REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, July 3, 2024 **Council Chambers**
6:00 p.m. **City Hall**

The Madera City Council meetings are open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live-streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 878 9125 8869#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

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

INVOCATION: Brandon Hopkins, Grace Community Church

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

PRESENTATIONS: 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.

A. PUBLIC HEARINGS:

A-1 Public Hearing to Consider Declaration of Nuisances and Abatement Order for Overgrown Weeds

Recommendation: Conduct a Public Hearing and adopt a Resolution ordering the abatement of weed nuisances in the City (Report by Gino Chiaramonte)

A-2 Consideration of an application for Prezone (REZ 2023-04), pertaining to ±9.82 acres of property located on the northeast corner of Adell and North D Streets (APN[s]: 038-090-007, 008, 009 & 010)

Recommendation: The City of Madera Planning Commission recommends the City Council hold a public hearing, make the necessary findings, and take action as follows:

1. Waive Full Reading and introduce by title only an Ordinance of the City Council of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2024050494) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the provisions of California Environmental Quality Act (CEQA); and approving REZ 2023-04, amending the Official City of Madera Zoning Map to prezone approximately 9.82-acres of property (APN's: 038-090-007, 008, 009 & 010) to the PD- 4500 (Planned Development, One unit for each 4,500 square feet of site area) and R-1 (Residential, One unit for Each 6,000 square feet of site area) zone districts (Report by Will Tackett)

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 – June 19, 2024

Recommendation: Approve the City Council Minutes of June 19, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for June 8, 2024 to June 21, 2024 (Report by Michael Lima)

B-3 Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2024/25

Recommendation: Adopt a Resolution Approving the Applications for TDA – LTF and STA Funds for Fiscal Year (FY) 2024/25 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

B-4 Central Valley Workers Center Fee Waiver Request for the Pan-American Community Center

Recommendation: Adopt a Resolution waiving the rental fees of the Pan-American Community Center on July 28, 2024, related to the Madera C.A.R.E. Fair,

hosted by the Central Valley Workers Center, at an anticipated fee rental of $1,380 (Report by Joseph Hebert)

B-5 Pacific Gas & Electric (PG&E) Charitable Contribution Donation Program

Recommendation: Adopt a Resolution Accepting Pacific Gas & Electric Company's Charitable Contribution Donation of $10,000 for Movies in the Park (Report by Joseph Hebert)

B-6 Accept Insurance Proceeds for Damaged Wastewater Treatment Plant Influent and Grit Pumps from the 2023 Winter Storms Emergency Event

Recommendation: Adopt a Minute Order accepting $87,328.20 in insurance proceeds from the City's property insurance program for influent pump numbers 1 and 2 and grit pump number 1, due to damages from debris from the 2023 Winter Storms emergency event (Report by Wendy Silva)

B-7 PG&E Donation – 4th of July Fireworks Show

Recommendation: Adopt a Resolution Accepting Pacific Gas & Electric (PG&E) Company's Donation of $5,000 to support the 4th of July Fireworks show and authorize the allocation of this funding to the Greater Madera Kiwanis (Report by Arnoldo Rodriguez)

B-8 Proclamation Supporting the Little League Nor-Cal State Tournament

Recommendation: Adopt a Minute Order Approving a Proclamation Supporting the Little League Nor-Cal State Tournament in the City of Madera on July 20-26, 2024 (Report by Alicia Gonzales)

C. WORKSHOP: None

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

D-1 Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29

1. Adopt a minute order accepting the proposed projects in the City's Draft Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29; and
2. Authorize the City Engineer to submit the draft 5-year CIP for FY 2024/25 to FY 2028/29 to the Planning Commission for determination of conformity with the General Plan (Report by Keith Helmuth)

D-2 Update on 2024 emergency repair of Avenue 13 sewer trunk main failures and ratify and continue a finding of emergency relating to emergency response and repairs necessitating emergency contracts without competitive bidding

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

E. ADMINISTRATIVE REPORTS:

E-1 Informational report on the Madera Metro Transit System

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

E-2 A Smoke Free Community – Madera County Department of Public Health

Recommendation: This presentation is for informational purposes only, and no action is requested from City Council (Council) at this time (Report by Madera County Department of Public Health)

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.

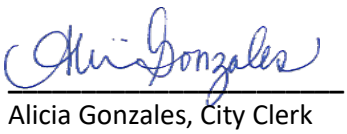
G. CLOSED SESSION: None

ADJOURNMENT:

- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov . Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
- The services of a translator can be made available. Please contact the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.
- 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.
- Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's office located at 205 W. 4th Street, Madera, CA 93637 and on the City website at www.madera.gov

- 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.

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 July 3, 2024, near the front entrances of City Hall and on the City's website www.madera.gov at 7:30 p.m. on June 27, 2024.



Alicia Gonzales, City Clerk

REPORT TO CITY COUNCIL

Approved by:

Giachino Chiaramonte, Chief of Police

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: A-1

SUBJECT:

Public Hearing to Consider Declaration of Nuisances and Abatement Order for Overgrown Weeds

RECOMMENDATION:

Conduct a Public Hearing and adopt a Resolution ordering the abatement of weed nuisances in the City

SUMMARY:

The City's weed abatement program addresses safety issues related to overgrown weeds by administering and enforcing a schedule for removal. Each spring, owners of vacant parcels are notified of their responsibility to remove overgrown weeds promptly. This program plays a crucial role in maintaining the City's health and safety by mitigating the spread of potential fires and enhancing the community's aesthetic appeal.

Staff has surveyed the City and compiled an inventory of vacant lots that contain overgrown weeds. Upon initial inspection, 318 properties were found in violation. On April 15, 2024, notices of violation were sent to property owners, requiring them to remove weeds and dead vegetation. Of those properties, 18 remain in violation. Staff is seeking Council's authorization to abate the properties remaining in violation of the City's Weed Abatement Ordinance.

DISCUSSION:

Weed and grass growth are considered light and flashy fuels, the first to dry out and cause an increased risk of fire. These light and flashy fuels are dangerously susceptible to ignition sources. Firebrands, which are tiny pieces of brush or trees actively burning, can travel and ignite islands of fuel.

The attachment, referred to as Exhibit A, provides a list of the 18 parcels that remain in violation of the Madera Municipal Code Title III, Chapter 3-15. As required by City Code, property owners were notified by first class mail of the proposed weed abatement action and scheduled hearing. Additionally, a notice of the public hearing was published by the City Clerk as required by law.

The City is entitled to cost recovery of all fees incurred for the weed abatement services. Fees would be recovered through a special assessment of the owner's property taxes, which is considered a lien on the property. The steps necessary to apply the special assessment require a Public Hearing and Council approval. If required, staff will begin the lien process during a future Council Meeting.

FINANCIAL IMPACT:

Initially, the City will incur all costs related to nuisance removal. As previously stated, the total cost may be recovered through the lien process provided Council approval. It is worth noting that staff anticipates costs to be relatively low as the City's cost related to weed abatement for last year's cleanup was $3,400. The City received $4,048 in administrative fees and cost recovery for last year's abatement.

ALTERNATIVES:

Council may elect to not approve the resolution; however, the overgrown weeds creating a fire and safety hazard at the 18 would remain. Additionally, the properties would continue to be in violation of the Municipal Code.

ATTACHMENTS:

1. Resolution
2. Exhibit A, including maps and photos of subject parcels

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ABATE WEED NUISANCES EXISTING WITHIN THE CITY OF MADERA

WHEREAS, on January 7, 2015, the City Council adopted Ordinance 913 C.S. enacting weed abatement regulations and declaring weeds, dirt, brush rubbish, and rank growth to be a nuisance (Madera Municipal Code Title III, Chapter 3-15); and

WHEREAS, the parcels of land, attached as Exhibit A, have been inspected and were found to violate the Madera Municipal Code Chapter 3-15; and

WHEREAS, the properties in violation of the Municipal Code were issued administrative citations by the City; and

WHEREAS, each property owner was sent at least one Notice of Violation by mail of the proposed weed abatement action on the respective owner's property and advised of the date and time for a Public Hearing on the matter; and

WHEREAS, notwithstanding the same and the passage of in excess of 45 days, corrections for violations have not been made for the properties identified in Exhibit A; and

WHEREAS, the City Administrator, or designee, then filed a report and assessment list on abatement of weeds, dirt, brush, rubbish and rank growth with the City Clerk and a copy was posted at the entrance to the City Hall, 205 W. 4th St., Madera. California, at least 10 days in advance of the hearing; and

WHEREAS, the report and assessment list was presented to the City Council in the Council Chambers of the City Hall for consideration and confirmation, and any and all persons interested, having any objections to said report or list, or to any matter or item contained therein, had the opportunity to appear at said time and place and be heard as part of a public hearing on July 3, 2024; and

WHEREAS, the City Council now desires to make findings on the matter; acquire jurisdiction to perform the work of abating the nuisance by the destruction or removal of the weeds, dirt, brush, rubbish, or rank growths and authorize the City Administrator, or his or her designee, to conduct such abatement; and to direct the City Administrator to return to the City Council to recover the costs of abatement and assessments, including any penalties.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF MADERA does hereby resolve, find and order as follows:

1. Recitals: The above recitals are true and correct and are incorporated herein.

2. Findings: The City Council finds that at the time and place stated in the most recent Notice of Violation, the City Council has heard and considered any and/or all objections of the proposed abatement of the nuisance. After conducting the public hearing, the Council finds the City has followed all procedures required under Title III, Chapter 15 of the Madera Municipal Code and further finds as follows:

    a. Property owners listed on Exhibit A have been duly noticed by Notice of Violation Declaring Public Nuisance which included a description of the property, description of violations, date for correction, and of this public hearing, and that City Council may authorize abatement at the sole cost of property owner for failure to correct.

    b. The non-compliant properties constitute a public nuisance.

    c. The City has acquired jurisdiction to perform the work of abating the nuisance by the destruction or removal of the weeds, dirt, brush, rubbish, or rank growths and authorize the City Administrator, or designee, to conduct such abatement.

3. Abatement: The City Administrator or designee is authorized to abate the nuisance on the properties identified in Exhibit A. Prior to performing any abatement, the City Administrator shall provide to the property owner as contemplated by Municipal Code Section 3-15.06(E) or (F). Thereafter, the City Administrator or designee is authorized to abate the nuisance or cause it to be abated by having the weeds, dirt, brush, rubbish or rank growth destroyed or removed. No person shall interfere with the entry of the City Administrator or designee acting in the official course and scope of their duties. The City Administrator shall keep an account of the cost of abating the nuisance of weeds, dirt, brush, rubbish, or rank growths ordered to be abated upon each separate lot or property, and the abutting half of the street in front, sidewalk(s) and any adjacent alley.

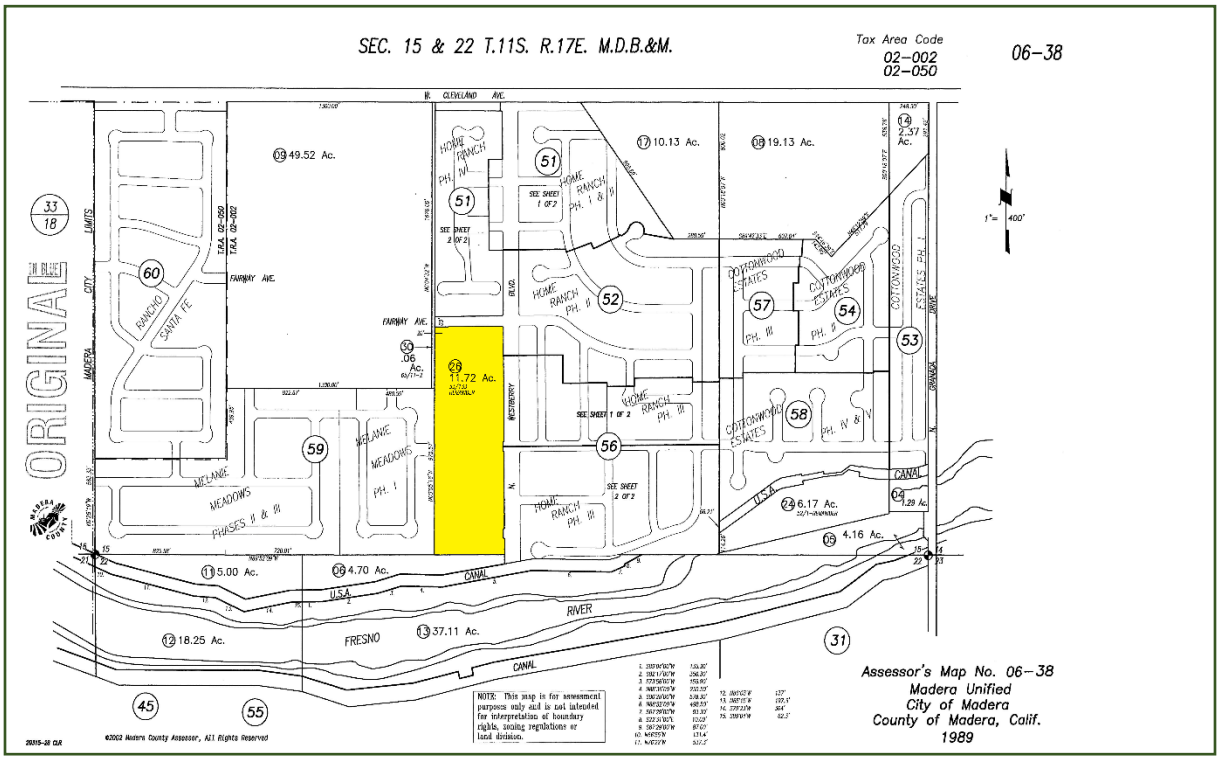
4. Effective Date: This resolution is effective immediately upon adoption.

* * * * * * * * *

EXHIBIT A

Location	APN	Property Owner	Case Number
Vacant Parcel 006-380-026	006-380-026	Home Ranch Development Company	24M-03838
Vacant Parcel 006-580-040	006-580-040	PPC Rose Hollow LLC	24M-03840
Vacant Parcel 013-012-009	013-012-009	Estefania Andrade	24M-03848
Vacant Parcel 011-112-009	011-112-009	Vazquez Carlos A (TE)/Leon Laura (TE)	24M-03922
Vacant Parcel 011-112-010	011-112-010	Vazquez Carlos A (TE)/Leon Laura (TE)	24M-03921
Vacant Parcel 011-112-011	011-112-011	Vazquez Carlos A (TE)/Leon Laura (TE)	24M-03920
Vacant Parcel 012-390-015	012-390-015	Monasaria LLC	24M-03905
800 Columbia Street	003-041-015	Michelle De La Cruz	24M-03836
Vacant Parcel 003-250-004	003-250-004	Hovannisian John (TE)/ Hovannisian Vars (TE)	24M-03851
Vacant Parcel 003-250-005	003-250-005	DBH Family Limited Partnership	24M-03911
Vacant Parcel 003-250-006	003-250-006	John Hovannisian & Sons Family Limited PTP	24M-03912
Vacant Parcel 003-250-026	003-250-026	Snoh Investors LLC	24M-03852
Vacant Parcel 003-250-027	003-250-027	Edward E Campbell (TE)	24M-03891
Vacant Parcel 004-101-016	004-101-016	Pedro Valencia	24M-03856
655 East Cleveland Avenue	004-103-004	Chu Wayland W	24M-03855
Vacant Parcel 004-170-005	004-170-005	Ramirez Marco	24M-03907
1630 North Lake Street	004-170-008	CVI-2 Group LLC	24M-03896
1218 East Cleveland Ave	005-180-001	Wright Ron	24M-03903

Vacant Parcel 006-380-026



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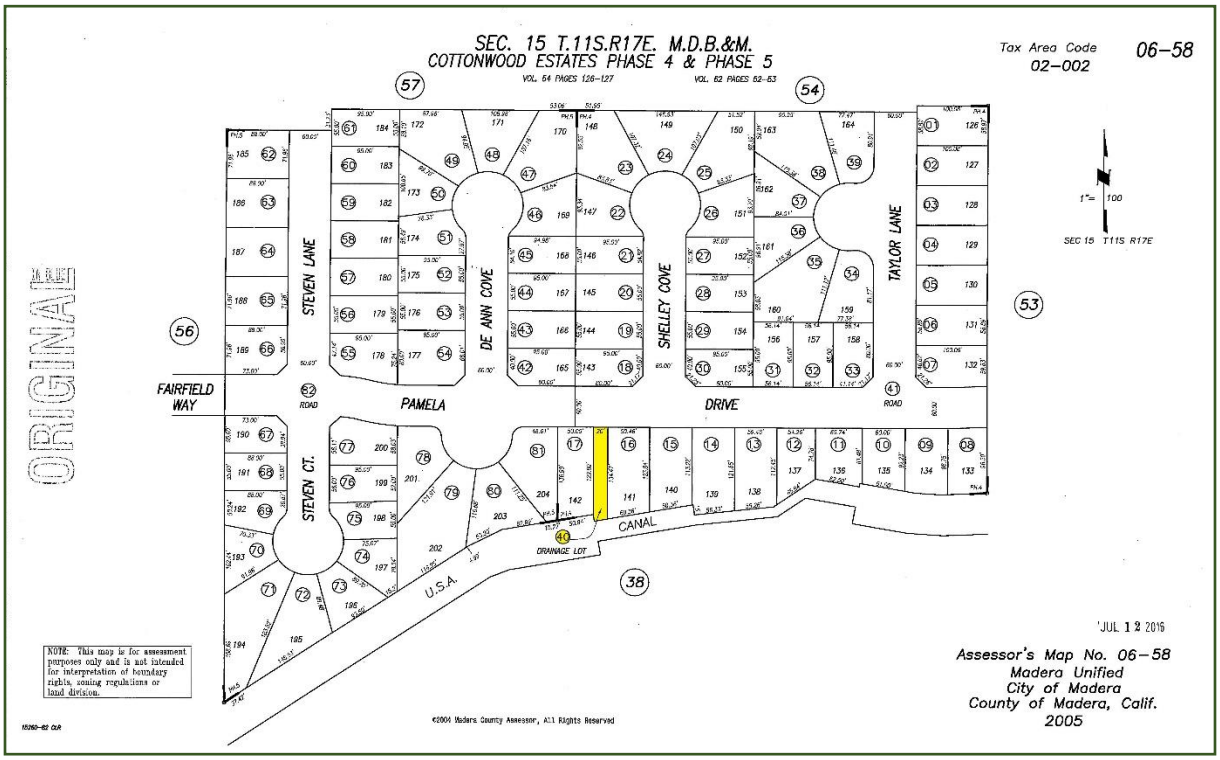
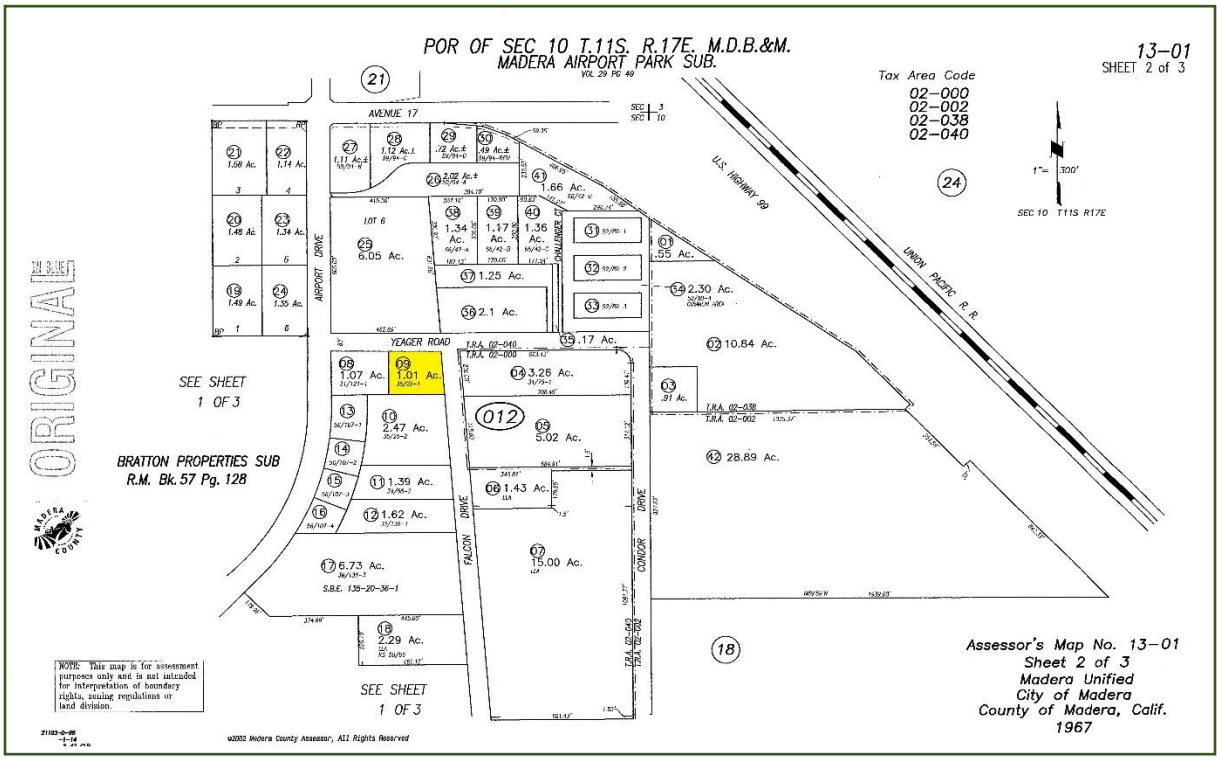
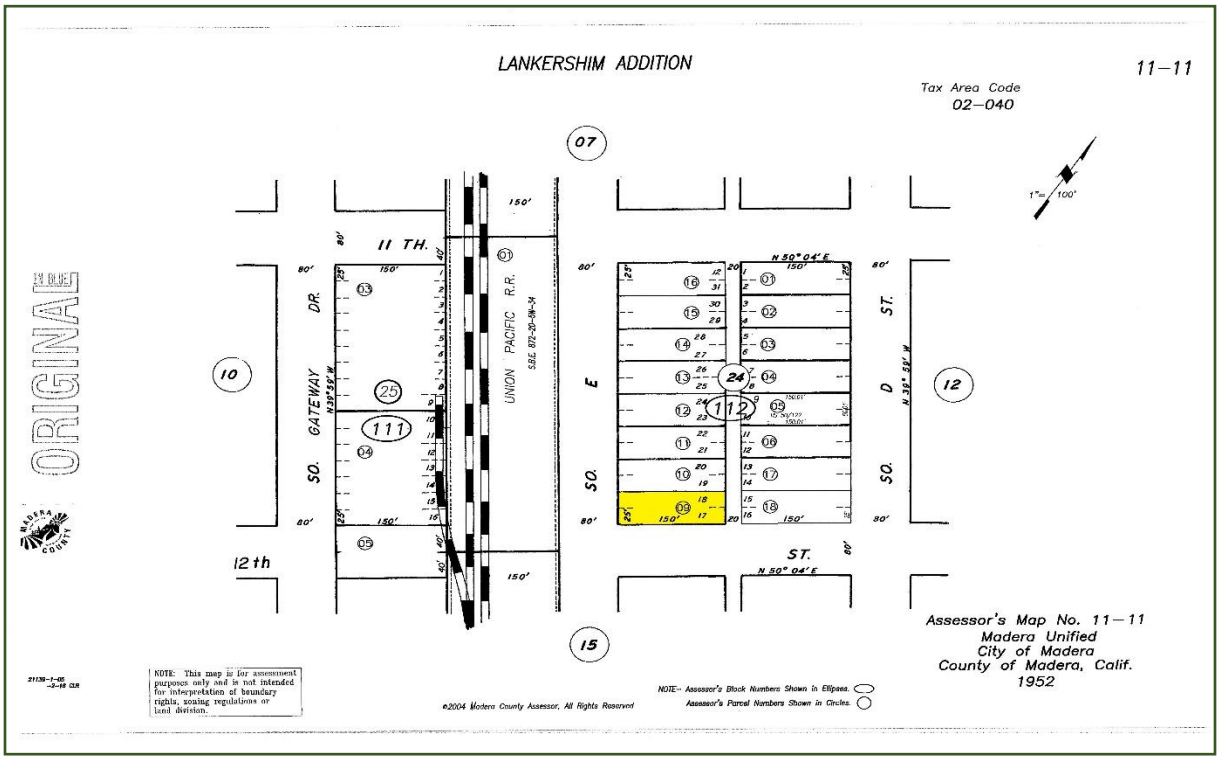


Vacant Parcel 013-012-009



Vacant Parcel 011-112-009



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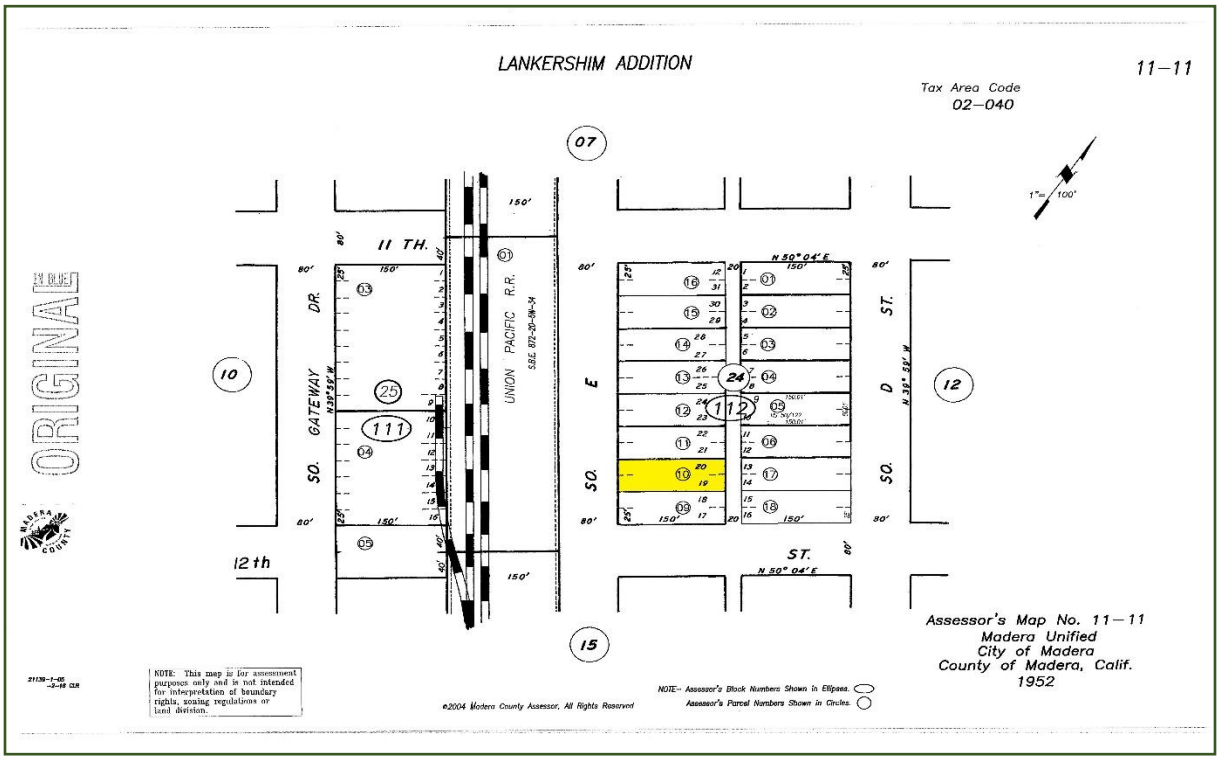

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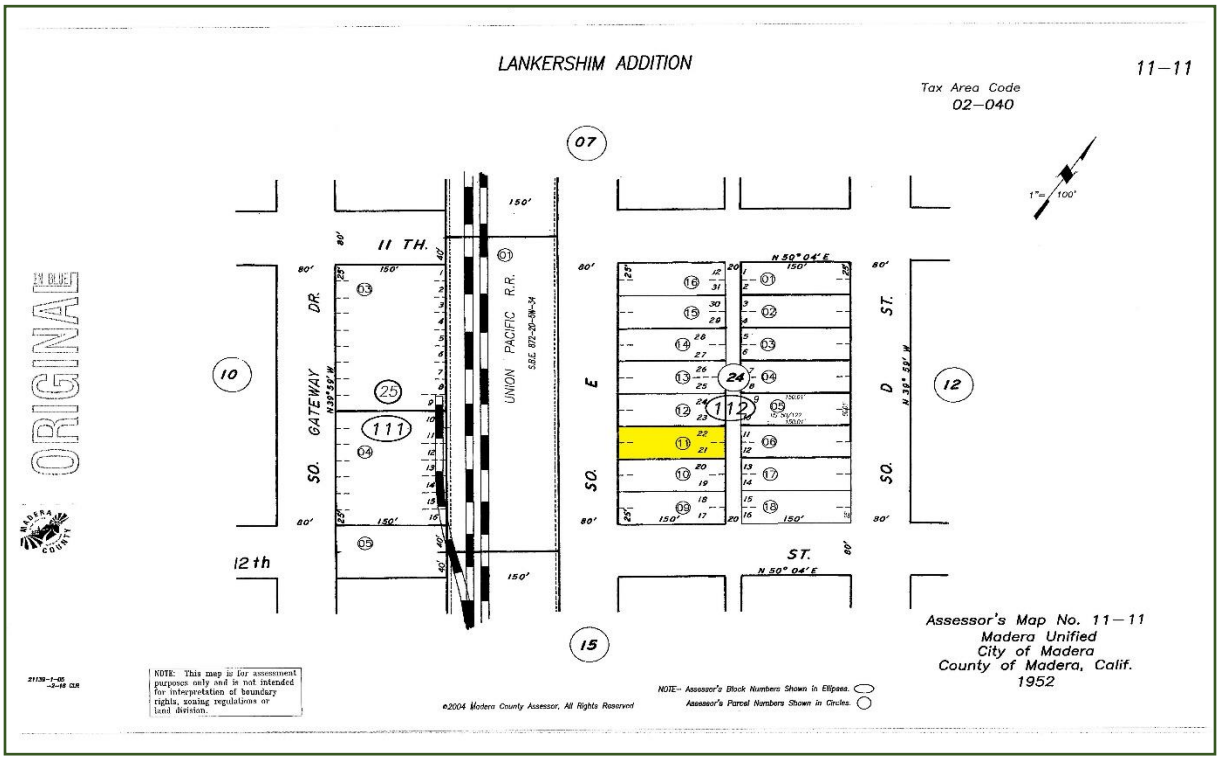

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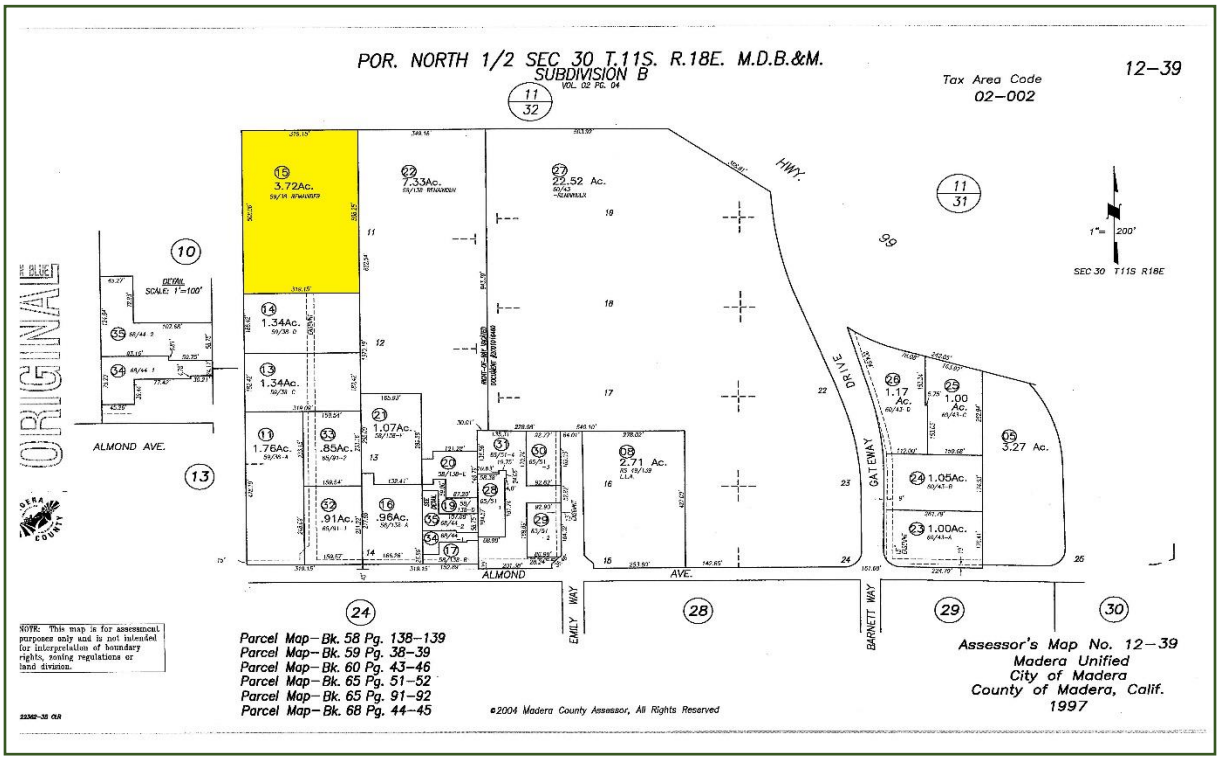
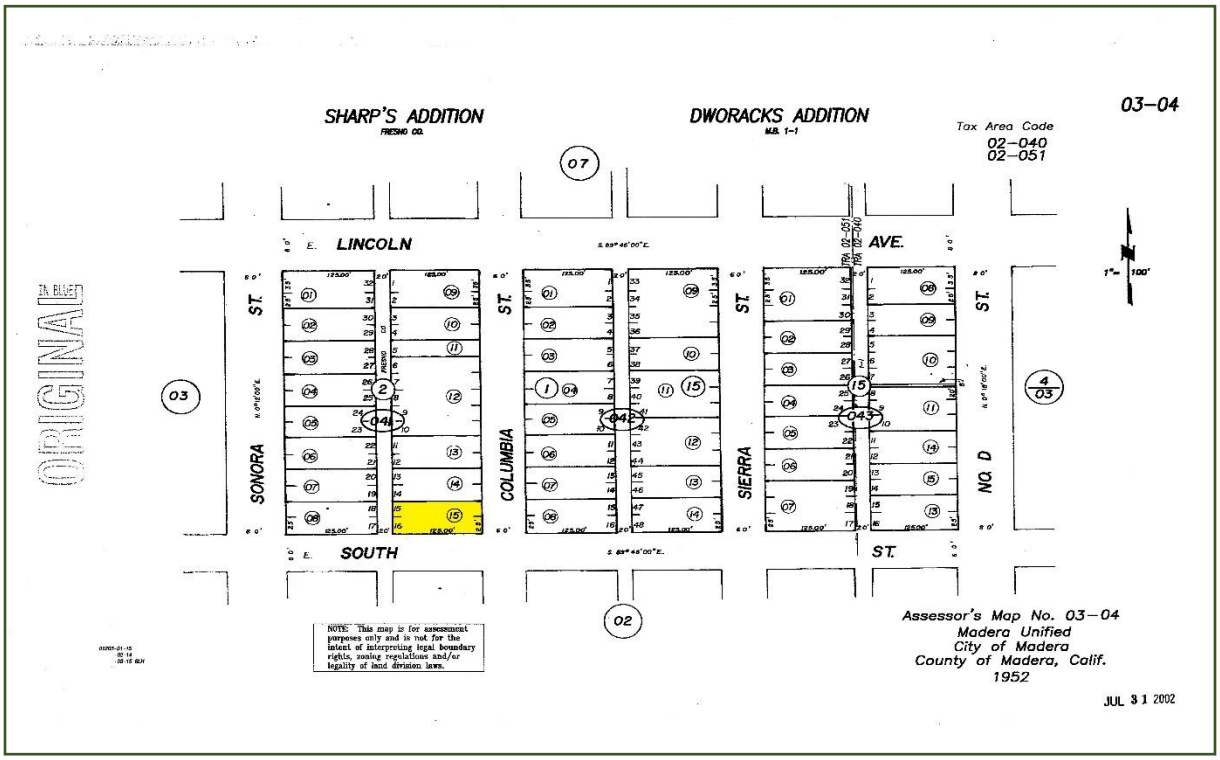
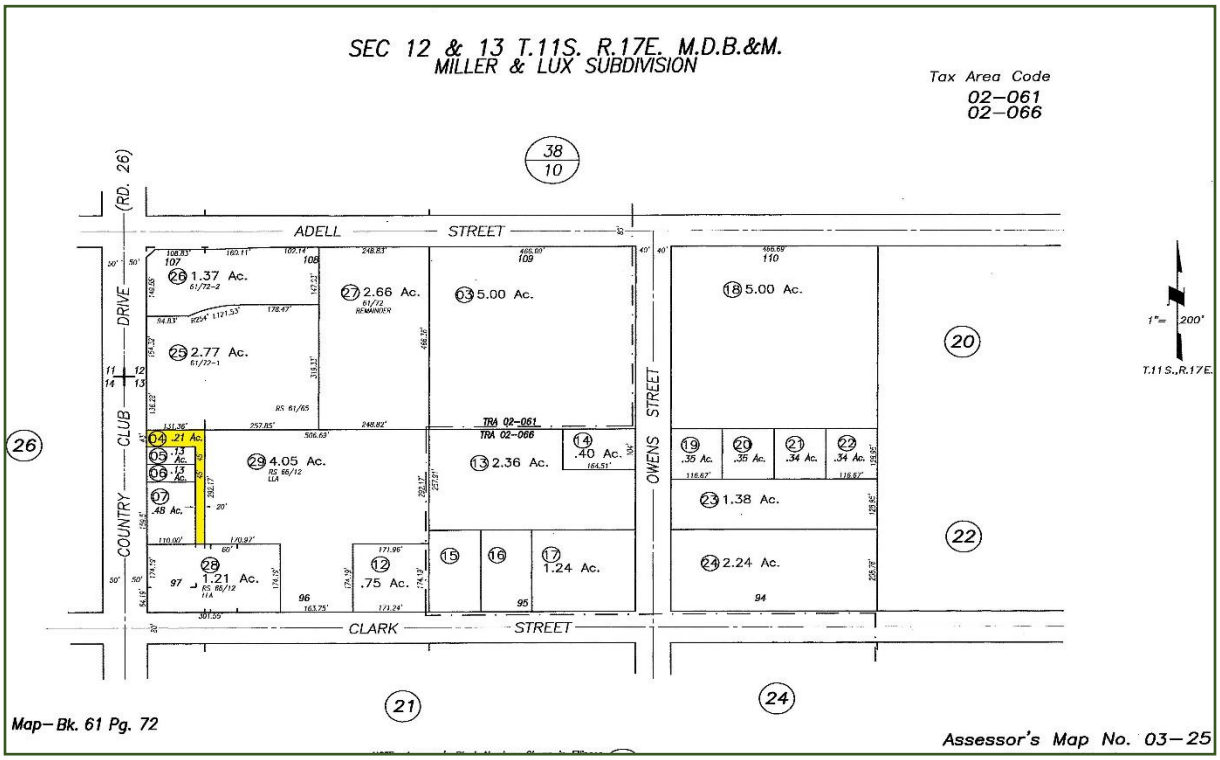


