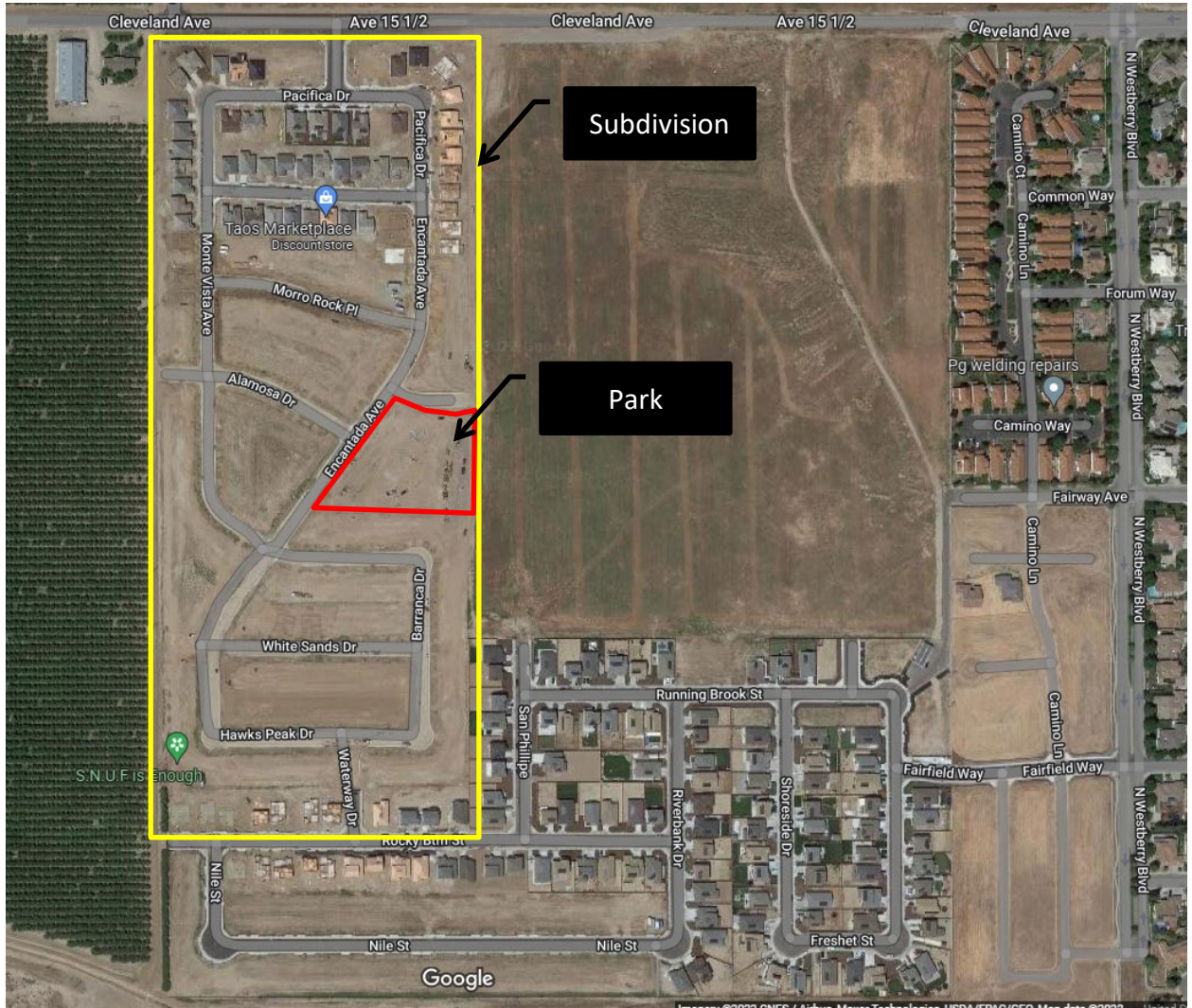
Not approve Amendment No. 1 to the reimbursement agreement or provide direction to staff. If Council does not approve the amendment, the Subdivider would not be able to build park or be reimbursed for the already-designed park. It is unclear if Subdivider might take other actions against the City for the expense of designing the park improvements.

**ATTACHMENTS:**

1. Project Location Map
2. Resolution  
Exhibit A - Amendment No. 1 to Improvement Agreement Rancho Santa Fe  
Subdivision (TRACT NO. 19-S-06)"

**Attachment 1**

Project Location Map



**Attachment 2**

Resolution

**RESOLUTION NO. 22-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE IMPROVEMENT  
AGREEMENT AUTHORIZING CONSTRUCTION OF PARK IMPROVEMENTS  
WITHIN THE RANCHO SANTA FE SUBDIVISION AND REIMBURSEMENT  
FOR PARK IMPROVEMENTS PROPOSED TO BE CONSTRUCTED BY  
SUBDIVIDER**

**WHEREAS**, the Planning Commission on November 13, 2018, considered and approved Tentative Subdivision TSM 2018-04 (Project) and approved TSM 2018-04 MOD which includes an amendment to the conditions of approval for TSM 2018-04 on October 24, 2019.

**WHEREAS**, the staff report for the Rancho Santa Fe Subdivision as part of Tentative Subdivision TSM 2018-04 identified a requirement for parkland dedication of 2.19 acres in conformance with the City's parkland acquisition ordinance

**WHEREAS**, Condition No. 6 of Project required said parkland be dedicated to the City in advance of or in conjunction with recordation of the final map; and

**WHEREAS**, KB Home South Bay, Inc. (Subdivider) of said subdivision entered into and executed an agreement between the City and Subdivider for said subdivision which is on file in the office of the City Clerk entitled, "Improvement Agreement Ranch Santa Fe Subdivision (Final Map. No. 19-S-06)," wherein the Subdivider, in consideration of the approval of said map by the City and the acceptance by the City of the dedication of lands for public use therein contained, agreed to construct and complete within the time specified in said Agreement all street and other improvements required of Subdivider under the provisions of Chapter 2 of Title 10 of the Madera Municipal Code relating to regulations and standards for the subdivision of lands in the City and the preparation of maps thereof, and such street or other improvements designated or mentioned in said Agreement and/or set forth in the plans and specifications for the improvements for the Rancho Santa Fe Subdivision is on file in the office of the city engineer; and

**WHEREAS**, the Improvement Agreement and the entire written record on this Project are silent as to any requirement for Subdivider to construct park improvements or be reimbursed for park improvements by the City; and

**WHEREAS**, the City and Subdivider wish to memorialize the requirement for Subdivider to construct the park improvements and for City to reimburse Subdivider; and

**WHEREAS**, the General Plan includes multiple policies that support the need to accept park improvements constructed by Subdivider such as Policy PR-1: *The City shall endeavor to develop and maintain a complete system of public parks distributed throughout the City that provides opportunities for passive and active recreation at a minimum of 3 (three) acres per 1,000 (one thousand) resident.*

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA** hereby finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. Based on the recitals set forth hereinabove, Amendment No. 1 to the "Improvement Agreement for the Rancho Santa Fe Subdivision (Tract No. 19-S-06)" requiring construction of park improvements and allowing for reimbursement thereof by City is approved and attached as Exhibit "A." A copy of the Amendment shall be kept on file in the office of the City Clerk.
3. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**Exhibit A**

Amendment No. 1

Improvement Agreement Rancho Santa Fe Subdivision (TRACT NO. 19-S-06

## **AMENDMENT NO. 1**

### **IMPROVEMENT AGREEMENT RANCHO SANTA FE SUBDIVISION (TRACT NO. 19-S-06)**

This Amendment No. 1 to the Improvement Agreement Rancho Santa Fe Subdivision (Tract 19-S-06) (“Amendment No. 1”) is entered between the City of Madera, a Municipal Corporation (“City”), and KB Home South Bay, Inc. (“Subdivider”)

#### **RECITALS**

**WHEREAS**, on April 1, 2020, City and the Subdivider entered into an Agreement related to the Rancho Santa Fe Subdivision (“Agreement”); and

**WHEREAS**, the Agreement does not include certain provisions that relate to the construction of a park within the Rancho Santa Fe Subdivision including reimbursement for construction of park improvements; and

**WHEREAS**, City and Subdivider wish to amend certain terms of the Agreement to address proposed construction of park improvements within the Rancho Santa Fe Subdivision by Subdivider reimbursement by City of costs associated with construction of park improvements; and

**WHEREAS**, the Agreement includes provisions that obligate the Owner to address all applicable provisions of park construction similar to other off-site improvements associated with the Rancho Santa Fe Subdivision including but not limited to payment of fees and bonding.

#### **AGREEMENT**

In consideration of the recitals listed above and the mutual obligations of the parties herein, City and Subdivider agree that the Agreement between the City and the Subdivider shall be amended as follows:

A. Section “II – REIMBURSEMENTS TO BE PROVIDED TO SUBDIVIDER” is amended with the following addition:

4. Park Improvements - Construction of all recreational components of the park located within the Rancho Santa Fe Subdivision. Improvements shall include landscaping, irrigation, hardscape within the park interior, playground equipment and all other improvements intended purely for recreational purposes. Said improvements are eligible for reimbursement through the City's Impact Fee Program, subject to the availability of funds. Frontage improvements such as sidewalk, curb & gutter, streetlights, street paving, water, sewer, and storm drain are not eligible for reimbursement. In accordance the MMC 10-2.1314, the

Engineering “*Department shall fix the dollar value of the parks and recreation improvements prior to construction.*”

- B. Except as amended by this Amendment No. 1, all other terms and conditions of the Agreement remain in full force and effect.
- C. This Amendment No. 1 to the Agreement shall be effective upon full execution by both parties.