800 Columbia Street



Vacant Parcel 003-250-004



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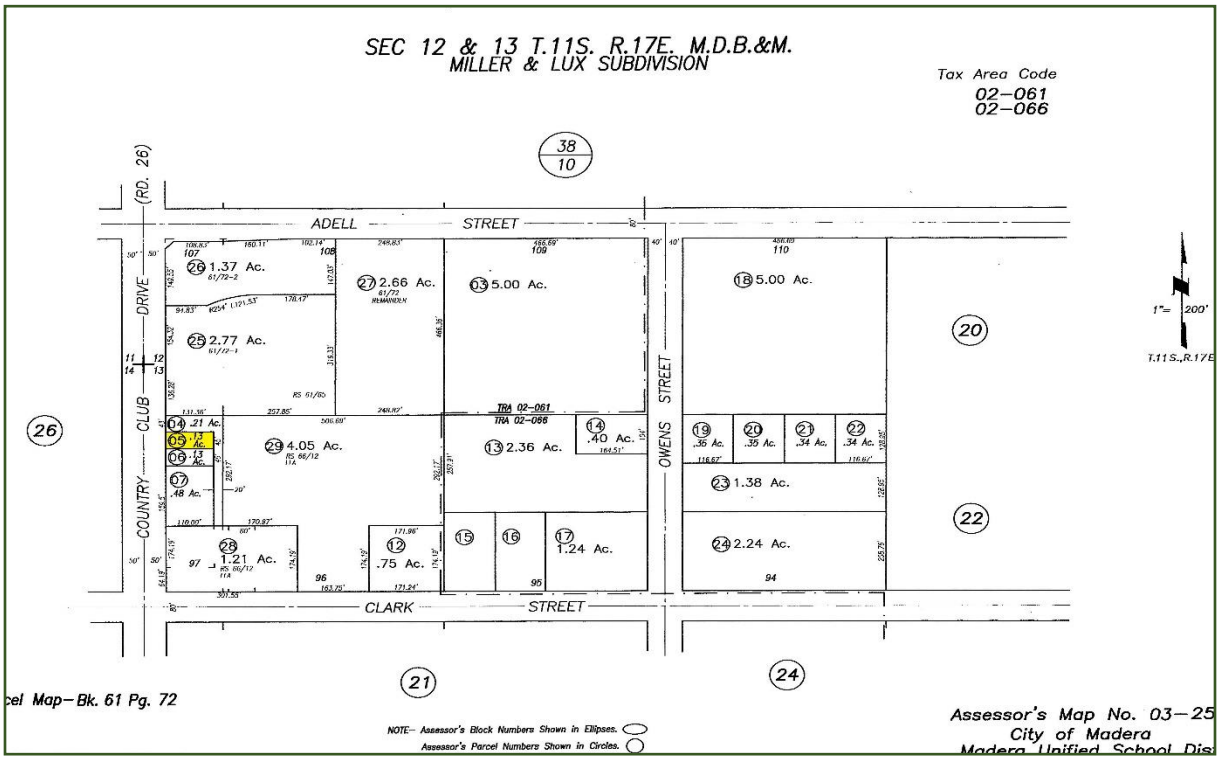

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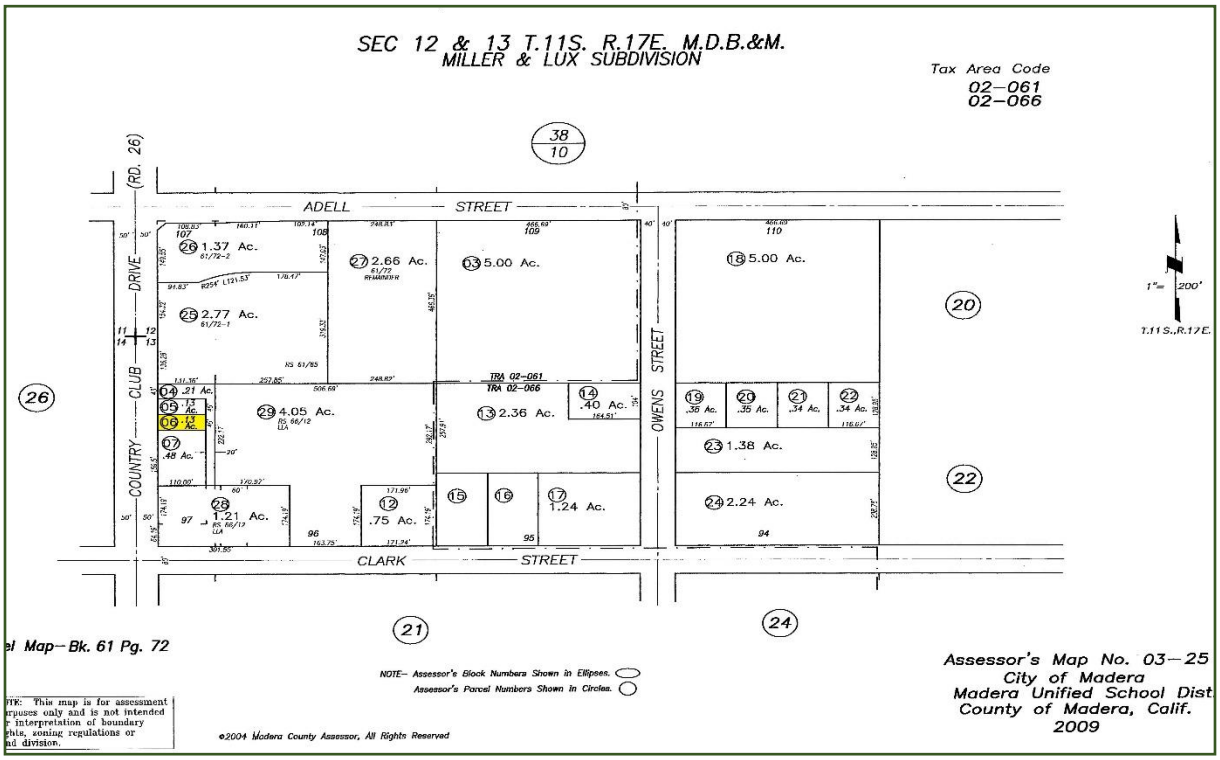
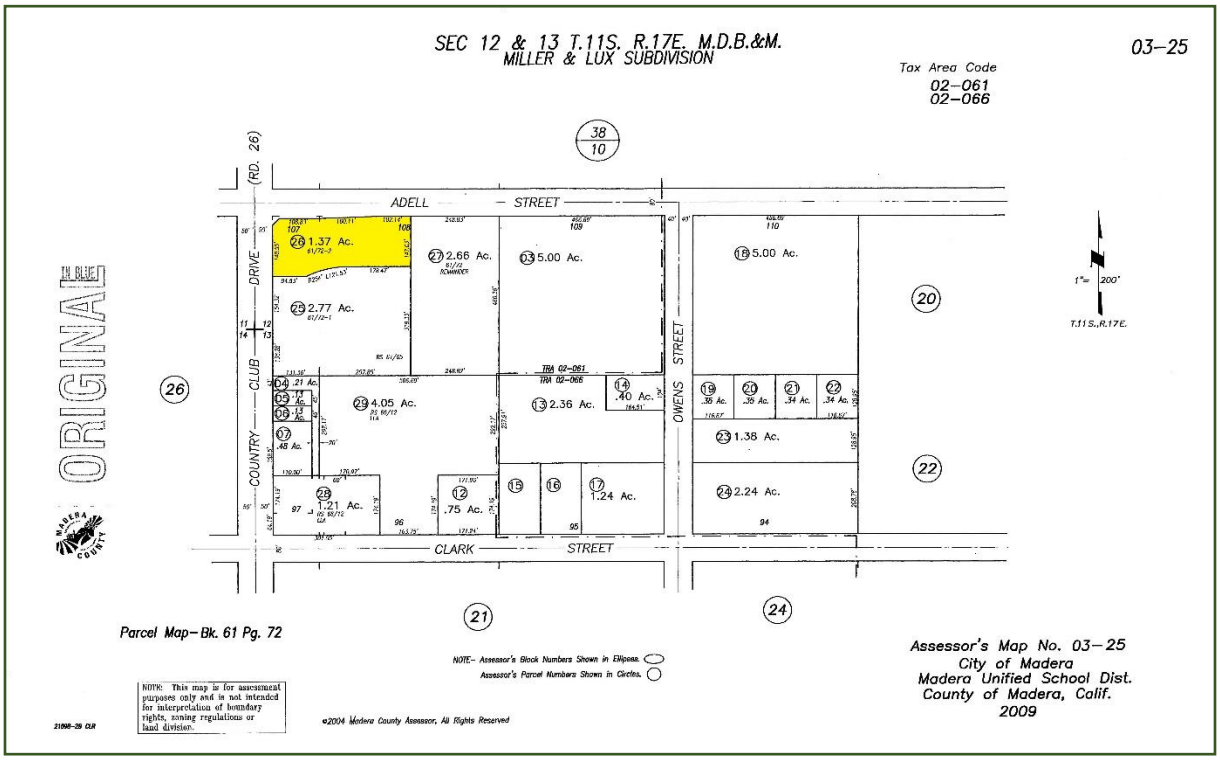


Vacant Parcel 003-250-026



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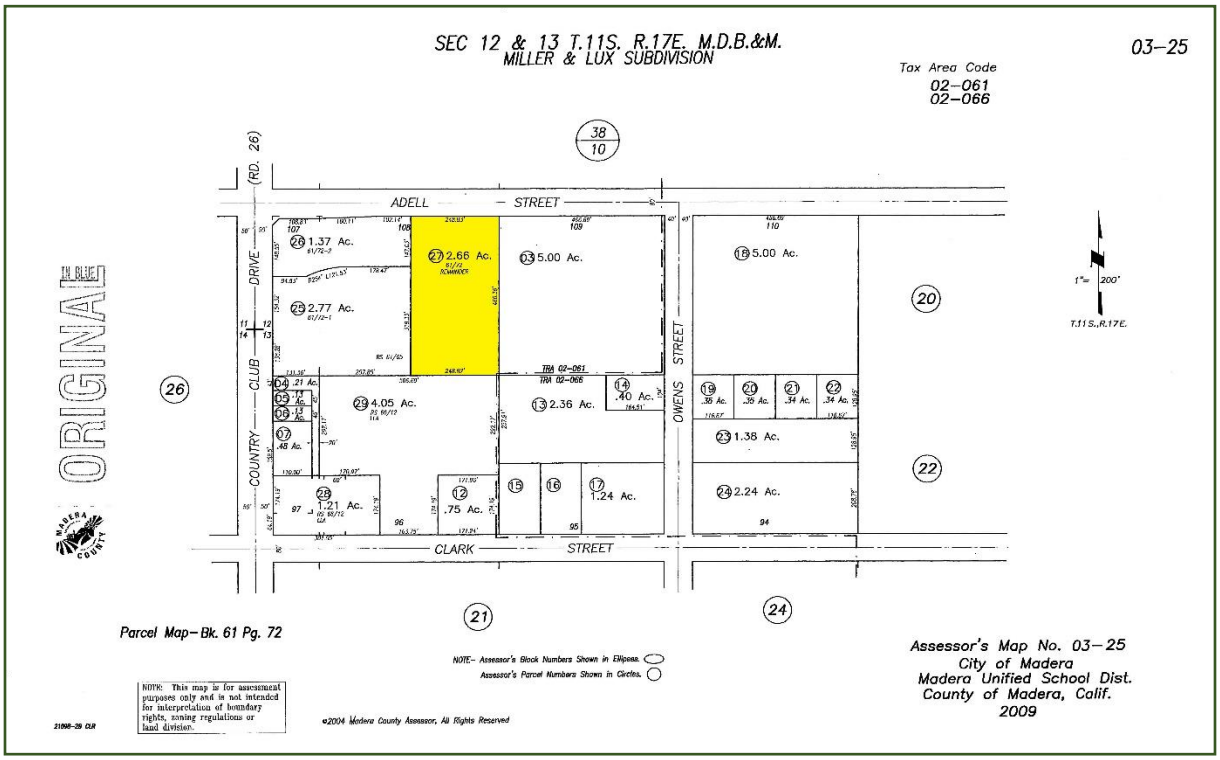
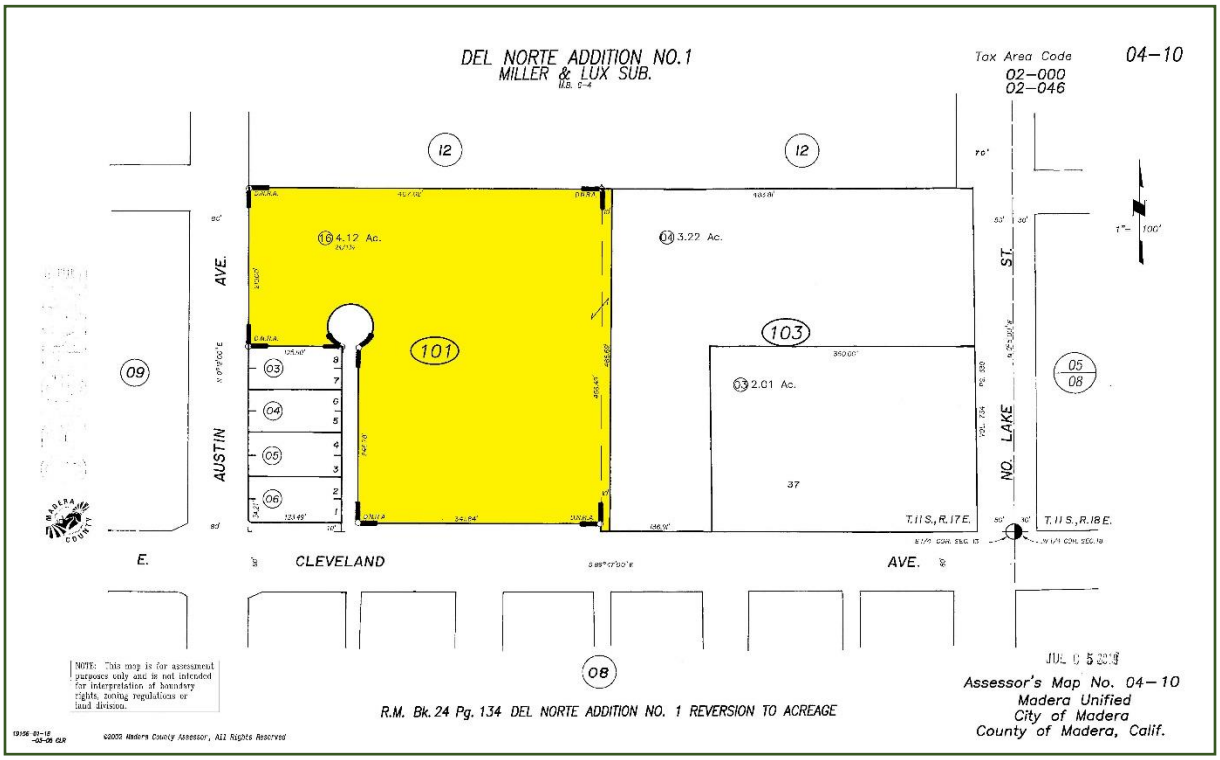
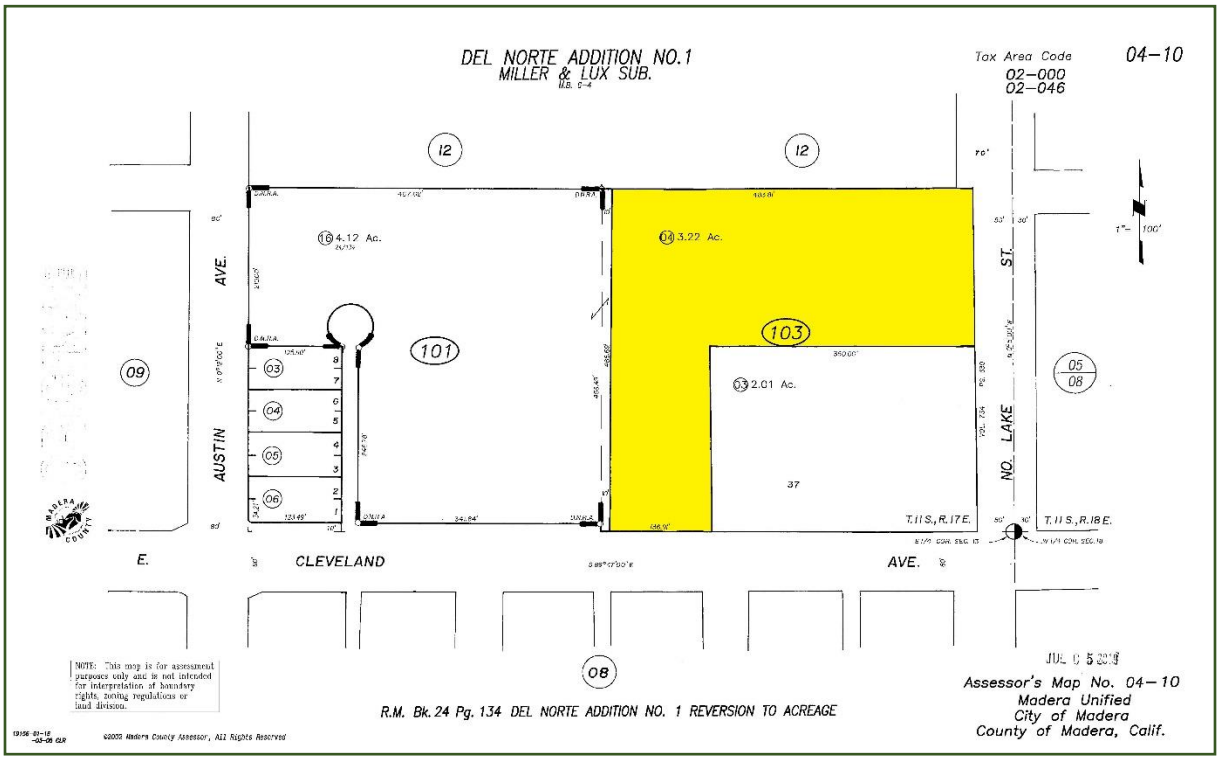


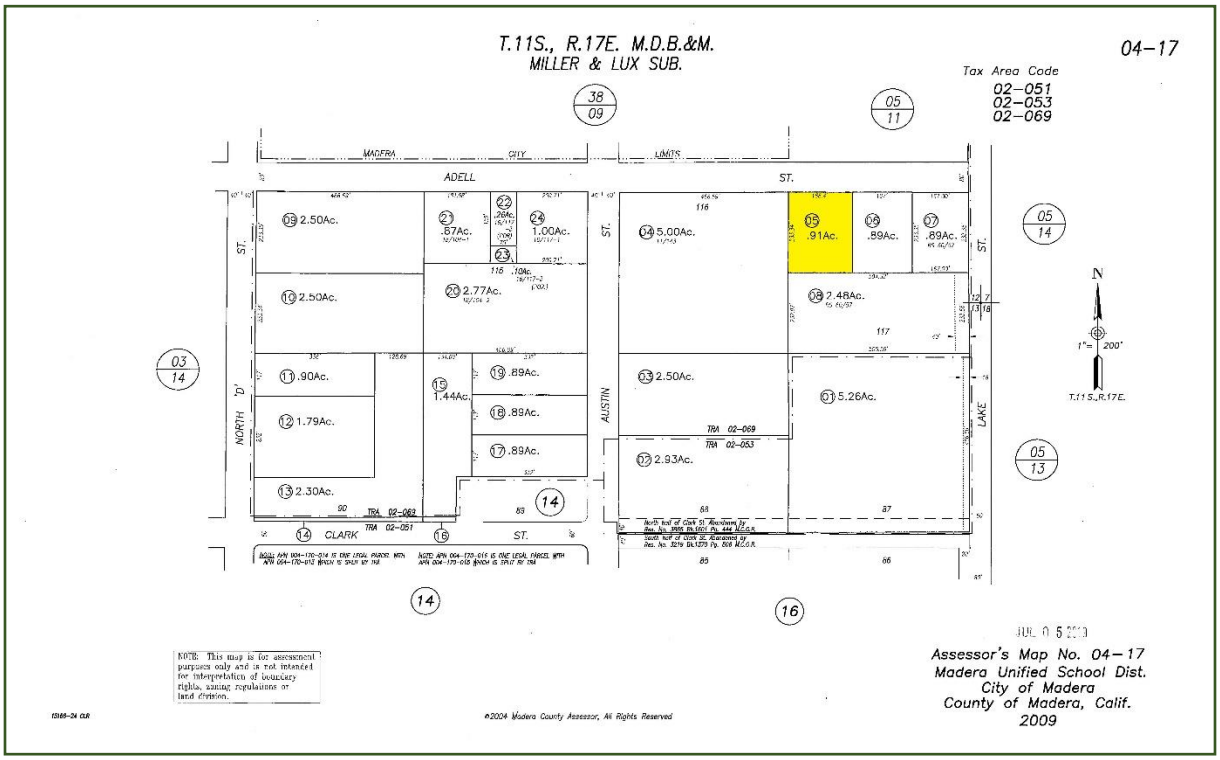
Vacant Parcel 004-101-016



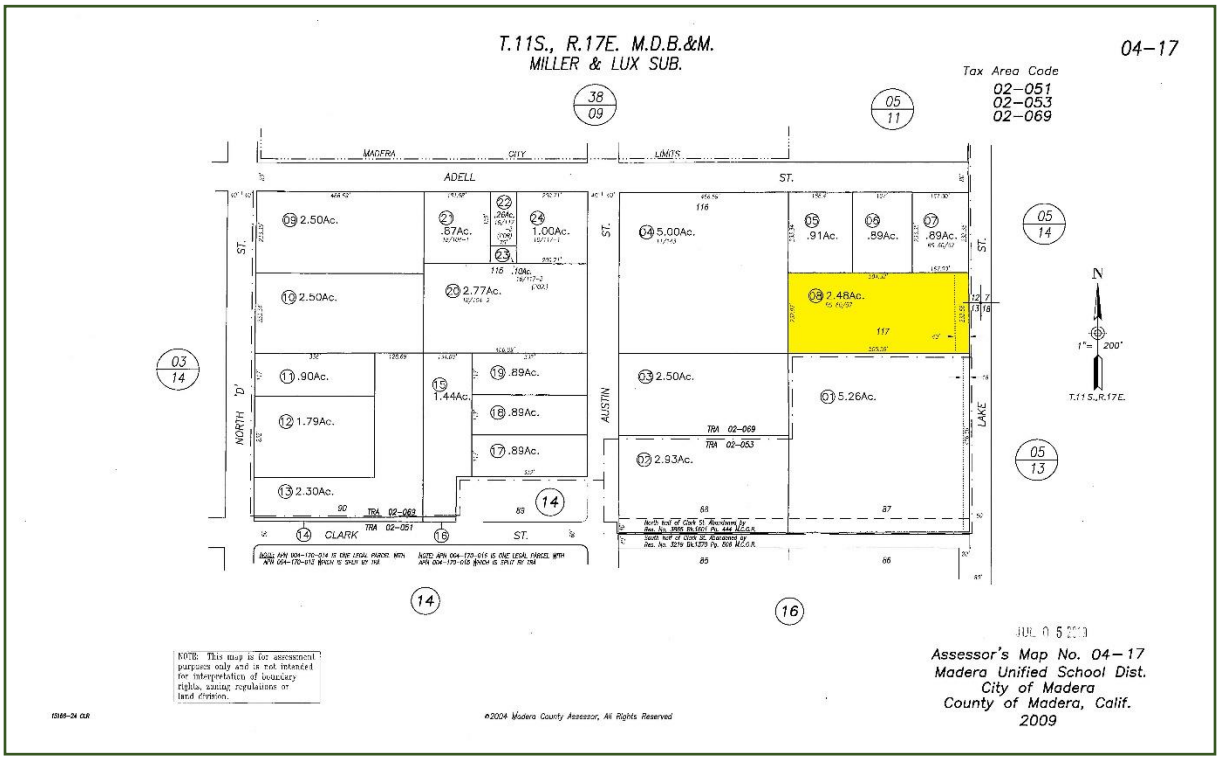
655 East Cleveland Avenue



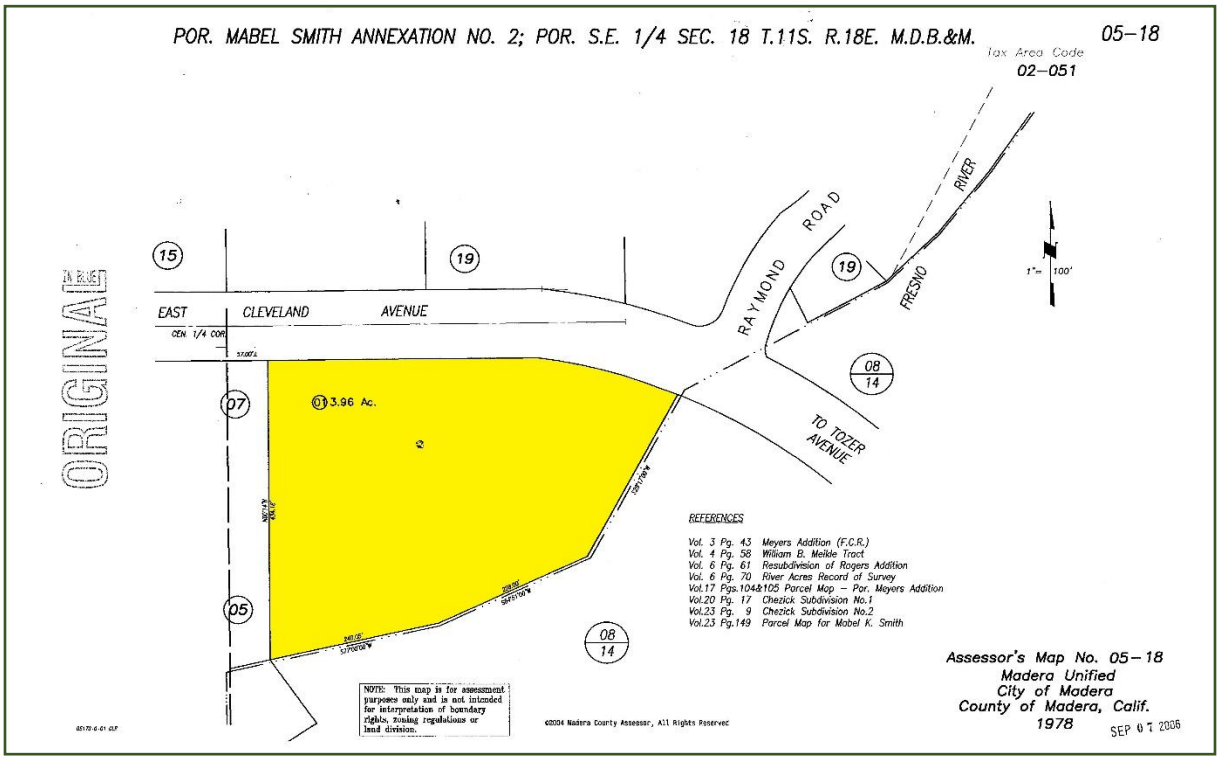
Vacant Parcel 004-170-005



1630 North Lake Street



1218 East Cleveland Avenue



REPORT TO CITY COUNCIL

Approved by:

Will Tackett, Community Development Director

Arnoldo Rodriguez, City Manager

Meeting of: July 3, 2024

Agenda Item: A-2

SUBJECT:

Consideration of an application for Prezone (REZ 2023-04), pertaining to ±9.82 acres of property located on the northeast corner of Adell and North D Streets (APN[s]: 038-090-007, 008, 009 & 010)

RECOMMENDATION:

The City of Madera Planning Commission recommends the City Council hold a public hearing, make the necessary findings, and take action as follows:

1. Waive Full Reading and introduce by title only an Ordinance of the City Council of the City of Madera adopting the Mitigated Negative Declaration (SCH No. 2024050494) and the Mitigation Monitoring and Reporting Program prepared for purposes of the proposed project in accordance with the provisions of California Environmental Quality Act (CEQA); and approving REZ 2023-04, amending the Official City of Madera Zoning Map to prezone approximately 9.82-acres of property (APN's: 038-090-007, 008, 009 & 010) to the PD-4500 (Planned Development, One unit for each 4,500 square feet of site area) and R-1 (Residential, One unit for Each 6,000 square feet of site area) zone districts.

SUMMARY:

The applicant, Land Design Consulting Inc., has filed an application to Prezone (REZ 2023-04) pertaining to ±9.82 acres of land comprising four parcels generally located on the northeast corner of the intersection of Adell and North D Streets, collectively, the "project site" (Attachment 1).

REZ 2023-04 proposes to prezone a ±9.12-acre portion of the project site, consisting of two parcels (APN[s]: 038-090-009 & 010), the "development site," to the PD-4500 (Planned Development, one unit for each 4,500 sq. ft. of site area) zone district; and, to prezone a ±0.17-

acre portion of the project site, consisting of two single family residential parcels adjoining the development site (APN[s]: 038-090-007 & 008), to the R-1 (Residential, one unit for each 6,000 sq. ft. of site area) zone district.

REZ 2023-04 has been filed in order to facilitate approval of annexation to the City and a subdivision of the development site for purposes of creating a 42-lot single family residential planned development in accordance with Tentative Subdivision Maps TSM 2023-01 & TSM 2024-02.

Pursuant to the provisions of City Municipal Code (CMC) §§ 10-3.1507 & 10-3.1508, a public hearing (for amendments to zone boundaries/changes of property from one zone to another) was held before the Planning Commission on June 11, 2024. Following a complete hearing, the Commission adopted Resolution No. 1993 (Attachment 6) recommending the Council adopt the Mitigated Negative Declaration (SCH No. 2024050494) and the Mitigation Monitoring Program and approve REZ 2023-04.

In accordance with the provisions of CMC § 10-3.1509, upon receipt of such recommendation (report) from the Commission, the Council shall set the matter for a noticed public hearing and after the conclusion of such hearing the Council may adopt (or deny) the prezoning amendment, or any part thereof. The proposed tentative subdivision maps were approved by Planning Commission Resolution No. 1994, contingent upon Council adoption of the Mitigated Negative Declaration (and Mitigation Monitoring and Reporting Program) prepared for purposes of CEQA and approval of REZ 2023-04 (as well as subsequent annexation of the project site to the City of Madera).

Subsequent actions related to the annexation of the subject property to the City of Madera fall under the jurisdiction of the Madera Local Area Formation Commission (LAFCO) pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code [CGC] § 56000 et seq.).

ANALYSIS:

Pursuant to CMC §10-3-4.101(A) the purpose of the P-D zones is to authorize and regulate density of planned developments and other residential subdivisions. The district is intended to allow use of special design criteria for maximum utility of the site and to allow maximum design flexibility within the density limitations provided.

The proposed planned development project intends to subdivide the development site for the purposes of creating single family residential lots ranging from 4,500 to more than 7,500 square feet in area. REZ 2023-04 proposes to prezone the development site to the PD-4500 zone district to permit a density of one residential unit for each 4,500 square feet of site area to accommodate lot sizes of less than 6,000 square feet in area (development standards for the project are proposed in compliance with conventional R-1 zone district standards). Two existing single family residences will be retained in the R-1 zoning district. Precise Plan elements and development standards are incorporated within the project conditions of approval approved by the Commission.

The entirety of the project site is designated for Low Density Residential (2.1 to 7 dwelling units per acre) land use by the Madera General Plan.

The proposed planned development project, comprising 42 dwelling units on the 9.12-acre development site, yields a density of approximately 4.61 dwelling units per acre, consistent with the Low Density Residential range.

Annexation Area (Project Site):

For purposes of Annexation, the ±9.12-acre development site is supplemented by two additional properties to ensure the annexation creates logical and square boundaries for acceptance by the Madera County Local Agency Formation Commission (LAFCO). The proposed annexation will therefore include APN(s): 038-090-007 & 008, an additional ±0.7 acres (62,640 sf) of area. The total annexation area is ±9.82 acres including the two adjacent parcels not proposed for subdivision or development.

Site Characteristics:

The project site, located on the northern edge of the City, east of Highway 99, is collectively bound by Adell St to the south, North D St to the west, existing farmland, and residential properties.

The project site consists of four separate parcels containing two existing rural residences and vacant, previously agricultural land, grubbed of all vegetation and leveled.

Utility infrastructure is required to be provided with the subdivision. Streets will be built to the ultimate City standards. Stormwater collection and discharge will be at the City owned basin on Sherwood with the applicant required to enhance capacity if required due to the stormwater runoff generated from the proposed project.

Table 1: *Project Overview*	
Project Number(s):	ANX 2023-01, **REZ 2023-04**, TSM 2023-01; TSM 2024-02; PPL 2023-01.
Applicant:	Land Design Consulting Inc.
Property Owners:	Shahzada Farooq; Nadeem Ahmed (Development Site).
Location:	Generally located on the northeast corner of the intersection of Adell and North D Streets (APN[s]: 038-090-007, 008, 009 & 010)
Project Area:	±9.82-acres
Planned Land Use:	Low Density Residential (2.1-7 dwelling units/acre)
Zoning District:	Existing: RRM (Residential, Rural, Single Family – Madera County) Proposed: PD 4,500 (One unit per each 4,500 sf); and R-1 (One unit for each 6,000 sq. ft. of site area)
Site Characteristics:	Rural single family residential (to remain); and, level vacant land which consists of rural, former agricultural land, disked regularly for vegetation management.

Surrounding Land Uses:

The proposed annexation area is generally surrounded by County rural residential uses to the east and north. Remaining rural residences, a religious facility and new single family residential subdivision are located within City limits on the east side of North D St., across from the project site. Vacant land presently proposed for subdivision and single-family residential development is located within City limits on the south side of Adell St. Table 2 below summarizes the existing development/uses, and the General Plan land use designations and zoning districts surrounding the proposed annexation area.

Table 2: *Bordering Site Information (Annexation Area)*

Direction	*Existing Use*	*General Plan Designation*	*Zone District*
North	Residential	Low Density Residential	RRS (County)
East	Vacant land	Low Density Residential	RRS (County)
South	Vacant land	Low Density Residential	PD (4500) (City)
West	Residential	Low Density Residential	R-1 (City)

RRS – Residential, Rural, Single Family (County)
PD 4500 – Planned Development (One Unit per each 4,500 sf of site area)
R1 – (One Unit per each 6,000 sf)

Pezoning:
REZ 2023-04 proposes to prezone the project site to the PD-4500 (Planned Development, one unit for each 4,500 sq. ft. of site area) zone district, consistent with the existing Low Density Residential General Plan land use Designation. The adjacent parcels being annexed into the City and not proposed for development, are proposed to be prezoned to the R-1 (Residential, one unit for each 6,000 sq. ft. of site area) zone district.

Policy LU-32 of the Madera General Plan provides that zoning shall be consistent with General Plan land use designations. In areas where the zoning and the land use designation are not identical, Table LU-A: General Plan/Zoning Consistency of the Madera General Plan shall be used to determine consistency for rezoning applications. The PD-4500 and R-1 zone districts are both consistent with the Low-Density Residential land use designation pursuant to Table LU-A of the Madera General Plan.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code (CGC) § 56375(C)(7) provides, LAFCO shall require, as a condition to annexation, that a city prezone the territory to be annexed or present evidence satisfactory to LAFCO that the existing development entitlements on the territory are vested or are already at build-out and are consistent with the city's general plan. However, LAFCO shall not specify how, or in what manner, the territory shall be prezoned (this authority remains with the City Council as a legislative action).

Accordingly, CMC § 10-3.303 et seq. provides, all territory to be annexed to the city shall, prior to being considered by the Madera Local Agency Formation Commission, be prezoned by amendment of the official zoning map and shall be automatically in effect upon the certificate of completion for annexation of the area into the city being recorded by the County Clerk. The zone(s) established by prezoning shall become effective when the property is annexed. Failure to

complete the annexation process for any reason shall render any prezoning classification(s) on the official zoning map to be null and void, and the zoning designation(s) shall be removed for the official zoning map. The subject property will be considered to be not prezoned, not within the city limits of the City of Madera, and instead subject to the zoning ordinance of the County of Madera.

Annexation:

The project proposes to annex 4 parcels into the City, including one parcel of ±5 acres, one parcel of ±4.12 acres and two residential parcels of ±0.7 acres in area (the total territory proposed to be annexed is ±9.82 acres in area).

Actions related to the annexation of the subject property to the City of Madera fall under the jurisdiction of the Madera Local Area Formation Commission (LAFCO) pursuant to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code [CGC] § 56000 et seq.). LAFCOs have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of LAFCOs are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies; with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.

City Council approval of the prezone application (REZ 2023-04) authorizes application, by land-owner petition, to the Madera Local Agency Formation Commission, to undertake proceedings for the proposed annexation. In this instance, the application to LAFCO will not be initiated by resolution of application of the legislative body (City Council). Payment of all required fees for application to LAFCO or for purposes of annexation shall be the sole responsibility of the applicant.

The territory proposed for annexation is located in an area that has already experienced some urban development. Existing City utilities are located beneath North D Street and Adell St. The project site would be served by the City water and sewer improvements.

The annexation area also includes previously developed storm drainage infrastructure at the existing Sherwood drainage basin. A County Drainage basin is located at Road 26 and Ellis Street which isn't intended to be used for this project. City water, sewer, and storm drainage infrastructure will be extended where required, consistent with City standards and subject to the project conditions of approval as development occurs within the annexation area.

Fire, emergency, medical, and police protection services for the annexation area are presently provided by the County of Madera and augmented through contracts and agreements with other agencies and service providers, including the City of Madera. The County of Madera has a contract with CalFire to provide management and staffing of the County's fire stations and equipment. Ambulance services are provided by a private contractor. The nearest ambulance

contractor site is Pistoresi Ambulance, located 2.4 miles to the south. Madera City Fire Station 58 is located 1.25 miles to the southwest and Madera County Fire Station 1 is located 3 miles to the southeast. Madera Police Department is located 2.15 miles to the southeast, and the Madera County Sheriff's Headquarters is located 1.5 miles to the southwest. While County services currently have jurisdiction within the annexation area, mutual aid agreements allow for the provision of City services within the area presently.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The proposed project has been reviewed for compliance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

Crawford & Bowen Planning, Inc. has prepared an initial study, performed environmental analyses and evaluated the project in accordance with the CEQA Guidelines and criteria on behalf of the City as lead agency. The conclusions and findings resultant from these environmental studies, analyses and an evaluation of the proposed project determined that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures have been identified to reduce the significant direct, indirect or cumulative effects on the environment to a level less-than-significant, and that preparation of a Mitigated Negative Declaration is appropriate for this project.

The Notice of Intent to Adopt a Mitigated Negative Declaration was filed on May 18, 2024, with the County Clerk, published in the Madera Tribune, and posted with the Governor's Office of Planning and Research (OPR). This initiated a public review period effectively commencing on May 18, 2024, and ending June 10, 2024.

The Planning Commission has made a recommendation to the City Council regarding adoption of the Mitigated Negative Declaration (SCH No. 2024050494), including the Mitigation Monitoring and Reporting Program for purposes of the proposed project at the June 11th, 2024, Planning Commission meeting. The Planning Commission's recommendation, in the form of an adopted Resolution No. 1993, is presented with staff's report for consideration by the City Council with no public comments received during the public review period prior to the Council taking action to adopt or reject Mitigated Negative Declaration (SCH No. 2024050494) for purposes of the proposed project.

PLANNING COMMISSION REVIEW:

The Planning Commission held a public hearing to consider the project at its regular meeting on June 11, 2024. No members of the public addressed the Commission on this item. On a 5-0 vote, the Commission adopted Resolution No. 1993, finding the prezone in conformance with the goals and policies of the General Plan and recommending approval of the same. At the same meeting, the Planning Commission also adopted Resolution No. 1994, approving TSM 2023-01, TSM 2024-02 and PPL 2023-01 contingent upon Council adoption of the Mitigated Negative Declaration (and Mitigation Monitoring and Reporting Program) prepared for purposes of CEQA and approval of REZ 2023-04 (as well as subsequent annexation of the project site to the City of Madera).

FISCAL IMPACT:

The applicant paid Planning Department entitlement fees in accordance with the City's adopted Master Fee Schedule to offset the cost associated with processing REZ 2023-04. Future development will be required to pay all contemporary impact fees, assessments and charges toward supporting City infrastructure and services. Payment of all required fees for application to LAFCO or for purposes of annexation shall be the sole responsibility of the applicant.

ALTERNATIVES:

The Council may consider alternatives other than the Planning Commission and staff's recommendation for approval of the prezone. The Council may:

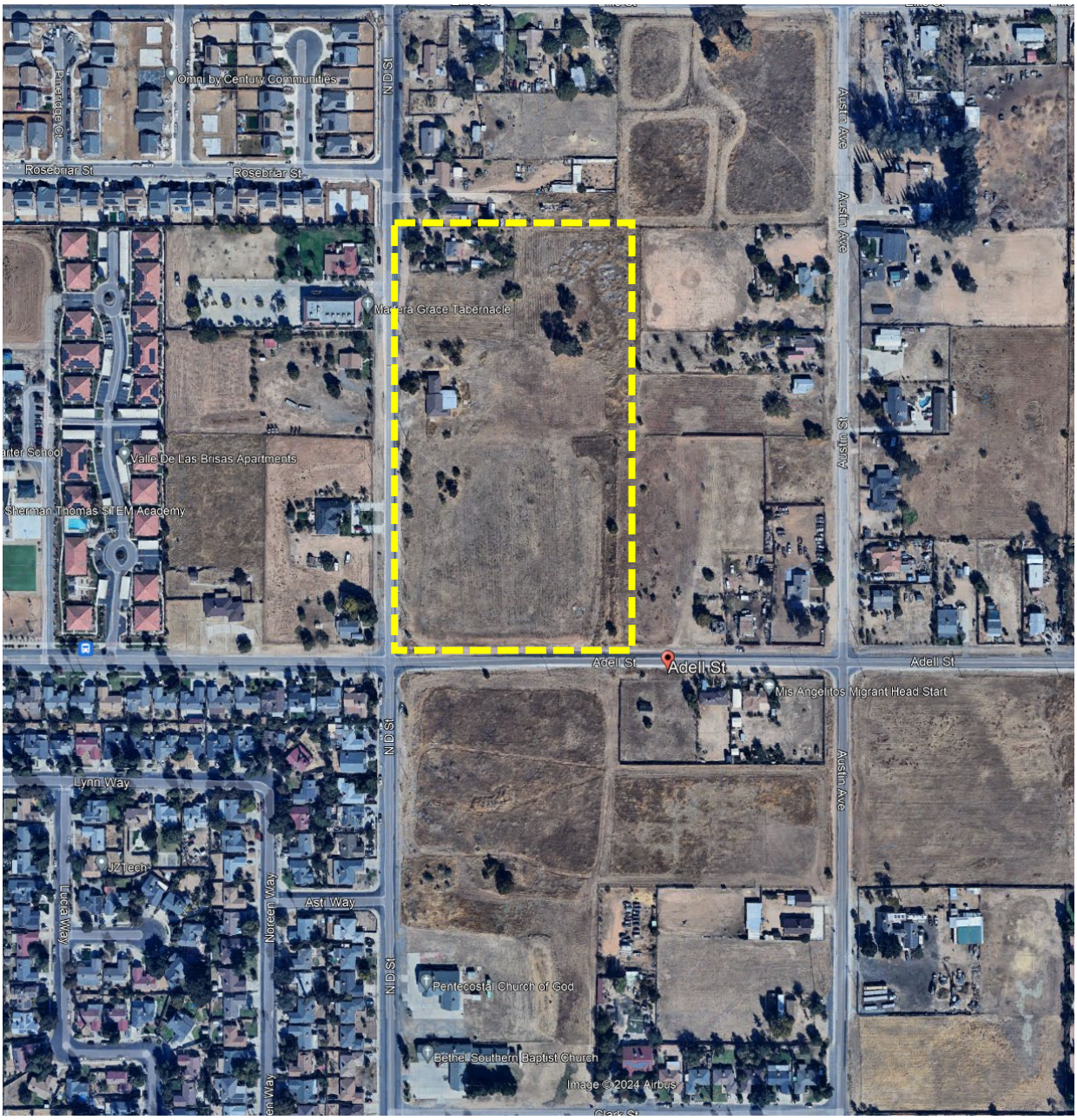
1. Deny the prezone. Should the request be denied, the Tentative Subdivision Map and Planned Development (Precise Plan) project would be unable to move forward.
2. Move to continue the item to a date and time certain, or refer the item back to staff, with direction to staff to provide additional information.

ATTACHMENTS:

1. Vicinity Map
2. City General Plan Land Use Map
3. Existing City Zoning Map
4. County Zoning Map
5. Planning Commission Resolution No. 1993
6. IS/MND (SCH No. 2024050494)
7. City Council Ordinance for Rezone
   Exhibit "A" – Existing and Proposed Zone District Maps
   Exhibit "B" – Mitigation Monitoring and Reporting Program

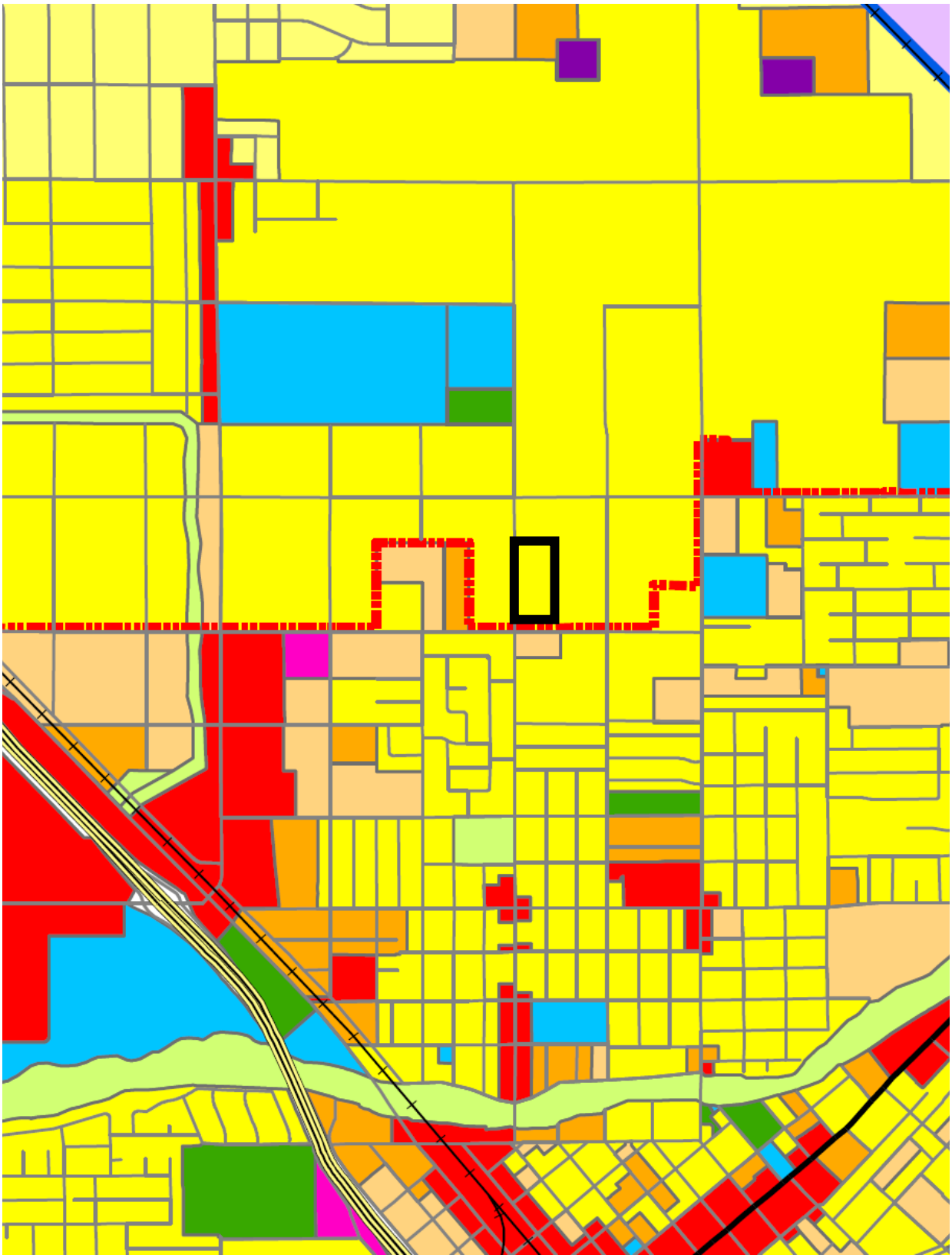
ATTACHMENT 1

Vicinity Map


Omni by Century Communities
Rosebriar St
Rosebriar St
N D St
Austin Ave
Austin Ave
S Austin Ave
Adell St
Adell St
Adell St
Valle De Las Brisas Apartments
Sherman Thomas STEM Academy
Mis Angelitos Migrant Head Start
Lynn Way
JZTech
Asti Way
Pentecostal Church of God
Bethel Southern Baptist Church
Image © 2024 Airbus

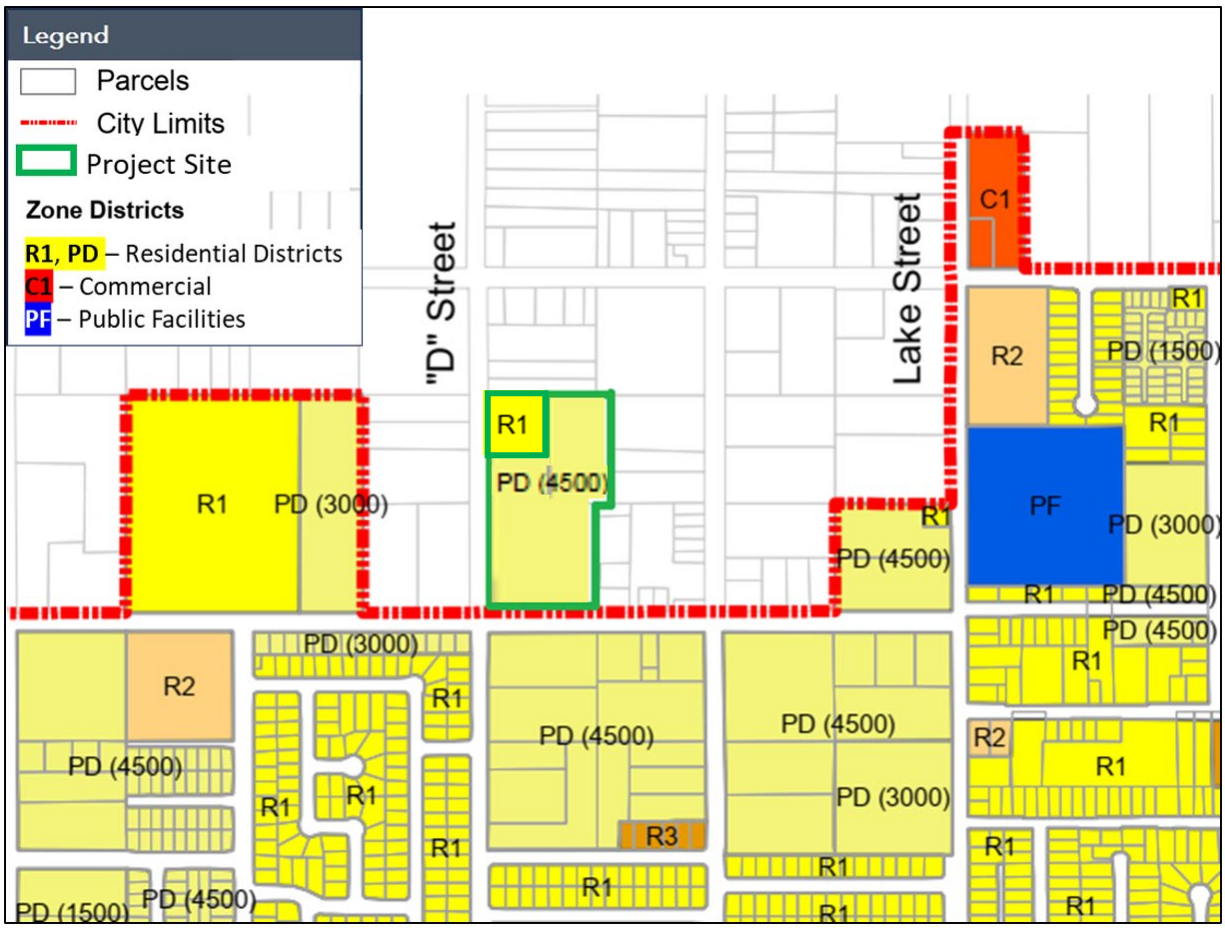
ATTACHMENT 2

City of Madera General Plan Land Use Map



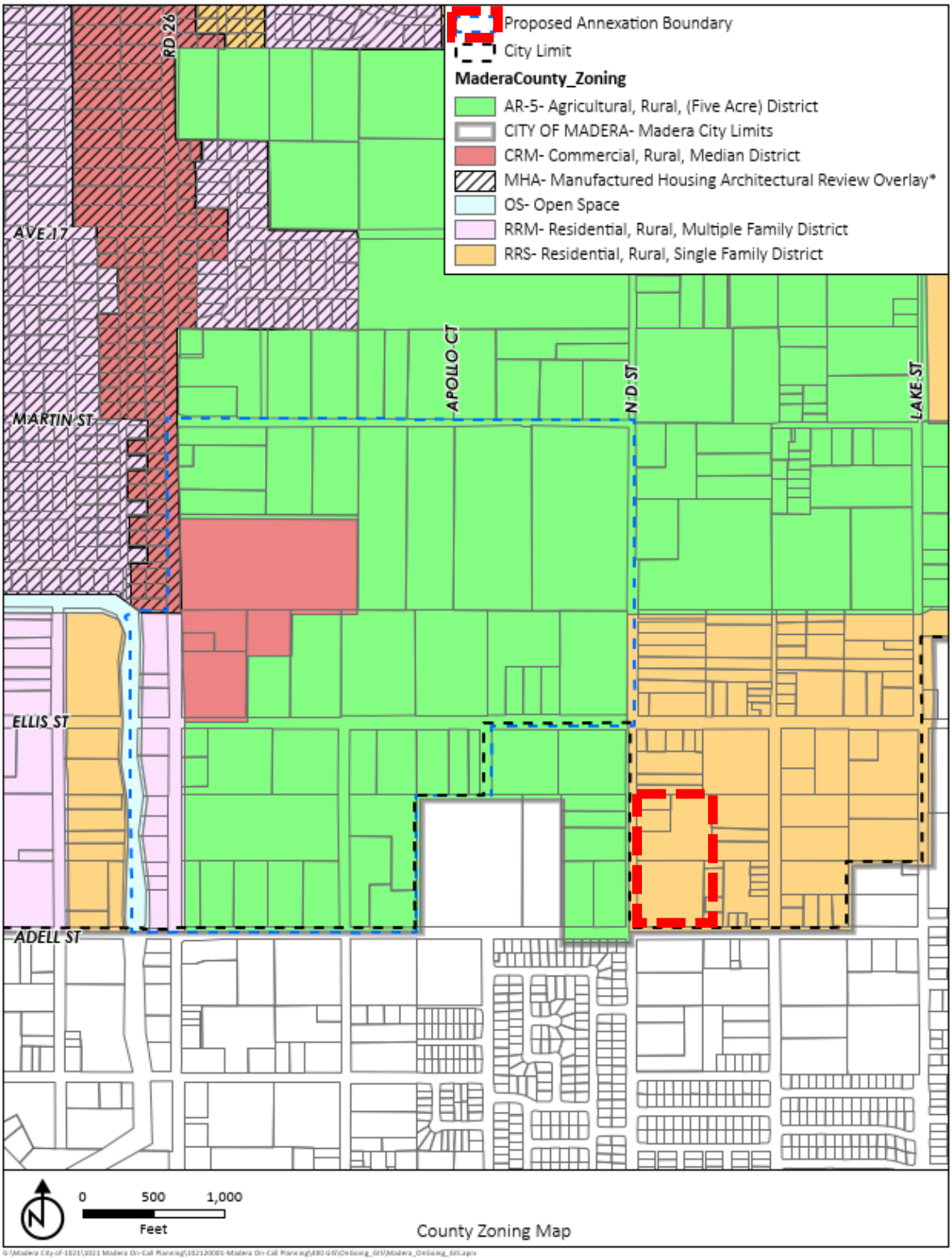
ATTACHMENT 3

City of Madera Zoning Map


Legend
Parcels
City Limits
Project Site
Zone Districts
R1, PD – Residential Districts
C1 – Commercial
PF – Public Facilities
"D" Street
Lake Street
R1
PD (3000)
R1
PD (4500)
C1
R2
PD (1500)
R1
PF
PD (3000)
PD (4500)
R1
PD (4500)
PD (4500)
R1
R2
PD (3000)
R1
R2
PD (4500)
R1
R1
PD (4500)
R3
R1
PD (4500)
PD (3000)
R1
R2
R1
R1
R1
PD (1500)
PD (4500)
R1
R1

ATTACHMENT 4

Madera County Zoning Map (Existing)



County Zoning Map

G:\Madera City of-1821\1821 Madera On-Call Planning\182120001-Madera On-Call Planning\480 GIS\OnGoing_GIS\Madera_OnGoing_GIS.aprx

ATTACHMENT 5
Planning Commission Resolution No. 1993

RESOLUTION NO. 1993

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING THE CITY COUNCIL OF THE CITY OF MADERA ADOPT MITIGATED NEGATIVE DECLARATION (SCH NO. 2024050494) AND THE MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVE PREZONE REZ 2023-04

WHEREAS, the City of Madera has received an application for Annexation (ANX 2023-01) of territory comprising ±9.82 acres of land generally located on the northeast corner of the intersection of Adell and North D Streets (APN[s]: 038-090-007, 008, 009 & 010) to the City of Madera; and

WHEREAS, the specific changes of organization requested consist of annexation to the City and detachment from the County of Madera of the territory known as The Adell- D Street No. 1 Annexation; and

WHEREAS, the territory to be annexed is within the Sphere of Influence (SOI) and the Urban Growth Boundary of the City of Madera; and

WHEREAS, Government Code (CGC) § 56375(C)(7) requires, as a condition to annexation, that a city prezone the territory to be annexed or present evidence satisfactory to the Local Agency Formation Commission (LAFCO) that the existing development entitlements on the territory are vested or are already at build-out and are consistent with the city's general plan; and

WHEREAS, the City of Madera has received an application for Prezone (REZ 2023-04) to prezone the territory to the City of Madera PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and R-1 (Residential, one unit for each 6,000 square feet of site area) zone districts; and

WHEREAS, the territory proposed for annexation is designated for Low Density Residential land uses by the City of Madera General Plan; and

WHEREAS, the PD-4500 and R-1 zone districts, proposed in accordance with REZ 2023-04, are consistent with the Low Density Residential land use designation pursuant to Policy LU-32 and Table LU-A: General Plan/Zoning Consistency of the Madera General Plan; and

WHEREAS, ANX 2023-01 and REZ 2023-04 have been filed for purposes of facilitating a proposed 42-lot subdivision and single family residential planned development of a ±9.12-acre portion of the territory proposed for annexation in accordance with Tentative Subdivision Maps TSM 2023-01 and TSM 2024-02 (collectively, the "Project"); and

WHEREAS, the project is compatible with other properties and environs within the vicinity of the project and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, this project was assessed in accordance with the provisions of the California Environmental Quality Act ("CEQA") resulting in preparation of a Mitigated Negative Declaration (SCH No. 2024050494) including a Mitigation Monitoring and Reporting Program, which has been circulated, and made available for public review pursuant to CEQA and the City of Madera Municipal Code (CMC); and

WHEREAS, pursuant to the City's Municipal Code and State Planning and Zoning Law, the Planning Commission (Commission) is authorized to review and make recommendations to the City Council (Council) for prezones on behalf of the City; and

WHEREAS, the City provided notice of the Commission hearing as required by law for the hearing of June 11, 2024; and

WHEREAS, the Commission received and independently reviewed and considered the information contained in the IS/MND pursuant to CEQA, and reviewed ANX 2023-01 and REZ 2023-04 at the duly noticed meeting on June 11, 2024; and

WHEREAS, at the June 11, 2024, Commission hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Commission; and

WHEREAS, at the June 11, 2024, public hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Planning Commission; and

WHEREAS, after due consideration of all the items before it, the Commission now desires to adopt this Resolution recommending the Council adopt Mitigated Negative Declaration (SCH No. 2024050494) for purposes of the proposed project and recommending the Council approve REZ 2023-04 and authorize ANX 2023-01; and

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 an environmental assessment initial study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed Project and relevant environmental issues. Based on this review and assessment, the Planning Commission finds that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures have been identified to reduce the potential significant direct, indirect or cumulative effects on the environment to a level less-than-significant, and that a Mitigated Negative Declaration is appropriate for this project. The Planning Commission further finds the Initial Study and Mitigated Negative Declaration were timely and properly published and noticed as required by CEQA. As such, the Planning Commission recommends the City Council adopt Mitigated Negative Declaration (SCH No. 2024050494) including the Mitigation Monitoring and Reporting Program (Exhibit A).

3. Prezoning Findings: The Commission finds that REZ 2023-04 is consistent with the General Plan goals, policies and objectives and with the General Plan Land Use Plan. The Commission further recommends that the Council find that REZ 2023-04 is consistent with the General Plan goals, policies and objectives and with the General Plan Land Use Plan. The project is consistent with General Plan Policy LU-32, which provides zoning shall be consistent with General Plan land use designations and Table LU-A shall be used to determine consistency for rezoning applications. In accordance with Table LU-A, Prezoning to the PD-4500 (Planned Development, one unit for each 4,500 square feet of site area) and R-1 (Residential,

one unit for each 6,000 square feet of site area) zone districts is consistent with the Low Density Residential land use designation for the territory as designed by the General Plan.

4. Annexation Findings: The Commission finds that the annexation and development entitlements proposed for the territory to be annexed are consistent with the goals, objectives, and policies of the Madera General Plan. The project is consistent with General Plan Policy LU-13, which states "The City shall support annexation of property to its boundaries for the purpose of new development only when it determines that the following conditions exist:

- Sufficient public infrastructure, facilities, and services are available or will be provided in conjunction with new development; and

- Demands on public infrastructure, facilities and services created by the new development will not result in reductions in capacity that is necessary to serve the existing city limits (including demand created by potential infill development), reductions in existing service levels within the city limits, or the creation of detrimental fiscal impacts on the city"

The appropriate findings have been made and as a result, the project would be consistent with the City's General Plan.

5. Recommendation for Approval: The Planning Commission finds and determines that the proposed PD-4500 and R-1 zone districts as requested for the territory to be annexed (comprising APN[s]: 038-090-007, 008, 009 & 010) pursuant to REZ 2023-04, is consistent with the adopted LD (Low Density Residential) General Plan land use designation for the territory pursuant to, and in accordance with, Policy LU-32 and Table LU-A: General Plan/Zoning Consistency of the Madera General Plan. The territory proposed for annexation is located within the Sphere of Influence and Urban Growth Boundary of the City of Madera and ANX 2023-01 accommodates additional growth through a logical formation and modification/expansion of the boundaries of the City of Madera and all necessary governmental services are available.

Therefore, based on evidence in the record, the Planning Commission recommends that the City Council approve REZ 2022-04 as shown in Exhibit B and approve ANX 2023-01, authorizing the submittal of a landowner petition to the Madera Local Agency Formation Commission.

6. Effective Date: This Resolution shall become effective immediately. The Secretary of the Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the Council of the City of Madera.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 11st day of June 2024, by the following vote:

AYES: Commissioners Rohi Zacharia, Bobby Sheikh, Balwinder Singh, Saim Mohammad, Jose Eduardo Chavez, Vice Chairperson Ramon Lopez, Chairperson Robert Gran Jr.

NOES: None

ABSTENTIONS: None

ABSENT: None

Robert Gran Jr.
Planning Commission Chairperson

Attest:

Will Tackett
Community Development Director

Attachments:

Exhibit "A" – Mitigation Monitoring and Reporting Program
Exhibit "B" – Existing and Proposed Zone District Map

ATTACHMENT 6

IS/MND (SCH NO. 2024050494)

https://www.madera.gov/home/departments/planning/#tr-other-planning-documents-243607

ATTACHMENT 7

City Council Ordinanace REZ 2023-04 and IS/MND SCH 2024050494

Including:
Exhibit A: Existing and Proposed Zone District Maps
Exhibit B: Mitigation Monitoring and Reporting Program

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA ADOPTING THE MITIGATED NEGATIVE DECLARATION (SCH NO. 2024050494) AND THE MITIGATION MONITORING AND REPORTING PROGRAM PREPARED FOR PURPOSES OF THE PROPOSED PROJECT IN ACCORDANCE WITH THE PROVISIONS OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND APPROVING REZ 2023-04, AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO PREZONE APPROXIMATELY 9.82-ACRES OF PROPERTY (APN'S: 038-090-007, 008, 009 & 010) TO THE PD-4500 (PLANNED DEVELOPMENT, ONE UNIT FOR EACH 4,500 SQUARE FEET OF SITE AREA) AND R-1 (RESIDENTIAL, ONE UNIT FOR EACH 6,000 SQUARE FEET OF SITE AREA) ZONE DISTRICTS

WHEREAS, Land Design Consulting Inc., ("Applicant") has submitted an application on behalf of Shahzada Farooq; and Nadeem Ahmed, (development site "Owners") for a prezone (REZ 2023-04) for approximately 9.82 acres of land located on the northeast corner of the intersection of Adell St and North D St, comprising APN(s) 038-090-007, 008, 009 & 010, in the City of Madera, California ("project site"); and

WHEREAS, the project site is planned for Low Density Residential land uses in the adopted City of Madera General Plan and is currently zoned RRM (Residential, Rural, Multiple Family) by the Madera County Zoning Ordinance; and

WHEREAS, the Owner is seeking approval to prezone the project site associated with Annexation (ANX 2023-01) to the PD-4500 (Planned Development, One unit for each 4,500 square feet of site area) and R-1 (One unit for each 6,000 sq. ft. of site area) zone districts pursuant to REZ 2023-04; and

WHEREAS, REZ 2023-04 was filed to facilitate approval of two tentative subdivision maps (TSM 2023-01 & 2024-02) and a Precise Plan proposing to subdivide an approximately 9.12-acre portion of the project site (APN[s]: 038-090-009 & 10), the "development site," for purposes of creating a 42-lot single family residential planned development; and

WHEREAS, this project was assessed in accordance with the provisions of the California Environmental Quality Act ("CEQA") resulting in preparation of a Mitigated Negative Declaration (SCH No. 2024050494) including a Mitigation Monitoring and Reporting Program, which has been circulated, and made available for public review pursuant to CEQA and the City of Madera Municipal Code (CMC); and

WHEREAS, pursuant to the CMC, a properly noticed public hearing was held before the Planning Commission of the City of Madera (Commission) on June 11, 2024, resulting in adoption of Planning Commission Resolution No. 1993 recommending the City Council of the City of Madera (Council) adopt Mitigated Negative Declaration and mitigation monitoring and reporting program prepared for the proposed project, and approve REZ 2023-04; and

WHEREAS, pursuant to the CMC, a public hearing (for amendments to zone boundaries/changes of property from one zone to another) shall be held before the Council and the Council shall adopt the amendment and Environmental Review; and

WHEREAS, the City provided notice of the Council hearing as required by law; and

WHEREAS, the Council received and independently reviewed REZ 2023-04 during the duly noticed public hearing conducted at the regularly scheduled meeting of the Council on July 3, 2024; and

WHEREAS, at the July 3, 2024, public hearing, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Council; and

WHEREAS, after due consideration of all the items before it, the Council now desires to adopt this Ordinance approving REZ 2023-04, and certify the MND (SCH 2024050494).

NOW THEREFORE, be it resolved by the City Council of the City of Madera as follows:

SECTION 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2. CEQA: The City Council finds an environmental assessment initial study/Mitigated Negative Declaration (SCH No. 2024050494) and Mitigation Monitoring and Reporting Program were prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed Project and relevant environmental issues. Pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration circulated on May 18, 2024, and all comments received, the City Council finds based upon substantial evidence in the record that although the project could have a significant effect on the environment, there will not be a significant effect because mitigation measures have been identified to reduce the potential significant direct, indirect or cumulative effects on the environment to a level less-than-significant, and that a Mitigated Negative Declaration is appropriate for this project. The City Council further finds the Initial Study and Mitigated Negative Declaration were timely and properly published and noticed as required by CEQA and reflect the independent judgement and analysis of the City. As such, the City Council hereby adopts Mitigated Negative Declaration (SCH No. 2024050494) including the Mitigation Monitoring and Reporting Program (Exhibit B).

SECTION 3. Findings. Based upon the record before it at the public hearing, the City Council determines the adoption of the proposed prezoning ordinance as recommended by the Planning Commission is in the best interest of the City of Madera. The City Council finds REZ 2023-04 is consistent with the City's Zoning Ordinance to promote the growth of the City in an orderly and sustainable manner and to ensure consistency with the City General Plan. The City Council hereby makes the following findings:

a. The proposed Prezone will provide the required consistency between the General Plan and zoning in accordance with Table LU-A: General Plan/Zoning Consistency of the Madera General Plan as required by General Plan Policy LU-32.

   Table LU-A of the General Plan identifies General Plan Land Use Category and Consistent Zoning Districts. According to Table LU-A, the R-1 and PD-4500 zone districts are consistent with the Low-Density Residential Land Use designation for the site.

b. The Prezone is not expected to be detrimental to the health, safety peace, comfort, or general welfare of the neighborhood or the City.

   Environmental analyses and findings prepared for the proposed project and as provided in the MND (SCH No. 2024050494) considered potential environmental impacts associated with the project. Mandatory findings of significance provide the project will

not result in significant environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. In addition, all required standards of the Zoning Regulations contained within the City Municipal Code will be complied with and conditions of approval will be applied to ensure the proposed project will not be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or City.

SECTION 4. Approval of REZ 2023-04. The City Council hereby approves REZ 2023-04 and hereby amends the City of Madera Zoning Map as provided for in Chapter 3 of Title X of the Madera Municipal Code as illustrated in the hereto attached Exhibit "A," which indicates the segment of the City of Madera Zoning Map to be amended.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

SECTION 6. Posting. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Madera and shall cause this Ordinance to be published or posted in accordance with Government Code Section 36933 as required by law.