*(SIGNATURES ON NEXT PAGE)*

**IN WITNESS WHEREOF**, the parties duly executed this Covenant.

**CITY OF MADERA:**

By: \_\_\_\_\_  
Santos Garcia, Mayor

**APPROVED:**

By: \_\_\_\_\_  
Keith B. Helmuth, P.E., City Engineer

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Hilda Cantú Montoy, City Attorney

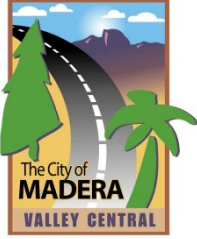
**COVENANTOR:**

By: \_\_\_\_\_  
Zach Gomes, Vice President

**ATTEST:**


By: \_\_\_\_\_  
Alicia Gonzales, City Clerk

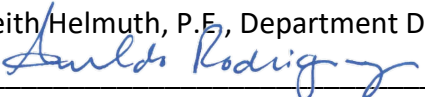
***NOTARY ACKNOWLEDGEMENT  
REQUIRED***



## REPORT TO CITY COUNCIL

Approved by:

  
\_\_\_\_\_  
Keith Helmut, P.E., Department Director

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

**Council Meeting of:** November 16, 2022

**Agenda Number:** D-4

### **SUBJECT:**

Improvement Agreement Amendment No. 1 for the Iveywood I Subdivision (Tract No. 19-S-03)  
Allowing Reimbursement for Park Improvements

### **RECOMMENDATION:**

Adopt a Resolution Approving Amendment No. 1 to the Improvement Agreement Authorizing Construction of a Park Improvements Within the Iveywood I Subdivision and Reimbursement for Park Improvements Proposed to be Constructed by Subdivider

### **SUMMARY:**

On April 9, 2019, the City's Planning Commission approved Tentative Subdivision Map No. TSM 2019-02 for the Iveywood I Subdivision (Map). On February 17, 2021, the City Council approved Resolution 21-31, accepting the Final Map and approving the Improvement Agreement (Agreement) for the Iveywood I Subdivision (Tract No. 19-S-03). See the Site Location Map in Attachment 1.

As a result of the Subdivider's understanding of actions and direction from staff, the Subdivider initiated the design of a park within the physical boundaries of the Iveywood I subdivision under the expectation that such improvements would be reimbursed. In addition to designing the park, a representative from Joseph Crown Construction and Development, a California Corporation (Subdivider), reliant upon the understanding they had, indicated that they had been informing buyers that a park would be built as part of the buildout of the subdivision.

In recent recognition that the Subdivider does not, in fact have authorization in accordance with Madera Municipal Code, staff has directed that the Subdivider's actions as they relate to the park should cease until such time as construction of the park is authorized. The proposed amendment

to the Agreement would authorize the construction of the park and the City's reimbursement for the same.

#### **DISCUSSION:**

Typically, off-site improvements for subdivisions are the direct result of conditions of approval placed upon a subdivision as part of the entitlement process in which a tentative subdivision map is approved. Of those conditions that include improvements that are eligible for reimbursement, they are referenced directly in the Agreement. The Agreement, when approved by Council, allows for reimbursement of those improvements. In this case, the Map conditions required dedication of the park land but did not expressly provide a condition for construction of Park improvements. As a result, the Agreement is silent regarding reimbursement of Park improvements.

Prior to Council's approval of an ordinance amendment to Establish a Method for Coordinated Acquisition and Development of City Park Facilities (Ordinance) on March 21, 2018, small neighborhood parks were not required as part of development of subdivisions. While a number of other tentative maps were considered by the Planning Commission between approval of the Ordinance and this Map, many included the same omissions or at least the same result with regard to formal requirements for construction of park improvements or payment of in-lieu fees. As such, this Map was one of several example of maps moving forward without proper procedures following approval of the Ordinance that should have include conditions for the park with clear requirements and expectations of the subdivider.

Regardless of the requirement for park land or in-lieu fees, the Ordinance allows that park improvements may be constructed if application is made to the Engineering Department for permission to construct "specified park and recreation improvements" after the Planning Commission or Community Development Director determines that land is required for dedication and/or in-lieu payment. In this instance, (i) the conditions of approval did not require construction of the park as a result of a request by the Subdivider and (ii) the Engineering Department did not receive a subsequent request after the Planning Commission made the determination that land was required by virtue of the Map approval. Instead, it appears that the Subdivider was given the impression that construction of park improvements was integral to the approval of the Map with subsequent actions and verbal statements by staff only affirming that impression which resulted in an informal understanding that the Subdivider would build the park improvements.

Subsequent to alerting the City directing the Subdivider to cease any activities toward construction of park improvements, the Subdivider did make an email request for approval to construct park improvements, thus satisfying one component of the Ordinance that required such a request.

Notwithstanding the lapses that have occurred as part of this Map, the park is considered a public benefit to the City and its residents. As such, construction of the park and ultimately reimbursement is recommended by staff.

In the future, the staff shall adhere to a methodology that will result in requirements for park land and improvements being clearly expressed in the conditions of approval. When properly placed, reimbursements, if eligible, will be documented in the Agreement associated with that project.

While not directly related to the need for an amendment, it should be noted that this park location has been identified as being ideally suited for an application to receive an Outdoor Recreation Legacy Grant. If successful, the grant would result in a portion of the park cost being offset by the grant. This would be in addition to enhancing the original design by the Subdivider through construction of additional amenities such as a half basketball court, pickleball court, child size soccer field, turf volleyball court.

**FINANCIAL IMPACT:**

This action would not have an impact on the City's General Fund, proposed reimbursements would be paid for with funds from the City's Development Impact Fee Program.

**ALTERNATIVES:**

Not approve Amendment No. 1 to the Agreement or provide direction to staff. If Council does not approve the amendment, the following is possible:

- Subdivider would not be able to build the park, or
- Subdivider would not be reimbursed for the already-designed park.
- Application for the Outdoor Recreation Legacy Grant could not be made

It is unclear if Subdivider might take other actions against the City based on any expenses incurred or loss of goodwill with perspective buyers should the amendment not be approved.

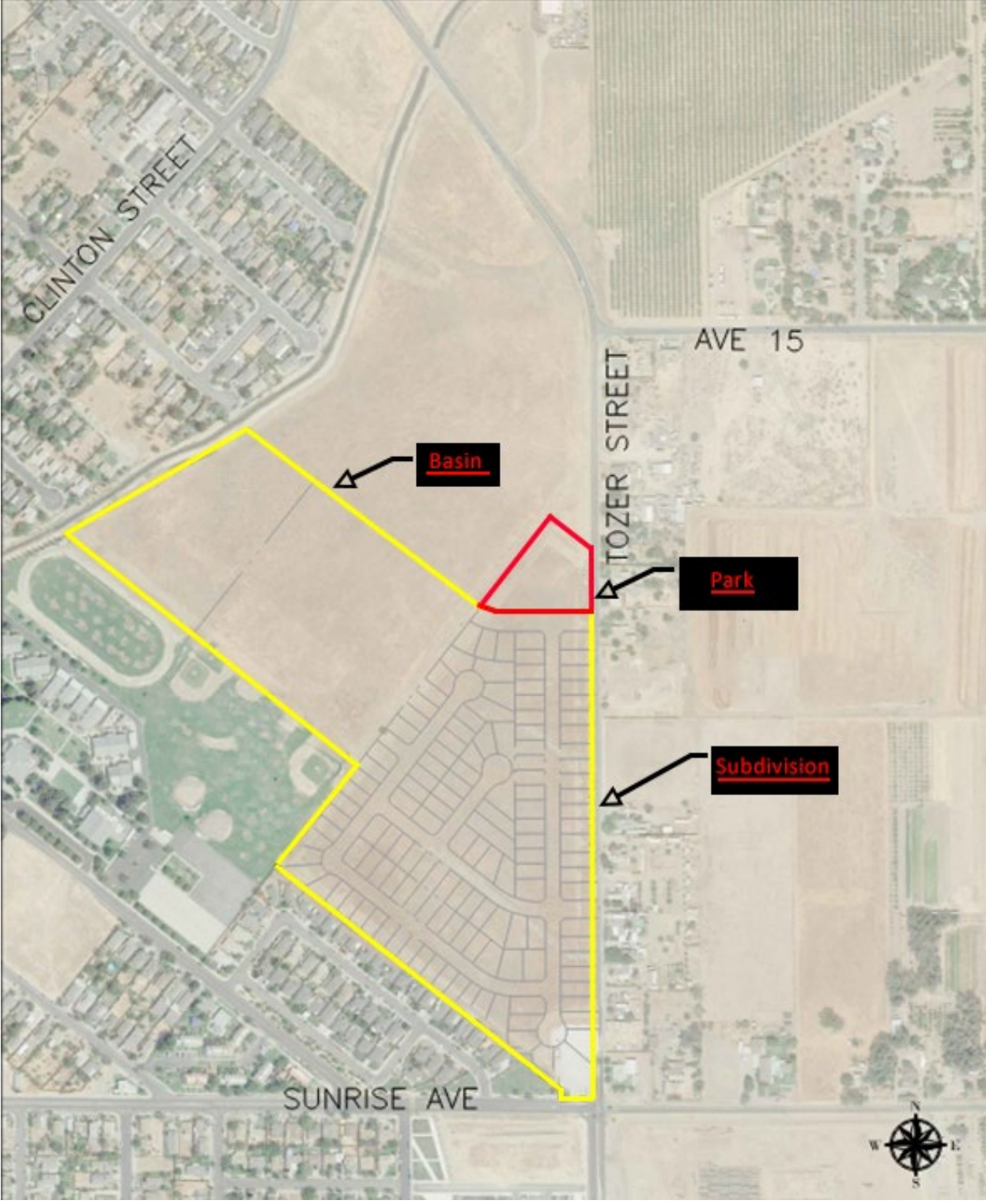
**ATTACHMENTS:**

1. Project Location Map
2. Resolution

Exhibit A - Amendment No. 1 to Improvement Agreement Iveywood I Subdivision  
(TRACT NO. 19-S-03)

**Attachment 1**

Project Location Map



**Attachment 2**

Resolution

**RESOLUTION NO. 22-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE IMPROVEMENT  
AGREEMENT AUTHORIZING CONSTRUCTION OF PARK IMPROVEMENTS  
WITHIN THE IVEYWOOD I SUBDIVISION AND REIMBURSEMENT FOR PARK  
IMPROVEMENTS PROPOSED TO BE CONSTRUCTED BY SUBDIVIDER**

**WHEREAS**, the Planning Commission on April 9, 2019, considered and approved Tentative Subdivision TSM 2019-02 (Project); and

**WHEREAS**, the staff report for the Iveywood I Subdivision as part of Tentative Subdivision TSM 2019-02 identified a requirement for parkland dedication of 1.69 acres in conformance with the City's parkland acquisition ordinance

**WHEREAS**, Joseph Crown Construction and Development, a California Corporation (Subdivider) of said subdivision entered into and executed an agreement between the City and Subdivider for said subdivision which is on file in the office of the City Clerk entitled, "Improvement Agreement Iveywood I Subdivision (Final Map. No. 19-S-03)," wherein the Subdivider, in consideration of the approval of said map by the City and the acceptance by the City of the dedication of lands for public use therein contained, agreed to construct and complete within the time specified in said Improvement Agreement (Agreement) all street and other improvements required of Subdivider under the provisions of Chapter 2 of Title 10 of the Madera Municipal Code relating to regulations and standards for the subdivision of lands in the City and the preparation of maps thereof, and such street or other improvements designated or mentioned in said Agreement and/or set forth in the plans and specifications for the improvements for the Iveywood I Subdivision is on file in the office of the city engineer; and

**WHEREAS**, the Agreement and the entire written record on this Project are silent as to any requirement for Subdivider to construct park improvements or be reimbursed for park improvements by the City; and

**WHEREAS**, the City and Subdivider wish to memorialize the requirement for Subdivider to construct the park improvements and for City to reimburse Subdivider; and

**WHEREAS**, the General Plan includes multiple policies that support the need to accept park improvements constructed by Subdivider such as Policy PR-1: *The City shall endeavor to develop and maintain a complete system of public parks distributed throughout the City that provides opportunities for passive and active recreation at a minimum of 3 (three) acres per 1,000 (one thousand) resident.*

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA** hereby finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. Based on the recitals set forth hereinabove, Amendment No. 1 to the "Improvement Agreement Iveywood I Subdivision (Tract No. 19-S-03)" requiring construction of park improvements and allowing for reimbursement thereof by City is approved and attached as Exhibit "A." A copy of the Amendment shall be kept on file in the office of the City Clerk.
3. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**Exhibit A**

Amendment No. 1

Improvement Agreement Iveywood I Subdivision (TRACT NO. 19-S-03)

## **AMENDMENT NO. 1**

### **IMPROVEMENT AGREEMENT IVEYWOOD I SUBDIVISION (TRACT NO. 19-S-03)**

This Amendment No. 1 to the Improvement Agreement Iveywood I Subdivision (Tract 19-S-03) (“Amendment No. 1”) is entered between the City of Madera, a Municipal Corporation (“City”), and Joseph Crown Construction and Development, a California Corporation (“Subdivider”)

### **RECITALS**

**WHEREAS**, on February 17, 2021, City and the Subdivider entered into an agreement related to the Iveywood I Subdivision (“Agreement”); and

**WHEREAS**, the Agreement does not include certain provisions that relate to the construction of a park within the Iveywood I Subdivision including reimbursement for construction of park improvements; and

**WHEREAS**, City and Subdivider wish to amend certain terms of the Agreement to address proposed construction of park improvements within the Iveywood I Subdivision by Subdivider for reimbursement by City of costs associated with construction of park improvements; and

**WHEREAS**, the Agreement includes provisions that obligate the Owner to address all applicable provisions of park construction similar to other off-site improvements associated with the Iveywood I Subdivision including but not limited to payment of fees and bonding.

### **AGREEMENT**

In consideration of the recitals listed above and the mutual obligations of the parties herein, City and Subdivider agree that the Agreement between the City and the Subdivider shall be amended as follows:

A. Section “II – REIMBURSEMENTS TO BE PROVIDED TO SUBDIVIDER” is amended with the following addition:

4. Park Improvements - Construction of all recreational components of the park located within the Iveywood I Subdivision. Improvements shall include landscaping, irrigation, hardscape within the park interior, playground equipment and all other improvements intended purely for recreational purposes. Said improvements are eligible for reimbursement through the City's Impact Fee Program, subject to the availability of funds. Frontage improvements such as sidewalk, curb & gutter, streetlights, street paving, water, sewer, and storm drain are not eligible for reimbursement. In accordance the MMC 10-2.1314, the

Engineering “*Department shall fix the dollar value of the parks and recreation improvements prior to construction.*”

- B. Except as amended by this Amendment No. 1, all other terms and conditions of the Agreement remain in full force and effect.
- C. This Amendment No. 1 to the Agreement shall be effective upon full execution by both parties.

*(SIGNATURES ON NEXT PAGE)*

**IN WITNESS WHEREOF**, the parties duly executed this Covenant.

**CITY OF MADERA:**

By: \_\_\_\_\_  
Santos Garcia, Mayor

**APPROVED:**

By: \_\_\_\_\_  
Keith B. Helmuth, P.E., City Engineer

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Hilda Cantú Montoy, City Attorney

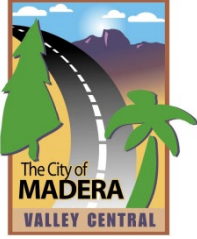
**COVENANTOR:**

By: \_\_\_\_\_  
Joseph Crown, President

**ATTEST:**


By: \_\_\_\_\_  
Alicia Gonzales, City Clerk

***NOTARY ACKNOWLEDGEMENT  
REQUIRED***



## REPORT TO CITY COUNCIL

Approved by:

  
\_\_\_\_\_  
Arnaldo Rodriguez, City Manager

Council Meeting of: November 16, 2022

Agenda Number:     E-1    

### SUBJECT:

Seek Direction Regarding the Regular City Council Meetings Scheduled 2023

### RECOMMENDATION:

Deliberation and Direction Given from Council

### DISCUSSION:

The City Council (Council) meets on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday evenings. Attachment 1 identifies tentative Council meeting dates for 2023. A few items worth highlighting:

- The first regular Council meeting in 2023 falls on Wednesday, January 4, 2023.
- The City is a member of the League of California Cities which hosts various conferences. A couple of conferences that Council members commonly attend include:
  - NorCal New Mayors & Council Members Academy: January 18 – 20, 2023
  - SoCal New Mayors & Councilmembers Academy: February 1 – 3, 2023
  - City Leaders Summit: April 12 – 14, 2023
  - Annual Conference & Expo: September 20 – 22, 2023
- Madera Unified School District - Jr. High and High School Graduations: June 7-9, 2023.
- The first regular Council meeting in July falls on Wednesday, July 5, 2023, following July 4<sup>th</sup> Holiday.

### ***Potential Schedule Conflicts***

Similar to many events, there are schedule conflicts with holidays and other events. Some possible options:

- January 4, 2023: Potential options include:
  - Cancel the meeting, thus there would be no scheduled meetings in January
  - Conduct a special meeting on Wednesday, January 25, 2023, the 5<sup>th</sup> Wednesday of the month, or another Special Meeting date
  
- NorCal New Mayors & Councilmembers Academy, Sacramento, CA: January 18-20, 2023
  - Cancel the meeting, thus no scheduled meetings in January
  - Conduct a special meeting on Wednesday, January 25, 2023, the 5<sup>th</sup> Wednesday of the month, or another Special Meeting date
  
- SoCal New Mayors & Councilmembers Academy, Universal City, CA: February 1-3, 2023
  - No anticipated conflicts
  
- City Leaders Summit, Sacramento, CA: April 12-14, 2023
  - No anticipated conflicts
  
- Annual Conference & Expo: September 20-22, 2023. September 20th is the second Wednesday of the month, a scheduled Council meeting date. Potential options include:
  - Conduct the meeting as scheduled
  - Cancel the meeting, due to lack of quorum, as members attend the League of Cities Annual Conference
  
- Madera Unified School District – Jr. High and High School Graduation: June 7-9, 2023
  - Cancel the meeting, thus only having one meeting in June
  - Conduct the meeting as scheduled
  
- July 5, 2023
  - Cancel the meeting, thus only having one meeting in July
  - Conduct the meeting as scheduled

**FINANCIAL IMPACT:**

None.

**ALTERNATIVES:**

Council may direct staff to conduct additional research and bring the item back to Council at a future meeting.

**ATTACHMENT:**

1. 2023 Draft City Council Meeting Schedule

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	22	23	24	25	26
27	28					

March						
S	M	T	W	T	F	S
			1	2	3	4
4	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

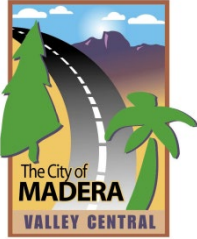
October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Meetings are held on the first and third Wednesday of the month at 6 p.m. in the Council Chambers at City Hall, 205 W. 4<sup>th</sup> St., Madera, CA

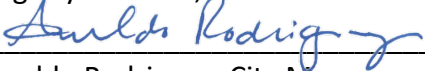
- City Council Meeting
- ½ day closure (Good Friday, Dec. 22 or Dec. 29)
- City Holiday
- Holiday Closure Dec. 26-31, 2023
- Potentially Canceled Meetings
- LOCC – NorCal New Mayors & Council Members Academy 1/18-1/20/23
- LOCC – SoCal New Mayors & Council Members Academy 2/1-2/3/2023
- LOCC – City Leaders Summit 4/12-4/14/23
- LOCC – 2023 Annual Conference & Expo 9/20-9/22/23



## REPORT TO CITY COUNCIL

Approved by: 

Kingsley Okereke, Interim Finance Director

  
Arnaldo Rodriguez, City Manager

Council Meeting of: November 16, 2022

Agenda Number: E-2

### SUBJECT:

To inform the City Council of the Request for Proposal for the Intelligent Transportation System (ITS) conversion for Madera Metro.

### RECOMMENDATION:

No action is being requested as this is an informational item only

### SUMMARY:

As part of the Affordable Housing and Sustainable Communities (AHSC) Grant, the City received approximately \$760k from the California Strategic Growth Council (CSGC) for Transportation Related Amenities (TRA) enhancements. The awarded funds must be expended on qualified improvement to the City's transit system by December 2024. The TRA's mentioned in the AHSC Grant includes:

- Improvements to the Madera Intermodal Center (TRA 1 - \$288k project limit)
- Technology Enhancement (TRA 2 - \$280k project limit)
- Urban Greening (TRA 3 - \$200k project limit)

During the grant application process, staff identified qualifying Transit Technology enhancements, including the procurement and installment of:

- Computer-Aided Dispatch (CAD) Software;
- Automatic Vehicle Location (AVL) Software;
- Automatic Passenger Counts (APC) Software;
- An Infotainment System; and
- On-Board Passenger Wi-Fi

The relevant RFP to begin procuring these enhancements has been prepared and will be released as outlined in Table 1 below. Upon completion of the evaluation of proposals, staff will present a recommendation to Council for the consideration to award the selected contractor.