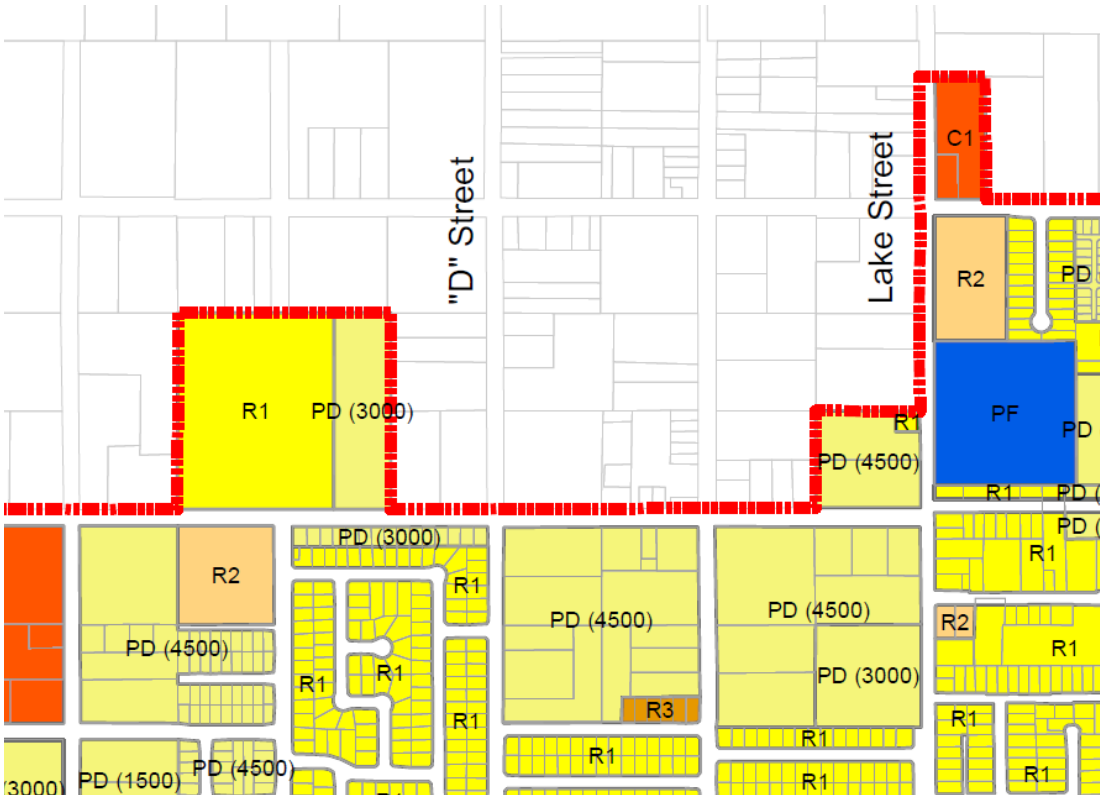
SECTION 7 Effect Date of Ordinance. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

Exhibit "A" – PD (4500) and R-1 zone district
Exhibit "B" – Mitigation Monitoring and Reporting Program

Exhibit A
Existing and Proposed Zone District Maps

EXISTING;



PROPOSED:

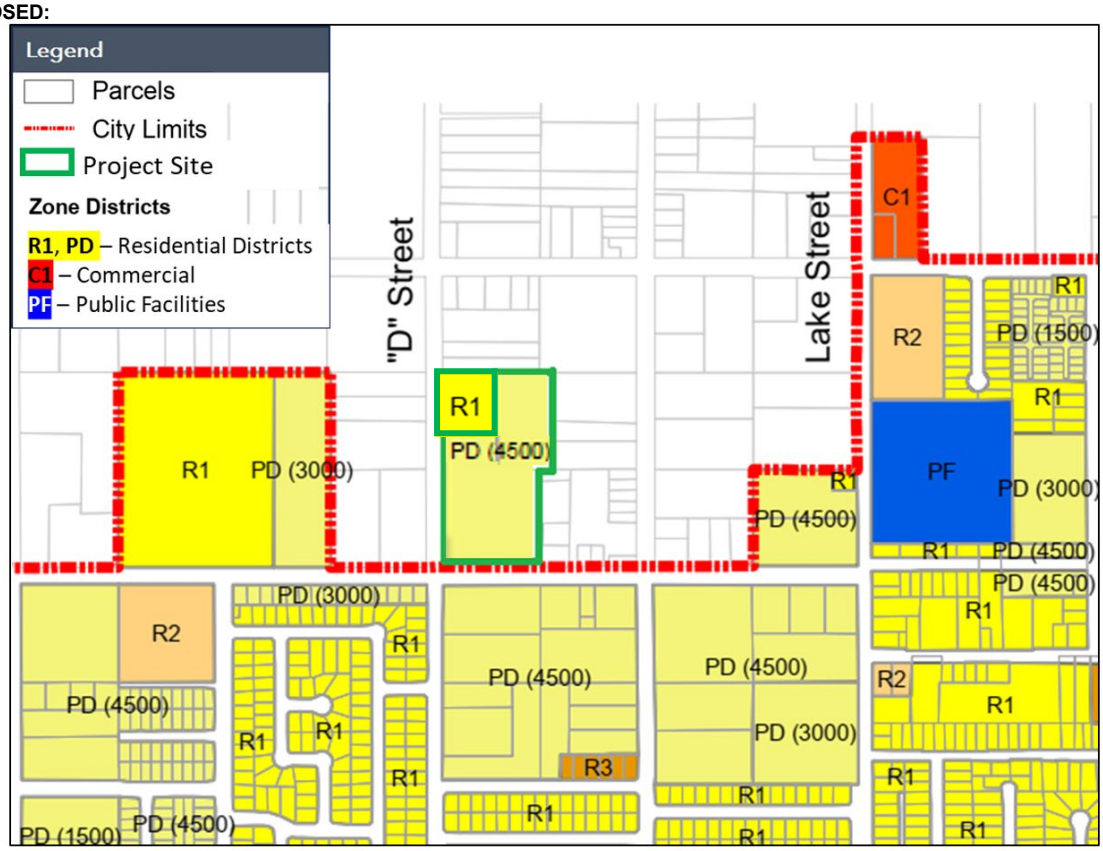


Exhibit B
Mitigation Monitoring and Reporting Program

Chapter 5 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Adell Street Subdivision Project (Project) immediately north of the City of Madera. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 5-1 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of Table 5-1 identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by City to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1 Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Implementation**	**Method to Verify Compliance**	**Verification of Compliance**
Biological Resources					
Mitigation Measure BIO-1: To the extent practicable, construction shall be scheduled to avoid the Swainson's hawk nesting season, which extends from March through August. If it is not possible to schedule construction between September and February, a qualified biologist shall conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. These methods require six surveys, three in each of the two survey periods, prior to project initiation. Surveys shall be conducted within a	Prior to and during construction	Six surveys / ongoing	Applicant / Project Contractor	Applicant / project contractor shall submit preconstruction survey documentation of compliance to the City prior to issuance of grading or building permits. City Planning and Building Departments shall verify preconstruction survey documentation is complete prior to issuance of grading or building permit. City Planning Department to field verify prior to commencement of any project related grading or construction activities as applicable survey specifications are implemented.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Implementation**	**Method to Verify Compliance**	**Verification of Compliance**
minimum 0.5-mile radius around the Project site. If an active Swainson's hawk nest is found within 0.5 miles of the Project site, and the qualified biologist determines that Project activities would disrupt the nesting birds, a construction-free buffer or limited operating period shall be implemented in consultation with the CDFW.					
Mitigation Measure BIO-2: To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August. If it is not possible to schedule construction between September and January, pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure	Prior to construction activities.	Once	Applicant / Project Contractor	Applicant / project contractor shall submit preconstruction survey documentation of compliance to the City prior to issuance of grading or building permits if construction is scheduled during the nesting season. City Planning and Building Departments shall verify preconstruction survey	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Implementation	Method to Verify Compliance	Verification of Compliance
that no active nests will be disturbed during the implementation of the Project. A pre-construction survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.				documentation is complete prior to issuance of grading or building permit. City Planning Department to field verify prior to commencement of any project related grading or construction activities as applicable survey specifications are implemented.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Implementation	Method to Verify Compliance	Verification of Compliance
Mitigation Measure CUL-1: The following shall be implemented: Before initiation of construction or ground-disturbing activities associated with the Project, the City shall require all construction personnel to be alerted to the possibility of buried cultural resources, including historic, archeological and paleontological resources; The general contractor and its supervisory staff shall be responsible for monitoring the construction Project for disturbance of cultural resources; and If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell,	Prior to and during construction.	Ongoing.	Applicant / Project Contractor	Applicant / project contractor shall submit documentation of compliance to the City prior to issuance of grading or building permits. City Planning and Building Departments shall verify preconstruction survey documentation is complete prior to issuance of grading or building permit. City Planning Department to field verify prior to commencement of any project related grading or construction activities as applicable survey specifications are implemented.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Implementation	Method to Verify Compliance	Verification of Compliance
artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching, grading), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure, as					

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	**When Monitoring is to Occur**	**Frequency of Monitoring**	**Agency Responsible for Implementation**	**Method to Verify Compliance**	**Verification of Compliance**
outlined in Public Resources Code section 21083.2. City of Madera shall implement said measures.					
Mitigation Measure CUL-2: City of Madera will incorporate into the construction contract(s) a provision that in the event a fossil or fossil formations are discovered during any subsurface construction activities for the proposed Project (i.e., trenching, grading), all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at City of Madera, who shall coordinate with the paleontologist as to any	Prior to and during construction.	Ongoing.	Applicant / Project Contractor	City will incorporate into construction contract.	

Mitigation Monitoring and Reporting Program					
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Implementation	Method to Verify Compliance	Verification of Compliance
necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.					

Item:	B-1
Minutes for:	06/19/2024
Adopted:	07/03/2024

Minutes of a Regular Meeting of the Madera City Council

June 19, 2024 **Council Chambers**
6:00 p.m. **City Hall**

The Madera City Council meetings are open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live-streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 845 8357 6290#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER: Meeting was called to order at 6:00 p.m.

ROLL CALL: Mayor Santos Garcia
Mayor Pro Tem Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4 (Arrived at 6:03 p.m.)
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, Chief Building Official Rafael Magallan, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Fire Battalion Chief Ralph Duran, Grants Administrator Marcela Zuniga, Director of Human Resources Wendy Silva, Director of Information Technology Gary Price, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte, Public Works Director Ismael Hernandez, Deputy City Engineer Ellen Bitter, Assistant Engineer Alexis Raymundo, Administrative Analyst I (Engineering) Nicole Say, Wastewater Treatment Plant Manager Gabriel Bostan, Assistant Engineer Raquel Rios Cardenas, Police Officer II Joshua Gibbs and Communication Specialist Joseph Carrello.

INVOCATION: Councilmember Artemio Villegas

PLEDGE OF ALLEGIANCE: Councilmember Mejia

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: COUNCILMEMBER EVANS. ABSTAIN: NONE.

PRESENTATIONS: None

Councilmember Evans arrived.

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.

Crystal Austigen thanked the Councilmembers who attended the Juneteenth event. She stated it meant a lot to the residents of Madera and to the black community. She stated that the first Madera Pride event took place this past Saturday. They want the community to know they are supported and the event is a safe place for them.

Kyle Savage, Field Representative for Congressman Duarte stated the Juneteenth event was an amazing opportunity to recognize the community. He stated John Duarte and a bipartisan group of house colleagues passed HR 8580 the Military Construction Veterans Affairs and Related Agencies Appropriations Act of 2025.

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

A. PUBLIC HEARINGS:

A-1 Public Hearing to Approve the Community Development Block Grant (CDBG) 2024/25 Annual Action Plan Final Funding Allocations and Sub-Recipient Agreements

Recommendation: Conduct a Public Hearing to Receive Final Public Input on the 2024/25 Annual Action Plan and Adopt Resolutions Approving a 2024/25 CDBG Subrecipient Agreement for Services for:

1. $177,899 with City of Madera 24-25 CDBG Administration; and
2. $20,000 with Community Action Partnership of Madera County; and
3. $5,000 with Madera Coalition for Community Justice; and
4. $10,000 with Project Run Madera; and
5. $10,000 with Pequeños Empresarios; and
6. $11,165 with O.L.I.V.E. Charitable Organization; and
7. $47,259 with Community Action Partnership of Madera County; and
8. $65,000 with City of Madera Parks Department; and
9. $642,172 with City of Madera Engineering Department (Report by Michael Lima)

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY MAYOR PRO TEM GALLEGOS, ITEM A-1 WAS APPROVED UNANIMOUSLY BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 24-84 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($177,899) WITH CITY OF MADERA FINANCE DEPARTMENT

RES 24-85 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT

BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($20,000) WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY

RES 24-86 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($5,000) WITH MADERA COALITION FOR COMMUNITY JUSTICE

RES 24-87 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($10,000) WITH PROJECT RUN MADERA

RES 24-88 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($10,000) WITH PEQUENOS EMPRESARIOS

RES 24-89 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($11,165) WITH O.L.I.V.E. CHARITABLE ORGANIZATION

RES 24-90 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($47,259) WITH COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY

RES 24-91 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($65,000) WITH CITY OF MADERA PARKS DEPARTMENT

RES 24-92 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2024/25 COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR SERVICES ($642,172) WITH CITY OF MADERA ENGINEERING DEPARTMENT

B. <u>CONSENT CALENDAR</u>:

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

B-1 Minutes – June 5, 2024, June 12, 2024

Recommendation: Approve the City Council Minutes of June 5, 2024 and June 12, 2024 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for May 25, 2024 to June 7, 2024 (Report by Michael Lima)

B-3 Informational Report on Personnel Activity

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

B-4 Continuing Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms

Recommendation: Adopt a Resolution Continuing the Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (Report by Wendy Silva)

RES 24-93 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONTINUING THE DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY – JANUARY 2023 WINTER STORMS IN ACCORDANCE WITH MADERA MUNICIPAL CODE TITLE III, CHAPTER 2

B-5 Sports Program Fee Assistance Initiative

Recommendation: Informational only. This report is intended to acknowledge donors during the Fiscal Year (FY) 2023/24, as well as bring awareness of the City's Sports Program Fee Assistance Initiative (Report by Joseph Hebert)

B-6 Accepting Improvements for the Bellava and Berk Subdivision

Recommendation:

1. Adopt a Resolution Accepting Improvements for the Bellava and Berk Subdivision; and
2. Authorize the filing of the Notice of Acceptance for Said Off-site Improvements (Report by Keith Helmuth)

RES 24-94 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING IMPROVEMENTS REQUIRED TO BE INSTALLED IN CONNECTION WITH THE BELLAVA AND BERK SUBDIVISION, AND AUTHORIZING THE FILING OF A NOTICE OF ACCEPTANCE FOR SUCH IMPROVEMENTS

B-7 Project List for Fiscal Year (FY) 2024/25 Funded by Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) – Local Streets and Roads Funding Program

Recommendation: Adopt a Resolution Approving the City Project List for FY 2024-2025 Funded by the SB 1 RMRA Account of the Local Streets and Roads Funding Program (Report by Keith Helmuth)

RES 24-95 A RESOLUTION ADOPTING THE CITY OF MADERA PROJECT LIST FOR FISCAL YEAR (FY) 2024/25 FUNDED BY SENATE BILL (SB 1) ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) – LOCAL STREETS AND ROADS FUNDING PROGRAM

B-8 Agreement with the Fresno Economic Opportunities Commission Local Conservation Corps.

Recommendation: Adopt a Resolution Approving an Agreement at No Cost to the City with the Fresno Economic Opportunities Commission for Assistance during Waste Tire Amnesty Events (Report by Giachino Chiaramonte)

RES 24-96 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH THE FRESNO ECONOMIC OPPORTUNITES COMMISSION FOR ASSISTANCE DURING WASTE TIRE AMNESTY EVENTS

B-9 Memorandum of Understanding with the National Insurance Crime Bureau

Recommendation: Adopt a Resolution Approving a Memorandum of Understanding with the National Insurance Crime Bureau for Access to the Law Enforcement ISO ClaimSearch Database (Report by Giachino Chiaramonte)

RES 24-97 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL INSURANCE CRIME BUREAU AND THE CITY FOR ACCESS TO THE ISO CLAIMSEARCH DATABASE

C. WORKSHOP: None

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

D-1 Update on 2024 Emergency Repair of Avenue 13 Sewer Trunk Main Failures and Ratify and Continue a Finding of Emergency Relating to Emergency Response and Repairs Necessitating Emergency Contracts without Competitive Bidding

Recommendation:

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

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

RES 24-98 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RENEWING AND RATIFYING A FINDING OF CONTINUING EMERGENCY RELATING TO MULTIPLE SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 WEST OF GRANADA DRIVE, AFFIRMING THE EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER TO MAKE EMERGENCY REPAIRS ON THE SANITARY SEWER MAIN, AND RATIFYING THE AWARD OF EMERGENCY CONTRACTS WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY REPAIRS ON THE SEWER MAIN

D-2 First Amendment to the West Coast Arborists, Inc. Agreement for City-wide Tree Management and Maintenance Services

Recommendation: Adopt a Resolution Approving the First Amendment to Agreement for Tree Management and Maintenance Services with West Coast Arborist, Inc. (WCA) for $18,800 (Report by Joseph Hebert)

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

RES 24-99 RESOLUTION APPROVING FIRST AMENDMENT TO THE CONTRACTOR SERVICES AGREEMENT BETWEEN THE CITY OF MADERA AND WEST COAST ARBORISTS, INC., FOR AN ADDITIONAL $18,800

D-3 Continuing Resolution In Lieu of Fiscal Year (FY) 2024-2025 Budget Adoption and Authorization of 60-day Extension to Prepare and Present the Fiscal Year 2024-25 Budget

Recommendation: Approve a Resolution to Continue Appropriations and Estimated Revenues in Accordance with the FY 2023-2024 budget in lieu of FY 2024-2025 Budget Adoption (Continuing Resolution), and Authorization of a 60-day Extension to Prepare and Present the FY 2024-25 Budget (Report by Michael Lima)

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

RES 24-100 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CONTINUING EXPENDITURES AND REVENUES IN ACCORDANCE WITH THE FISCAL YEAR 2023/2024 CITY BUDGET IN LIEU OF FISCAL YEAR 2024/2025 BUDGET ADOPTION

D-4

1. **Engineer's Report for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 For Fiscal Year (FY) 2024/25**
2. **Resolution of Intention to Levy and Collect Annual Assessments for City Wide Landscape and Lighting Assessment District Zones ff Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A,17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 for FY 2024/25 And Setting Date For Public Hearing**

Recommendation:

1. Adopt a Minute Order Approving the Engineer's Report as Filed or with Modifications as Identified by the City Council (Council) during this Meeting; and
2. Adopt a Resolution of Intention to Levy and Collect Proposed Annual Assessments for all City-Wide Landscape and Lighting

District Zones of Benefit Referenced in the Engineer's Report for FY 2024/25 or as may be Amended and set July 17, 2024, as the Public Hearing Date to Consider the Proposed FY 2024/25 Assessments for City Wide Landscape and Lighting District Zones of Benefit (Report by Keith Helmuth)

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

RES 24-101 A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR CITY WIDE LANDSCAPE AND LIGHTING DISTRICT ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 for FY 2024/25 AND SETTING DATE FOR PUBLIC HEARING

D-5 Contract Award for R-10 Phase III, Olive and Knox Street Widening and Intersection Improvements from Olive Avenue to Neplus Way

Recommendation: Adopt a Resolution Approving the Contract Award for Olive and Knox Street Widening and Intersection Improvements from Olive Avenue to Neplus Way, City Project R-000010 Phase III, in the amount of $849,331.00 to Terra West Construction, Inc and a Contingency of 10 percent of the Contract Amount (Report by Keith Helmuth)

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

RES 24-102 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR THE OLIVE AND KNOX STREET WIDENING AND INTERSECTION IMPROVEMENTS, CITY PROJECT R-000010 PHASE III, AND AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE CONTRACT

E. <u>ADMINISTRATIVE REPORTS</u>:

E-1 Caltrans State Route 145 Yosemite Avenue Project Decorative Street Lighting

Recommendation: This report is submitted to the City Council (Council) for direction relative to selection of decorative street lighting on the Caltrans State Route 145 Yosemite Avenue Project (Project) (Report by Keith Helmuth)

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

Mayor Pro Tem Gallegos stated she and Councilmember Rodriguez attended an MCTC meeting. She thanked the Parks Department for their work on the McCullough River Trail. The trail's ribbon cutting took place Saturday. She thanked Cal Trans for the Clean CA grant that made it possible. She has received many calls from concerned citizens asking what is going to happen to the Redwood and palm trees on SR99 once it gets widened. Those trees will be removed but CalTrans has secured property on the side of the highway where they will plant 15 Redwood trees and 15 palm trees with a well for irrigation to make sure they stay alive. This will continue to show the divide between Northern and Southern California. Mayor Pro Tem Gallegos stated that the reconstruction of the Avenue 12 off ramp will be completed in the Spring of 2025. The design on Yosemite Avenue will be complete in December with construction to start in the Summer of 2025.

Councilmember Rodriguez stated there are some highway safety improvement grants that may be available to the City. MCTC staff will contact City staff to see if any would be available to the City of Madera. He attended the Juneteenth celebration at Courthouse Park along with Mayor Garcia, Councilmember Villegas and Councilmember Evans. Councilmember Rodriguez attended the military information event that Congressman Duarte's staff coordinated. He stated that staff should see if Congressman Duarte or other senator could assist the City in getting that type of event in Madera. He reminded everyone of the 4th of July event and invited everyone to attend. The City of Madera contributed $5,000 to the event and he thanked the Police Department and community clubs for their work on this event.

Councilmember Montes had nothing to report.

Councilmember Evans thanked everyone who attended the Juneteenth event. She thanked Tyler and Wendy from the Tribune newspaper. She stated Juneteenth Day is a federal holiday and asked her colleagues to agree to have it on a future agenda to discuss making it a City of Madera holiday. A number of people from other cities attended because they had the day off. Mayor Garcia received four thumbs up (majority) who agreed to have this item on the agenda to discuss making it a City of Madera holiday.

Councilmember Mejia stated she was excited for the District 5 youth Recreation Fee Waiver which will help children in District 5 to participate in sports. She shared information about this topic on her Councilmember page and encouraged everyone in District 5 to participate in a drawing later this month.

Councilmember Villegas indicated that he's had many inquiries on the Gateway/Olive to Knox construction. He stated they will start soon. Councilmember Villegas stated that he attended and enjoyed the Juneteenth Day event.

Mayor Garcia stated he attended the Juneteenth Day event. It was a beautiful and diverse event with singing, etc. He stated it was a joyous celebration and commended Councilmember Evans for her efforts in bringing the event to the community. Mayor Garcia stated they are still a little short in funds for the Fireworks Display event and hopes they will be able to get promised

donation to cover the shortage. He stated that the Farmers' Markets has started and they are located at the Rotary Park on Gateway Drive every Thursday from 4:00 p.m. through 7:00 p.m. Local farmers bring fresh produce to sell. Vouchers will be provided to the elderly, so they can get some produce. Mayor Garcia stated the City had there first Neighborhood Watch since Covid. He mentioned that Evapco West recently celebrated their 45th anniversary in Madera.

G. CLOSED SESSION:

G-1 Conference with Legal Counsel - Existing Litigation pursuant to Government Code §54956.9(a)

One Case: Madera Police Officers' Association; Randall Williams; Thomas Burns vs. City of Madera (MCV 088246)

City Attorney Shannon Chaffin made the closed session announcement at 7:22 p.m. Mr. Chaffin and Council returned from Closed Session at 7:35 p.m. with all members of Council present. Mr. Chaffin stated there was no reportable action.

ADJOURNMENT: Meeting was adjourned at 7:35 p.m.

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor

MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-2

SUBJECT:

Informational Report on Register of Audited Demands

RECOMMENDATION:

Review Register of Audited Demands Report for June 8, 2024 to June 21, 2024

SUMMARY:

The Register of Audited Demands for the City covering obligations paid during the period of June 8, 2024 to June 21, 2024 is summarized in the following tables. Attachment A contains Warrants while Table 2 is a summary of the wire transfers.

Table 1: *Warrant Distribution Summary*		
Description	*Check #'s*	*Amount*
General Warrants	39628 – 39756	$1,503,202.23

Table 2: *Wire Transfer Summary*		
Description	*Vendor*	*Amount*
Payroll and Taxes	US Bank	$1,391,087.65
SDI	EDD	$5,537.14
CalPERS Payment	CalPERS	$148,999.84

DISCUSSION:

Warrant requests are processed weekly based on the Fiscal Year 2023/2024 Adopted 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 Fiscal Year 2023/2024 Adopted Budget.

ALTERNATIVES:

Informational only.

ATTACHMENTS:

Register of Audited Demands

CITY OF MADERA

REGISTER OF AUDITED DEMANDS FOR BANK #1 - US BANK GENERAL ACCOUNT

July 3, 2024

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
39628	06/13/2024	WWTP	WWTP	TERRAFORM POWER, LLC.	SOLAR ELECTRIC UTILITIES 05/24	$ 36,557.73
39629	06/13/2024	ENGINEERING	ENGINEERING	ACRO SERVICE CORPORATION	TEMP SERVICES - ENGINEERING	$ 2,240.00
39630	06/13/2024	PD OPS	MEAS K - PD	HARRY D. WILSON INC.	PD - NEOTEC HELMET	$ 1,028.36
39630	06/13/2024	PD OPS	MEAS K - PD	HARRY D. WILSON INC.	BMW 1250 - OIL CHANGE	$ 342.46
39631	06/13/2024	PD OPS	MEAS K - PD	RAUL R. HERRERA JR.	POLYGRAPHS	$ 2,250.00
39632	06/13/2024	PARKS ADMIN	SPORTS PROGRAMS	J & D MANUFACTURING	FY 23/24 SPORTS PROGRAM APPAREL	$ 407.90
39633	06/13/2024	PD OPS	SUPP LAW ENF	DIEBERTS CREATIVE COPY INC	CODE ENFORCEMENT STICKERS	$ 208.35
39633	06/13/2024	PD OPS	PD OPS	DIEBERTS CREATIVE COPY INC	BUSINESS CARDS - PD	$ 37.89
39634	06/13/2024	PD OPS	PD OPS	TIM J LAW	EMPLOYMENT BACKGROUND	$ 800.00
39635	06/13/2024	INFO SERVICES	COMPUTER MAINT	ZOHO CORPORATION	MANAGE ENGINE SOFTWARE LICENSE RENEWAL	$ 10,168.20
39636	06/13/2024	PD OPS	PD OPS	CRISCOM PUBLIC RELATIONS, INC.	GRANT RESEARCH & WRITING SERVICES 06/24	$ 4,000.00
39637	06/13/2024	PD OPS	PD OPS	PACIFIC STORAGE COMPANY	SHREDDING SERVICES	$ 468.00
39638	06/13/2024	FLEET MAINT	FLEET MAINT	O'REILLY AUTOMOTIVE STORES, INC.	MISC REPAIR PARTS	$ 2,110.69
39638	06/13/2024	FLEET MAINT	TRANS - FIXED	O'REILLY AUTOMOTIVE STORES, INC.	MISC REPAIR PARTS	$ (427.05)
39639	06/13/2024	CITY CLERK	CENTRAL ADMIN	GENERAL LOGISTICS SYSTEMS US INC	OVERNIGHT MAIL - CITY ATTORNEY	$ 10.55
39639	06/13/2024	CITY CLERK	CITY CLERK	GENERAL LOGISTICS SYSTEMS US INC	OVERNIGHT MAIL - CITY ATTORNEY	$ 8.92
39640	06/13/2024	PD OPS	PD TIRE AMNESTY GRANT	AMERICAN TIRE RECYCLING, INC	TIRE RECYCLE TRAILER RENTAL	$ 880.00
39641	06/13/2024	PARKS ADMIN	PARKING DIST OPS	ELITE MAINT AND TREE SERVICE	GROUP 1 DOWNTOWN MAINTENANCE 06/24	$ 509.60
39641	06/13/2024	PARKS ADMIN	PARKS	ELITE MAINT AND TREE SERVICE	GROUP 2 NON-MEDIAN MAINTENANCE 06/24	$ 5,678.40
39642	06/13/2024	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 05/01/24-05/15/24	$ 1,061.00
39642	06/13/2024	FIRE	MEAS K - FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - BULK DIESEL	$ 2,927.99
39643	06/13/2024	HR/RISK MGT	HR/RISK MGT	SIJ HOLDINGS LLC	RECRUITMENT ADS	$ 2,315.75
39644	06/13/2024	HR/RISK MGT	HR/RISK MGT	ALLIANT INSURANCE SERVICES, INC.	CONSULTING SERVICES - HEALTH AND WELFARE BENEFITS	$ 3,750.00
39645	06/13/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1506	$ 48.00
39645	06/13/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #012	$ 48.00
39646	06/13/2024	GRANTS	CDBG ADMIN	CITY DATA SERVICES LLC	CDS MONTHLY MAINTENANCE - 04/24-06/24	$ 1,875.00
39647	06/13/2024	ENGINEERING	SEWER CAPITAL OUTLAY	MKN & ASSOCIATES	PROFESSIONAL ENGINEERING SVS	$ 6,774.82
39648	06/13/2024	PARKS ADMIN	AQUATICS PROGRM	CITY OF SANGER	LIFEGUARD CERTIFICATION	$ 1,610.00
39649	06/13/2024	CITY ADMIN	CITY ATTORNEY	ALESHIRE & WYNDER LLP	CONSULTING SERVICES CITY ATTORNEY SVCS	$ 64,928.50
39650	06/13/2024	PD OPS	MEAS K - PD	A PLUS SIGNS, INC.	NEON SIGNS - PD	$ 8,632.94
39651	06/13/2024	PLANNING	PLANNING	MICHAEL BAKER INTERNATIONAL, INC.	CONSULTING SERVICES - HOUSING ELEMENT	$ 20,140.00
39652	06/13/2024	INFO SERVICES	BUILDING	AMERITECH COMPUTER SERVICE, INC.	NAS SYSTEM	$ 8,657.78
39652	06/13/2024	INFO SERVICES	BUILDING	AMERITECH COMPUTER SERVICE, INC.	UPS FOR NAS SYSTEM	$ 4,650.42
39653	06/13/2024	FINANCE	CENTRAL ADMIN	AT&T	05/24 CALNET 3 SERVICE 9391026406	$ 27.58
39653	06/13/2024	FINANCE	FINANCE	AT&T	05/24 CALNET 3 SERVICE 9391026406	$ 27.58
39653	06/13/2024	FINANCE	HR/RISK MGT	AT&T	05/24 CALNET 3 SERVICE 9391026400	$ 29.12
39653	06/13/2024	FINANCE	PARKS	AT&T	05/24 CALNET 3 SERVICE 9391026412	$ 161.12
39653	06/13/2024	FINANCE	PARKS ADMIN	AT&T	05/24 CALNET 3 SERVICE 9391031580	$ 281.25
39653	06/13/2024	FINANCE	SEWER OPS	AT&T	05/24 CALNET 3 SERVICE 9391026410	$ 56.69
39653	06/13/2024	FINANCE	SR CITIZEN COMM	AT&T	05/24 CALNET 3 SERVICE 9391026415	$ 66.49
39653	06/13/2024	FINANCE	WWTP	AT&T	05/24 CALNET 3 SERVICE 9391026405	$ 29.12
39653	06/13/2024	FINANCE	WWTP	AT&T	05/24 CALNET 3 SERVICE 9391026417	$ 37.95

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
39653	06/13/2024	FINANCE	PD OPS	AT&T	05/24 CALNET 3 SERVICE 9391026409	$ 29.53
39653	06/13/2024	FINANCE	PD OPS	AT&T	05/24 CALNET 3 SERVICE 9391026414	$ 367.77
39653	06/13/2024	PD OPS	PD OPS	AT&T	05/24 CALNET 3 SERVICE 9391064552	$ 286.21
39654	06/13/2024	PD OPS	SUPP LAW ENF	CA DEPARTMENT OF JUSTICE	BLOOD ALCOHOL ANALYSIS 04/24	$ 1,365.00
39654	06/13/2024	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES 04/24	$ 644.00
39654	06/13/2024	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES 01/24-03/24	$ 1,876.98
39655	06/13/2024	PD OPS	MEAS K - PD	CALIFORNIA FORENSIC INSTITUTE	PRE-EMPLOYMENT EXAM	$ 732.25
39655	06/13/2024	PD OPS	PD OPS	CALIFORNIA FORENSIC INSTITUTE	PRE-EMPLOYMENT EXAM	$ 167.75
39656	06/13/2024	HR/RISK MGT	HR/RISK MGT	OCCUPATIONAL HEALTH CENTERS OF CA, A MEDIC	PRE-EMPLOYMENT SERVICES	$ 1,499.00
39657	06/13/2024	INFO SERVICES	HR/RISK MGT	DELL COMPUTER CORPORATION	HR MONITOR SET UP	$ 4,691.32
39658	06/13/2024	ENGINEERING	ENGINEERING	DIAMOND COMMUNICATIONS	ALARM MONITORING - ENG	$ 180.00
39658	06/13/2024	PARKS ADMIN	COMM & REC	DIAMOND COMMUNICATIONS	FIRE ALARM MONITORING - PANAM	$ 72.00
39658	06/13/2024	PARKS ADMIN	COMM & REC	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - FBSC	$ 213.00
39659	06/13/2024	PD OPS	PD OPS	FRESNO CITY COLLEGE	REGISTRATION FEE - LAWS OF ARREST	$ 82.00
39659	06/13/2024	PD OPS	PD OPS	FRESNO CITY COLLEGE	REGISTRATION FEE - DISPATCHER	$ 337.00
39660	06/13/2024	FLEET MAINT	TRANS - DAR	J'S COMMUNICATIONS	RADIO ACCESSORIES	$ 90.97
39661	06/13/2024	PARKS ADMIN	AQUATICS PROGRM	CHARLES LUECKER, AUTHORIZED SIGNER	CHLORINE FOR POOL	$ 1,589.27
39662	06/13/2024	CITY CLERK	CITY CLERK	MADERA TRIBUNE	PUBLIC HEARING NOTICE	$ 448.50
39662	06/13/2024	CITY CLERK	CITY CLERK	MADERA TRIBUNE	PUBLICATION OF ORDINANCE - 1009 CS	$ 338.00
39662	06/13/2024	HR/RISK MGT	HR/RISK MGT	MADERA TRIBUNE	RECRUITMENT ADS	$ 114.00
39663	06/13/2024	PARKS ADMIN	AQUATICS PROGRM	MAMMOTH OXYGEN	CO2 FOR POOL	$ 111.60
39664	06/13/2024	FIRE	MEAS K - FIRE	MOTOROLA SOLUTIONS INC.	CDF - RADIOS FOR E-57	$ 2,577.18
39665	06/13/2024	ENGINEERING	LTF - STREETS	NATIONAL DATA & SURVEYING SERVICES	TRAFFIC COUNTS - PINE/26 & PECAN	$ 1,505.00
39666	06/13/2024	PD OPS	PD OPS	OCCU-MED, LTD.	EXAM SERVICES	$ 1,254.00
39667	06/13/2024	ENGINEERING	AFFORDABLE HOUSING	O'DELL ENGINEERING, INC.	ENG DESIGN SERVICES 04/24	$ 2,948.50
39667	06/13/2024	PARKS ADMIN	PROP 68 GRANT	O'DELL ENGINEERING, INC.	PROP 68 - OLIVE/TAUBERT PARK	$ 3,468.75
39667	06/13/2024	PARKS ADMIN	SPECIAL LEGISLATIVE GRANT	O'DELL ENGINEERING, INC.	LTC TRAIL & PARK IMPROVEMENTS	$ 3,831.64
39668	06/13/2024	GRANTS	CDBG ADMIN	ODP BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES - TRANSIT	$ 39.77
39668	06/13/2024	GRANTS	TRANS - FIXED	ODP BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES - TRANSIT	$ 55.35
39669	06/13/2024	BUILDING	BUILDING	ODP BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES - BUILDING	$ 1,731.16
39669	06/13/2024	GRANTS	GRANT OVERSIGHT	ODP BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES - TRANSIT	$ 3.18
39670	06/13/2024	PD OPS	PD OPS	PECK'S PRINTERY	PD - SELF INKING STAMPS	$ 132.23
39671	06/13/2024	FIRE	MEAS K - FIRE	ROSENBALM ROCKERY	CDF - STABILIZER	$ 2,901.88
39672	06/13/2024	PD OPS	SUPP LAW ENF	SJVAPCD	C7487 AIR QUALITY PERMITS - PD	$ 137.00
39672	06/13/2024	PD OPS	PD OPS	SJVAPCD	C7487 AIR QUALITY PERMITS - PD	$ 440.00
39673	06/13/2024	PARKS ADMIN	CCLP GRANT	SEAL RITE PAVING	CCLGP MCCULLOUGH RIVER TRAIL RESTORATION	$ 12,627.22
39674	06/13/2024	ENGINEERING	ENGINEERING	SPARKLETTS	ENG - DRINKING WATER	$ 83.91
39674	06/13/2024	WWTP	WWTP	SPARKLETTS	WWTP - LAB & DRINKING WATER	$ 115.59
39675	06/13/2024	WWTP	SEWER CAPITAL OUTLAY	STANTEC CONSULTING SERVICES INC.	PROFESSIONAL ENGINEERING SVS	$ 394.50
39676	06/13/2024	PARKS ADMIN	COMM & REC	TK ELEVATOR CORPORATION	YC ELEVATOR MAINTENANCE	$ 315.17
39677	06/13/2024	FLEET MAINT	FLEET MAINT	TORRES BODY SHOP	CDF #6802 REPAIRS	$ 18,000.00
39678	06/13/2024	FINANCE	GENERAL FUND	US BANK CORPORATE PAYMENT SYSTEMS	SERVICES FOR PERIOD 0201/24-04/30/24	$ 625.00
39679	06/13/2024	GRANTS	INTERMODAL BLDG	VILLA GARDENING SERVICE INC	LAWN SERVICE - 05/24	$ 500.00
39680	06/13/2024	PARKS ADMIN	PARKS	OTP- PARKS REFUNDS	CANCELLATION REIMBUREMENT	$ 122.50
39681	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 5784007	$ 117.59

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
39682	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB 9923068 308 E SOUTH	$ 246.51
39683	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 3222003	$ 138.09
39684	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9898394	$ 404.25
39685	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9915105	$ 149.34
39686	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9902063	$ 257.58
39687	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9920376	$ 230.88
39688	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9890935	$ 394.91
39689	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB 10000687 1538 CONCORD	$ 126.46
39690	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 8813006	$ 137.41
39691	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9926456	$ 134.60
39692	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9901510	$ 138.35
39693	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9924380	$ 134.79
39694	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9910365	$ 80.02
39695	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9918913	$ 17.45
39696	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB 9916606 414 N G	$ 507.16
39697	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 10000713	$ 88.28
39698	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9926373	$ 56.95
39699	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9189451	$ 89.10
39700	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9923881	$ 124.76
39701	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9922462	$ 329.38
39702	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 10000578	$ 136.10
39703	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REUND 9926391	$ 7.28
39704	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9925515	$ 236.04
39705	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB 6930101 1686 JEFFERSON	$ 106.63
39706	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 8542001	$ 136.21
39707	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9922680	$ 112.24
39708	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9924423	$ 131.96
39709	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9900659	$ 121.74
39710	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9924186	$ 140.00
39711	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 10000065	$ 36.85
39712	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 3892009	$ 38.75
39713	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 10000336	$ 48.48
39714	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9908368	$ 128.45
39715	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9921451	$ 16.28
39716	06/13/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9925841	$ 96.48
39717	06/18/2024	ENGINEERING	CDBG PUB IMPR	DAVID J. BOYLE	ENG - FRONT COUNTER REMODEL PROJECT	$ 2,883.44
39717	06/18/2024	ENGINEERING	ENGINEERING	DAVID J. BOYLE	ENG - FRONT COUNTER REMODEL PROJECT	$ 2,265.56
39718	06/18/2024	PARKS ADMIN	PARKS	DAVE BANG ASSOCIATES, INC. OF CALIFORNIA	PARKS MAINTENANCE EQUIPMENT	$ 3,898.97
39719	06/18/2024	PARKS ADMIN	PARKS ADMIN	GLOBAL PAYMENTS, INC	SUBSCRIPTION - ACTIVE NET PARKS	$ 1,333.33
39720	06/18/2024	GRANTS	TRANS - FIXED	MV TRANSPORTATION, INC.	TRANSIT OPERATOR 05/24	$ 120,983.34
39720	06/18/2024	GRANTS	TRANS - DAR	MV TRANSPORTATION, INC.	TRANSIT OPERATOR 05/24	$ 70,227.92
39721	06/18/2024	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 05/16/24-05/31/24	$ 1,074.74
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1010	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #618	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #380	$ 48.00