## **DISCUSSION:**

On June 21, 2019, CSGC awarded more than \$402 million from the innovative AHSC program to 25 new community development projects around the State. Of that, the City, and its partners, were awarded \$11.3 million for the development of Esperanza Village, located at the intersection of 5<sup>th</sup> and C Streets.

Esperanza Village is a 48-unit affordable housing complex that was recently completed in the Winter of 2021. Of the awarded funds, roughly \$760k is geared towards Transportation Related Amenities (TRA) within one mile of Esperanza Village. To deliver the required TRA technology enhancement projects, staff is scheduled to release a Request for Proposals to provide necessary amenities.

The proposed RFP will focus on Transit Technology enhancements which will include the procurement and installment of:

1. Computer-Aided Dispatch (CAD) Software
2. Automatic Vehicle Location (AVL) Software
3. Automatic Passenger Counts (APCs) Software
4. Infotainment System
5. Passenger Wi-Fi

The following is a synopsis of each:

### **1. Computer Automated Dispatching (CAD)**

Dial-A-Ride (DAR) and ADA/Paratransit (ADA) reservations are handled via phone and received by a contracted dispatcher. This approach could result in the phone lines being tied up as personnel may be unavailable for incoming calls. When reservations are made, the bus must arrive within 30 minutes of the designated pickup window. This results in many passengers needing to wait outdoors in inclement weather for the vehicle to arrive.

A CAD system would:

- Reduce the time required by dispatch staff to complete a reservation,
- Enhance the reservation system,
- Minimize the pickup window, and
- Provide clients with an automated courtesy call and/or text message as the vehicle is approaching or has arrived.

At present, reservations may only be completed via telephone during business hours. The proposed procurement continues to allow passengers to request a reservation by telephone during business hours but would add an online option permitting passengers to make reservations at their convenience. The proposed CAD system also improves driver availability. For example, if a passenger cancels their reservation while the driver is in route, the driver may only be notified via a call from dispatch or arrive at the pick-up site. The proposed automated

system provides live updates informing the driver of any cancellations and routing the driver to the next reservation.

## **2. Automated Vehicle Locator (AVL)**

The Transit System cannot accurately inform passengers of arrival times and vehicle locations. The proposed procured AVL system includes Global Positioning System (GPS) tracking. This will allow passengers to track their buses. This system is coupled with the capacity to estimate bus arrival with real-time information. Fixed-route bus stops will be equipped with digital signage to display the assigned bus's estimated arrival time.

## **3. Automated Passenger Counts (APCs)**

Today, passenger information is gathered by the driver and is input into an excel spreadsheet. This approach may lead to human error, given that the driver may become distracted by the surroundings on and off the bus. Gathering accurate passenger data is critical. Staff uses this data for a variety of transit reports. Procuring APCs would provide a detailed account for all passengers served.

## **4. Infotainment System**

The infotainment system will allow for onboard monitors. These monitors may be used for the following:

- Sharing/marketing local events
- Providing general transit information,
- Other approved media.

Additionally, with Council approval, the monitors may be used to promote the services of local agencies and businesses, potentially generating revenue through advertisement fees.

## **5. Passenger Wi-Fi**

To improve the rider experience, free passenger wi-fi will be installed on selected vehicles as a pilot program. This service will be evaluated on its usage, cost, and quality. If deemed feasible, staff will develop a cost analysis to expand the service across the entirety of the transit system.

Table 1 illustrates the proposed Intelligent Transportation System Request for Proposals schedule:

<b>Table 1: Intelligent Transportation System Request for Proposals Schedule</b>	
RFP Release Date	November 28, 2022
Deadline for Written Questions	December 9, 2022 @ 5:00 pm
Response to Questions on Website	December 16, 2022
Proposals Due Date and Time	February 24, 2023 @ 5:00 pm
Interviews (if necessary)	March 13 – 16, 2023 (if necessary)

Council Review	April 5, 2023
Contract Execution/ Notice to Proceed	April 10, 2023

**FINANCIAL IMPACT:**

This project will be funded by the AHSC Grant for \$280,000 and will have no impact to the City's General Fund.

**ALTERNATIVES:**

Council may recommend revisions to the Scope of Work of the proposal with the removal or addition of Technology Technologies

**ATTACHMENTS:**

Scope of Work – Referred to as “Attachment D” of the City of Madera – Madera Metro Intelligent Transportation System (ITS)

## ATTACHMENT D

### Scope of Work

As part of the Madera Metro expansion, City of Madera is requesting proposals from qualified vendor(s) to provide Intelligent Transportation Systems for the existing fleet and replacement vehicles as they are added to the fleet. The vendor(s) selected shall provide all or some of the services for the project as directed by the City. The services shall include, but are not limited to, the following:

The City seeks to procure the following core ITS components:

- A. Computer Aided Dispatch/Automated Vehicle Location (CAD/AVL)
- B. Passenger Wi-Fi
- C. Passenger Infotainment
- D. Real-time and historical service API

And the following optional ITS components:

- E. Automated Passenger Counters (APCs)
- F. Electronic Driver Vehicle Inspection Reporting (eDVIR)

Contractors may bid on any combination of components and do not need to bid on all core components. All contractors, including those NOT bidding on any core components, are encouraged to bid on any optional items on the list. The City will award one or more contracts for the different components proposed by the contractors. Contracts may or may not be awarded for all components.

Data transmissions to and from on-board vehicle equipment shall rely on the City's cellular plan. Any additional pricing should be included in the Contractor's response for five years.

To ensure continuous and productive operation of the System, the City is requiring the Contractor to submit pricing for 5 years of System Support and Maintenance. Prices for these fees will be held firm for the course of the contract.

#### STANDARDS AND SPECIFICATIONS

#### **Current Fleet Operations/Inventory**

The City currently operates 19 cutaway public transit vehicles which are used for the Fixed Route and Dial-A-Ride Service. These cutaway vehicles are currently equipped with:

- Diamond XV Fare boxes
- Motorola XPR 5550e Radio's
- SEON MobileView 5 camera system with 1-TB DVR w/GPS.

- Hanover electric signs – Side and Front
- Sportsworks 2 Bike Rack

## Madera Metro Vehicles

No Madera Metro vehicles are currently equipped with Intelligent Transportation Systems.

Current Fleet			*Fleet to be Procured		
#	Year	Vehicle Make/Model	#	Year	Vehicle Make/Model
5	2012	Ford E-450 Elkhart	4	2022	Ford E-450 Starcraft
7	2013	Ford E-450 Starcraft	3	2022	Ford E-Transit
3	2019	Chevy 4500 Arboc	2	2022	Voyager
2	2020	International Starcraft			
1	2019	Aero Elite 320 Eldorado			
1	2019	Ford F-550 Eldorado			

## Images of Vehicle Types



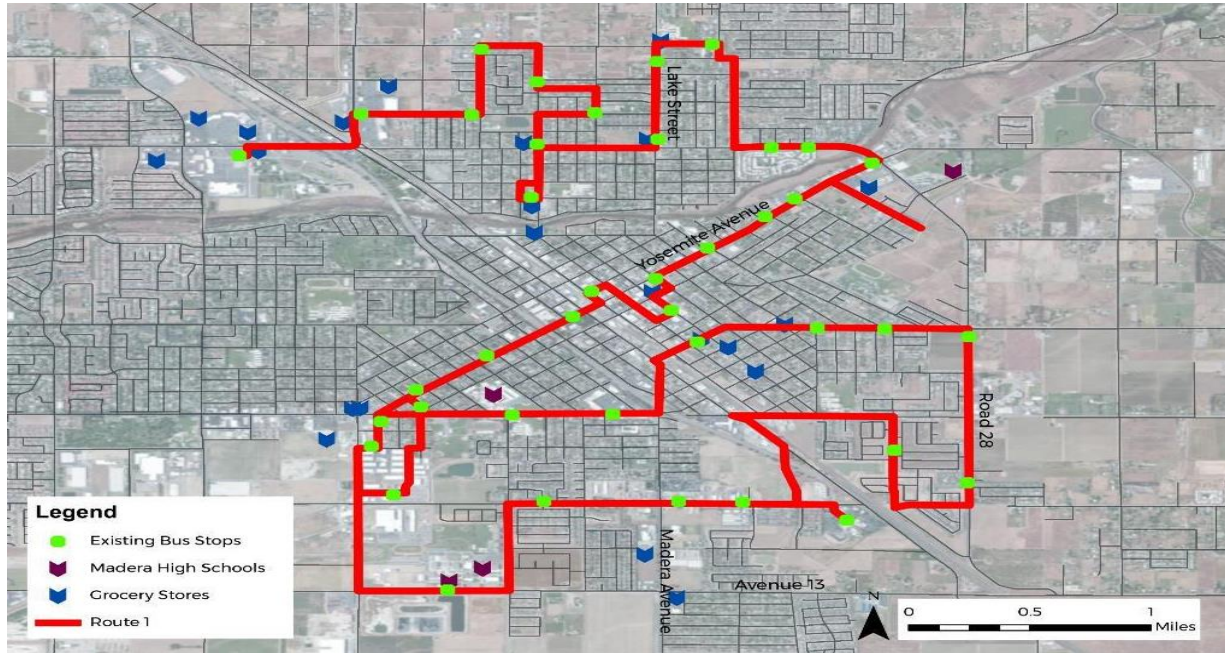
## Route Information

**Route 1 Current:** Route 1 operates on a 35-minute headway and encompasses key destinations, including Walgreens, the Pan Am Center, the County Social Service Department, the Downtown Intermodal Center, the Department of Motor Vehicles, and the Madera High School’s north campus. Route 1 covers the majority of the City and is the most frequently used route in the network and possibly the most confusing. Current route length is 27.8 miles and has a total of 67 stops (30 NB and 37 SB).

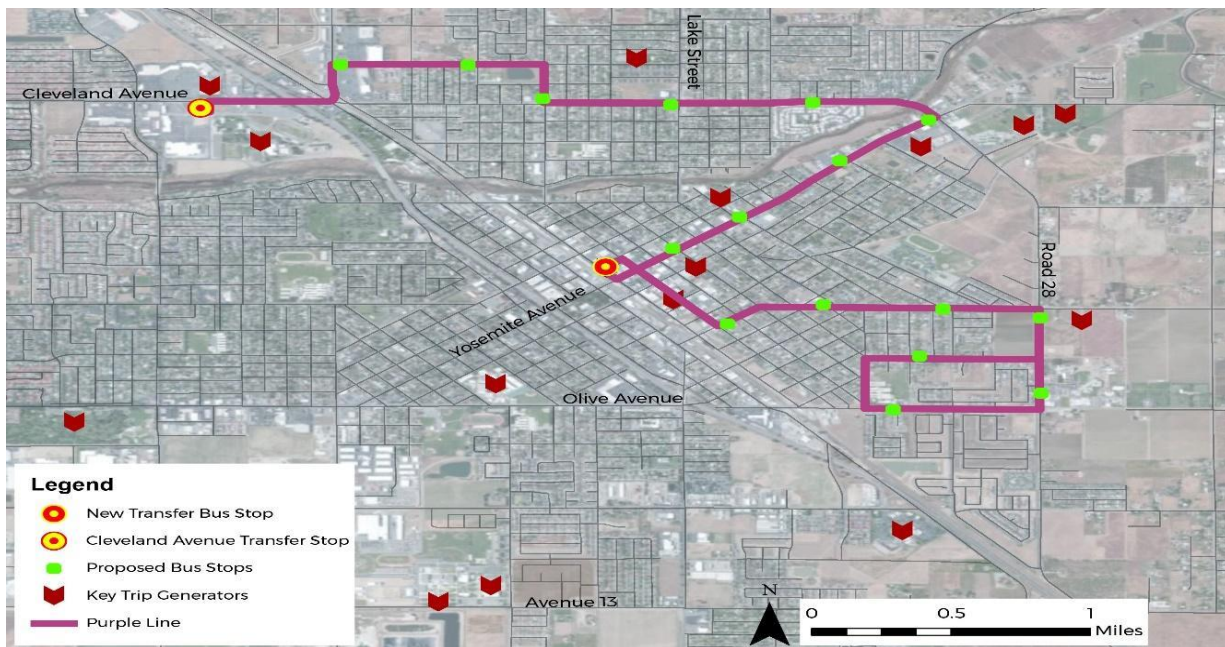
**Route 1 Proposed:** As part of the Madera Transit Plan, Route One will be renamed as the “Purple Line” and will continue with a 30-minute headway time. Key improvements are:

Straighter and shorter alignment, fewer turns and number of stops, and improved transfer point to other routes at Greyhound station.

**Figure 1. Existing Route 1**



**Figure 2. Proposed Changes - Route 1**



**Route 2 Current:** Route 2 operates on a 60-minute headway and serves Madera Community Hospital, Madera High School’s north and south campuses, the Howard Road retail corridor

including Walgreen’s and the Save Mart – CVS shopping centers, and Walgreens at the Commons shopping complex.

**Route 2 Proposed:** As part of the Madera Transit Plan, Route Two will be renamed as the “Orange Line” and will be revised to a 30-minute headway time. Key improvements are: Improved transfer point to other routes at the Intermodal Center, streamlined alignment along North Granada Drive, and parallel service to the Yellow Line without being overly duplicate.

Figure 3. Existing Route 2

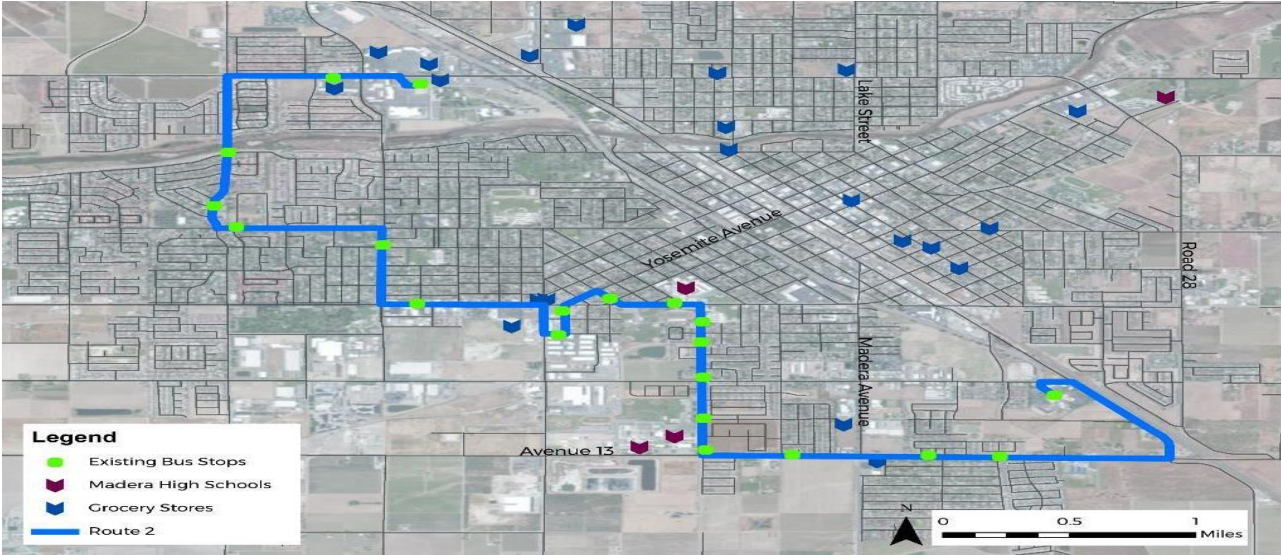
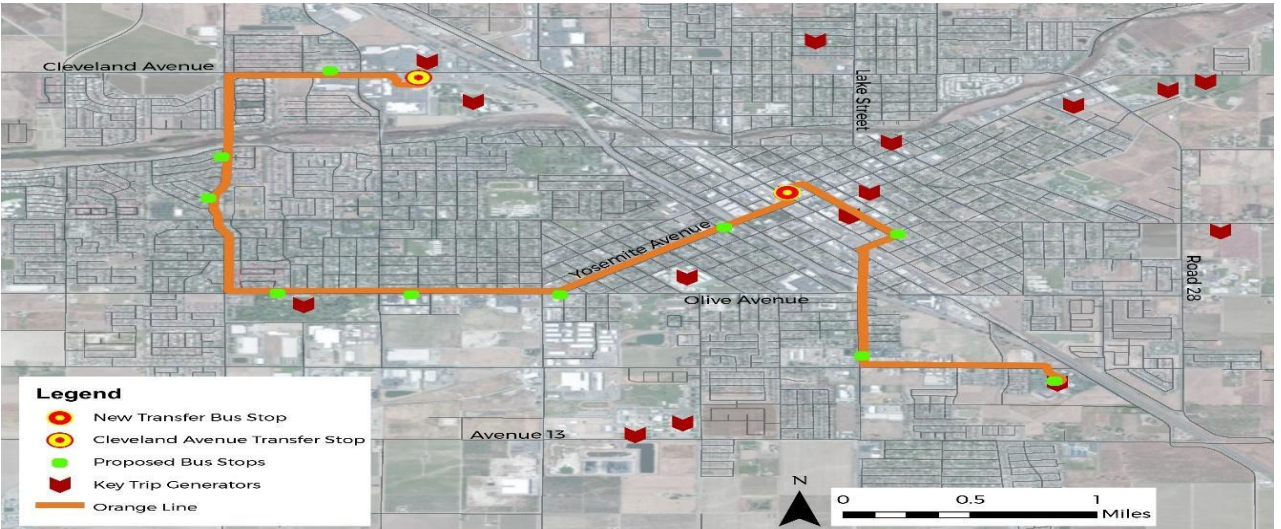