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1004	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1510	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #397	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1006	$ 48.00
39722	06/18/2024	FLEET MAINT	FLEET MAINT	ADVANCED AUTOMOTIVE LLC	SMOG CHECK - #1516	$ 48.00
39723	06/18/2024	STREET CLEANING	STREET CLEANING	LACAL EQUIPMENT INC	SWEEPER BROOMS	$ 2,763.57
39724	06/18/2024	ENGINEERING	ENGINEERING	PLAN IT SOFTWARE LLC	CIP SOFTWARE RENEWAL	$ 1,825.00
39725	06/18/2024	ENGINEERING	PD PARKING LOT RESURFACING	TERRA WEST CONSTRUCTION INCORPORATED	PARKING LOT - PD	$ 44,809.60
39726	06/18/2024	STREETS	STREETS	INTERNATIONAL COATINGS COMPANY, INC.	TRAFFIC PAINT	$ 54,542.97
39727	06/18/2024	INFO SERVICES	COMPUTER MAINT	HP INC.	REPLACEMENT COMPUTERS	$ 14,433.87
39728	06/18/2024	FLEET MAINT	FLEET MAINT	GILBERT ROMERO MARTINEZ	INTERIOR PAINT - SHOP	$ 12,000.00
39729	06/18/2024	ENGINEERING	WATER CAPITAL OUTLAY	PLACER TITLE COMPANY	ESCROW - 16564 N LAKE ST 038-030-028	$ 217,000.00
39730	06/18/2024	ENGINEERING	WATER CAPITAL OUTLAY	PLACER TITLE COMPANY	ESCROW - 16564 N LAKE ST 038-030-028	$ 5,000.00
39731	06/18/2024	WATER QUALITY	WATER QUALITY CONTROL	DELLAVALLE LABORATORY,INC.	WEEKLY SAMPLING	$ 608.00
39731	06/18/2024	WATER QUALITY	WATER QUALITY CONTROL	DELLAVALLE LABORATORY,INC.	MONTHLY SAMPLING	$ 512.00
39732	06/18/2024	ENGINEERING	WATER CAPITAL OUTLAY	AM CONSULTING ENGINEERS, INC.	ON-CALL W-03 & W-04 WATER MAIN UPGRADES	$ 17,080.00
39733	06/18/2024	PURCHASING	AIRPORT OPS	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 73.62
39733	06/18/2024	PURCHASING	BUILDING	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 90.74
39733	06/18/2024	PURCHASING	CITY CLERK	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.95
39733	06/18/2024	PURCHASING	ENGINEERING	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 270.63
39733	06/18/2024	PURCHASING	FINANCE	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 414.60
39733	06/18/2024	PURCHASING	HR/RISK MGT	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 74.43
39733	06/18/2024	PURCHASING	PARKS ADMIN	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 167.79
39733	06/18/2024	PURCHASING	PLANNING	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 81.19
39733	06/18/2024	PURCHASING	SEWER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.14
39733	06/18/2024	PURCHASING	SOLID WASTE	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.14
39733	06/18/2024	PURCHASING	TRANS - FIXED	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.95
39733	06/18/2024	PURCHASING	TRANS - DAR	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.95
39733	06/18/2024	PURCHASING	WATER OPS	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 41.14
39733	06/18/2024	PURCHASING	WATER QUALITY CONTROL	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 113.66
39733	06/18/2024	PURCHASING	WWTP	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 189.19
39733	06/18/2024	PURCHASING	PD OPS	CANON FINANCIAL SERVICES	COPIER LEASE 03/24	$ 235.93
39733	06/18/2024	PURCHASING	PD OPS	CANON FINANCIAL SERVICES	MPD COPIER 03/24	$ 425.26
39734	06/18/2024	GRANTS	CDBG PUBLIC SVC	COMMUNITY ACTION PRTNRSHP OF MADERA	CDBG FY 23/24 Q3 CV3	$ 1,080.68
39735	06/18/2024	FLEET MAINT	TRANS - FIXED	CREATIVE BUS SALES, INC.	BARRIER KIT	$ 5,005.49
39736	06/18/2024	FLEET MAINT	FLEET MAINT	CUMMINS PACIFIC LLC	REPAIRS - #3005	$ 2,924.62
39737	06/18/2024	ENGINEERING	ENGINEERING	DIAMOND COMMUNICATIONS	SERVICE CALL - ENG	$ 174.50
39738	06/18/2024	GRANTS	CDBG PUBLIC SVC	ECONOMIC DEVELOPMENT COMMISSION	EDC CV ADMIN 08/2020-08/2023	$ 6,000.00
39739	06/18/2024	GRANTS	INTERMODAL BLDG	GUARDIAN WESTERN SWEEPING INC.	06/24 POWER SWEEPING	$ 402.50
39739	06/18/2024	GRANTS	PARKING DIST OPS	GUARDIAN WESTERN SWEEPING INC.	06/24 POWER SWEEPING	$ 402.50
39740	06/18/2024	GRANTS	INTERMODAL BLDG	CITY OF MADERA	06/24 UTILITY SERVICES 3040421-500276	$ 50.51
39740	06/18/2024	GRANTS	INTERMODAL BLDG	CITY OF MADERA	06/24 UTILITY SERVICES 3040431-500276	$ 87.19
39740	06/18/2024	GRANTS	INTERMODAL BLDG	CITY OF MADERA	06/24 UTILITY SERVICES 3040441-500276	$ 59.31
39741	06/18/2024	GRANTS	PERMANENT LOCAL HOUSING ALLOCA	MADERA RESCUE MISSION, INC.	PLHA INVOICE 05/2024	$ 7,307.10
39742	06/18/2024	PARKS ADMIN	AQUATICS PROGRM	MAMMOTH OXYGEN	CO2 FOR POOL	$ 267.92

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION		AMOUNT
39743	06/18/2024	FACILITIES	PARKS	MUSCO SPORTS LIGHTING, LLC	REPAIR - SKATE PARK LIGHTS	$	692.03
39744	06/18/2024	FLEET MAINT	FLEET MAINT	NAPA MADERA MOTOR PARTS	PARTS WASHER	$	2,434.54
39745	06/18/2024	WATER QUALITY	WATER QUALITY CONTROL	PROVOST & PRITCHARD CONSULTING	PROFESSIONAL SVS	$	1,000.00
39746	06/18/2024	FACILITIES	SEWER OPS	SJVAPCD	AIR QUALITY PERMIT - FAIR GROUNDS	$	98.00
39746	06/18/2024	FACILITIES	SEWER OPS	SJVAPCD	AIR QUALITY PERMIT - SOUTH STREET LIFT	$	98.00
39746	06/18/2024	FACILITIES	WATER OPS	SJVAPCD	AIR QUALITY PERMIT - WELL #18	$	577.00
39747	06/18/2024	STREETS	STREETS	SEAL RITE PAVING	ASPHALT PAVING/PATCHING	$	150,608.52
39748	06/18/2024	FLEET MAINT	FLEET MAINT	TORRES BODY SHOP	#1527 REPAIRS	$	7,606.52
39749	06/18/2024	PARKS ADMIN	PARKS	WEST COAST ARBORISTS, INC.	CITY WIDE TREE TRIMMING	$	41,400.00
39750	06/18/2024	PARKS ADMIN	SR CITIZEN COMM	OTP - FINANCE	CONTRACTED SERVICES - AGING	$	240.00
39751	06/18/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9893910	$	151.24
39752	06/18/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9926199	$	107.94
39753	06/18/2024	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 9915634	$	109.02
39754	06/18/2024	FINANCE	WATER UTILITY	OTP- UB REFUNDS	UB CREDIT REFUND - 9913570-552512	$	2,593.99
39755	06/21/2024	PD OPS	PD OPS	ADAMS, MARK	PER DIEM - POST MANAGEMENT COURSE #3	$	327.75
39756	06/21/2024	PD OPS	PD OPS	GONZALEZ, FELIX	PER DIEM - POST MANAGEMENT COURSE #3	$	351.50
492	06/11/2024	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 06/11/2024	$	524.36
493	06/10/2024	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	SECTION 125 PLAN YEAR FEE & PARTICIPANT FEE	$	120.00
494	06/10/2024	FINANCE	PAYROLL TRUST	NPC-ORCHARD TRUST COMPANY	PLAN #340227-01 FOR 06/07/2024	$	13,730.00
495	06/10/2024	FINANCE	PAYROLL TRUST	NPC-ORCHARD TRUST COMPANY	PLAN #340227-02 FOR 06/07/2024	$	2,737.12
496	06/17/2024	HR/RISK MGT	CITY CLERK	EMPLOYEE BENEFIT SPECIALISTS, INC.	BENEFIT PREMIUMS 06/24	$	966.00
496	06/17/2024	HR/RISK MGT	PAYROLL TRUST	EMPLOYEE BENEFIT SPECIALISTS, INC.	BENEFIT PREMIUMS 06/24	$	404,641.07
496	06/17/2024	HR/RISK MGT	PD OPS	EMPLOYEE BENEFIT SPECIALISTS, INC.	BENEFIT PREMIUMS 06/24	$	1,566.00
497	06/18/2024	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 06/18/2024	$	886.56
			BANK #1 - US BANK GENERAL ACCOUNT TOTAL			**$**	**1,503,202.23**

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, Department Director

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-3

SUBJECT:

Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2024/25.

RECOMMENDATION:

Adopt a Resolution Approving the Applications for TDA – LTF and STA Funds for Fiscal Year (FY) 2024/25 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC).

SUMMARY:

The TDA-LTF and STA applications describe the proposed expenditures for the MCTC approved allocation of TDA funds for FY 2024/25. The proposed expenditures have been outlined in the Draft Capital Improvement Program for FY 2024/25 – 2028/29. City staff recommends the proposed expenditures and will include them in the proposed FY 2024/25 City Budget.

DISCUSSION:

The TDA provides two major sources of funding for public transportation. These funds are for the development and support of public transportation needs that exist in California and are allocated to areas of each county based on population, taxable sales, and transit performance. Some counties have the option of using LTF for local streets and road projects if they can illustrate there are no unmet transit needs.

The TDA funding sources are identified as follows:

1. LTF derived from a ¼ cent of the general sales tax collected statewide. LTF is used for transportation related services such as transit, street construction, active transportation (bicycles/pedestrians), program planning, and administration.

2. STA are derived from the statewide sales tax on diesel fuel. STA is limited to transit-related programs only.

The purpose and priority of the TDA is to provide funding for public transportation. Historically, the City has availed itself of its ability to utilize LTF for the purposes of assisting in other transportation needs, road improvements, and support of transportation-related activities within the Engineering Division.

Local agencies are required to submit applications for LTF and STA funds annually for approval by the MCTC Board. These applications describe the intended use of the funds and require Council approval. The LTF application will also be brought back to Council for amendment once the carryover balance from the previous fiscal year is validated with MCTC.

The STA and LTF applications are prepared for funds apportioned to the City of Madera, County of Madera, and City of Chowchilla based on population pursuant to the TDA. Changes to these applications by the local agency can be made through an amended application at any time. The applications are prepared to reflect the proposed expenditures for the coming fiscal year.

The STA proposed allocation of $803,918 for FY 2024/25 must be used for transit-related programs only. Therefore, the funds are programmed as outlined in Table 1.

Table 1*: State Transit Assistance funds allocation for Fiscal Year 2024/25*

Service	*Amount*
Madera Metro/Fixed Route/Intermodal Operations	$753,918
Transit Related Capital Expenses	$50,000
TOTAL	**$803,918**

The STA allocation for FY 2024/25 has decreased by $21,213 from FY 2023/24.

As outlined in Public Utilities Code (PUC) Section 99233, LTF is allocated in a specific priority order. LTF are programmed first for transit services based on the premise that the unmet transit needs process has been prepared and conducted by the MCTC and operational needs determined by City staff. Resolution 24-05 of the MCTC adopted on May 29, 2024 found there are no unmet transit needs that are reasonable to meet in FY 2024/25 within the jurisdiction of the City of Madera. Although there are no unmet transit needs this fiscal year, LTF funds are being utilized as part of the transit operating budget.

After allocating the amounts needed for transit, two percent for Bicycle and Pedestrian facilities and projects, and three percent for MCTC Transportation Planning and Programming, the remaining LTF are typically programmed for street construction and maintenance projects that are identified in the City's CIP to include planning, acquisition of real property, construction of facilities, and administration.

The LTF allocation to the City in the amount of $2,870,236 for FY 2024/25 must be used for transportation related services such as transit, street construction, multi-modal/active transportation, program planning, and administration. Projects in the CIP for the City have been created and approved by Council for the use of these funds. The LTF allocation for FY 2024/25 is $236,448 less than the FY 2023/24 allocation. This drop is due to not only a one-time excess payment that was received last year, but also LTF revenues that came in less than projected.

The distribution of LTF shown on the application are outlined in Table 2:

Table 2: *Local Transportation Funds*

Service	*Amount*
Transit Services & Capital Outlay	$357,475
Bicycle/Pedestrian Facilities	$57,405
Transportation Planning (MCTC)	$86,107
Streets and Roads	$1,983,817
TOTAL	**$2,484,804**

As part of previous application expenditure reviews, staff identified a concern relative to the ongoing stability of previously adhered practices in relation to planning for the use of available LTF funding. As mentioned in prior staff reports, LTF expenditures towards transit activities had been increasing, largely due to a decline in STA funds. This led staff to the conclusion that certain engineering activities and projects, currently funded by LTF funds, may need to be reduced in the coming years, or receive funding from a different funding source. At present, staff does not explicitly account for these declines beyond illustrating the anticipated future funding in the CIP when planning for future projects.

Transit is currently in the process of using funds from various sources, such as Low Carbon Transit Operations Program (LCTOP), fuel taxes from the SB-1 State of Good Repair program, as well as an Affordable Housing & Sustainable Communities grant. As these funds are expended, Transit's need for additional LTF funds may increase in the future

FINANCIAL IMPACT:

For this cycle and near term, the next several cycles, there are no identified impacts to the General Fund.

ALTERNATIVES:

There are no explicit alternatives that staff has identified though staff appreciates any direction from Council on how to better utilize available funds.

ATTACHMENTS:

1. Resolution
   Exhibit A – Application

Attachment 1

Resolution

RESOLUTION NO 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT (TDA) – LOCAL TRANSPORTATION FUNDS (LTF) AND STATE TRANSIT ASSISTANCE (STA) FUNDS FOR FISCAL YEAR (FY) 2024/25 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE AND SUBMIT THE APPLICATIONS TO MADERA COUNTY TRANSPORTATION COMMISSION (MCTC)

WHEREAS, the Transportation Development Act (TDA) – Local Transportation Fund and State Transit Assistance (STA) funds are annually allocated by Madera County Transportation Commission (MCTC) pursuant to the TDA; and

WHEREAS, the City of Madera prepares the applications outlining the intended uses for the LTF and STA funds each year and the applications may be amended as needed; and

WHEREAS, the LTF and STA fund applications for FY 2024/25 that describe the intended uses of these funds have been submitted to Council for review and approval.

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

1. The above recitals are true and correct.

2. The FY 2024/25 applications for TDA – LTF and STA funds as allocated to the City of Madera by MCTC are attached hereto as Exhibit A and incorporated herein by reference, as needed for the City of Madera to receive TDA – LTF and STA funds.

3. The applications are hereby approved.

4. The City Engineer is authorized to execute the applications and submit to MCTC.

5. This resolution is effective immediately upon adoption.

* * * * * * * *

Exhibit A

Applications

MADERA COUNTY TRANSPORTATION COMMISSION

TRANSPORTATION DEVELOPMENT ACT APPLICATION SUMMARY - FORM A

(All claimants must complete this document)

Line				
1	Project Year (FY)	2024-25		
2	Claimant	City of Madera		
3	Address	205 W. Fourth Street		
4	Contact Person	Nicole Say	Title	Administrative Analyst
5	Telephone Number	559-661-3688		

6 The above named claimant hereby applies for allocations of Transportation Development Act funds for FY 2024-25 for the purposes and in the amount(s) specified below:

	Purpose		
	Local Transportation Fund		
7	Regional Transportation Planning (PUC 99262 & 99402)	$	86,107.00
8	Pedestrian & Bikeway Facilities (PUC 99234)	$	57,405.00
9	Article 4 Transit (PUC 99260)	$	-
10	Article 4.5 Community Transit (PUC 99275)		
11	Article 8a Streets & Roads (PUC 99400a)	$	1,983,817.00
12	Article 8b Rail (PUC 99400b)		
13	Article 8c Transit Contracts (PUC 99400c)	$	357,475.00
14	**TOTAL LTF**	**$**	**2,484,804.00**
	State Transit Assistance		
15	Transportation Planning	$	-
16	Mass Transportation	$	803,918.00
17	**TOTAL STA**	**$**	**803,918.00**
18	TOTAL TRANSPORTATION DEVELOPMENT ACT APPLICATION *(add lines 14 and 17)*	**$**	**3,288,722.00**

Claimant acknowledges that payment by the County Auditor of an allocation made by MCTC is subject to such monies being on hand and available for distribution and to the provision that such moneys be used only in accordance with the terms of the allocation instruction issued by MCTC.

19	By:	Nicole Say
20	Title:	Administrative Analyst
21	Date:	6/24/2024

I hereby attest to the reasonableness and accuracy of the financial statements included in Documents D, E, & F. (Sec. 6632)

22	Signed:	Michael Lima
23	Name:	Mike Lima
24	Title:	Director of Finance

Reference: CCR Section 6630

Approved by MCTC:

Authorized Official Date

FORM A

MADERA COUNTY TRANSPORTATION COMMISSION

Application for Transportation Development Act Funds - **Form A.1**

Local Transportation Fund (LTF)

Fiscal Year 2024-25

Applicant Agency and Project Manager:

City of Madera - Nicole Say

This form is to be used when making an application to use LTF funds for Public Transportation Services, Transportation Planning Services, Pedestrian and Bicycle Facility Construction, and Street and Road Projects. All projects submitted must be included in the Regional Transportation Plan. MCTC is required to make a finding that "No unmet public transportation needs exist" in the county before this application can be approved.

FUNDING REQUEST:

Transportation Services, Section 99260 (Article 4):

1. Name of Service:		$
2. Name of Service:		$
	TOTAL:	$ -

Transportation Services, Section 99400 (b,c,d) (Article 8):

1. Name of Service, Contractor:	Madera Metro, Dial-A-Ride, Fixed Route Ops	$ 357,475.00
2. Name of Service, Contractor:		$
3. Name of Service, Contractor:		$
4. Name of Service, Contractor:		$
	TOTAL:	$ 357,475.00

Pedestrian and Bicycle Facilities, Section 99234 (Article 3):

Project Name, if applicable

1.	Bike Programs	$ 57,405.00
2.		$
3.		$
	TOTAL:	$ 57,405.00

Transportation Planning Services, Section 99402 (Article 8):

MCTC regional transportation planning activities on behalf of member agencies	$	86,107.00
Local Agency transportation planning activities (or Contracted Services)	$	
Additional planning project or contracted transportation planning work	$	
TOTAL:	$	86,107.00

Street and Road Projects, Section 99402 (Article 8):

Article 8 Funds Requested for Street & Road Projects	$	1,983,817.00
GRAND TOTAL:	$	**2,484,804.00**

Submitted By:

Keith Helmuth, City Engineer

Jun 24, 2024

Date

Approved by MCTC:

Authorized Official Date

Note:

TDA funds may be used to cover actual expenses during the fiscal year of the application only. Should carryover funds occur, MCTC should be notified

MADERA COUNTY TRANSPORTATION COMMISSION

Application for Transportation Development Act Funds **- Form A.2**

State Transit Assistance (STA)

Fiscal Year 2024-25

Applicant Agency and Project Manager:

This form is to be used when making an application to use STA funds for Transportation Services and Transportation Planning. All projects submitted must be included in the Regional Transportation Plan.

FUNDING REQUEST:

Transportation Services:

1. Name of Service, Contractor:	Madera Metro, Dial-A-Ride, Intermodel, Transit Center	$ 753,918.00
2. Name of Service, Contractor:	Madera Metro, Fixed Route, Intermodal Capital Improvements	$ 50,000.00
3. Name of Service, Contractor:		$
4. Name of Service, Contractor:		$
5. Name of Service, Contractor:		$
	TOTAL:	$ 803,918.00

Transportation Planning Services:

MCTC transit planning activities on behalf of member agencies.		$
Local Agency transportation planning activities (or Contract Services)		$
Additional planning project or contracted transportation planning work		$
	TOTAL:	$ -

SUMMARY of PROPOSED EXPENDITURES

Transportation Services	$ 803,918.00
Transportation Planning Services	$ -
GRAND TOTAL:	$ 803,918.00

Submitted By:

Keith Helmuth, City Engineer — Jun 24, 2024 (Date)

Approved by MCTC:

Authorized Official — Date

Note:
TDA funds may be used to cover actual expenses during the fiscal year of the application only. Should carryover funds occur, MCTC should be notified

PROPOSED OPERATING BUDGET
(All transit claimants must complete this document)

Transit System **Madera Metro**

Line			Prior Year (FY)	Project Year (FY)
1	Budget Year		2024	2025
2	Total Eligible Operating Cost		$ 3,000,000.00	$ 3,515,848.00
3	Estimated Fares		$ 80,000.00	$ 30,000.00
4	Operating Deficit (subtract Line 3 from Line 2)		$ (2,920,000.00)	$ (3,485,848.00)
	Other Operating Revenues			
5	Local Taxes			
6	Local Transportation Fund		$ 742,907.00	**$ 312,475.00**
7	LTF Balance from Prior Year			
8	State Transit Assistance Fund		$ 757,090.00	**$ 753,918.00**
9	Federal Operating Assistance		$ 1,500,000.00	**$ 1,757,924.00**
10	Measure T			
11	Other (specify):	LCTOP: Free/Reduced Fares		**$ 134,487.00**
12	Other (specify):	LCTOP: Operations		**$ 527,044.00**
13	Other (specify):			
14	Net Surplus/(Deficit) (add Lines 5-13 to Line 4)		$ 79,997.00	$ -

Footnotes

Reference: CCR Section 6632

PROPOSED CAPITAL BUDGET
(All transit claimants must complete this document)

Line			Prior Year (FY)	Project Year (FY)
15	Budget Year		2024	2025
	Capital Expenditures (Itemize by Project)			
16	Vehicles & Equipment		$ 340,039.00	$ -
17	Facilities/Impr./Construction/Infrastructure		$ 910,000.00	$ 717,928.00
18	Preventative Maintenace		$ 207,731.00	$ 154,530.00
19	Fixed Route Amenities Improvements		$ 293,000.00	$ 214,257.00
20				
21				
22				
23				
24	**Total Capital Expenditures** (Add Lines 16-23)		$ 1,750,770.00	$ 1,086,715.00
	Capital Revenues			
25	Local Taxes			
26	Local Transportation Fund (LTF)			$ 45,000.00
28	LTF Balance from Prior Year			
29	State Transit Assistance Fund (STAF)		$ 49,007.00	$ 50,000.00
30	STAF Balance from Prior Year			
31	Federal Capital Assistance		$ 244,912.00	
32	Other (specify):	LCTOP: Vehicle Purchase	$ 552,907.00	$ 232,539.00
33	Other (specify):	SB1 - State of Good Repair	$ 214,257.00	$ 191,702.00
34	Other (specify):	AHSC Grant	$ 590,000.00	$ 568,000.00
35	Other (specify):			
36	**Total Capital Revenues** (add Lines 25-35)		$ 1,651,083.00	$ 1,087,241.00
37	**Net Surplus/(Deficit)** (subtract Line 36 from Line 24)		$ (99,687.00)	$ 526.00

PROJECT DESCRIPTION & REGIONAL TRANSPORTATION PLAN CONFORMITY
(All claimants must complete this document)

Complete sections for ***every article*** under which you are applying for TDA funds.

ARTICLE 3 BIKE/PED

Describe how you plan to use LTF Article 3 Bike/Ped funds. Include, as applicable, location, type of bike facility, length of project (if bike lane), construction start date, and expected date of opening.

Bike/Ped funds will be used for existing bicycle and pedestrian facilities on a yearly basis. A portion of these funds will support the costs for the construction and maintenance of Class I, II and Ill bikeways and pedestrian facilities. Construction dates occurs during the year.

List the corresponding RTP project and/or page numbers.

List the corresponding local bicycle plan project and/or page numbers.

ARTICLE 4 TRANSIT

Describe how you plan to use LTF Article 4 Transit funds. Include, as applicable, type of project, construction start date, expected date of opening.

LTF Article 4 Funds will be used as the required 50% local match to cover the transit operation expenses of the operator while providing transit services to the public.

List the corresponding RTP project and/or page numbers.

ARTICLE 4.5 COMMUNITY TRANSIT SERVICES

Describe how you plan to use LTF Article 4.5 CTSA funds. Include, as applicable, type of project, construction start date, expected date of opening.

List the corresponding RTP project and/or page numbers.

ARTICLE 8(c) TRANSIT

Describe how you plan to use LTF Article 8 Transit funds. Include, as applicable, type of project, construction start date, expected date of opening.

LTF Article 8 funds will be used for ongoing transit services to provide Dial-A-Ride (ADA/Paratransit Services), Fixed Route, Madera Transit Center, and the Madera Intermodal Transit Center. Funds will also be used as a local match requirement for all Federal grants in the areas of Capital Improvements, Vehicle Procurement, Operation Assistance, and Preventation Maintenance.

List the corresponding RTP project and/or page numbers.

ARTICLE 8(b) RAIL

Describe how you plan to use LTF Article 8 Rail funds. Include, as applicable, type of project, construction start date, expected date of opening.

List the corresponding RTP project and/or page numbers.

ARTICLE 8(a) STREETS AND ROADS

Describe how you plan to use LTF Article 8 Streets/Roads funds. Include, as applicable, type of project, construction start date, expected date of opening.

Streets/Roads funds will be used to support the costs for planning, engineering, environmental clearance, and construction for improvements of eligible streets, concrete curb, gutter and sidewalks, concrete medians, ADA ramps and shoulder paving, Railroad approaches, Traffic Signal improvements, and Bridge rehabilitaion at various locations within the City of Madera. Construction dates vary every year and at times extends to more than a year.

Reference: CCR Section 6651

STANDARD ASSURANCES FOR APPLICANTS – LTF
(All claimants must complete this document)
FY 2024-25

APPLICANT ASSURANCES: *Initial Each Section or Indicate N/A.*

MZ 1) Applicant certifies it has submitted a satisfactory, independent fiscal audit, with required certification statement, to MCTC and to the State Controller, pursuant to PUC 99245 and 21 CCR 6664, for the prior fiscal year (project year minus two). Applicant also assures this audit requirement will be completed for the current fiscal year (project year minus one).

Applies to all TDA claimants.

MZ 2) Applicant certifies that no more than 50% of the CTSA's operating budget for the year came from LTF. Applicant also certifies that its fiscal audit contains verification of this limitation.

Applies to Article 4.5 (CTSAs)

MZ 3) Applicant certifies it has submitted an annual report, documenting agency operations, in conformance with the uniform system of accounts and records, to MCTC and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Applicant also assures this report will be completed for the current fiscal year (project year minus one).

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 4) Applicant certifies it has submitted an annual report, regarding expenditure of funds received, to the State Controller, pursuant to 21 CCR 6665, for the prior year (project year minus two). Applicant also assures this report will be completed for the current fiscal year (project year minus one).
Applies to Articles 3 (bike/ped) and 8 (streets/roads)

5) Applicant certifies that (initial one):
MZ a) the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system (PUC 99271(a)); or
_____ b) the operator is implementing a plan approved by MCTC which will fully fund the retirement system for such officers and employees within 40 years (PUC 99271(a)); or
_____ c) the operator has a private pension plan which sets aside and invests, on a current basis, funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in PUC 99272 and 99273.
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 6) Applicant certifies that, pursuant to PUC 99264, it does not routinely staff, with two or more persons, a vehicle for public transportation purposes designed to be operated by one person.

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 7) Applicant certifies that the transit operator's operating budget has not increased more than 15% over the preceding year, and does not include a substantial increase or decrease in scope of operations or capital budget provisions for major new fixed facilities. ***If the budget does include such changes, documentation is attached*** that identifies and substantiates the reason and need for the changes, pursuant to PUC 99266, CCR 6632(b). E.g., if there is a substantial change between the capital expenditures proposed in this application and those described in the Short Range Transit Development Plan (TDP), the applicant must provide a statement that substantiates the need for this change.

ATTACHMENTS MAY BE REQUIRED
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 8) Applicant certifies that ***attached is certification from the Department of California Highway Patrol*** (CHP), completed within the last 13 months, that indicates the operator is in compliance with Section 1808.1 of the Vehicle Code. Section 1808.1 of the Vehicle Code requires, among other things, that operators participate in a pull notice system for obtaining current driver records from the Department of Motor Vehicles.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 9) Applicant certifies it is in compliance with PUC 99155: if it offers reduced fares to seniors, it offers the same reduced rate to disabled persons, handicapped persons, and disabled veterans, and it honors the federal Medicare card for identification to receive reduced fares.

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 10) Applicant certifies it is in compliance with PUC 99155.5: dial-a-ride and paratransit services are accessible to handicapped persons and the service is provided to persons without regard to vehicle ownership and place of residence.
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

MZ 11) Applicants that contract with another entity or entities for transit service certify that a copy of ***the contract negotiated with that entity is attached***, pursuant to CCR 6630.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit) and 8 (transit)

MZ 12) Applicant certifies that ***attached to this claim is an operations plan and budget*** that describes existing and proposed service, and report on progress of coordination and consolidation objectives.
ATTACHMENTS REQUIRED
Applies to Article 4.5 (CTSAs)

MZ 13) Applicant certifies that in its TDA claim, not less than 5% of the amount claimed under Article 4 will be expended for demand-response service for the elderly and individuals with disabilities.

Applies to Articles 4 (transit) in service areas without a designated CTSA

MZ 14) If MCTC has found that there are unmet transit needs that are reasonable to meet within its jurisdiction, the claimant certifies it has ***attached a summary of the actions it plans*** to take to meet the needs.
ATTACHMENTS MAY BE REQUIRED
Applies to Article 8 (streets/roads)

The undersigned hereby certifies that the above statements are true and correct.

Signature: Marcela Zuniga

Name: Marcela Zuniga

Title: Grants Administrator

Date: May 28, 2024

Operator's STA Qualifying Criteria (99314.6) - Worksheet FY 2024-25

FISCAL YEAR (Audited Data)	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
A. Operating Cost	$2,432,137	$2,393,639	$2,698,599	$3,476,119
B. Operating Cost Exclusions: (Depreciation already excluded)				
Reimbursement agreement (pass-thru)				
C. Adjusted Operating Cost (A-B)	$2,432,137	$2,393,639	$2,698,599	$3,476,119
D. Revenue Vehicle Hours (RVH)	25823	19167	15760	19886
E. RVH Exclusions: (add sheets if required)				
F. Adjusted RHV (D-E)	25823	19167	15760	19886
G. Operating Cost per RVH (C/F)	$94.18	$124.88	$171.23	$174.80
I. Operating Cost per RVH	$94.18 (W)	$124.88 (X)	$171.23 (Y)	$174.80 (Z)
H. % Change in CPI				4.29%
% Change in CPI 3 prior years (change in annual CPI between first year of first fiscal year and last year of last fiscal year)	12.89%			

Column J should reflect the most recent year for which audited data is available.

2023	323.834
2022	310.509
Change	13.325
%	4.29%

2022	310.509
2020	275.057
Change	35.452
%	12.89%

Bureau of Labor Statistics, West Region; % change (i.e., CPI for FY 2017/18 is change in annual CPI be

Efficiency Standard 1:

Z must be less than or equal to (Y)*(CPI%) [CPI% = average percentage change in the CPI%]

Z =	$174.80	Difference:	-$3.78
Y =	$178.58	Percentage:	-2.11%
[Y + Y * (CPI)] =	$178.58		

Efficiency Standard 2:

[(X + Y + Z) / 3] must be less than or equal to [(W + X + Y)/3] (3-year CPI%)

[(X + Y + Z) / 3] =	$156.97	Difference:	$10.10
[(W + X + Y) / 3] =	$130.10	Percentage:	6.88%
[(W + X + Y) / 3] + [(W + X + Y) / 3]*CPI =	$146.87		

For RTPA Use Only

Operator qualifies under:

Standard 1:	❒ Yes	❒ No
Standard 2:	❒ Yes	❒ No

REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-4

SUBJECT:

Central Valley Workers Center Fee Waiver Request for the Pan-American Community Center

RECOMMENDATION:

Adopt a Resolution waiving the rental fees of the Pan-American Community Center on July 28, 2024, related to the Madera C.A.R.E. Fair, hosted by the Central Valley Workers Center, at an anticipated fee rental of $1,380

SUMMARY:

The City received an inquiry from Central Valley Workers Center (CVWC) requesting waiving rental fees for using the Pan-American Community Center on Sunday, July 28, 2024, for a community resource fair, with usage of the facility from 9:30 am through 4:30 pm.

DISCUSSION:

For context, the request comes specifically from CVWC President, Pedro Ramirez. CVWC is a non-profit organization dedicated to supporting the community through a variety of outreach and assistance programs. CVWC has provided documentation of their 501(3)(c) status, with a determination letter from the Internal Revenue Service.

CVWC's mission is to:

> *"[P]romote economic justice through strategic support for worker organizing, community education, and engagement. We seek to maximize the capacity of labor and community organizations to advance policies to support quality job creation, ensure community health, promote shared prosperity, and increase justice for working people, including immigrant workers."*

CVWC is organizing a community resource fair, Madera C.A.R.E Resource Fair (Community Assistance & Resource Exchange), aimed at providing vital resources and support to members of the community in areas such as education, healthcare, utility assistance, and more. The event is scheduled from 11:00 am to 3:00 pm. There is an anticipated attendance of 200 people at the event.

Information shared regarding the event lists the event as having information booths, health screenings, children's activities, food and refreshments, raffles and giveaways, as well as a school backpack giveaway.

The request to waive fees for the Madera C.A.R.E. Resource Fair would alleviate using CVWC's limited budget to pay for rental fees for the event and allow for the allocation of funds towards resources directly to those in need, per information from CVWC.

In addition, the request from CWVC requests additional support:

- City's co-sponsorship of the event
- Monetary donation/grant of $5,000

Staff is respectively recommending opting out of the request for co-sponsorship, as well as providing any monetary donation/grant.

This event has been approved to take place, subject to all other applicable requirements for a special event. This includes providing acceptable rental insurance and all additional permits for vendors and merchants.

FINANCIAL IMPACT:

The applicable costs associated with the rental of the Pan-American Community Center as requested are summarized in Table 1. Costs are derived from the City of Madera Master Fee Schedule.

Table 1: *Estimated Financial Impact to the City*	
Administrative Fee	$25
Rental Charges of Gym w/out Alcohol	$770
Kitchen	$135
Special Event	$250
Deposit	$200
Total	**$1,380**

It is noted that on the day of the event, staff's role will be to open and close the facilities, and ensure that at the end of the event, the Pan-American Center is left in acceptable condition.

ALTERNATIVES:

The Council may elect to reject the fee waiver and require the event organizer to remit any associated fees for the rental of the Pan-American Park area for the event on July 28, 2024, for the Madera C.A.R.E Resource Fair, hosted by Central Valley Workers Center.

ATTACHMENTS:

1. Resolution – Waiving Rental Fees for the Pan-American Community Center on July 28, 2024, related to the Central Valley Workers Center's Madera C.A.R.E Resource Fair at an anticipated fee rental of $1,380
2. Request Letter Authored by Pedro Ramirez, President, Central Valley Workers Center

ATTACHMENT 1

Resolution Waiving Rental Fees for the Pan-American Community Center on July 28, 2024, related to the Central Valley Workers Center's Madera C.A.R.E Resource Fair at an anticipated fee rental of $1,380

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA WAIVING RENTAL FEES FOR THE PAN-AMERICAN COMMUNITY CENTER ON JULY 28, 2024, RELATED TO THE CENTRAL VALLEY WORKERS CENTER'S MADERA C.A.R.E RESOURCE FAIR AT AN ANTICIPATED FEE RENTAL OF $1,380

WHEREAS, the City has received a request for waiving of fees for the rental of Pan-American Community Center; and

WHEREAS, the date being requested is for Sunday, July 28, 2024, from 9:30 a.m. to 4:30 p.m.; and

WHEREAS, the request is for a Madera C.A.R.E Resource Fair, being planned by Central Valley Workers Center; and

WHEREAS, Central Valley Workers Center is a non-profit organization; and

WHEREAS, the fees for such an event are calculated based on the City of Madera Master Fee Schedule; and

WHEREAS, the fees for the event are calculated at $1,380; and

WHEREAS, the event organizers are still subject to providing insurance documentation for City facility rentals that meet City requirements, as well as any other special event permits as may be required.

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

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The Council finds that the waiver of fees as set forth in this resolution serves a valid public purpose in that the Madera C.A.R.E Resource Fair, planned by Central Valley Workers Center, promotes the sharing of valuable information and resources available to the residents of Madera, fosters community engagement, and supports local services.
3. The City Council does hereby waive the City fees for Rental Fees of the Pan-American Community Center on July 28, 2024, for the Madera C.A.R.E. Resource Fair, subject to confirmation of insurance.
4. This resolution is effective immediately upon adoption.

* * * * * * * *

ATTACHMENT 2

Request Letter Authored by Pedro Ramirez, President, Central Valley Workers Center

Central Valley Workers Center
633 N Van Ness Ave
Fresno, CA, 93728

To Whom It May Concern,

I am writing on behalf of the Central Valley Workers Center, a nonprofit organization dedicated to support our community through a variety of outreach and assistance programs.

We plan to host a community resource fair on July 28,2024 from 11:00 AM to 3:00 PM. The event will take place at the Pan American Community Center Gym. The primary purpose of this event is to provide vital resources and support to members of our community in areas such as education, healthcare, utility assistance, and more.

Given the significant benefits this event will provide to our community, we kindly request a waiver of any associated fees for the use of Pan American Community Center Gym. As a nonprofit organization, our budget is limited, and waiving these fees would greatly assist us in allocating our resources directly to those in need. Your support would enable us to maximize our impact and reach a broader audience with essential services.

Thank you for considering our request. We would be delighted to provide any additional information or meet with you to discuss this further.

Sincerely,

PEDRO RAMÍREZ
President / Director
Central Valley Workers Center

REPORT TO CITY COUNCIL

Approved by:

Council Meeting of: July 3, 2024

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Agenda Number: B-5

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

SUBJECT:

Pacific Gas & Electric (PG&E) Charitable Contribution Donation Program

RECOMMENDATION:

Adopt a Resolution Accepting Pacific Gas & Electric Company's Charitable Contribution Donation of $10,000 for Movies in the Park

SUMMARY:

The City submitted a charitable contribution request in June 2024 for consideration through Pacific Gas and Electric's (PG&E) Charitable Contribution Application program. PG&E generously awarded the City $10,000 to support the Movies in the Park series.

DISCUSSION:

PG&E's donation will support the annual Movies in the Park summer series at the Lions Town & Country Park. PG&E's charitable giving program is dedicated to building safer and more resilient communities. Through the charitable giving program, PG&E invests in:

- Emergency preparedness; safety and resiliency; food insecurity; and justice, equity and inclusion
- Climate resiliency; environmental stewardship; and land, air, and water quality
- STEM education, workforce development, and support for small businesses.

The eight-week series, commencing the first Friday in July, features family-friendly movies showcased on a large inflatable screen every Friday, enhancing our community events and providing enjoyable experiences for residents. Historically, the series is free, as is parking. PG&E's donation reduces the City's financial obligation, as the City must purchase a public performance

movie license from the copyright owner to screen movies. While the City also operates a concession stand, snack prices are kept at a minimum.

In recognition of their donation, the City will add PG&E's logo to promotional materials, the website, and social media communication posts.

FINANCIAL IMPACT:

The charitable contribution will reimburse the City for expenditures related to the Movies in the Park summer series, which includes per-movie licensing costs, concession stand supplies, tech and sound system, and other related items and supplies.

The Movies in the Park series expenses are budgeted to the Parks & Community Services Department Special Events budget.

ALTERNATIVES:

The Council may elect not to accept PG&E's $10,000 charitable contribution, at which point the City may have to revert funds to PG&E.

ATTACHMENTS:

1. Resolution – Accepting Pacific Gas & Electric Company's Charitable Contribution Donation of $10,000 for Movies in the Park

ATTACHMENT 1

Resolution – Pacific Gas & Electric Company's Charitable Contribution Donation of $10,000 for Movies in the Park

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING PACIFIC GAS & ELECTRIC COMPANY'S CHARITABLE CONTRIBUTION DONATION OF $10,000 FOR MOVIES IN THE PARK

WHEREAS, Pacific Gas & Electric Company made available $10,000 in charitable donation funds available to the City; and

WHEREAS, the City applied for the funding with a Charitable Contribution Application submitted in June 2024; and

WHEREAS, the application has been approved; and

WHEREAS, the charitable donation is made possible through Pacific Gas & Electric Company's Charitable Contribution Program; and

WHEREAS, the Program is funded by both PG&E Company itself, and by the PG&E Corporation Foundation, an independent 501(c)3 non-profit foundation; and

WHEREAS, the $10,000 charitable donation is to be used for the Movies in the Park summer series; and

WHEREAS, the City's Movies in the Parks series promotes a family-friendly environment starting the first Friday of July, held for eight weeks every Friday thereafter.

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

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. The charitable donation provided by Pacific Gas & Electric Company of $10,000 is accepted.
3. This resolution is effective immediately upon adoption.

* * * * * * * *

REPORT TO CITY COUNCIL

Approved by:

Wendy Silva, Director of Human Resources

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-6

SUBJECT:

Accept insurance proceeds for damaged Wastewater Treatment Plant influent and grit pumps from the 2023 Winter Storms emergency event

RECOMMENDATION:

Adopt a Minute Order accepting $87,328.20 in insurance proceeds from the City's property insurance program for influent pump numbers 1 and 2 and grit pump number 1, due to damages from debris from the 2023 Winter Storms emergency event

SUMMARY:

In December 2022 and January 2023, the City of Madera (City) experienced numerous excessive rainfall events in a relatively short period of time. Local, state, and federal declarations of emergency were issued due to conditions of extreme peril across California. Due to excessive water intrusion, a portion of the City's underground sewer trunk main near Avenue 13 and Road 25 collapsed. During the repair process, two other sections of concrete pipe began to fail as well. As a result of the trunk main collapse, large flows of rock, asphalt, gravel, and other debris flowed to the City's Wastewater Treatment Plant (WWTP) and contacted City equipment, causing damage. Specifically, influent pump numbers 1, 2, and 3 and grit pump number 1 sustained damage requiring immediate repair. The City pursued recovery of damages through both the Federal Emergency Management Agency (FEMA) and a property loss claim under its self-insured property program for the sewer collapse and the pump damages. Due to the complexity of the loss, the insurance company had an outside forensic engineer assist with causation analysis. After an extensive investigation, the adjuster determined that costs associated with repairs to influent pump numbers 1 and 2 and grit pump number 1 would be eligible under the insurance claim. The City has a $5,000 self-insured retention for this type of property loss. The total amount the insurance carrier is offering for the claim is $87,328.20 based on the repair invoices and parts for influent pump numbers 1 and 2 as well as grit pump number 1. The requested action is to accept the insurance settlement; staff will continue to pursue claims with FEMA regarding this disaster.

DISCUSSION:

In December 2022 and January 2023, the Central Valley, including the City and County of Madera, experienced several severe winter rainstorms in a short period of time. The rain events were of such magnitude that local, state, and federal disaster declarations were issued due to conditions of extreme peril caused by flooding and subsequent effects of the flooding. On January 14, 2023, President Biden declared a major disaster for the State of California, which included Madera County and the City. The declaration meant the City would be eligible for assistance in recovering from the disaster, including pursuing reimbursement for incurred costs through FEMA. Staff continues to work with FEMA to seek reimbursement for the response and repair costs associated with the storm event; part of the process is to exhaust all insurance that is available to the entity. The acceptance of insurance proceeds contemplated herein will not cover all of the claimed damages. Staff will include the difference to the extent possible in claims with FEMA, including the City's self-insured retention. At this time, the City does not know what, if any, amount FEMA will cover, however, staff will bring forth any payment disbursement to be considered for acceptance by the Council when that becomes known. At this time, staff is recommending acceptance of the insurance proceeds as outlined further in this report as all arguments in support of the claim have been presented and vetted with the insurance carrier.

Staff initially filed an insurance claim for the sewer trunk line collapse. After review by a forensic engineer, it was determined that the collapse was not eligible for coverage under the City's property insurance program.

The City's insurance claim relative to influent pump numbers 1, 2, and 3 and grit pump numbers 1 and 2 originated following a recovery scoping meeting with FEMA and the California Office of Emergency Services (CalOES). A claim for federal and state assistance related to the sewer trunk collapse and known collapses of stormwater lines in the City had been initiated at this point. All departments were invited to attend the in-person meeting with FEMA and CalOES representatives to discuss what may or may not be included in the City's request for federal and state assistance. At that meeting, one of the WWTP's Lead Operators brought photo evidence of the debris that had come through the plant, likely damaging the internal workings of the influent and grit pumps, and inquired if the possibly damaged pumps could be included in the City's claim. At that time, the pumps were added to the City's claim for federal and state assistance pending assessment and repairs to determine actual damages and repair costs.

Specific to the damages at the WWTP, due to the inundation of rain and subsequent stormwater intrusion into the City's sewer system, three partial collapses of the City's main sewer trunk line occurred in the area of Avenue 13 and Road 25. Because of the collapse, debris including asphalt, gravel, rock, and concrete flowed down the trunk main toward the WWTP. At some unknown location in the trunk main downstream from the collapse, a large amount of the debris likely accumulated and then became dislodged at once. When this excessive amount of coarse debris came in contact with the equipment at the WWTP, it caused damage requiring immediate repair to all three influent pumps and one grit pump. Figure 1 provides images of debris and damage to grit pump number 1 for reference.

Figure 1. *Images of Debris and Grit Pump Number 1*

Image 1. Debris that passed through pumps

Image 2. Debris that passed through pumps

Image 3. Rock materials inside pump

Image 4. Crack in housing of pump

WWTP staff began preparing plans to have the equipment assessed for specific damages, and repaired or replaced as necessary. Based on these assessments, WWTP staff determined that grit pump number 2 could likely operate another year without needing immediate repair. Based on the WWTP staff's findings and recommendations of no immediate repair, grit pump number 2 was removed from both the FEMA and insurance claims.

Influent pump number 3 had been identified as potentially needing rehabilitation work prior to the incident, so the City had already ordered parts for that task. Because this repair kit was on-hand with the intent of utilizing the kit on influent pump number 3, the insurance denied coverage for the on-hand kit. Influent pump numbers 1 and 2 sustained major damages and were prioritized to be repaired first over influent pump number 3. Those repairs have been completed. Grit pump number 1 was assessed to be in immediate need of repair, and that repair work has also been completed. Table 1 below shows the summary of costs and adjustments related to the insurance claim.

Table 1. Claim Summary		
Item	*Repair Cost*	*Insurance Eligible*
Influent Pump #1	$17,768.75	Yes
Influent Pump #2	$57,250.27	Yes
Influent Pump #3 (estimate – not eligible per insurance)	~~$100,516.80~~	No
Grit Pump #1	$17,309.18	Yes
Self-insured Retention (-)	($5,000.00)	
Total Proceeds from Insurance	**$87,328.20**	

At the time of the incident, the City's property was insured through the Central San Joaquin Valley Risk Management Authority's Property Program. The City has a $5,000 self-insured retention for scheduled losses. The City has provided all invoices to the claims adjuster and a check was distributed in the amount of $87,328.20 to the City. The requested action is to provide settlement authority to accept the payment of $87,328.20 to reimburse the City for the repair costs incurred.

FINANCIAL IMPACT:

While the incident occurred during a FEMA recognized disaster, FEMA will not reimburse for losses covered by insurance. The City did submit the Wastewater Treatment Plant losses through a FEMA reimbursement project, however it is unknown what amount FEMA will cover as the submitted project is still in review with FEMA.

It is the City's practice that the responsible department pay the self-insured retention from their annual operating budget appropriations when losses are covered by insurance. While the damages were to several pieces of equipment, because they were caused by the same event, only one self-insured retention applies. The WWTP will be responsible for $5,000 towards the repair of the damaged pumps. Amounts beyond the self-insured retention that are covered by insurance will be credited to the WWTP's operating budget as it incurred the up-front expense in the current fiscal year. If the self-insured retention or costs associated with influent pump number 3 are reimbursed by FEMA, those amounts will be credited back to the Sewer Fund when received.

ALTERNATIVES:

Council may direct staff to withdraw the insurance claim, return the funds, and pay for the full cost of the repairs. That action may also result in the loss of potential FEMA reimbursement.

ATTACHMENTS:

None.

REPORT TO CITY COUNCIL

Approved by:

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-7

SUBJECT:

PG&E Donation – 4th of July Fireworks Show

RECOMMENDATION:

Adopt a Resolution Accepting Pacific Gas & Electric (PG&E) Company's Donation of $5,000 to support the 4th of July Fireworks show and authorize the allocation of this funding to the Greater Madera Kiwanis

SUMMARY:

PG&E has expressed a desire to support the 4th of July Fireworks show through a charitable donation of $5,000. This event is organized and hosted by the Greater Madera Kiwanis (Kiwanis), a local service organization with a history of community event management. Historically, the City hosted this event at the Madera Municipal Golf Course, but due to budget constraints and the COVID-19 pandemic, the last event hosted by the City was in 2017. To revive civic pride, the Kiwanis successfully hosted the event in 2023 at the Madera Fairgrounds with assistance from the City. Building on last year's success, the Kiwanis will again host the event and are aggressively seeking donations, allowing them to host the event free of charge for community members.

To effectively utilize the $5,000 charitable donation from PG&E to enhance the upcoming 4th of July Fireworks show, the following proposals are made:

1. The City Council formally accepts the $5,000 donation from PG&E.

2. The City Council authorizes the allocation of this funding to the Greater Madera Kiwanis to support the 4th of July Fireworks show. The City would not retain any of the funding.

DISCUSSION:

As the host, the Kiwanis have been fundraising and partnering with other organizations to cover costs associated with the event, including venue rental, permits from the State Fire Marshal, and the fireworks display. The event will be free to enter, and parking will also be free. It is open to

all community members, providing a place to gather and celebrate the country's independence. Additionally, attendees can enjoy activities and entertainment such as family games and live music. The Kiwanis do not anticipate making a profit from the event; any donations received will cover the expected expenses.

FINANCIAL IMPACT:

The $5,000 donation from PG&E will directly offset expenses related to the 4th of July Fireworks show, reducing the financial burden on the Greater Madera Kiwanis and allowing for enhancements to the event. Due to the funding coming from a generous donation from PG&E, there is no impact on the General Fund sans the preparation of this report and the processing of the checks.

ALTERNATIVES:

The Council may decline the donation and/or request to allocate funding to the Kiwanis for the purpose of supporting the 4th of July Fireworks show.

ATTACHMENTS:

1. Resolution Accepting and Allocating PG&E Donation for 4th of July Fireworks Show

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA ACCEPTING AND ALLOCATING FUNDS FROM PACIFIC GAS & ELECTRIC COMPANY FOR THE 4th OF JULY FIREWORKS SHOW

WHEREAS, the City of Madera has received a charitable donation of $5,000 from Pacific Gas & Electric Company (PG&E) specifically designated to support the 4th of July Fireworks show;

WHEREAS, the Greater Madera Kiwanis (Kiwanis), a local service organization with a history of successful community event management, will organize and host the event;

WHEREAS, the Kiwanis have demonstrated effective event management by successfully hosting the event in previous years, most recently at the Madera Fairgrounds;

WHEREAS, the $5,000 donation from PG&E will directly offset expenses related to the 4th of July Fireworks show, reducing the financial burden on the Greater Madera Kiwanis and allowing for enhancements to the event;

WHEREAS, it is in the best interest of the City to accept and allocate these funds to support this community event;

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

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. The City Council accepts the $5,000 donation from Pacific Gas & Electric Company (PG&E) to support the 4th of July Fireworks show.

3. The City Council authorizes the allocation of this funding to the Greater Madera Kiwanis for the purpose of supporting the 4th of July Fireworks show.

4. This resolution is effective immediately upon adoption.

* * * * * * * *

REPORT TO CITY COUNCIL

Approved by:

Alicia Gonzales, City Clerk

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: B-8

SUBJECT:

Proclamation Supporting the Little League Nor-Cal State Tournament

RECOMMENDATION:

Adopt a Minute Order approving a Proclamation supporting the Little League Nor-Cal State Tournament in the City of Madera on July 20-26, 2024

SUMMARY:

The City Council, during its regular meeting on August 2, 2023, adopted a policy governing the guidelines for City-issued Ceremonial Documents. This policy establishes the framework for the issuance of proclamations, ensuring a systematic and transparent process.

On December 20, 2023, the Council approved the 2024 List of Annual Proclamations, outlining the scheduled commemorations for the year. However, the policy allows for proclamations not identified on this list to be considered on a case-by-case basis, with a written request required 45 days before the requested presentation date.

In this context, Pam Grewal, President of the Madera American Little League submitted a request on June 27, 2024, seeking a proclamation supporting the Little League Nor-Cal State Tournament scheduled between July 20-26, 2024 at Lion's Town & Country Park. This is the first time the tournament will be held in the City.

Per the Ceremonial Documents policy, signatures shall be reserved for Councilmembers who vote in the affirmative. For Councilmembers that vote in the negative, their signature block shall be omitted from the ceremonial document unless they notify the City Clerk in writing otherwise at least five business days prior to the meeting when the Proclamation will be issued.

FINANCIAL IMPACT:

There were nominal expenses for the preparation of this report or the proclamation. Costs related to custom supplies such as proclamations, certificates, frames, and folders have been purchased and funds were appropriated in the adopted budget.

ALTERNATIVES:

Council may direct staff to prepare a proclamation. If the majority vote is in the affirmative, staff will proceed with presenting the Proclamation at the July 17th Council meeting. In the alternative, Council may:

- Deferral for Further Discussion: Council may opt to defer the decision for further discussion, allowing additional time to address specific concerns or gather more information.
- Denial of Proclamation Request: If the majority vote is not in the affirmative or no action is taken, the request will be considered denied.

ATTACHMENTS:

1. Email requesting a "Proclamation Supporting the Little League Nor-Cal State Tournament" from Pam Grewal dated June 27, 2024

From: Pam Grewal
To: Alicia Gonzales
Subject: Re: Nor-Cal State Little League Tournament - Pam Grewal
Date: Thursday, June 27, 2024 2:48:18 PM

Hello Alicia,
here are the three names for Proclamation:
1. Barry Jenkin - Little League District 10 Administrator
2. Pam Grewal - Madera American Little League President
3. Chris schoettler - Madera National Little League President

Diresed Date of Issuance July 17th .
the purpose or reason for the Proclamations: The above names and organizations work very hard to bring the Northern California Little League State Tournament to Madera. It is a privilege to host this tournament in Madera by two Little league. There are 270 little leagues in Northern California. Both League are higher in standard and in the players performances
Nature of the Event: Hosting 7 Sections from Northern California to Come play Baseball at Madera Town and Country Park . One team may end up in Little League world Series and That team will represent all Northern Ca.. Last year when our teams were at the State Level, People didn't even know where Madera was. WE showed them last year where we are located and This year Madera is put on the Map and will forever be in Little League History.
Date of the Event : July 20th, 2024 at 9am.

Alicia I put lots of information in the letter I emailed to you earlier. Please let me know if I can help with anything else. Thank you.
Pam Grewal

On Thu, Jun 27, 2024 at 1:36 PM Alicia Gonzales <agonzales@madera.gov> wrote:
>
> Thank you for the information. What is the deadline to order the t-shirts and the cost per shirt, please?
>
>
>
>
>
>
> Alicia Gonzales | City Clerk
> City of Madera | City Clerk Department
> 205 West 4th Street, Madera, CA 93637
> p. (559) 661.5409 | c. (559) 517.6630
> agonzales@madera.gov
>
>
>
> -----Original Message-----
> From: Pam Grewal <pamgrewal1010@gmail.com>
> Sent: Thursday, June 27, 2024 1:28 PM
> To: Alicia Gonzales <agonzales@madera.gov>; santos garcia <santos4madera@gmail.com>; Arnoldo Rodriguez <arodriguez@madera.gov>
> Subject: Nor-Cal State Little League Tournament - Pam Grewal

June 26, 2024,

Official Invitation to Delegates:

The Madera American and National Little League will be hosting the Little League Nor-Cal State Tournament for the very first time in Madera's history. The Madera American Little League started on Field 2 at Town and Country Park in 1950, 74 years ago.

The Little League is an excellent program for those children aged 5 to 16 years of age. Structured around baseball, the focus of the League is to provide a safe place for kids, parents, and supporters whom have a love for baseball. Through my years with the

league, both as a parent whose kids were actively involved to holding different positions on the board, I have witnessed many generations of boys and girls blossom into adults on the baseball field.

The league brings with it those adults that share the passion of the kids in the form of volunteer coaches. Many of our coaches are themselves former Little League players. They work with the youth for multiple hours in a week, instilling morals, integrity

and teaching them the rules of the game. Many of the players leave here and have gone on to play at different levels such as high school, college and university, to Minor and Major leagues. Such examples are players such as Murph Gray who is a top player at Fresno State and Alec Gamboa who plays for the Dodgers AAA Team. Madera is full of great talent and I have been honored to serve our youth community for the past 32 years.

Last year in 2023, the Madera American 9-10 and 12-year old teams made it to the State level. Madera National 11-year-old team made it to State level as well. Northern California stretches from the Oregon border down to Bakersfield. Madera is honored to host the Northern California State Tournament in Madera July 20 26th. Nor-Cal is divided into 7 sections and within that there are over 300 Little League teams. Of these teams, only 7 teams will be advancing to State. These are considered the best of the best players. The team that will advance from Madera will go to represent all Northern California and face their opponent at San Bernardino. From these two teams, the winner will go on to play in the Little League World Series in South Williamsport, Pennsylvania.

Having shared the history of Madera Little League you can see how much this tournament means to us . We are inviting all Madera officials to be a part of the opening ceremony on July 20th at 9:00 a.m. at Town and Country Park, Field 2. They will help in welcoming the young talented players on the field and be a part of this important event. We expect the ceremony to be anywhere from 45 minutes. We are super excited in bringing the community together and would love to see you there supporting our District 10, both leagues, all the families, friends, and supporters that will be in attendance. I would like to thank you for your continued support and the help in preparing our fields and getting them ready for this day. I will be sending more information as I will be receiving it from the District 10. If you have any questions, please contact me at (559) 232-1609.

Once again, thank you!

Pam Grewal

M.A.L.L. President

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, City Engineer

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: D-1

SUBJECT:

Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29

RECOMMENDATION:

1. Adopt a minute order accepting the proposed projects in the City's Draft Capital Improvement Program (CIP) for Fiscal Year (FY) 2024/25 to FY 2028/29

2. Authorize the City Engineer to submit the draft 5-year CIP for FY 2024/25 to FY 2028/29 to the Planning Commission for determination of conformity with the General Plan

SUMMARY:

Preparation and approval of the CIP is an annual process. The CIP for FY 2024/25 to FY 2028/29:

- Lists the proposed projects for funding of design, right of way costs, and construction
- Updates the status of proposed projects to be funded in the four years after FY 2024/25
- The CIP must be submitted to the Planning Commission for determination of conformity of those projects not previously conformed with the City's General Plan pursuant to Government Code Section 65401
- The projects in FY 2024/25 are included in the City's FY 2024/25 Budget

DISCUSSION:

The CIP is a planning document for capital improvement projects that covers a rolling five-year period. Critical projects are identified and defined so that resources can be assigned to implement the projects. The CIP also provides a comprehensive presentation of all funding sources that support capital projects and many of the operational programs supported by these same funding sources.

PROJECT SELECTION PROCESS:

Projects are included in the CIP for a variety of reasons. Some of the more common include:

- They are identified along with targeted completion dates in adopted master plans and technical studies.
- They are necessary to support City growth.
- They developed from Community input to Council or staff.

The CIP will generally focus on those projects where funding is available or anticipated to be so within the five-year window. Because there is a perennial need for more capital improvements than can be funded, not all potential projects are included in years beyond the next fiscal year in the CIP unless there is a reasonable assumption that funding will be identified. Funding source limitations play a significant role in determining which projects can be constructed and the projected construction timeline.

Most sources, whether Federal, State, or local grants and/or local development impact fees, can only be used for projects meeting certain criteria. Prioritization of many projects are therefore impacted by their respective funding sources.

PROJECT PRIORITIZING PROCESS:

Updating the CIP is a fluid process that ties closely to related funding sources and staff resources. The prioritization of projects is based on Council direction and shared departmental feedback of projects from Engineering, Public Works, Parks & Community Services, Transit, Grants, Fire & Police Departments, and Airport.

Project delivery is also influenced by unexpected or unforeseen circumstances within specific projects or other demands created by other planned or unplanned projects. As an example, City project managers may be designing a road or street improvement when their services are needed to complete grant applications, address an emergency repair, or to accommodate the continuing uptick in private development activity. Occasionally, a project may be delayed in order to accommodate other CIP projects in the same vicinity.

- **On-Call Consultant Progress**

  On May 17, 2022, Council granted staff the ability to hire pre-approved consultants on an on-call basis, removing the need to go through the lengthy RFP process for certain types of work. This arrangement is good for three years and can be extended by up to two additional 1-year terms. To date, 25 task orders for various engineering services have been processed that benefit not only Engineering department but Parks, Public Works, and Transit as well.

FY 2023/24 CIP ACTIVITY SUMMARY:

In FY 2023/24, approximately $11,000,000 in capital improvement funds were spent or encumbered.

The largest area of focus was to advance sewer and water projects, this effort was driven by not only an aging sewer and water system, but deadlines placed on the $23,000,000 in ARPA funds awarded to the City. Per the ARPA guidelines, all the funds awarded must be spent or encumbered by December of 2024.

Based on current projections, staff expects that we will meet the December deadline to spend or encumber all ARPA funds.

FY 2023/24 PROJECT HIGHLIGHTS:

- **Avenue 13 Sewer Trunk Main Rehabilitation (Project: SS-00014)**

  Avenue 13 Sewer Trunk Main Rehabilitation has become a high priority project as a result of the January 2023 collapse. The City secured funding to complete the first two (2) phases of CIPP lining. The third phase is programmed in outer years of the CIP. A fourth phase triggered by discovery during the January 2023 repairs is in development for repairs and rehabilitation of the sewer main from Granada Drive easterly to State Route (SR) 99. Bids were received for the project one week prior to the first of two failures in June of this year. The contract award was moved up and emergency repairs are currently underway. After these repairs are concluded, work on the remaining sections that are part of this project will begin. The emergency repair costs could impact the sewer fund balances and ability to deliver all the programmed projects in FY 2024/25.

- **Engineering Front Counter ADA Project (Project: CD-00002)**

  This project redesigned the previous front counter by adding a section that is ADA compliant, allowing residents or other visitors who use a wheelchair or are unable to stand for long periods, an area to sit and be assisted by Engineering Department staff.

- **Alley Project (Projects: ALY-0001 & ALY-0002)**

  Utilizing federal Congestion Mitigation and Air Quality (CMAQ) grant funds, this project paved 14 alleys providing all weather surface for ingress and egress and garbage collection as well as improving drainage.

- **Loy Cook Water Tower (Projects: W-000022 & W-000034)**

  This project combined two (2) CIP projects to complete interior and exterior rehabilitation of the water tank including structural retrofit.

- **New Parking Lot at Police Department (Project PD-01)**

The project fully improved a former vacant lot at the corner of 7th Street and C Street to provide 39 parking stalls, automatic gates and landscape frontage improvements.

- **Water Meter Project (Project W-000031)**

  Replaced 40 of the large, old-style manual read meters. Installed four large meters on services that previously were not metered.

- **New Northeast Water Storage Tank, Pump station and transmission main (W-T-0001)**

  Secured tank site property and moved the project to final design.

- **Pavement Management System Update**

  Engineering Department led the update of the Pavement Manager System. All city-maintained streets were surveyed to develop the current Pavement Condition Index (PCI). The average PCI for the city is 61, which is considered fair, and slightly below the State average of 66. Next deliverable is a program of rehabilitation projects based on projected funds available. This process will generate recommended priorities for street improvements for FY 2024/25 through FY 2028/29.

- **The Parks Department completed many grant funded projects this year:**
  - Fresno River Trail Cleanup funded by the Clean California Grant
  - McNally Park Rehabilitation funded by CDBG
  - Centennial Park Pool Complex Amenities funded by CDBG
  - Frank Bergon Center Improvements funded by CDBG
  - Design of James Taubert Park funded by the Statewide Park Development Program is nearing completion

FY 2024/25 DISCUSSION:

Approximately $95,000,000 in Capital Project expenditures are projected for the FY 2024/25 CIP. This is largely due to funded projects rolling over from previous years. Most of the identified projects are advancing according to schedule and have been discussed in previous year's CIP presentations.

Table 1 on the following page contains a list of projects anticipated to go to construction in FY 2024/25.

Table 1: *Carryover Projects Anticipated for Construction in FY 2024/25*		
Project #	Description	Project Type
B-00004	Rehab/Repair Gateway Bridge and Cleveland (Tozer) Bridge	Bridge
PK-00067	James Taubert Park	Park
R-000097	Clinton Avenue Sewer Improvements (part of SS-00008/9 below)	Sewer
SS-00006	Fairgrounds Lift Station Improvements	Sewer
SS-00008/9	2018 Sewer Repairs	Sewer
R-000079	RMRA Seals/Overlay 2021-22	Road
R-000080	RMRA Seals/Overlays 2022-23	Road
R-000081	2022-23 City Streets 3R & ADA Project	Road
R-000098	RMRA SEALS/OVERLAYS 2023-24	Road
R-000099	FY24 Street Rehab and Reconstruction Project	Road
R-000010	Olive & Knox Road Widening and Intersection Improvements, R-10 Phase III	Road & Traffic Signal
R-000057	Lake-Fourth-Central	Traffic Signal
TS-00023	HOPYQ Intersection Improvements	Traffic Signal
TS-00024	Cleveland/Granada	Traffic Signal
TS-00032	D Street/South Street	Traffic Signal
TS-00035	Lake Street/Sherwood Drive	Traffic Signal
TS-00034	Granada Dr Pedestrian Improvements	Traffic Safety
R-000037	Raymond Road Shoulder Paving	Shoulder Paving
R-000060	Storey Road Shoulder Paving	Shoulder Paving
R-000058	Schnoor Ave Sidewalk Project	Sidewalk
R-000093	Washington School Sidewalk Project	Sidewalk
R-000094	AHSC Sidewalk Improvement Various Locations	Sidewalk
W-000004	Water Main Upgrades Various Locations	Water
W-000032	New Water Meters	Water
W-000043	SR145 Water Main Replacements	Water
W-GW-001	New Well 37	Water
R-000097	Clinton Avenue Water Improvements	Water
WWTP24-01	2024 WWTP Improvement Project	WWTP

FY 2024/25 NEW PROJECTS:

Table 2 below shows an overview of new projects, their costs, and the type of project they represent.

Table 2: *New Projects Added to CIP*

Project #	Description	Project Type	FY 24/25 Costs
ALY-0004	Alley Paving 2024 – Northwest	Alley	$111,000
ALY-0005	Alley Paving 2024 – Southwest	Alley	$111,000
ALY-0006	Alley Paving 2024 – Northeast	Alley	$140,000
PK-00081	Parks & Recreation Facilities Paving Project	Parks	$642,172
R-000100	Clinton Street Pedestrian Facilities	Road	$30,000
R-000101	D Street & Clark Pedestrian Facilities	Road	$35,000
R-000102	Howard & Granada Pedestrian Facilities	Road	$39,000
R-000103	Local Roadway Safety Plan Development	Road	$423,150
R-000104	RMRA SEALS/OVERLAYS 2024-25	Road	$1,700,000
WWTP24-01	2024 WWTP Improvement Project (**New**)	Wastewater	$8,460,000
		Total	**$11,691,322**

Of the roughly 120 total CIP Projects scheduled to have activity in the upcoming fiscal year, the above projects account for 12 percent of the projected $95,000,000 in expenditures.

NEW PROJECT SUMMARIES:

To provide context to the projects listed in Table 2 above, a summary of each project is included below.

ALLEY PROJECTS:

- **Alley Paving Project 2024 - Northwest (Project ALY-0004)**

  Alley Paving at various locations on the Northwest side of the city. Paving alleyways reduces dust particulate in the air, providing cleaner air for residents. This project is funded through the Congestion Mitigation and Air Quality (CMAQ) grant.

- **Alley Paving Project 2024 - Southwest (Project ALY-0005)**

  Alley Paving at various locations on the Southwest side of the city. Paving alleyways reduces dust particulate in the air, providing cleaner air for residents. This project is funded through the Congestion Mitigation and Air Quality (CMAQ) grant.

- **Alley Paving Project 2024 - Northeast (Project ALY-0006)**

  Alley Paving at various locations on the Northeast side of the city. Paving alleyways reduces dust particulate in the air, providing cleaner air for residents. This project is funded through the Congestion Mitigation and Air Quality (CMAQ) grant.

PARKS PROJECTS:

- **Parks & Recreation Facilities Paving Project (Project PK-00081)**

  Paving of Parking Lots at various City facilities that receive heavy use by the community: Pan-American Center, Sunrise Rotary Sports Complex, Gateway Rotary Parking Lot, John Wells Youth Center, and the Frank Bergon Senior Center. The lifted curb and pavement at Rotary Park are to be addressed as part of this project.

TRANSPORTATION RELATED PROJECTS:

- **Clinton Street Pedestrian Facilities (Project R-000100)**

  Installation of pedestrian facilities on Clinton Street from Tozer Street to the Sunrise Rotary Sports Complex. This project is being funded through the State Carbon Reduction Program.

- **D Street & Clark Street Pedestrian Facilities (Project R-000101)**

  Installation of pedestrian facilities on D Street from Sherwood Way to James Way, Clark Street to Asti Way, and on Clark Street from D Street to 580 feet East. This project is being funded through the State Carbon Reduction Program.

- **Howard & Granada Pedestrian Facilities (Project R-000102)**

  Installation of pedestrian facilities on Howard Road from the East side of Granada Ave to the entrance of Town & Country Park. This project is being funded through the State Carbon Reduction Program.

- **Local Roadway Safety Plan Development (Project R-000103)**

  This project is for the solicitation and hiring of an external consultant to perform all work required to create a Local Roadway Safety Plan (LRSP). This roadway plan will not only produce projects that can be used to reduce roadway fatalities, but it is also a required component to apply for grants like the Highway Safety Improvement Program (HSIP). This project is funded with the Safe Streets and Roads for All (SS4A) grant program.

- **RMRA Seals/Overlays (Project R-000104)**

  This project approved at the June 19, 2024, Council meeting, using FY 2024/25 allocation of Road Maintenance Rehabilitation Account (RMRA) funds will focus on the rehabilitation of local streets. This project is only one of several similar paving and rehabilitation projects planned at multiple locations in the City.

WATER/WASTEWATER PROJECTS:

- **WWTP 2024 Improvement Project (Project WWTP24-01)**

  This is a new project that seeks to perform several improvements at the City's Wastewater Treatment plant, these projects include: new headworks, bar screen facility & odor control, wet well improvements & investigations, a manually operated septic receiving station, and digester cover coating.

GENERAL PLAN CONFORMITY:

Prior to the City Council's adoption of the annual CIP update, California Government Code requires a determination that the CIP is in conformance with the City's General Plan. This determination is made by the Planning Commission. Staff therefore recommends that Council direct that it be submitted to the Planning Commission.

FINANCIAL IMPACT:

Funding for the projects in the CIP comes from a variety of sources and typically does not rely on the General Fund. Although there are a few minor improvement projects proposed by Engineering and Parks Departments that have General Fund contributions. Section 3, Sources and uses, and Section 4, Funding Summary, of the Draft CIP for FY 2024/25 to 2028/29 lists all the contributing sources. Each major category of improvements is associated with a different set of possible funding sources and several assumptions that include:

- Gas Tax and TDA transportation funding sources remain steady.
- Measure T sunsets in 2027
- Some Transportation funding sources can be allocated to eligible storm drainage improvements.

Regardless of assumptions, staff continues to actively pursue grant and other funding opportunities for the City's significant projects, such as the Avenue 13 Sewer Main Rehabilitation and the new Northeast Water Storage Tank Project.

ALTERNATIVES:

Given the breadth of the projects contained in the CIP, the number of possible alternatives is significant. Council has the authority to adjust all aspects of the project priorities and schedules.