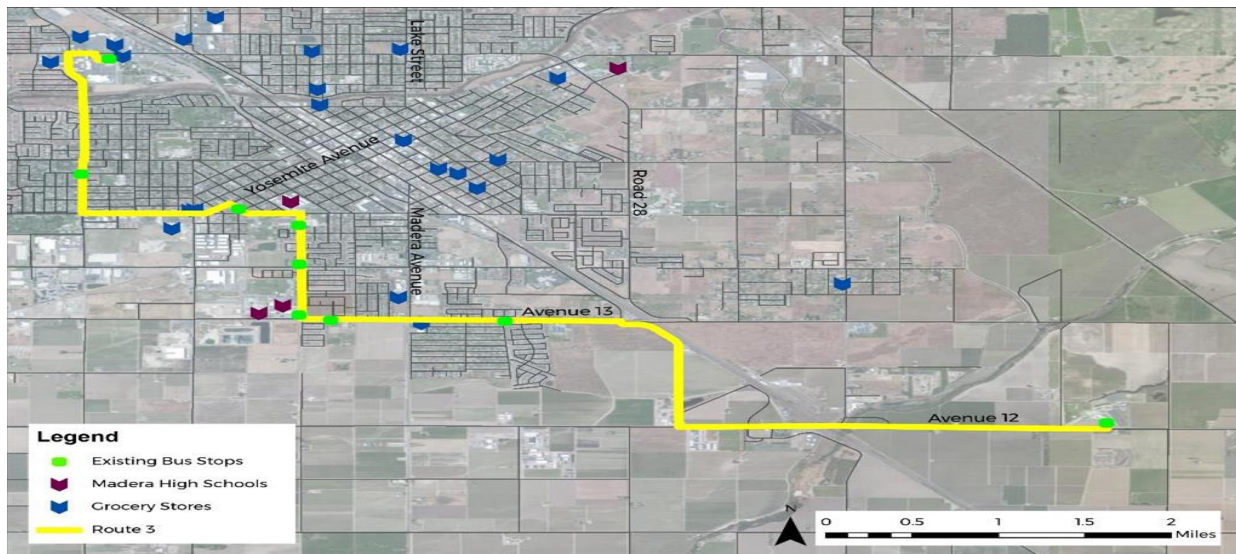
Figure 4. Proposed Changes – Route 2



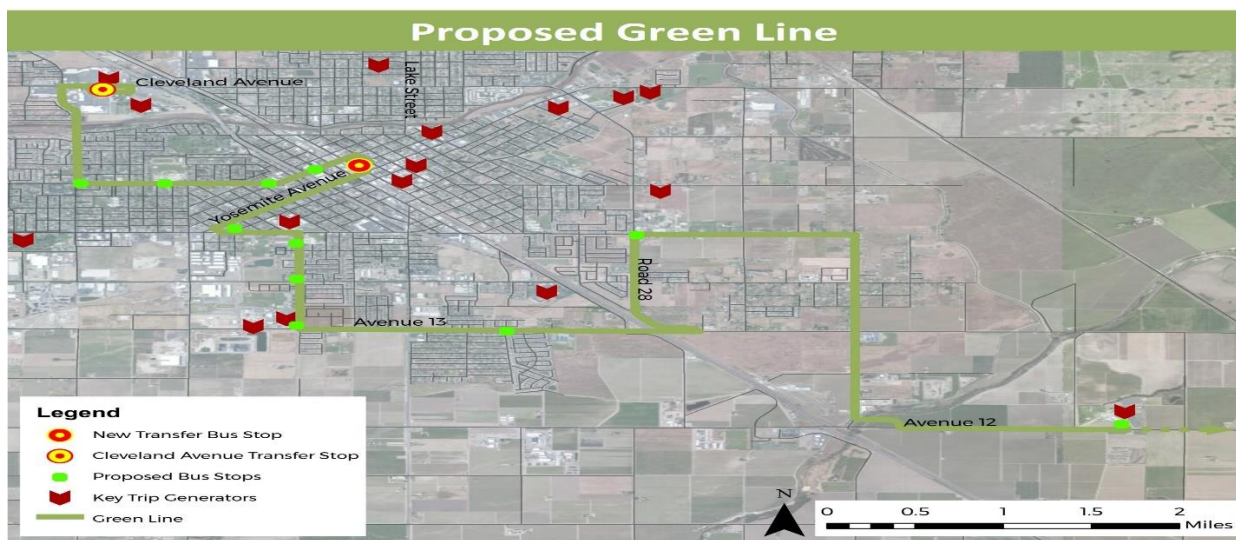
**Route 3 Current:** Route 3 operates on a 60-minute headway time and provides service to Madera Community College Center on Avenue 12. Route 3 and Route 2 are overly duplicative in some areas as service departs Walgreens on Cleveland towards the Madera Community Hospital.

**Route 3 Proposed:** As part of the Madera Transit Plan, Route Three will be renamed as the “Green Line” and will be revised to a 30-minute headway time. Key improvements are: Express service to the Community College, improved transfer points to other routes at the Intermodal Center, and potential to serve the Madera Children’s Hospital at Ave 12 and Hwy 41.

**Figure 5. Existing Route 3**

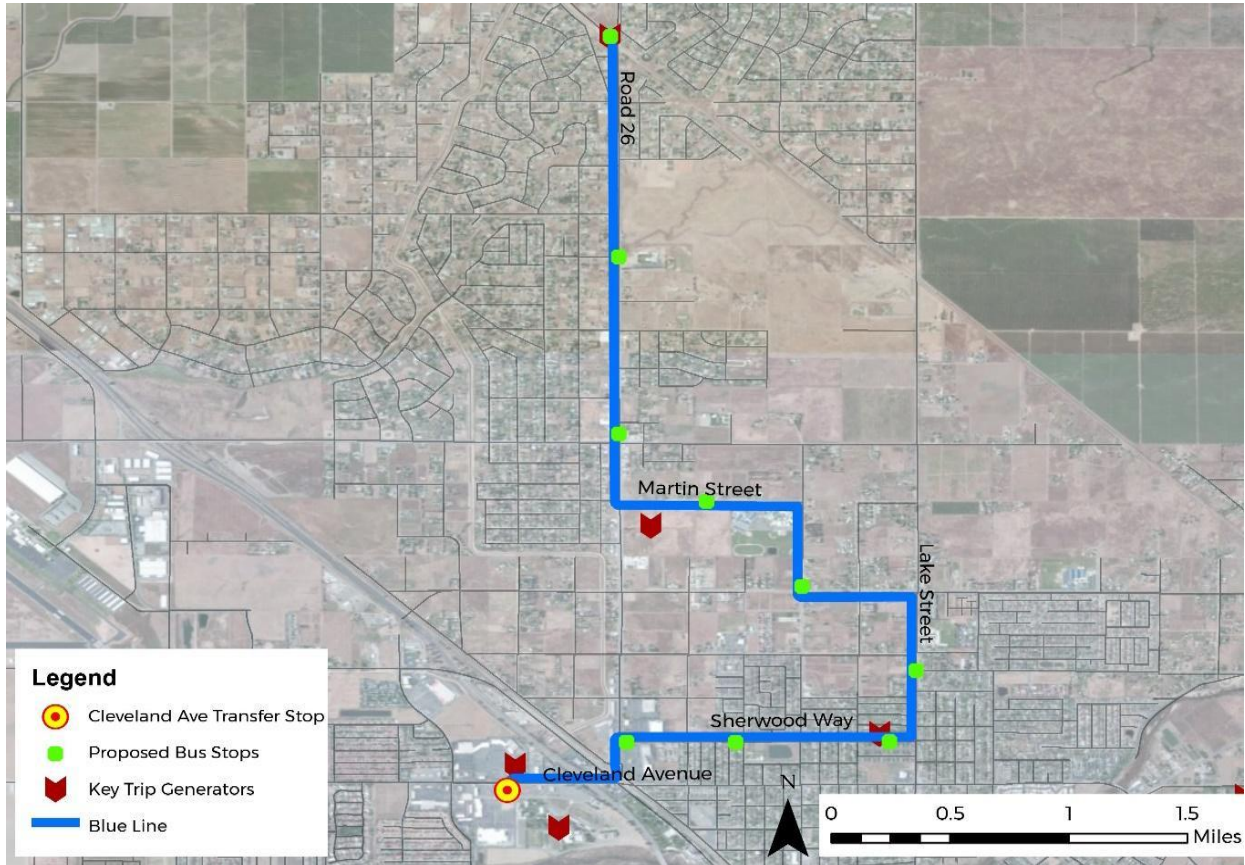


**Figure 6. Proposed Changes - Route 3**



**New Route 4 Proposed Expansion:** Route 4 is a proposed Fixed Route expansion and will service the Northern portion of Madera. Key destinations are Vallarta Supermarket, Pan American Community Center, Desmond Middle School, Matilda Torres High School, and the Madera Amtrak Station.

**Figure 6. Route 4 Proposed Expansion**



## **Madera Transit Plan**

The City of Madera is currently in Phase II of the Madera Transit Plan (MTP). The MTP is an assessment of transit services with the goal to develop transit improvements such as decrease headway times, efficient routes, the elimination of left-hand turns, and improved passenger information techniques. Phase II of the MTP is the outreach and implementation component of the project and is scheduled to go live April 2023 with the approved revision of routes.

The implementation of this RFP will be extremely influential to the service revisions and its customers as Madera Metro begins to phase in key components of the ITS project.

## **SCOPE OF WORK PROPOSAL REQUIREMENTS**

Pursuant to instructions included in this RFP, Proposal Content Requirements, a Contractor's proposal shall include a response to the following:

### **CORE COMPONENTS**

#### **A. CAD/AVL/AVA HARDWARE AND SYSTEM**

The CAD component of the system shall be seamlessly and fully integrated with the AVL component and shall have the ability for the City to view in real-time and gather data for determining On-Time Performance (i.e., by Route, Operator, Block, Trip, Day Vehicle, etc.), schedule adherence and event management for all Routes.

The combined data from the CAD/AVL system shall also be sufficient to allow the City to utilize the data to improve schedules, frequency (headways), time points, bus-stops, and other service-related functions in a comprehensive manner.

The City maintains comprehensive static GTFS data, which shall be used as a base for on-time performance tracking and reporting. CAD/AVL and GTFS data will be used to produce a GTFS-Realtime feed.

Optionally, the CAD/AVL system should also integrate and control the AVA component and on installed head signs to provide stop information to City passengers.

#### **CAD/AVL Requirements:**

- Cloud-hosted with an intuitive web-based user interface
- Utilize a mobile data terminal (MDT)/tablet as the single point for operators logging onto all integrated components/systems.
- MDT/Tablet should run on the Android operating system and be capable of running on future Android versions.
- Track trip schedule adherence
- Ingestion of automatic vehicle location every 5 seconds or faster
- Publishing of vehicle location and run or block assignment information through an API accessible by the City and updating that API every 5 seconds or faster
- System shall begin gathering AVL location data when the ignition is turned on and continue reporting until the ignition is turned off (based on a programmable time period, i.e., 30 minutes, etc.)
- Mobile Data Computer (MDC)/ Vehicle Logic Unit (VLU) shall integrate with the onboard and offboard equipment on each vehicle that provides head-sign control,

destination signs, next stop announcements (audible and textual), covert alarm, etc.

- MDC/VLU shall store the most recent location received from the APC so that if the GPS receiver is not able to report the location, the “last known good” boardings and alightings will remain available
- Annunciation of stop names with necessary configurations
  - Which stops
  - What text
  - Where exactly to annunciate
- [Optional] Web portal through which annunciation configuration can be easily customized after GTFS import or update
- [Optional] Head sign control that automatically rotates pre-defined information in text
  - Integrates with CAD/AVL system or able to accept data through GTFS/other specified data upload

## **B. COURTESY PASSENGER WI-FI**

Today’s transit riders and leisure travelers want Internet access almost as much as they want a seat and on-time arrival information. As part of its enhanced rider experience, the City wishes to add courtesy Wi-Fi services on its vehicles. As such, the Contractor will provide an industry-proven system that works on all vehicles currently in use by the City.

### **Courtesy Passenger Wi-Fi Requirements:**

- Interface with single sign on requirements or power on via ignition activation
- Work throughout the diverse geographical area of the City
- Provide a consistent, high-quality connection for all users
- Contain components that fit on all vehicles used by the City
- Not penetrate the outer shell of the vehicle
- Not interfere with the operation of the transit vehicle or its onboard electronic equipment
- Provide a Wi-Fi disclaimer and terms of use for passengers
- Provide the ability to easily control internet content seen by the passengers
- Provide the ability to optimize bandwidth to exclude excessive bandwidth use
- Track down and fix performance issues in a timely manner
- Be secure and separate from the Wi-Fi/Cellular connections used for the City data communications.

### **C. PASSENGER INFOTAINMENT**

To enhance the customer experience, the City would like an infotainment solution for its vehicles. The solution would be utilized to complement the audio announcements by displaying public information for such things as: Next Stop, Rider Alerts, promotional information, public service information, transfer points, etc.

The City would like to install a minimum of one monitor on selected transit vehicles. The Contractor should recommend monitor size(s), mounting locations, and brackets as this may vary based on vehicle size.

#### **Infotainment Requirements:**

- Integrate and synchronize with the AVA system, if available
- Able to accept configuration data through GTFS and location/assignment API provided by a CAD/AVL system, or integrated with the CAD/AVL system
- Display various types of content including audio, video, images, and accept multiple media types such as MP4, WAV, JPEG, etc.
- Integrate with on-board public address (PA) system
- Ability to send/push ad-hoc “real-time” information to the solution
- Ability to create location-based announcements/displays
- Display next stop information after departure from previous stop and/or next stop information prior to reaching the next stop giving the rider sufficient time to prepare for alighting
- Web portal through which display configuration can be easily customized after GTFS import or update

### **D. REAL-TIME AND HISTORICAL SERVICE APIs**

The purpose of the real-time and historical APIs is both to provide customer information to riders through third party applications like Google Maps and to provide any other application that the City may utilize, to access real-time and historical information about Madera Metro service. These APIs may be provided as a standalone component incorporating information in the CAD/AVL API.

#### **Real-time and Historical Service APIs Requirements:**

- GTFS Real-time 2.0-conforming Trip-updates and Vehicle Positions feeds provided on license terms that allow the City to download, own, and store all data
- GTFS Real-time and any other API endpoints should reference GTFS feed IDs in the GTFS data set provided by the City and update any time IDs in that data set change

- API endpoints should update at least every 5 seconds or faster, incorporating real-time information from the CAD/AVL system
- Well documented GeoJSON or REST API that provides useful and efficient queries regarding transit network real-time and historical status
- All data provided on license terms that allow the City to download, store, and own all data elements, and utilize the data schema for any purpose
- Graphical User Interface available to dispatchers for understanding real-time and historical status of the system (also may be provided through CAD/AVL system component)
- Historical data available for all API endpoints for 90 days after the service date, and the archiving or deleting of data on a clear operational process transparent to the City
- Firm capacity and intention to update GTFS Real-time endpoints as the specification evolves to provide better information to customers and better reporting data to the City
- Provide service alerts to inform passengers of service disruptions.

## **OPTIONAL COMPONENTS**

### **E. AUTOMATED PASSENGER COUNTERS (APCs)**

#### **APC Hardware/Collection**

The City seeks to fully understand its ridership, not only where riders board and alight, but also boardings per stop, peak-times, and wheelchair lift usage. The City currently operates manual passenger counts. Improved manual means of passenger counting will be considered as options, either included in other systems being produced, or as a simple standalone technology that is/can be easily incorporated onto tablets or otherwise.

The City prefers an Automatic Passenger Counting (APC) system that will be highly accurate and provide an exceedingly high level of data quality.

Contractor should provide a list of transit agencies currently using the proposed APC system that have obtained FTA approval for use of APC data and NTD reporting. The City will not accept an APC system that is not accurate enough to obtain the FTA's NTD Certification approval.

#### **APC Hardware/Collection Requirements:**

- Stand-alone system that integrates with the CAD/AVL system
- Highly accurate data collection that meets or exceeds FTA requirements (95%)

- Demonstrates the ability to discriminate between passengers and non-passengers, detect double backs, etc.
- Able to separately count successive passengers that are walking close together, either one behind the other or side by side
- Accurately differentiate between boarding and alighting and eliminate false positive counts
- Automatically compile data by the APC and integrate to the MDC/VLU in real-time
- Ability to store and forward data if the MDC/VLU loses communications connectivity
- Data will consist of date and time stamp, geo-coordinates, and bus stop locations
- Capability of real-time counts of passengers on board in the event of emergencies for authorities
- Count wheelchair ramp deployment
- Ability to eliminate counting of Operators as passengers
- Approved for NTD reporting
- System will not interfere electronically with the operation of the transit vehicle or its onboard electronic equipment such as security equipment, engine controls, transmission, etc.
- System equipment provided will be transferable to other transit vehicles

### **APC Data Analysis, Reporting, and Support Agreement**

The APC provider will maintain a web-based reporting solution for the City that accurately imports and processes ridership data from their APC system. The reporting solution must generate accurate and user-friendly reports for two primary purposes: 1) service and operations planning, and 2) National Transit Database (NTD) reporting.

The system must also provide the City with ridership reporting for service and operations planning purposes. Ridership reporting for this purpose will include, but not be limited to, ridership (totals and average) by month, by day, by route, by trip, etc.

The APC System will also include a Support Agreement for APC Data Analytics, Reporting, and NTD Certification support for a minimum period of five (5) years. The objective of the Support Agreement is to maintain the APC system at a very-high level of performance.

The Support Agreement must provide consulting, training, support, and maintenance of ridership data reported to NTD and the City.

### **APC Analytics Requirements:**

Conducting data cleansing (data cleaning is intended to remove questionable data)

- Allowing for the adjustment of data (make minor, logical alterations to raw APC data)
- Including a means for geographic analysis of valid APC data (geographic presentation of boardings and alightings by stop)
- Providing the ability to assign unknown boardings and alightings to the stop before or after
- Retaining data rejected for data cleaning for a minimum of 90 days

#### **APC Reporting Requirements:**

- Web-based APC reports with an intuitive user interface
- Secure, password-protected web access
- Accurate reports that have been scrubbed of all errant data
- Wheelchair lift use reports
- Customizable ridership reports for specific time periods (annually, monthly, weekly, daily, hourly) and ability to filter data
- Provide up to 25 additional customized reports requested by the City at no additional cost.
- Ridership reports that can be aggregated by stop, route, or trip
- Runtime reports to compare scheduled versus actual runtimes between segments, trips, or routes as an aid to tuning schedules
- Ability to export/download reports in Excel, PDF, etc.
- Report capabilities for measures, such as: boardings, alightings, boardings per revenue mile, boardings per revenue hour, boardings per trip, revenue miles, revenue hours, passenger miles, runtime between timepoints, trip runtimes, leaving load from a stop, max trip load point, etc.
- Specific reports for the National Transit Database reporting of unlinked passenger trips (i.e., boardings) and passenger miles traveled for by month and fiscal year using some or all the APC data

#### **F. ELECTRONIC DRIVER VEHICLE INSPECTION REPORTING (eDVIR)**

The eDVIR component is a software system utilized by drivers and maintenance staff to automate and streamline reporting of maintenance issues. It can be part of the CAD/AVL system or separate.

#### **eDVIR Requirements:**

- Inspection components/requirements must be fully customizable
- Automation of driver pre- and post-trip inspections (including compliance with Federal Motor Carrier Safety Administration regulations 392.7 and 396.11)

- Utilize the same MDT/tablet as the CAD/AVL system

**Desired:**

- Automation of tracking and reporting engine diagnostics
- Ability to take and attach pictures with MDT/tablet
- Integration with CAD/AVL and reporting components
- Integration with FASTER fleet maintenance software

## **ADDITIONAL REQUIREMENTS**

### **DESIGN/IMPLEMENTATION**

#### **Work Standards and Requirements**

The Contractor shall provide Project Management and oversight of all work performed. The Contractor shall install the equipment to the highest standards, using experienced and knowledgeable personnel. All installation work shall be scheduled so as not to disrupt or delay the City operations. The Contractor shall make every effort to schedule the work around service times.

The Contractor shall arrange for design reviews with the City. Any unapproved modifications and implementation efforts conducted without the City's concurrence will be at the Contractor's own risk.

Madera Metro hours of operation are Monday – Friday, 6am – 7pm and Saturday, 8am – 4pm. All installation will need to occur outside of service hours. If needed Contractor will also have to opportunity to establish an installment schedule which will result in buses to be pulled out of service with approval from the City Program Manager of Transit.

#### **Installation**

The Contractor shall supply all personnel, tools, materials, and equipment required to perform installation of the System. The Contractor is also responsible for procurement, installation, terminating and testing all equipment furnished for the Project.

Where the Contractor is providing components manufactured by a third-party supplier, the Contractor shall ensure that all such components are installed in accordance with the original equipment manufacturers (OEM) installation requirements. In addition, the Contractor shall arrange for the OEM supplier to be either on-site and/or remotely for support as necessary to ensure the proper operation of its equipment at no additional cost to the City.

All vehicle work must be coordinated with the City in advance in order not to impact service negatively. The Contractor is also responsible for restoring the condition of any affected structures, wiring, fixtures and finishes at the installation sites.

#### **Equipment Removal, Relocation and Restoration Plan**

The Contractor will be responsible for removing any vehicle installed devices in order to allow for the replacement with the new ITS components, if applicable. The Project Plan shall include detailed tasks for all the equipment requiring removal and/or relocation.

## **Obsolescence**

All equipment shall be of the latest design and shall incorporate standard commercial products currently in production. It is desirable for the peripheral hardware to be supplied from the same manufacturer and maintained by the Contractor. The intent is to increase compatibility and reduce maintainability problems. The Contractor shall ensure that the risk of obsolescence to the hardware is minimized through the selection of standardized parts and readily available peripheral hardware.

## **Environmental**

All equipment and hardware to be supplied shall be constructed to meet harsh operational conditions found in the transit environment. All contractors provided onboard and/or wayside equipment shall operate properly under these minimum environmental conditions pertaining to temperature, humidity, dust/dirt, power variations, shock, vibration, altitude, etc.

## **System Scalability**

The System shall initially support the functions specified herein with the quantities of vehicles listed in the Scope of Work; however, the System shall be scalable through 10 years from the Contract's effective date to support additional vehicles.