ATTACHMENTS:

1. Draft Capital Improvement Program FY 2024/25 to 2028/29 Project List by Category
2. Draft Capital Improvement Program FY 2024/25 to 2028/29 Full Document (Web Link)

Attachment 1

Draft Capital Improvement Program FY 2024/25 to 2028/29 - Project List by Category

City of Madera, California

Capital Improvement Program

'24/'25 thru **'28/'29**

PROJECTS BY CATEGORY

Category	Project #	'24/'25	'25/'26	'26/'27	'27/'28	'28/'29	Total
Airport							
AIR-0001 - T-Hangar Development Phase 1	AIR-0001				0		*0*
AIR-0002 - Tee Hangar Development Const-II	AIR-0002	0	0	0	0		*0*
AIR-0003 - Commercial Hangar Develp Extend-III	AIR-0003				0		*0*
AIR-0004 - Runway 12-30 Mill & Fill	AIR-0004		330,000		5,683,000		*6,013,000*
AIR-0005 - Taxiway Mill & Fill	AIR-0005				1,617,000		*1,617,000*
AIR-0006 - Airport Layout Plan & GIS Survey	AIR-0006	250,000					*250,000*
AIR-0007 Pavement Maintenance Management Plan	AIR-0007				0		*0*
Airport Total		**250,000**	**330,000**	**0**	**7,300,000**		***7,880,000***
Alleys							
ALY-0004 ALLEY PAVING 2024 - NORTHWEST	ALY-0004	111,000	614,000				*725,000*
ALY-0005 - ALLEY PAVING 2024 - SOUTHWEST	ALY-0005	111,000	614,000				*725,000*
ALY-0006 - ALLEY PAVING 2024 - NORTHEAST	ALY-0006	140,000	800,000				*940,000*
Alleys Total		**362,000**	**2,028,000**				***2,390,000***
Bike/Ped							
B-000005 Granada Pedestrian Bridge	B-000005	180,000	2,090,000				*2,270,000*
PK-00001 Ped/Bike Facilities	PK-00001	100,000	40,000	50,000	50,000	100,000	*340,000*
PK-00048 Tulare/Cleveland/Raymond Bike Path	PK-00048	30,000	315,000				*345,000*
PK-00056 Bike/Ped Path, FRT-Cleveland Ave	PK-00056		45,000	339,000			*384,000*
PK-00058 FRT-Granada to MID, North Bank	PK-00058		40,000	156,000			*196,000*
Bike/Ped Total		**310,000**	**2,530,000**	**545,000**	**50,000**	**100,000**	***3,535,000***
Bridges							
B-000002 Westberry Bridge Construction	B-000002	145,000				16,600,000	*16,745,000*
B-000004 BPMP Rehab/Repair of 3 Bridges	B-000004	396,000					*396,000*
B-000006 CLARK STREET BRIDGE	B-000006	84,000	583,000				*667,000*
Bridges Total		**625,000**	**583,000**			**16,600,000**	***17,808,000***
Buildings							
TRANS-01 Madera Transit Center	Trans-01	85,526					*85,526*
Buildings Total		**85,526**					***85,526***
Designated for Funding							
ENG A Federal/State-Local Match	ENG A	80,000	80,000	80,000	80,000	80,000	*400,000*
ENG F CIP Engineering	ENG F	598,800	611,000	629,000	648,000	668,000	*3,154,800*
SS-00000 Engineering Support for Sewer Projects	SS-00000	25,000	25,000	25,000	25,000	25,000	*125,000*
W-000000 Engineering Support for Water Projects	W-000000	25,000	25,000	25,000	25,000	25,000	*125,000*
Designated for Funding Total		**728,800**	**741,000**	**759,000**	**778,000**	**798,000**	***3,804,800***

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Category	Project #	'24/'25	'25/'26	'26/'27	'27/'28	'28/'29	Total
Maintenance							
PWTRANS - PUBLIC WORKS STREETS DEPT. ACTIVITY	PWTRANS	2,781,975	2,970,000	3,070,000	3,170,000	3,170,000	*15,161,975*
RM-00001 Rtne Maint City Bridges Fresno RVR	RM-00001	80,000	80,000	80,000	80,000	80,000	*400,000*
Maintenance Total		**2,861,975**	**3,050,000**	**3,150,000**	**3,250,000**	**3,250,000**	***15,561,975***
Parks							
PK-00013 Sunrise Rotary Sports Complex	PK-00013	150,000		1,700,000			*1,850,000*
PK-00064 India Park	PK-00064			200,000			*200,000*
PK-00067 James Taubert Park	PK-00067	1,917,254					*1,917,254*
PK-00068 North/West Land Acquisition	PK-00068				300,000		*300,000*
PK-00069 South/East Land Acquisition	PK-00069				300,000		*300,000*
PK-00070 Sunset Park Development	PK-00070		725,000				*725,000*
PK-00071 Town & Country Connectivity Project	PK-00071	1,663,750					*1,663,750*
PK-00073 McNally Park Rehabilitation	PK-00073	50,000					*50,000*
PK-00074 Parkwood Park Rehabilitation	PK-00074		100,000				*100,000*
PK-00078 REHABILITATION AT PAN AMERICAN CENTER	PK-00078		100,000				*100,000*
PK-00079 TOWN & COUNTRY PARK BATTING CAGES	PK-00079	70,000					*70,000*
Parks Total		**3,851,004**	**925,000**	**1,900,000**	**600,000**		***7,276,004***
Public Facility							
CD-00001 City Hall Relocation & Expansion	CD-00001					500,000	*500,000*
CD-00003 - ENGINEERING DIVISION SIGN REHAB	CD-00003	30,644					*30,644*
FD-00004 Fire station 56 Upgrades & Improvements	FD-00004	100,000					*100,000*
FD-00005 Fire station 57 Upgrades & Improvements	FD-00005	100,000					*100,000*
FD-00006 Fire station 58 Upgrades & Improvements	FD-00006	134,340					*134,340*
PK-00081 Parks & Rec Facilities Paving Project	PK-00081	642,172					*642,172*
Public Facility Total		**1,007,156**				**500,000**	***1,507,156***
RDA							
RDA-16-01 Adell St Utility Project	RDA-16-01	50,000	1,735,000				*1,785,000*
RDA-16-07 Adelaide Subdivision	RDA-16-07			1,598,478			*1,598,478*
RDA-17-02 Yosemite Lot Development	RDA-17-02		550,970				*550,970*
RDA-18-02 Adell St Interconnect, Kennedy & Adell	RDA-18-02		265,000				*265,000*
RDA Total		**50,000**	**2,550,970**	**1,598,478**			***4,199,448***
Reimbursements							
CURRENT DEVELOPER REIMBURSEMENTS	DEVREMCUR	218,218					*218,218*
FUTURE DEVELOPER REIMBURSEMENTS	DEVREMFUTURE		3,867,009				*3,867,009*
S-000995 Road 28 Sewer Loan Repayment	S-000995	4,000	4,000	4,000	4,000	4,000	*20,000*
Reimbursements Total		**222,218**	**3,871,009**	**4,000**	**4,000**	**4,000**	***4,105,227***
Sewer							
R-000097 CLINTON AVE SEWER & WATER IMPROVEMENTS	R-000097	985,000					*985,000*
S-000012 Schnoor Ave Trunk Sewer Rehab	S-000012	1,150,000					*1,150,000*
S-000996 Southeast Quad Sewer Improvement	S-000996					455,000	*455,000*
S-000997 Northeast Quad Sewer Improvement	S-000997					208,602	*208,602*
S-000998 Northwest Quad Sewer Improvement	S-000998					352,000	*352,000*
SS-00006 Fairgrounds Liftstation-VFD	SS-00006	2,005,000					*2,005,000*
SS-00008 2018 Sewer Manhole Project	SS-00008	130,000					*130,000*
SS-00009 2018 Sewer Repairs	SS-00009	4,174,000					*4,174,000*

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Category	Project #	'24/'25	'25/'26	'26/'27	'27/'28	'28/'29	Total
SS-00010 Airport Lift Station Pumps Replacement	SS-00010		170,000				*170,000*
SS-00011 Mainberry Sewer - Howard to Sunset	SS-00011	105,000	640,000				*745,000*
SS-00012 Doubletree Sewer - Westberry to Liberty	SS-00012	175,000					*175,000*
SS-00013 Pecan Ave Parallel Sewer Main	SS-00013		2,046,700				*2,046,700*
SS-00014 Avenue 13 Sewer Trunk Main Rehabilitation	SS-00014	14,420,000				7,150,000	*21,570,000*
SS-00015 SEWER LIFT STATION R&R	SS-00015	200,000					*200,000*
Sewer Total		**23,344,000**	**2,856,700**			**8,165,602**	***34,366,302***
Storm Drain							
SD-00017 G St Storm Drain Improvements	SD-00017		118,410	51,590	1,361,500		*1,531,500*
SD-00018 Sunset Avenue Pipeline	SD-00018	287,500			3,162,800		*3,450,300*
SD-00019 Lake Street Pipeline Clark to Wessmith	SD-00019	40,000	210,000				*250,000*
SD-00020 Lake St Pipeline 80' n/o Kennedy to Clark	SD-00020	30,000	150,000				*180,000*
SD-00021 HOWARD ROAD STORM DRAIN PIPE	SD-00021	670,000	140,000	7,119,250			*7,929,250*
SD-000997 NW Quad Storm Drain Improvement	SD-000997					7,400,000	*7,400,000*
SD-000998 SE Quad Storm Drain Improvements	SD-000998				17,500,000		*17,500,000*
SD-13-PX Retention Basin Land Acquisition	SD-13-PX	40,000	70,000	40,000	40,000		*190,000*
SD-14-P11 Granada Dr/Ave 12.5 Retention Basin	SD-14-P11		100,000				*100,000*
SD-15-P7 Ellis St/Krohn St Retention Basin	SD-15-P7	100,000					*100,000*
Storm Drain Total		**1,167,500**	**788,410**	**7,210,840**	**22,064,300**	**7,400,000**	***38,631,050***
Street 3R							
R-000032 UPPR Crossing - Street Approach	R-000032	80,000	80,000	80,000	80,000	80,000	*400,000*
R-000079 RMRA Seals/Overlays 2021-22	R-000079	2,260,000					*2,260,000*
R-000080 RMRA Seals/Overlays 2022-23	R-000080	2,050,000					*2,050,000*
R-000081 2022-23 City Streets 3R & ADA Project	R-000081	1,387,000					*1,387,000*
R-000098 - RMRA Seals/Overlays 2023-24	R-000098	1,595,479					*1,595,479*
R-000099 - FY24 STREET REHAB AND RECON PROJECT	R-000099	2,400,000					*2,400,000*
R-000104 - RMRA SEALS/OVERLAYS 2024-25	R-000104	1,700,000					*1,700,000*
Street 3R Total		**11,472,479**	**80,000**	**80,000**	**80,000**	**80,000**	***11,792,479***
Street Construction							
ENG S LTF FAIR SHARE AVE 17 vicinity SR99	ENG S		524,296				*524,296*
R-000010 Olive Ave Widening-Gateway to Knox	R-000010	1,140,000	5,958,000				*7,098,000*
R-000046 Lake St Widening-Fourth to Cleveland	R-000046		400,000	400,000	7,200,000		*8,000,000*
R-000050 Pine St Reconstr-Howard to Fourth St	R-000050		50,000	540,000			*590,000*
R-000054 Cleveland Ave Widen-Schnoor to SR99	R-000054		360,000		4,000,000		*4,360,000*
R-000057 Lake-Fourth-Central Intersection	R-000057	1,043,500					*1,043,500*
R-000082 Almond Ave Extension - Pine to Stadium	R-000082	605,000	200,000	6,100,000			*6,905,000*
R-000096 Caltrans Downtown Madera CAPM Project	R-000096	1,000,000	2,000,000				*3,000,000*
Street Construction Total		**3,788,500**	**9,492,296**	**7,040,000**	**11,200,000**		***31,520,796***
Street/Shoulder Paving							
R-000037 Raymond Rd Shoulder-n/o Cleveland	R-000037	274,500					*274,500*
R-000060 Storey Rd Shoulder Paving	R-000060	438,300					*438,300*
R-000067 Pecan Ave Shoulder Paving	R-000067	535,100					*535,100*
Street/Shoulder Paving Total		**1,247,900**					***1,247,900***
Street/Sidewalk							
R-000041 Concrete Projects - Share Program	R-000041	20,000	20,000	20,000	20,000	20,000	*100,000*
R-000058 Schnoor Ave Sidewalk-Sunset to River	R-000058	527,600					*527,600*
R-000064 ADA Walkability Sidewalks Program	R-000064	80,000	80,000	80,000	80,000	80,000	*400,000*

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Category	Project #	'24/'25	'25/'26	'26/'27	'27/'28	'28/'29	Total
R-000093 Washington School Sidewalks CMAQ	R-000093	678,000					*678,000*
R-000094 Sidewalk Improvements Var Locations	R-000094	3,375,000					*3,375,000*
R-000100 Clinton Street Ped Facilities	R-000100	30,000	170,000				*200,000*
R-000101 D Street and Clark Street Ped Facilities	R-000101	35,000		195,000			*230,000*
R-000102 Howard & Granada Ped Facilities	R-000102	39,000	221,000				*260,000*
Street/Sidewalk Total		**4,784,600**	**491,000**	**295,000**	**100,000**	**100,000**	***5,770,600***
Study/Report							
MUP-UDII Master Utility Plan Update, II	MUP-UDII	973,333					*973,333*
R-000087 Almond/Pine/Stadium Traffic Study	R-000087	83,950					*83,950*
S-STDY-1 Sewer System Assess/Rehab Phase 2	S-STDY-1	140,563					*140,563*
S-STDY-2 Sewer Asset Mgmt Software	S-STDY-2	75,000					*75,000*
S-VI-002 Sewer Main Video Inspection Phase 2	S-VI-002	695,000	150,000	150,000	150,000	150,000	*1,295,000*
W-STDY-2 Water System Condition Assess/Rehab	W-STDY-2	296,000					*296,000*
W-STDY-3 Water Asset Mgmt Software	W-STDY-3	150,000					*150,000*
Study/Report Total		**2,413,846**	**150,000**	**150,000**	**150,000**	**150,000**	***3,013,846***
Traffic Signal/Traffic Safety							
TS-00023 HOPYQ Intersection Traffic Signals	TS-00023	297,000					*297,000*
TS-00024 Cleveland/Granada Dr Traffic Signal	TS-00024	549,000					*549,000*
TS-00030 Miscellaneous Traffic Safety Items	TS-00030	20,000	20,000	20,000	20,000	20,000	*100,000*
TS-00032 D St/South St Traffic Signal	TS-00032	613,250					*613,250*
TS-00034 Granada Dr Pedestrian Improvements	TS-00034	304,240					*304,240*
TS-00035 LAKE & SHERWOOD TRAFFIC SIGNAL	TS-00035	750,000					*750,000*
Traffic Signal/Traffic Safety Total		**2,533,490**	**20,000**	**20,000**	**20,000**	**20,000**	***2,613,490***
Transit							
Trans-10 AHSC Transit Developments	Trans-10	642,928					*642,928*
TRANS-11 Transit Center Charging Station Project	TRANS-11	67,118	599,667				*666,785*
TRANS-12 BUS SHELTER RELOCATION	TRANS-12	400,000					*400,000*
Transit Total		**1,110,046**	**599,667**				***1,709,713***
Transportation Planning							
ENG-000C Traffic Warrants	ENG-000C	25,000	25,000	25,000	25,000	25,000	*125,000*
ENG-000G Pavement Management Program (PMP)	ENG-000G	70,000		100,000			*170,000*
R-000031 Misc. Transportation Projects/Planning	R-000031	188,000	194,000	200,000	206,000	212,000	*1,000,000*
R-000103 - LOCAL ROADWAY SAFETY PLAN DEVELOPMENT	R-000103	423,150					*423,150*
Transportation Planning Total		**706,150**	**219,000**	**325,000**	**231,000**	**237,000**	***1,718,150***
Water							
W-000004 Water Main Upgrades - Locations 13-23	W-000004	2,415,000					*2,415,000*
W-000006 H St-Water Main Upgrades	W-000006	50,000	650,000				*700,000*
W-000008 10th St-Water Main Upgrades	W-000008	50,000	1,600,000				*1,650,000*
W-000009 Gateway-Riverside River Crossing	W-000009	460,000					*460,000*
W-000026 Water Tower Demolition	W-000026	60,000	660,000				*720,000*
W-000029 Downtown Valve Replacement	W-000029	390,000					*390,000*
W-000031 Manual Read Water Meter Replacements/AMR	W-000031	214,796					*214,796*
W-000032 2018-19 New Water Meter Installations	W-000032	3,000,000					*3,000,000*
W-000033 Residential AMR Water Meter Replacements	W-000033	604,000	1,040,000	1,040,000	575,000		*3,259,000*
W-000034 South St Water Tower Exterior Rehab	W-000034	134,030					*134,030*
W-000036 4th/Gateway Line and Valve	W-000036	80,000	990,000				*1,070,000*

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Category	Project #	'24/'25	'25/'26	'26/'27	'27/'28	'28/'29	Total
W-000038 Well 27 Rehabilitation	W-000038	165,000	1,810,000				*1,975,000*
W-000039 2022 Year 2 Pipeline Replacements	W-000039	2,130,000					*2,130,000*
W-000040 2021 Year 1 Pipeline Replacements	W-000040	2,420,000					*2,420,000*
W-000041 2021 Leak Detection CIP	W-000041	255,000					*255,000*
W-000042 Chlorine Analyzers & Generators	W-000042	481,000	175,000				*656,000*
W-000043 SR145 WATER MAIN REPLACEMENTS	W-000043	5,703,000					*5,703,000*
W-000044 WELL 16 DEMOLITION	W-000044	95,000					*95,000*
W-GW-001 Water Well 37-Install Pump	W-GW-001	2,770,000					*2,770,000*
W-GW-003 Water Well 36- SR145/Indigo	W-GW-003	120,000	2,600,000				*2,720,000*
W-PSW-45 Almond Ave Water Main, Pine-Stadium	W-PSW-45	88,000	188,000				*276,000*
W-T-0001 Water Storage Tank Installation	W-T-0001	2,550,000	25,280,000				*27,830,000*
Water Total		**24,234,826**	**34,993,000**	**1,040,000**	**575,000**		***60,842,826***
WWTP							
WWTP23-01 - WWTP CENTRIFUGE UNITS	WWTP23-01		1,266,000				*1,266,000*
WWTP23-02 - HEADWORKS & PIPELINE CIPP LINING	WWTP23-02	1,198,000					*1,198,000*
WWTP23-03 - SLUDGE BELT THICKENER	WWTP23-03		777,000				*777,000*
WWTP23-04 - WWTP PERIMETER FENCING	WWTP23-04	348,000					*348,000*
WWTP23-05 - WWTP WASTE GAS FLARE UNIT (DIGESTOR)	WWTP23-05	115,000	548,000				*663,000*
WWTP24-01 - 2024 Improvement Project	WWTP24-01	8,460,000					*8,460,000*
WWTP Total		**10,121,000**	**2,591,000**				***12,712,000***
GRAND TOTAL		**97,278,016**	**68,890,052**	**24,117,318**	**46,402,300**	**37,404,602**	***274,092,288***

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Attachment 2

Draft Capital Improvement Program FY 2024/25 to 2028/29 (Web Link)

https://www.madera.gov/wp-content/uploads/2024/06/FY-2024-25-Capital-Improvement-Plan.pdf

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, P.E. Department Director

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: D-2

SUBJECT:

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

RECOMMENDATION:

1. Receive an update on the status of emergency repairs to the Avenue 13 sewer trunk main failures that occurred June 3, 2024 and June 10, 2024; and

2. Adopt a resolution renewing a finding of emergency relating to emergency response and repairs to the sanitary sewer main pursuant to Public Contract Code Section 22050

SUMMARY:

The City of Madera (City) experienced an unexpected failure of the sewer trunk line in Avenue 13 approximately 3,000 feet west of Granada Drive on Monday, June 3, 2024. In a separate, unrelated incident, an additional significant, unexpected failure occurred in the same line in Avenue 13, approximately 100 feet west of Granada Drive on Monday, June 10, 2024. The City Manager as Director of Emergency Services issued a declaration of local emergency for each failure due to conditions of extreme peril to the health and safety of persons and property within Madera. Staff immediately mobilized emergency work efforts to respond to the collapse and provide sanitary sewer services to City residents, as well as residents of the areas of Parksdale and Parkwood that connect to the City's sewer line. Relating to the June 3, 2024, failure, on June 5, 2024, the City Council adopted Resolution number 24-80 making findings of emergency relating to the emergency response and repairs pursuant for that incident consistent with Public Contract Code 22050 allowing staff to continue with accelerated repair and construction at the failure site without a formal competitive bidding process. Relating to the June 10, 2024, failure, on June 12, 2024, the City Council adopted resolution number 24-82 making findings of emergency relating to the emergency response and repairs pursuant for that incident consistent

with Public Contract Code 22050 allowing staff to continue with accelerated repair and construction at the failure site without a formal competitive bidding process. The requested action is to renew these findings and continue the findings of emergency consistent with Public Contract Code 22050.

DISCUSSION:

Floyd Johnston Construction (FJC) continues with the replacement of the failed sewer pipeline at the collapse located just west of Granada Drive. The pipe is expected to be installed by Friday, June 28th and the trench backfilled. The pipeline will be inspected with Closed Circuit Television (CCTV) camera. The downstream manhole and existing pipe will also be investigated to determine if any further damage occurred to the existing pipe that would inhibit the CIPP lining project.

Ideally, the long-term sewer bypass pumping for the cured-in-place (CIPP) lining project will be in place such that Rain for Rent can be relieved from the bypass further to the west at the original failure by Mission Bell. FJC will move to that location to begin replacing the failed pipeline.

BACKGROUND:

On June 3, 2024, at approximately 2:30 PM, County staff was notified by a resident of a significant failure in Avenue 13 near Mission Bell winery. County crews notified City staff of a likely sewer failure at the location. City crews confirmed by visual inspection that the sewer trunk main had experienced a failure causing a large void in the road and partially obstructing the flow. This event resulted in a declaration of emergency by the City Manager as Director of Emergency Services. At a special meeting on June 5, 2024, the City Council took action via adoption of resolution number 24-80 affirming the state of emergency, the emergency actions and repairs, and ratifying the award of emergency contracts without competitive bidding.

On Monday, June 10, 2024, at approximately 10:30 AM, City staff was informed of a roadway collapse approximately 100 feet to the west of the intersection of Avenue 13 (Pecan Avenue) and Road 25 (Granada Drive). The rear trailer of a truck pulling two (2) trailers had fallen into a hole in the roadway directly above the City's sewer trunk line. The sewer trunk line is the main collection line for the City's sewer system that carries the flow of sewage from City residents and businesses to the Waste Water Treatment Plant (WWTP). It was determined that the sewer trunk line had collapsed at this location and flow was impeded. The health and safety of residents was at risk due to the imminent backup of raw sewage in the system if the collapse was not addressed immediately. The City Manager as Director of Emergency Services declared a local emergency. At a special meeting on June 12, 2024, the City Council took action via resolution numbers 24-81 and 24-82 affirming the state of emergency, the emergency actions and repairs, and ratifying the award of emergency contracts without competitive bidding.

Due to the critical nature of the repair at the failure sites and the potential disastrous impact to the community from the complete loss of sewer collection infrastructure and the potential for the backup of raw sewage, immediate action was taken by the City to secure the sites, implement

a bypass pumping operation, stabilize the collapsed roadway portions and risk to adjacent utilities, and plan for emergency repairs to the sewer line in both locations.

The City engaged several contractors under Public Contract Code section 22050, which allows the City Council to authorize the City Manager to enter into contracts for emergency work without engaging in competitive bidding. This allowed the City to begin work on the site immediately to protect the health and safety of the public.

State law requires that the City Council review the emergency action at its next regularly scheduled meetings until the action is terminated. A four-fifths vote is also required, along with a determination that there is a need to continue the action. The requested action is to renew and continue the findings of need for emergency contracts to protect the health and safety of Madera's residents for both failures.

FINANCIAL IMPACT:

Determination of costs incurred to date and projected costs is ongoing to repair the two collapsed sections. At the time of this report, estimates are in the neighborhood of $2,000,000.

Additionally, there will be change order costs associated with CIPP lining project that was awarded to SAK Construction on June 12, 2024 due to accelerated mobilization and extra work tied to the emergency repair. The contract for SAK Construction was awarded by Council at a Special Meeting on June 12, 2024. Table 1 provides an overview of costs for the emergency repairs (this item) and the CIPP lining project.

Table 1: *Budget for Avenue 13 Sewer Main Repairs & Rehabilitation*

Line Item	Amount (1)
2024 Emergency Repairs for the two collapsed sections of sewer main (2)	
Floyd Johnson/Rain for Rent/ et al (3)	$2,000,000
Cured-in-place (CIPP) Lining (Granada to the Waste Water Treatment Plant; ±3.5 miles) (4)	
SAK construction contract	$8,328,452
Project contingency	$1,665,690
Various related services	$832,845
Total Project Budget for CIPP	*$10,826,988*
Total for both projects (5)	**$12,826,988**

1. All figures rounded to nearest dollar and may not add up due to rounding.
2. Includes both collapsed sections.
3. Estimate as of June 27, 2024.
4. Contract was awarded by the City Council at a Special meeting on June 12, 2024
5. Total includes Floyd Johnson, Rain for Rent, et al and SAK.

It is anticipated that the cost of emergency repairs and bypass pumping will be applied to the

Avenue 13 Sewer Trunk Main Rehabilitation Project, SS-00014. Those funding sources have been identified as American Rescue Plan Act (ARPA) and monies received from the State of California specifically for this rehabilitation project.

ALTERNATIVES:

The City Council may choose not to renew the emergency action. Staff does not recommend this at this time as the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

ATTACHMENTS:

1. Resolution renewing a finding of emergency relating to emergency response and repairs to the sanitary sewer main, and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main

2. Staff report packet for Agenda Item A-1 of the Special Council Meeting of June 5, 2012

3. Staff report packet for Agenda item A-1 of the Special Council Meeting of June 12, 2024

ATTACHMENT 1

RESOLUTION NO. 24-__

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

WHEREAS, Public Contract Code Section 22050 provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

WHEREAS, Public Contract Code further provides that before a governing body takes any action as set in the recital hereinabove, it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

WHEREAS, pursuant to Public Contract Code Section 1102 an "emergency," means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

WHEREAS, the sewer main located at Avenue 13 west of Granada Drive is the sole sewer main that conveys all City sewerage to the City's Wastewater Treatment Plant; and

WHEREAS, the City experienced an unexpected sewer main collapse on June 3, 2024, and the sewer main had a secondary collapsed on June 10, 2024, in a different location, both resulting in a large void in the roadway and sewerage flows temporarily backing up into the City system requiring operators to install temporary by-pass pumps in order to pump the sewerage past the localized line break and to maintain by-pass pumping continuously on a 24-hr basis at all hours until the repair is complete; and

WHEREAS, the sewer main services the entire City and community of Parkwood and failure of the pipeline, without the by-pass pumping, would result in a large sanitary sewer overflow; and

WHEREAS, sanitary sewer overflows over 1,000 gallons will result in a Notice of Violation from the California Water Board per Water Quality Order 2006-0003-DWQ; and

WHEREAS, the repairs necessary are described as follows: provide traffic control, pump out and bypass the area of main collapse, remove and replace the main at the line break, make repairs and rehabilitation to potential failure conditions upon further discovery and investigation, secure all utilities in conflict at the location, backfill and around sewer main and trench, repair damage to street and demobilize; and

WHEREAS, the City of Madera has secured several contractors and specialty trades to remedy the situation including Floyd Johnston Construction to make the necessary repairs and investigation, Rain for Rent to provide temporary pumps to provide by-pass pumping of the sewage; AWP Traffic (formerly Statewide) to provide traffic control for the road closure and site protection; and

WHEREAS, additional goods, trades and services may be required including but not limited to sewer video inspection, pipe cleaning, geotechnical engineering, materials and appurtenances for repairs; and

WHEREAS, the City crews also worked overtime to maintain the sewer pumps and to provide Construction Management for this project; and

WHEREAS, in accordance with Madera City Code Section 3-2.04, the City Manager has provided a detailed staff report setting forth the specific facts establishing the emergency, why the emergency did not permit a delay resulting from a competitive solicitation for bids, and why his actions were necessary to respond to the emergency associated with the aforementioned repairs as well as on the costs associated with the repairs; and

WHEREAS, it is highly likely that failure to immediately make the required repairs will result in danger to the health, safety, and welfare of the City residents, members of the public, and/or public facilities; and

WHEREAS, the City Council has considered the written reports and verbal reports of the City Manager at special meetings on June 5, 2024, and June 12, 2024, and determined that the facts and circumstances are such that emergency repairs were and are needed.

WHEREAS, the City Council has considered the report of the City Manager at a regular meeting and again desires to determine that the facts and circumstances are such that emergency repairs were and are needed, and that emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

NOW, THEREFORE the City Council resolves as follows:

1. The staff reports and any presentation regarding this emergency, and recitals herein, are incorporated into this resolution by reference.

2. The repairs described in the recitals and staff report constitute a continuing emergency requiring the continuing need to take immediate action and require procurement of necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

3. The “emergency” described in this resolution meets the requirements as set forth in the Public Contract Code as it constitutes a sudden, unexpected occurrence that posed a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

4. The Council renews its finding that the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action was and is necessary to respond to the emergency.

5. The City Council ratifies any interim emergency action taken by the City Manager, including any award of emergency purchase orders and contracts without competitive bidding for the emergency repairs.

6. Upon completion of the aforementioned emergency repairs and stabilization work, any other work shall be made through a competitive bid process as required by the Madera City Code and Public Contract Code.

7. The City Council hereby directs the City Manager to make status reports at each regularly scheduled Council meeting, pursuant to Section 22050 of the Public Contracts Code until the repairs have been completed.

8. This Resolution shall become effective upon adoption.

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ATTACHMENT 2

REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, Department Director

for Arnoldo Rodriguez, City Manager

Council Meeting of: June 5, 2024

Agenda Number: A-1

SUBJECT:

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

RECOMMENDATION:

Adopt a Resolution making a finding of emergency relating to sewer failures on the sewer main in Avenue 13 between Granada Drive and Road 24, affirming the emergency actions taken by the City Manager to make emergency repairs on the sanitary sewer main, and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main

SUMMARY:

On Monday, June 3, 2024, at approximately 2:30 PM, County staff was notified by a resident of a significant failure in Avenue 13 near Mission Bell winery. County crews notified City staff of a likely sewer failure at the location. City crews confirmed by visual inspection that the 48-inch sewer trunk main had experienced a failure in the top of the pipe causing a large void in the road and partially obstructing the flow.

The condition is very similar to the initial sewer and roadway collapse along the northern shoulder of Avenue 13 (Pecan Avenue), 30 feet west of Granada Drive, that occurred in January, 2023. Due to the critical nature of the repair and the potential disastrous impact to the community from the complete loss of sewer collection infrastructure, immediate action was taken by the City to secure the site, implement bypass pumping and plan for the repair.

The City engaged several contractors under Public Contract Code section 22050, which allows the City Council to authorize the City Manager to enter into contracts for emergency work without engaging in competitive bidding. This allowed the City to start work on this project immediately. Funds for the sewer repairs are included in the City's Fiscal Year (FY) 2023/24 Sewer Budget under the Avenue 13 Sewer Trunk Main Rehabilitation Project.

Adoption of this resolution requires a 4/5 vote of the Council.

DISCUSSION:

Though we are still investigating, it is believed the pipe failure was caused by concrete degradation in the top of the pipe. The pipe is subject to high Hydrogen Sulfide (H2S) gas concentrations, which is a byproduct of the natural degradation process of raw sewage. This H2S gas contributes to the pipe deterioration process. The location is downstream of the convergence of two large sewer mains which also contributes to the condition noted above.

While the collapse was sudden, there have been concerns relative to the structural integrity of pipelines within the City to which the Engineering staff has been actively addressing. On November 3, 2021, the City hired MKN and Associates (MKN) for professional engineering and construction management services for the Avenue 13 Interceptor Sewer Rehabilitation, City Project No. SS-00014 ("Project"). The Project consists of rehabilitating 24,570 Lineal Feet (LF) of 42-inch to 48-inch sanitary sewer. A portion of the sewer line is located along Schnoor Avenue, from Industrial Avenue to Almond Avenue. The remaining portion is on City easements south of Schnoor (Evapco & ADS properties) and along Avenue 13, east of Road 25, leading to the City's Waste Water Treatment Plant (WWTP).

With assistance from American Rescue Plan Act funds and earmarks from Congressman Costa, Senator Caballero, and Congressman Duarte, the City has been able to prioritize rehabilitation of the Avenue 13 sewer trunk main. Ironically, the City recently advertised and opened bids on Phase I and Phase II, combined, which will rehabilitate the pipeline from Granada Drive all the way to Road 21 ½ at the WWTP. This emergency repair is within the limits of that project. Fortunately, it does not compromise the planned project moving forward.

Staff requests that an emergency action in accordance with Public Contract Code 22050 be declared, allowing staff to continue with an accelerated repair and construction. Such a declaration would enable staff to perform these tasks and forego the steps typically required for advertisement and award under the requirements of the Public Contract Code.

The remainder of the Avenue 13 project is on track for construction this summer with award of the project anticipated for the June 19 City Council meeting. The City received four bids on May 29th that appear to have met all the requirements of the bid documents and are within the project budget.

FINANCIAL IMPACT:

It is difficult to provide a cost estimate at this time due to the unknown conditions. Based on costs from the previous sewer collapse, traffic control costs are estimated around $40,000. Set up and break down costs and the first week of bypass pumping are in the neighborhood of $60,000; following weeks of bypass pumping are currently estimated at $25,000 per week. The quote from FJC for the previous initial repair of sewer main failure at Granada Drive was $150,000 to repair the pipeline and roadway.

City Council will be notified of project costs as they occur and are identified. Table 1 identifies a preliminary project cost.

Table 1: *Estimated Emergency Repair Costs*		
Item	*Responsible Party*	*Cost*
Repair the pipeline and street repair	FJC	$150,000
By-pass pump rental for week one	Rain-for-Rent	$60,000
Traffic Control	Safety Network	$40,000
Testing and Investigations	Various	10,000

It is anticipated that the cost of emergency repairs and bypass pumping will be applied to the Avenue 13 Sewer Trunk Main Rehabilitation Project, SS-00014.

ALTERNATIVES:

Given that emergency repairs have commenced, there are not likely any reasonable options to be considered.

ATTACHMENTS:

1. Resolution
2. Location Map
3. Photos

ATTACHMENT 1

Resolution

Exhibit 2

RESOLUTION NO. 24-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING A FINDING OF EMERGENCY RELATING TO SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 BETWEEN GRANADA DRIVE AND ROAD 24, AFFIRMING THE EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER TO MAKE EMERGENCY REPAIRS ON THE SANITARY SEWER MAIN, AND RATIFYING THE AWARD OF EMERGENCY CONTRACTS WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY REPAIRS ON THE SEWER MAIN

WHEREAS, Public Contract Code Section 220250 provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

WHEREAS, Public Contract Code further provides that before a governing body takes any action as set in the recital hereinabove, it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

WHEREAS, pursuant to Public Contract Code Section 1102 an "emergency," means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

WHEREAS, the sewer main located at Avenue 13 between Granada Drive and Road 24 is the sole sewer main that conveys all City sewerage to the City's Wastewater Treatment Plant; and

WHEREAS, the sewerage main collapsed on June 3, 2024 resulting in a large void in the roadway and sewerage flows temporarily backing up into the City system requiring operators to install temporary by-pass pumps in order to pump the sewerage past the localized line break and to maintain by-pass pumping continuously on a 24-hr basis at all hours until the repair is complete; and

WHEREAS, the sewer main services the entire City and community of Parkwood and failure of the pipeline, without the by-pass pumping, would result in a large sanitary sewer overflow; and

WHEREAS, sanitary sewer overflows over 1,000 gallons will result in a Notice of Violation from the California Water Board per Water Quality Order 2006-0003-DWQ; and

WHEREAS, the repairs necessary are described as follows: provide traffic control, pump out and bypass the area of main collapse, remove and replace the main at the line break, make repairs and rehabilitation to potential failure conditions upon further discovery and investigation, secure all utilities in conflict at the location, backfill and around sewer main and trench, repair damage to street and demobilize; and

WHEREAS, the City of Madera has secured several contractors and specialty trades to remedy the situation including Floyd Johnston Construction to make the necessary repairs and investigation, Rain for Rent to provide temporary pumps to provide by-pass pumping of the sewage; Safety Network to provide traffic control for the road closure and site protection; and

WHEREAS, additional goods, trades and services may be required including but not limited to sewer video inspection, pipe cleaning, geotechnical engineering, materials and appurtenances for repairs; and

WHEREAS, the City crews also worked overtime to maintain the sewer pumps and to provide Construction Management for this project; and

WHEREAS, in accordance with Madera City Code Section 3-2.04, the City Manager has provided a detailed staff report setting forth the specific facts establishing the emergency, why the emergency did not permit a delay resulting from a competitive solicitation for bids, and why his actions were necessary to respond to the emergency associated with the aforementioned repairs as well as on the costs associated with the repairs; and

WHEREAS, it is highly likely that failure to immediately make the required repairs will result in danger to the health, safety, and welfare of the City residents, members of the public, and/or public facilities; and

WHEREAS, the City Council has considered the written report and verbal report of the City Manager at a regular meeting and determined that the facts and circumstances are such that emergency repairs were and are needed.

NOW, THEREFORE the City Council resolves as follows:

1. The staff report regarding this resolution and the recitals herein are incorporated herein by reference.

2. The repairs described in the recitals and staff report constitute an emergency requiring the need to take immediate action and require procurement of necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

3. The "emergency" described in this resolution meets the requirements as set forth in the Public Contract Code as it constitutes a sudden, unexpected occurrence that posed a clear

and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

4. The Council finds the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action was and is necessary to respond to the emergency.

5. The City Council ratifies the emergency action taken by the City Manager, including the award of an emergency purchase orders and contracts without competitive bidding for the emergency repairs.