## **PROJECT MANAGEMENT**

The Contractor shall assign a Project Manager who will be permanently assigned in the capacity for the entire duration of the project. The Project Manager assigned to the project shall have the authority to make commitments and decisions that are binding on the Contractor.

The City will also designate a Project Manager to coordinate all project related activities with the Contractor. All communications between the City and the Contractor will be coordinated through the Transit Program Manager and/or their designee.

## **City Participation**

The City's participation will include providing data required by the Contractor, reviewing, and approving designs, monitoring the Contractor's progress and schedule, and participating in System testing. Any portion of these activities may be handled by the Transit Program Manager and/or their designee. The Contractor's Project Plan/Timeline shall clearly identify any of the City responsibilities or tasks required and the durations for those activities.

## **Project Staffing**

It is the Contractor's responsibility to maintain and assign a sufficient number of competent and qualified professionals and other technical personnel to satisfy the requirements and schedules specified.

## **Project Plan**

The Contractor shall prepare a Project Plan/Timeline that lists all tasks/activities related to the design, installation, testing, and deployment of the complete System. The schedule should be in sufficient detail to demonstrate a clear understanding of the Project. The Project Plan should identify all milestones starting with the Kickoff Meeting through the date of Final System Acceptance. It should depict the expected sequence and durations of all tasks and subtasks, dependencies, including submittal dates and resources responsible for each task. The Project Plan will be reviewed by the City and if accepted, shall be considered "baselined". If revisions are requested, the Contractor shall address the City comments, and re-issue the Project Plan. Once baselined, the Schedule will become the basis for all subsequent schedule changes and updates for the duration of the Project.

## **Weekly Status Reports**

The Contractor's Project Manager must submit a weekly status report to the City that provides updates to the previous week's activities (achieved and missed), and the upcoming week's planned activities. These updates will be on a recurring basis and will be determined by the City. In addition, the status report must document any issues or risks, and the corresponding mitigation strategies and impacts of the Project schedule.

## **Deliverables**

Draft copies of all documentation, plan, materials, etc., shall be submitted to the City for review, comment, and approval. The City shall have the right to require additional interim drafts at no additional cost should the draft documentation submitted not be of adequate quality, detail, or have missing or incorrect information.

The Contractor shall deliver a draft and final version of the following documents as described in this RFP to the City:

- Project Plan
- System Design Document
- Test Plan/Procedures/Acceptance Criteria
- Training Plan/Materials
- Maintenance Manuals and/or Troubleshooting Guides
- Final Acceptance Test Report

## **TRAINING**

The Contractor shall provide a comprehensive training program that prepares the City and its staff for operation, administration, elementary troubleshooting, maintenance, and System

Administration of the System components provided by the Contractor. Initial training will be for all impacted City personnel. The Contractor's training programs shall include formal and informal instruction, models, manuals, diagrams, and component manuals and catalogs as required.

Contractors will develop a training plan and will be responsible for providing training to users of the System designated by the City.

The Training Plan should detail the following:

- Overall description of the training program
- Proposed training delivery schedule
- Anticipated duration of the class (hours/days)
- Training materials, including manuals, guides, and other supporting items
- Facility/equipment requirements

If the case arises where the Contracted Transit Provider is to change, the Contractor will be responsible for training all new personnel if needed.

## **Documentation**

Documentation is an important element for the preservation of the knowledge transfer that will take place as part of the Project and along with the training will facilitate the City transition to the new System. The Contractor shall provide samples/examples of their training and maintenance documentation, Quick Reference Guides, etc.

The Contractor shall provide Maintenance Service Manuals in a PDF format and a Troubleshooting Guide(s) for use by technical personnel assigned to the maintenance of any component installed as parts of the System and for any third-party products. The Troubleshooting guide is essential for component diagnosis to aid problem resolution for both the City and the Contractor.

## **TESTING**

Contractors are responsible for all test logistics (e.g., arranging for vehicles and drivers, etc.) and coordination activities. The City reserves the right to:

- Witness any tests and inspections required
- Inspect test records at any time
- Perform additional testing, beyond that specified herein, of any equipment or material at any time to determine conformance with the Contract requirements

### **30-Day Rolling Operational Test**

Upon completion of all vehicle and System installations, and to further demonstrate stability, integrity, and reliability prior to Project Sign Off, the City and the Contractor will conduct a 30-Day Rolling Operational Test. This test is intended to ensure that the System, as installed in the field, works properly as a fully integrated System. Prior to the start of the 30-day test, all outstanding variances must be corrected, and all training completed. During testing, no adjustments, modifications, or substitutions shall be made to the System by the Contractor, except with the approval of the City.

Functionality tests shall verify that the Contractors' features and functions of the System have been professionally designed and implemented. The following items, as a minimum, shall be included in the Function Tests:

- Testing of the proper functioning of all hardware, both individually and collectively
- Testing of the proper functioning of all software and firmware features and functions
- Testing of all on-board functions
- Testing of all off-board functions (Real time arrivals)
- Testing of all user interface functions
- Verification that System response time requirements have been met
- Verification that System stability and availability is free of problems

The City expects no "down time" to be experienced during the 30-day Rolling Operational Test period, either on any vehicles or as a System. If there is a failure of the System during this time, or if 10% of the vehicles experience the same issue, the Contractors will identify and correct the problem. The City, at its sole discretion, will determine if the problem necessitates a resetting of the 30-Day Rolling Operational Test.

### **MAINTENANCE AND SUPPORT**

#### **Warranty/Maintenance**

The City expectations are that the Contractor's System will be designed to provide a usable life of not less than ten (10) years. The Contractor agrees that the System and all related installation work shall be subject to the warranties and obligations set forth in this section and shall commence upon System Acceptance and end after a two-year period. Maintenance support for the Systems shall be priced and included for a five-year period.

#### **Installation and Component Warranty**

All equipment (components) shall be new (not refurbished) and shall be of good quality and free of any defects to perform according to the Project requirements for a period of two-years (warranty period). The Contractor further warrants that all furnished installation work,

including, but not limited to, all such work provided by the Contractor, any subcontractors, suppliers, or other manufacturers will be of the highest quality and free from defect for the life of the Contract.

If the Contractor updates its devices to ensure the continued and proper operation of the System as configured for the Project and to meet the 10-year useful life, the Contractor will assume all costs related to the hardware upgrade and there shall be no additional cost to the City.

### **Troubleshooting**

Although the first line of maintenance via a Support Agreement is the responsibility of the Contractor, if the City Maintenance personnel are required for assistance, the Contractor will provide easy to understand Troubleshooting Guides to assist technicians to identify and diagnose problems. If appropriate to complete the diagnosis, Maintenance technicians shall be granted the ability to connect a laptop to troubleshoot the components.

### **Spare Components**

The Contractor shall provide an initial supply of spare components to the City. The initial supplied quantity of spares for each key component shall be 20% and priced by the Contractor in the Cost Proposal. The City and the Contractor may negotiate the actual spare ratio, as necessary.

### **Component Price Protection**

At any time during the 2-year warranty period and 3-years following the warranty period, the City shall have the option to purchase additional System components at the prices proposed in the Cost Proposal. These additional components will carry the same warranties as offered for the overall System.

### **Help Desk/Trouble Ticket System**

The objectives of a Help Desk/Trouble Ticket system and corresponding Service Level Agreement is to ensure the City that issues can be addressed and resolved in a timely manner. The City expects that the Contractor will make available both a Help Desk telephone number and an online Trouble Ticket System so that the City can open/enter and track issue resolution and timing of issue.

Specifically, the City would expect a Trouble Ticket System to perform the following:

- Assign ticket number
- Prioritize/classify issue
- Assignment of ticket

- Schedule and time tracking of ticket
- Escalation of ticket (if necessary)
- Ticket close/resolution
- Maintain a knowledge base of issues and resolutions

### **Service Level Agreement (SLA)**

The City expects timely resolution to System and/or component issues and requires the Contractor to submit a Service Level Agreement that will be included in the contract.

There are times when the City may need temporary assistance during an intensive project or may want long-term outsourcing for integration or innovation expertise services or functions beyond the maintenance and support terms offered with the hardware and software provided.

The Contractor should also provide an hourly labor rate for additional support services such as: system configuration, data maintenance, etc.

## **COST PROPOSAL**

Contractors are to complete the tables for the components they are bidding on. For any other costs not listed, please input them in the blank sections.

The Contractor must submit a line-item breakdown, detailing the overall cost for each category they are bidding on. (e.g. Hardware – Sensors, GPS Unit, Router, etc.) Please indicate if there are any cost savings if multiple components are awarded.

<b>A. <u>CAD/AVL/AVA</u></b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>	<b><u>Year 5</u></b>
CAD/AVL Hardware					
[Optional] AVA Hardware					
Head Sign Control Hardware					
MDTs/Tablets					
Setup/Installation					
License					
Service/Support/Maintenance					
Training					
Spare Parts					
<b>Total CAD/AVL/AVA:</b>					

<b>B. Courtesy Passenger Wi-Fi</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>	<b><u>Year 5</u></b>
Wi-Fi Hardware					
Setup/Installation					
License					
Service/Support/Maintenance					
<b>Wi-Fi Total:</b>					



<b><u>D. Real-Time and Historical API's</u></b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>	<b><u>Year 5</u></b>
Setup/Installation					
License					
Service/Support/Maintenance					
<b>APIs Total:</b>					

<b>E. APC's</b>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
APC Hardware					
Setup/Installation					
License					
Service/Support/Maintenance					
Training					
Spare Parts					
<b>APCs Total:</b>					

<b>F. eDVIR</b>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
eDVIR Hardware					
Setup/Installation					
License					
Service/Support/Maintenance					
Training					
Spare Parts					

<b>F. eDVIR</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>	<b><u>Year 5</u></b>
<b>eDVIR Total:</b>					

<b><u>Proposal Totals</u></b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>	<b><u>Year 4</u></b>	<b><u>Year 5</u></b>
A. CAD/AVL/AVA					
B. Infotainment					
C. APC's					
D. API's					
E. Passenger Wi-Fi					
F. eDVIR					
<b>Proposal Total:</b>					