6. Upon completion of the aforementioned emergency repairs and stabilization work, any other work shall be made through a competitive bid process as required by the Madera City Code and Public Contract Code.

7. The City Council hereby directs the City Manager to make status reports at each regularly scheduled Council meeting, pursuant to Section 22050 of the Public Contracts Code until the repairs have been completed.

8. This Resolution shall become effective upon adoption.

****

PASSED AND ADOPTED by the City Council of the City of Madera this 5th day of June 2024 by the following vote:

AYES:	Mayor Garcia, Councilmembers Rodriguez, Montes, Evans, Mejia and Villegas.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Mayor Pro Tem Gallegos.

APPROVED:

SANTOS GARCIA, Mayor

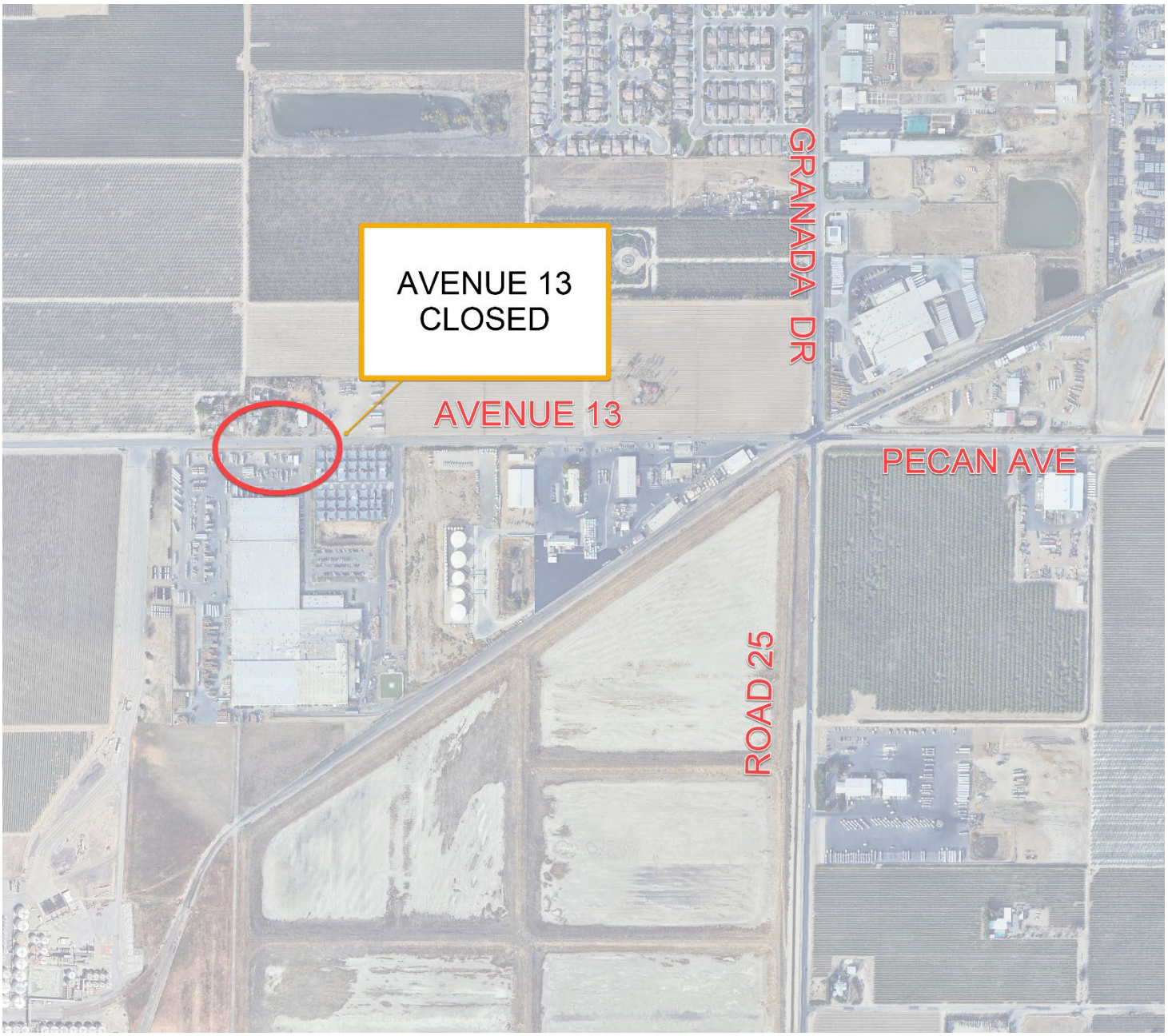
ATTEST:

ALICIA GONZALES, City Clerk

CITY OF MADERA INCORPORATED March 27, 1907 CALIFORNIA

ATTACHMENT 2

Location Map


AVENUE 13
CLOSED
AVENUE 13
GRANADA DR
PECAN AVE
ROAD 25

ATTACHMENT 3

Photos

Hole approximately 18 feet deep and 20 feet wide

Bypass Pumping Set Up

ATTACHMENT 3

REPORT TO CITY COUNCIL

Approved by:

Wendy Silva, Department Director

Keith Helmuth, City Engineer

Arnoldo Rodriguez, City Manager

Council Meeting of: June 12, 2024

Agenda Number: A-1

SUBJECT:

Ratify declaration of a local emergency and emergency repairs to Avenue 13 sewer trunk main due to multiple failure sites

RECOMMENDATION:

Adopt Resolutions:

1. Ratifying the declaration of a local emergency by the City Manager as Director of Emergency Services due to additional failure of the City sewer trunk line on June 10, 2024; and
2. Making a finding of emergency relating to emergency response and repairs to the sanitary sewer main and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main

SUMMARY:

The City of Madera (City) experienced an unexpected, significant failure of the sewer trunk line in Avenue 13, approximately 100 feet west of Granada drive on Monday, June 10, 2024. The City Manager as Director of Emergency Services issued a declaration of local emergency due to conditions of extreme peril to the health and safety of persons and property within Madera. Staff immediately mobilized emergency work efforts to respond to the collapse and provide sanitary sewer services to City residents, as well as residents of the areas of Parksdale and Parkwood that connect to the City's sewer line. The requested action is twofold: (1) to ratify the declaration of local emergency, and (2) to make a finding of emergency relating to the emergency response and repairs pursuant to Public Contract Code 22050 allowing staff to continue with accelerated repair and construction at the failure site without a formal competitive bidding process.

DISCUSSION:

On Monday, June 10, 2024, at approximately 10:30 AM, City staff was informed of a roadway collapse approximately 100 feet to the west of the intersection of Avenue 13 (Pecan Avenue) and Road 25 (Granada Drive). The rear trailer of a truck pulling two (2) trailers had fallen into a hole in the roadway directly above the City's sewer trunk line. The sewer trunk line is the main collection line for the City's sewer system that carries the flow of sewage from City residents and businesses to the Waste Water Treatment Plant (WWTP).

It was determined that the sewer trunk line had collapsed at this location and flow was impeded. The health and safety of residents was at risk due to the imminent backup of raw sewage in the system if the collapse was not addressed immediately. The City Manager as Director of Emergency Services declared a local emergency, calling on residents to take immediate actions to limit the introduction of flow to the sewer system. The first resolution contemplated with this report ratifies the declaration of a local emergency.

Due to the critical nature of the repair at the failure site and the potential disastrous impact to the community from the complete loss of sewer collection infrastructure and the potential for the backup of raw sewage, immediate action was taken by the City to secure the site, implement a bypass pumping operation, stabilize the collapsed roadway and risk to adjacent utilities, and plan for emergency repairs to the sewer line.

The City engaged several contractors under Public Contract Code section 22050, which allows the City Council to authorize the City Manager to enter into contracts for emergency work without engaging in competitive bidding. This allowed the City to begin work on the site immediately to protect the health and safety of the public. The second resolution contemplated with this report ratifies the award of emergency contracts under the referenced Public Contract Code section. It should be noted that the second resolution requires a 4/5 vote of the City Council.

Previously, on June 3, 2024, at approximately 2:30 PM, County staff was notified by a resident of a significant failure in Avenue 13 near Mission Bell winery. County crews notified City staff of a likely sewer failure at the location. City crews confirmed by visual inspection that the sewer trunk main had experienced a failure causing a large void in the road and partially obstructing the flow. This event resulted in a declaration of emergency by the City Manager as Director of Emergency Services. The City Council ratified the declaration and emergency contracts for the June 3, 2024, collapse at its June 5, 2024, meeting. The resolution from this action is provided as Exhibit 2 to the first resolution for reference.

FINANCIAL IMPACT:

It is difficult to provide a cost estimate at this time due to the unknown conditions and early stages of the situation. The City Council will be provided regular reports relating to the emergency contracts and expenditures to address the June 10, 2024, sewer line failure.

ALTERNATIVES:

Staff does not recommend any alternatives than proceeding with emergency repairs to ensure the health and safety of the public.

ATTACHMENTS:

1. Resolution Ratifying the declaration of a local emergency by the city Manager as Director of Emergency Services due to additional failure of the City Sewer trunk line on June 10, 2024
    - Exhibit 1: Declaration proclaiming the existence of a local emergency for the June 10, 2024, sewer trunk failure
    - Exhibit 2: City Council Resolution 24-80 ratifying the existence of a local emergency

2. Resolution Making a finding of emergency relating to emergency response and repairs to the sanitary sewer main, and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main

Attachment 1

RESOLUTION NO. 24-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RATIFYING THE DECLARATION OF A LOCAL EMERGENCY BY THE CITY MANAGER AS THE DIRECTOR OF EMERGENCY SERVICES DUE TO ADDITIONAL FAILURE OF THE CITY'S SEWER TRUNK LINE ON JUNE 10, 2024

WHEREAS, Section 3-2.04 of the Madera Municipal Code designates the City Manager as the Director of Emergency Services for the City of Madera; and

WHEREAS, California Government Code Sections 8558 and 8630, et seq., and Section 3-2.04 (A) of the Madera Municipal Code authorizes the Director of Emergency Services to proclaim the existence of a local emergency within the City of Madera when the City Council is not in session and the City of Madera is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the health and safety of persons and property within the territorial limits of the City of Madera; and

WHEREAS, a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council; and

WHEREAS, the health, safety, and welfare of City residents, businesses, visitors, and staff are of utmost importance to the City and additional future measures may be needed to protect the community. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the present state of emergency. The City may require additional assistance in the future, and proclamation of local emergency allows additional resources to flow to the City in a timely manner; and

WHEREAS, on June 3, 2024, the City Council was not in session and the City Manager as Director of Emergency Services declared a local emergency due to the existence of conditions of extreme peril to the health and safety of persons and property within the City of Madera caused by failure of the main sewer trunk line in Avenue 13 between Granada Drive and Road 24 in Madera, California; and

WHEREAS, the City Council of the City of Madera ratified this action at its meeting on June 5, 2024; and

WHEREAS, additional sewer trunk line failure occurred on or about Monday, June 10, 2024, causing significant impact to the sanitary sewer system serving all residents and businesses within the City of Madera and the Parksdale and Parkwood areas of Madera County; and

WHEREAS, on June 10, 2024, the City Council was not in session and the City Manager as Director of Emergency Services declared a local emergency for response and repairs to the additional sewer trunk line collapse to protect the health and safety of persons and property

within the City of Madera; and

WHEREAS, The Director of Emergency Services requests that the City Council ratify the declaration of a state of local emergency for the City of Madera as impacts from the sewer trunk collapses are evaluated, repaired, and or mitigated; and

WHEREAS, after consideration of all facts reasonably available for review and all items, the City Council of the City of Madera now desires to ratify the proclamation and affirm the existence of a state of emergency throughout the City to make additional resources available to address the impacts of the above-described sewer trunk line failures, ratify the proclamation of the Director of Emergency Services made on June 10, 2024, and affirm the existence of a state of local emergency for the City of Madera as of the date June 3, 2024 when the first collapse was discovered.

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

1. Recitals. The above recitals are true and correct and incorporated herein as findings by the City Council.

2. Proclamation of Local Emergency. The actual existence of conditions of extreme peril to the safety of persons and property have arisen within the City of Madera, caused by the effects of the above-described sewer trunk line failures. The City Council, based upon the foregoing, now does proclaim, declare and affirm the continuing existence of a local emergency throughout the City.

3. Ratification. The aforementioned conditions of extreme peril warranted and necessitated the extension of the proclamation of the existence of a local emergency throughout the City of Madera by the City's Director of Emergency Services on June 10, 2024. The City Council of the City of Madera does hereby ratify and affirm the need to continue the proclamation of a local emergency throughout the City of Madera by the City's Director of Emergency Services on June 10, 2024, attached hereto as Exhibit 1 and incorporated herein by reference.

4. Effective Date of Local Emergency. The City Council of the City of Madera does hereby extend and affirm the existence of a state of local emergency for the City of Madera as of the date of June 3, 2024, when the City's Director of Emergency Services originally declared the existence of a state of emergency for the City of Madera as affirmed by City Council Resolution No. 24-80 (attached hereto as Exhibit 2 and incorporated herein by reference), for the reasons articulated herein, and for the additional reasons in the proclamation of a local emergency throughout the City of Madera by the City's Director of Emergency Services proclaimed on June 10, 2024.

5. Authority. During the existence of said local emergency, the powers, authority, functions and duties of the Director of Emergency Services and the City's emergency services organizations shall be those prescribed by state law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency. In this regard, the Council desires to make clear the powers, functions, and duties include:

    a. As necessary for the public health, life, and property, entering into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the significant sewer trunk failures. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of the significant sewer system failure.

    b. The Emergency Services Director is expressly authorized to assist with any lawful order, including the enforcement of an order issued by the State of California.

    c. The designation and authorization of Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, as the Local Hazard Mitigation Coordinator of the City of Madera is reaffirmed, including for the purposes of i) assessing damage within the City of Madera and consulting with federal/state survey teams about hazard mitigation actions; and ii) authorized representative for individual assistance of the City of Madera for purposes of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance

6. Duration. Per Government Code Section 8630, this ratification of the proclamation of local emergency shall expire in sixty (60) days unless extended by the City Council. At the direction of the Emergency Services Director, City Staff are directed to return this item for Council review of the need for continuing the local emergency prior to the expiration of the sixty (60) day period.

7. Notice to Agencies. In accordance to the California Disaster Assistance Act and the Stafford Act, the Emergency Services Director is authorized to send a copy of this ratification of a proclamation of local emergency be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs. A copy of this Resolution shall be forwarded to the Madera County Office of Emergency Services.

8. Severability. If any subsection, sentence, clause, phrase, or word of this Resolution or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Resolution.

9. Effective Date of Resolution. This Resolution shall be effective immediately upon passage and adoption. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

10. Publication. This Resolution and its contents will be published and promulgated in as widespread a manner as is reasonably feasible under the conditions prevailing during this local emergency.

* * * * * * * * * * * * * * *

PASSED AND ADOPTED by the City Council of the City of Madera this 12th day of June 2024 by the following vote:

AYES:	Mayor Garcia, Councilmembers Gallegos, Rodriguez, Evans and Villegas.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Councilmembers Montes and Mejia.

APPROVED:

SANTOS GARCIA, Mayor

ATTEST:

ALICIA GONZALES, City Clerk

CITY OF MADERA INCORPORATED March 27, 1907 CALIFORNIA

Exhibit 1

Exhibit 1

DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY
JUNE 10, 2024, SEWER TRUNK FAILURE

WHEREAS, the Director of Emergency Services does hereby find that conditions of extreme peril to the health and safety of persons and property have arisen within the City of Madera, caused by failure of the main sewer trunk line in Avenue 13, east of Granada Drive, in Madera, California, on or about Monday, June 11, 2024; and

WHEREAS, this failure of the pipe significantly impacted the sanitary sewer system serving all residents and businesses within the City of Madera and the Parksdale and Parkwood areas of Madera County, placing the entire sewer system at risk of raw sewage backup, and included significant failure of the transportation infrastructure in the immediate vicinity of the sewer trunk failure; and

WHEREAS, all users of the sewer system were ordered to take immediate actions to limit the introduction of flow to the sewer system; and

WHEREAS, strict compliance with certain Madera Municipal Code ("MMC") and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the significant sewer failure, which issues cannot be timely addressed absent a declaration of emergency; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future participation by the county, state and federal governments will be critical to successfully responding to the failed sewer infrastructure; and

WHEREAS, local resources have been deployed by the City of Madera to mitigate and recover from this significant failure, thereby depleting strained public safety resources such as Law Enforcement, Public Works, and Engineering services; and

WHEREAS, Section 3-2.04 of the Madera Municipal Code designates the City Manager as the Director of Emergency Services for the City of Madera; and

WHEREAS, California Government Code Sections 8558 and 8630, et seq., and Section 3-2.04 (A) of the Madera Municipal Code authorizes the Director of Emergency Services to proclaim the existence of a local emergency within the City of Madera when the City Council is not in session and the City of Madera is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the health and safety of persons and

property within the territorial limits of the City of Madera; and

WHEREAS, a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council; and

WHEREAS, the health, safety, and welfare of City residents, businesses, visitors, and staff are of utmost importance to the City and additional future measures may be needed to protect the community. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the present state of emergency. The City may require additional assistance in the future, and proclamation of local emergency allows additional resources to flow to the City in a timely manner; and

WHEREAS, after consideration of all items the Director of Emergency Services now desires to proclaim the existence of a state of emergency to make additional resources available to address the effects of the sewer trunk failure.

NOW, THEREFORE, the Director of Emergency Services for the City of Madera does hereby find and proclaim as follows:

1. The above recitals are true and correct and incorporated herein as findings by the Director of Emergency Services.

2. The Director of Emergency Services finds that conditions of extreme peril to the health and safety of persons and property have arisen within the City of Madera, caused by a second significant failure of the sewer trunk line on or about June 10, 2024.

3. The Director of Emergency Services further finds that the City Council is not currently in session.

4. The aforementioned conditions of extreme peril caused by additional sewer trunk line failure warrant and necessitate the proclamation of the existence of a local emergency by the City's Director of Emergency Services. Pursuant to the authority granted by City ordinance, I hereby proclaim that a local emergency now exists throughout the City as of the date of June 10, 2024, when the collapse was discovered for the reasons articulated herein.

5. It is further proclaimed and ordered that during the existence of said local emergency, the powers, functions, and duties of the Emergency Services Director and the Madera Disaster Council shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency.

7. It is further proclaimed and ordered that in accordance with the California Disaster

Assistance Act and the Stafford Act, a copy of this proclamation be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs. It is further proclaimed and ordered that a copy of this Declaration be forwarded to the Madera County Office of Emergency Services.

8. It is further proclaimed and ordered that Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the Local Hazard Mitigation Coordinator of the City of Madera for the purpose of assessing damage within the City of Madera and consulting with federal/state survey teams about hazard mitigation actions.

9. It is further proclaimed and ordered that Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the authorized representative for public assistance, and Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the authorized representative for individual assistance of the City of Madera for purposes of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

10. This proclamation and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

11. This proclamation of a local emergency shall take effect immediately as of the date first set forth below. Consistent with Subsection 3-2.04(A) of the MMC and California Government Code Section 8630(b) the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council.

Arnoldo Rodriguez, City Manager
Director of Emergency Services

6/10/2024
Date

Exhibit 2

Exhibit 2

RESOLUTION NO. 24-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING A FINDING OF EMERGENCY RELATING TO SEWER FAILURES ON THE SEWER MAIN AT AVENUE 13 BETWEEN GRANADA DRIVE AND ROAD 24, AFFIRMING THE EMERGENCY ACTIONS TAKEN BY THE CITY MANAGER TO MAKE EMERGENCY REPAIRS ON THE SANITARY SEWER MAIN, AND RATIFYING THE AWARD OF EMERGENCY CONTRACTS WITHOUT COMPETITIVE BIDDING FOR THE EMERGENCY REPAIRS ON THE SEWER MAIN

WHEREAS, Public Contract Code Section 220250 provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

WHEREAS, Public Contract Code further provides that before a governing body takes any action as set in the recital hereinabove, it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

WHEREAS, pursuant to Public Contract Code Section 1102 an "emergency," means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

WHEREAS, the sewer main located at Avenue 13 between Granada Drive and Road 24 is the sole sewer main that conveys all City sewerage to the City's Wastewater Treatment Plant; and

WHEREAS, the sewerage main collapsed on June 3, 2024 resulting in a large void in the roadway and sewerage flows temporarily backing up into the City system requiring operators to install temporary by-pass pumps in order to pump the sewerage past the localized line break and to maintain by-pass pumping continuously on a 24-hr basis at all hours until the repair is complete; and

WHEREAS, the sewer main services the entire City and community of Parkwood and failure of the pipeline, without the by-pass pumping, would result in a large sanitary sewer overflow; and

WHEREAS, sanitary sewer overflows over 1,000 gallons will result in a Notice of Violation from the California Water Board per Water Quality Order 2006-0003-DWQ; and

WHEREAS, the repairs necessary are described as follows: provide traffic control, pump out and bypass the area of main collapse, remove and replace the main at the line break, make repairs and rehabilitation to potential failure conditions upon further discovery and investigation, secure all utilities in conflict at the location, backfill and around sewer main and trench, repair damage to street and demobilize; and

WHEREAS, the City of Madera has secured several contractors and specialty trades to remedy the situation including Floyd Johnston Construction to make the necessary repairs and investigation, Rain for Rent to provide temporary pumps to provide by-pass pumping of the sewage; Safety Network to provide traffic control for the road closure and site protection; and

WHEREAS, additional goods, trades and services may be required including but not limited to sewer video inspection, pipe cleaning, geotechnical engineering, materials and appurtenances for repairs; and

WHEREAS, the City crews also worked overtime to maintain the sewer pumps and to provide Construction Management for this project; and

WHEREAS, in accordance with Madera City Code Section 3-2.04, the City Manager has provided a detailed staff report setting forth the specific facts establishing the emergency, why the emergency did not permit a delay resulting from a competitive solicitation for bids, and why his actions were necessary to respond to the emergency associated with the aforementioned repairs as well as on the costs associated with the repairs; and

WHEREAS, it is highly likely that failure to immediately make the required repairs will result in danger to the health, safety, and welfare of the City residents, members of the public, and/or public facilities; and

WHEREAS, the City Council has considered the written report and verbal report of the City Manager at a regular meeting and determined that the facts and circumstances are such that emergency repairs were and are needed.

NOW, THEREFORE the City Council resolves as follows:

1. The staff report regarding this resolution and the recitals herein are incorporated herein by reference.

2. The repairs described in the recitals and staff report constitute an emergency requiring the need to take immediate action and require procurement of necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

3. The "emergency" described in this resolution meets the requirements as set forth in the Public Contract Code as it constitutes a sudden, unexpected occurrence that posed a clear

and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

4. The Council finds the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action was and is necessary to respond to the emergency.

5. The City Council ratifies the emergency action taken by the City Manager, including the award of an emergency purchase orders and contracts without competitive bidding for the emergency repairs.

6. Upon completion of the aforementioned emergency repairs and stabilization work, any other work shall be made through a competitive bid process as required by the Madera City Code and Public Contract Code.

7. The City Council hereby directs the City Manager to make status reports at each regularly scheduled Council meeting, pursuant to Section 22050 of the Public Contracts Code until the repairs have been completed.

8. This Resolution shall become effective upon adoption.

****

PASSED AND ADOPTED by the City Council of the City of Madera this 5th day of June 2024 by the following vote:

AYES:	Mayor Garcia, Councilmembers Rodriguez, Montes, Evans, Mejia and Villegas.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Mayor Pro Tem Gallegos.

APPROVED:

SANTOS GARCIA, Mayor

ATTEST:

ALICIA GONZALES, City Clerk

CITY OF MADERA INCORPORATED March 27, 1907 CALIFORNIA

Exhibit 2

DECLARATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY
JUNE 3, 2024, SEWER TRUNK FAILURE

WHEREAS, the Director of Emergency Services does hereby find that conditions of extreme peril to the health and safety of persons and property have arisen within the City of Madera, caused by failure of the main sewer trunk line in Avenue 13 between Granada Drive and Road 24 in Madera, California, on or about Monday, June 3, 2024; and

WHEREAS, this failure of the pipe significantly impacted the sanitary sewer system serving all residents and businesses within the City of Madera and the Parksdale and Parkwood areas of Madera County, placing the entire system at risk of raw sewage backup; and

WHEREAS, all users of the sewer system were ordered to take immediate actions to limit the introduction of flow to the sewer system; and

WHEREAS, strict compliance with certain Madera Municipal Code ("MMC") and other City regulations would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the significant sewer failure, which issues cannot be timely addressed absent a declaration of emergency; and

WHEREAS, the mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future participation by the county, state and federal governments will be critical to successfully responding to the failed sewer infrastructure; and

WHEREAS, local resources have been deployed by the City of Madera to mitigate and recover from this significant failure, thereby depleting strained public safety resources such as Law Enforcement, Public Works, and Engineering services; and

WHEREAS, Section 3-2.04 of the Madera Municipal Code designates the City Manager as the Director of Emergency Services for the City of Madera; and

WHEREAS, California Government Code Sections 8558 and 8630, et seq., and Section 3-2.04 (A) of the Madera Municipal Code authorizes the Director of Emergency Services to proclaim the existence of a local emergency within the City of Madera when the City Council is not in session and the City of Madera is affected or likely to be affected by the existence or threatened existence of conditions of emergency or of extreme peril to the health safety of persons and property within the territorial limits of the City of Madera; and

WHEREAS, a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the City Council; and

WHEREAS, the health, safety and welfare of City residents, businesses, visitors and staff are of utmost importance to the City and additional future measures may be needed to protect the community. The mobilization of local resources, ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to successfully responding to the present state of emergency. The City may require additional assistance in the future, and proclamation of local emergency allows additional resources to flow to the City in a timely manner; and

WHEREAS, after consideration of all items the Director of Emergency Services now desires to proclaim the existence of a state of emergency to make additional resources available to address the effects of the sewer trunk failure.

NOW, THEREFORE, the Director of Emergency Services for the City of Madera does hereby find and proclaim as follows:

1. The above recitals are true and correct and incorporated herein as findings by the Director of Emergency Services.

2. The Director of Emergency Services finds that conditions of extreme peril to the health and safety of persons and property have arisen within the City of Madera, caused by a significant failure of the sewer trunk line on or about June 3, 2024.

3. The Director of Emergency Services further finds that the City Council is not currently in session.

4. The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City's Director of Emergency Services. Pursuant to the authority granted by City ordinance, I hereby proclaim that a local emergency now exists throughout the City as of the date of June 3, 2024, when the collapse was discovered for the reasons articulated herein.

5. It is further proclaimed and ordered that during the existence of said local emergency, the powers, functions, and duties of the Emergency Services Director and the Madera Disaster Council shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency.

7. It is further proclaimed and ordered that in accordance with the California Disaster Assistance Act and the Stafford Act, a copy of this proclamation be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs. It is further proclaimed and ordered that a copy of this Declaration be forwarded to the Madera County Office of Emergency Services.

8. It is further proclaimed and ordered that Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the Local Hazard Mitigation

Coordinator of the City of Madera for the purpose of assessing damage within the City of Madera and consulting with federal/state survey teams about hazard mitigation actions.

9. It is further proclaimed and ordered that Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the authorized representative for public assistance, and Arnoldo Rodriguez, City Manager and Emergency Services Director, or his designee, is hereby designated as the authorized representative for individual assistance of the City of Madera for purposes of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

10. This proclamation and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

11. This proclamation of a local emergency shall take effect immediately as of the date first set forth below. Consistent with Subsection 3-2.04(A) of the MMC and California Government Code Section 8630(b) the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council.

Arnoldo Rodriguez, City Manager
Director of Emergency Services

6/3/2024
Date

ATTACHMENT 2

RESOLUTION NO. 24-82

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

WHEREAS, Public Contract Code Section 22050 provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

WHEREAS, Public Contract Code further provides that before a governing body takes any action as set in the recital hereinabove, it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

WHEREAS, pursuant to Public Contract Code Section 1102 an "emergency," means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

WHEREAS, the sewer main located at Avenue 13 west of Granada Drive is the sole sewer main that conveys all City sewerage to the City's Wastewater Treatment Plant; and

WHEREAS, in addition to the current emergency as a result of the sewer collapse on June 3, 2024, the sewer main has a secondary collapsed on June 10, 2024 resulting in a large void in the roadway and sewerage flows temporarily backing up into the City system requiring operators to install temporary by-pass pumps in order to pump the sewerage past the localized line break and to maintain by-pass pumping continuously on a 24-hr basis at all hours until the repair is complete; and

WHEREAS, the sewer main services the entire City and community of Parkwood and failure of the pipeline, without the by-pass pumping, would result in a large sanitary sewer overflow; and

WHEREAS, sanitary sewer overflows over 1,000 gallons will result in a Notice of Violation from the California Water Board per Water Quality Order 2006-0003-DWQ; and

WHEREAS, the repairs necessary are described as follows: provide traffic control, pump out and bypass the area of main collapse, remove and replace the main at the line break, make repairs and rehabilitation to potential failure conditions upon further discovery and investigation, secure all utilities in conflict at the location, backfill and around sewer main and trench, repair damage to street and demobilize; and

WHEREAS, the City of Madera has secured several contractors and specialty trades to remedy the situation including Floyd Johnston Construction to make the necessary repairs and investigation, MPS to provide temporary pumps to provide by-pass pumping of the sewage; Safety Network to provide traffic control for the road closure and site protection; and

WHEREAS, additional goods, trades and services may be required including but not limited to sewer video inspection, pipe cleaning, geotechnical engineering, materials and appurtenances for repairs; and

WHEREAS, the City crews also worked overtime to maintain the sewer pumps and to provide Construction Management for this project; and

WHEREAS, in accordance with Madera City Code Section 3-2.04, the City Manager has provided a detailed staff report setting forth the specific facts establishing the emergency, why the emergency did not permit a delay resulting from a competitive solicitation for bids, and why his actions were necessary to respond to the emergency associated with the aforementioned repairs as well as on the costs associated with the repairs; and

WHEREAS, it is highly likely that failure to immediately make the required repairs will result in danger to the health, safety, and welfare of the City residents, members of the public, and/or public facilities; and

WHEREAS, the City Council has considered the written report and verbal report of the City Manager at a regular meeting and determined that the facts and circumstances are such that emergency repairs were and are needed.

NOW, THEREFORE the City Council resolves as follows:

1. The staff report regarding this resolution and the recitals herein are incorporated herein by reference.

2. The repairs described in the recitals and staff report constitute an emergency requiring the need to take immediate action and require procurement of necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

3. The "emergency" described in this resolution meets the requirements as set forth in the Public Contract Code as it constitutes a sudden, unexpected occurrence that posed a clear

and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

4. The Council finds the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action was and is necessary to respond to the emergency.

5. The City Council ratifies the emergency action taken by the City Manager, including the award of an emergency purchase orders and contracts without competitive bidding for the emergency repairs.

6. Upon completion of the aforementioned emergency repairs and stabilization work, any other work shall be made through a competitive bid process as required by the Madera City Code and Public Contract Code.

7. The City Council hereby directs the City Manager to make status reports at each regularly scheduled Council meeting, pursuant to Section 22050 of the Public Contracts Code until the repairs have been completed.

8. This Resolution shall become effective upon adoption.

****

PASSED AND ADOPTED by the City Council of the City of Madera this 12th day of June 2024 by the following vote:

AYES:	Mayor Garcia, Councilmembers Gallegos, Rodriguez, Evans and Villegas.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Councilmembers Montes and Mejia.

APPROVED:

SANTOS GARCIA, Mayor

ATTEST:

ALICIA GONZALES, City Clerk

CITY OF MADERA INCORPORATED March 27, 1907 CALIFORNIA

REPORT TO CITY COUNCIL

Approved by:

Michael Lima, Director of Financial Services

Arnoldo Rodriguez, City Manager

Council Meeting of: July 3, 2024

Agenda Number: E-1

SUBJECT:

Informational report on the Madera Metro Transit System

RECOMMENDATION:

This report is submitted for informational purposes and there is no action requested from the City Council (Council)

SUMMARY:

The Madera Metro Transit System consists of 18 bus fleet; 12 buses are assigned to Fixed Route and 6 are assigned to Dial-A-Ride (DAR). As of January 6, 2024, the Madera Metro Fixed Route System operates four routes. As part of the DAR system, three vans are designated for the ADA Paratransit service. There is no fare charge for all fixed-route customers. Passengers between the ages of 18-59 are charged a $3 fee to use the DAR service.

The Madera Metro system is continuously evolving to meet the on-going needs of the community. Currently, there are a few key projects focused on improving the Madera Metro Transit System.

1. Implementation of the Madera Transit Plan
2. Renovation of the Madera Intermodal Transit Facility
3. Micro-transit Feasibility Study

DISCUSSION:

Madera Transit Plan

The Madera Transit Plan – Services Assessment (MTP) was designed to contribute to the 2014 Regional Transportation Plan (RTP) goals and the regional 2017 Active Transportation Plan (ATP).

The MTP was implemented in two Phases to capture the complete design of the revised Madera Metro Fixed Route System.

Phase 1 of the Madera Transit Plan was the Services Assessment component. Phase Two of the Service Agreement targeted Outreach and Network Implementation. The Network Implementation component of Phase Two focused on strategies and the development of resources to notify the community of the proposed changes to the Madera Metro Transit System.

On January 6, 2024 the new routes became operational. As with most changes in a system, there was a transitional period necessary for the riders to adapt to the new system. Changes included:

1. Removal/addition of stops
    - One of the goals of the MTP was to increase access while streamlining the service. To meet this goal, some stops had to be removed and in most cases were replaced with another stop.

2. Addition of simme seats (to some stops)
    - The 2022 results of the Unmet Needs Survey identified a reasonable need to increase seating at bus stops throughout the City. Therefore, simme seats were purchased and installed at some of the stops.

Table 1: Simme Seat *Description*		
Bus Shelter Description	Cost Per unit	Total Cost
▪ (30) Simme Seats	▪ $695	▪ $20,850

    - In addition to the purchase of simme seats, five additional shelters were purchased.

Table 2: *Bus Shelter Description*		
Bus Shelter Description	Cost Per unit	Total Cost
▪ (3) 5 X 13 bus shelters with 8’ bench	▪ $26,258	▪ $78,774
▪ (2) 5 X 9 bus shelters with 5’ bench	▪ $19,973	▪ $39,946
Total Cost of bus shelters		$118,720

3. Changes to route stop and pick up times
    - The addition and removal of stops naturally called for changes to the overall transit schedule.

After six months of implementing the new route system, staff is in the process of finalizing the implementation of the MTP. This includes:

1. Removing bus stop poles
2. Relocating bus stop shelters
   - Phase 1: Engineers Estimate – near completion
   - Phase 2: Relocation of shelters – this will occur during FY 2024
3. Addition of new bus stop signage and schedule holders
4. Installing information kiosks (five in total) at the Intermodal Facility, Walgreens bus stop, Madera County Jail bus stop, Madera Community Hospital, and Rancho San Miguel stop.
5. Finalizing Madera Metro Transit brochures and schedules

Renovation of the Madera Intermodal Transit Facility

During the May 17, 2023, Council Meeting, RRM Design Group (Consultant) was awarded a service agreement to assess the current condition of the Intermodal Transit Center and develop a renovation design and construction plan. The plan aims to convert the former Greyhound station into City offices for the Grants Division while establishing a Madera Metro transfer point for passengers. The envisioned transformation includes the provision of both interior and exterior waiting areas for enhanced convenience.

The following phases were included in the design plan:

- Phase I: Project Initiation and Administration and Assessment of Existing Condition of the Intermodal Transit Center and a Site Survey.
- Phase II: Schematic Design.
- Phase III: Construction Documents i.e., Design Development Documents, Construction Documents, and Permitting.
- Phase IV: Bidding and Construction Administration i.e., Bidding, Construction Administration and Record Drawing and Project Closeout.

To date, the project is near completion of the third phase. The total compensation for this contract is $285,961 which is afforded through both the Affordable Housing and Sustainable Communities (AHSC) and Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) grant programs.

Project completion is anticipated to be February 2025.

Micro-transit Feasibility Study

During the January 17, 2024 Council meeting, a Madera Metro workshop was presented. It included ridership data and trends. The goal of the presentation was to explain the potential benefits of this type of system and obtain Council feedback/direction in the area of micro-transit. Some of the potential benefits include:

- Flexible schedules that may accommodate those riders whose schedules do not fit into the fixed route or DAR system.
- Collaboration with the Pre-K and K-12 education system may assist in increasing pre-K enrollment and decrease truancy.
- De-stigmatize public transit.
- Increased efficiency will provide an overall more pleasurable experience for the rider which may improve public transit sustainability.

Staff proceeded with the development of an RFP to pursue a feasibility study. The purpose of a feasibility study is to develop a framework and path towards a modern transit service that will serve the needs of the City. The study will review the current transit operations and examine potential options. The main project deliverables proposed are:

1. Development of a micro-transit feasibility study summarizing the work undertaken
2. Recommended Implementation Plan
3. Public outreach of the Implementation Plan soliciting community feedback

The micro-transit feasibility study RFP will be released in July 2024.

FINANCIAL IMPACT:

Transit expenses and personnel time for the projects mentioned are expended through Federal Transit Administration (FTA) funds and state funds (AHSC, PTMISEA, and State of Good Repair).

ALTERNATIVES:

This is an informational item only.

ATTACHMENTS:

None.

Madera City Council Meeting

July 3, 2024

Agenda Item: E-2

A Smoke Free Community

(Report by Madera County Department of Public Health)

There is no written report for this item.