

REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, March 5, 2025
6:00 p.m.

Council Chambers
City Hall

The Madera City Council meetings are open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live-streamed meeting on the City's website at www.madera.gov/live. Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 880 0420 2973 #. Press *9 to raise your hand to comment and *6 to unmute yourself to speak. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.



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CALL TO ORDER:

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

INVOCATION: Rev. Joseph Alicea, Awaken Church of God

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

PRESENTATIONS:

1. Proclamation Recognizing Red Cross Month
2. Proclamation Recognizing Scout Troop 117 for their 100 Years of Service to the Youth of Madera
3. Proclamation Recognizing Women's History Month
4. Women of the Year Awards

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 Ordinance Text Amendment (OTA) 2024-03, for the Amendment of Chapter 3 of Title X: Planning and Zoning of the City Municipal Code

Recommendation: Waive full reading and introduce by title only an Ordinance of the City Council of the City of Madera determining the project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and amending Chapter 3 of Title X: Planning and Zoning of the City Municipal Code (CMC) regarding Lapse of Site Plan Approval (CMC § 10-3.4.0114); Termination of a Use Permit (CMC § 10- 3.1311[A]); and, Termination of a Variance (CMC § 10-3.1411) (Report by Will Tackett)

A-2 Military Equipment Use Ordinance and Policy

Recommendation: Review Military Equipment Use Policy, Ordinance, and Annual Report and by Minute Order Affirm the Ordinance and Accept the Annual Military Equipment Use Report (Report by Gino Chiaramonte)

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 – February 19, 2025

Recommendation: Approve the City Council Minutes of February 19, 2025 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for February 8, 2025 to February 21, 2025 (Report by Michael Lima)

B-3 Madera Evening Lions Club Fee Waiver Request for the Running with Lions Stride for Diabetes 5K Run/Walk Event

Recommendation: Adopt a Resolution Waiving the Rental Fees of the Lions Town & Country Park on April 12, 2025, related to the Running with Lions Stride for Diabetes 5K Run/Walk event hosted by the Madera Evening Lions Club, at an anticipated fee rental of \$495 (Report by Joseph Hebert)

B-4 Fresno Tzu Chi Mobile Clinic Fee Waiver Request for the “Our Migrant Families Dental Care” Event

Recommendation: Adopt a Resolution Waiving the Rental Fees of the John Wells Youth Center on March 16, 2025, related to the “Our Migrant Families Dental Care” event hosted by the Fresno Tzu Chi Mobile Clinic, at an anticipated fee rental of \$500 (Report by Joseph Hebert)

B-5 Consideration of California Conservation Corps (CCC) Sponsor Agreement

Recommendation: Adopt a Resolution Approving an Agreement with the California Conservation Corps for the Performance of Fire Crews in the Fresno River for Fuel Reduction, Project Number P-24-2652-14761 (Report by Joseph Hebert)

B-6 Approval of Change Orders to Fleet Rollup Door Replacement and Associated Budget Amendment

Recommendation: Adopt a resolution approving change orders under the contract to DL Batty, Inc., for the Removal and Replacement of Fleet Rollup Doors in the amount of \$6,069, and authorizing a budget amendment for the same (Report by Michael Lima)

B-7 Purchasing Procedures Ordinance Amendment

Recommendation: Waive the Second Reading and by Title Only Adopt an Ordinance of the City of Madera Repealing and Replacing Chapter 4 of Title II of the Madera Municipal Code Relating to Purchasing Procedures and Including Raising Purchasing Thresholds (Report by Michael Lima)

B-8 Appointment to the Transit Advisory Board (TAB)

Recommendation: Adopt a Resolution Approving the Appointment of Jack Porter to the TAB (Report by Michael Lima)

B-9 One Easement Deed for Sidewalk Improvements at Various Locations City Project R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761

Recommendation: Adopt a Resolution Approving an Agreement for Purchase of an Easement at 348 South B Street, Madera, CA 93638 (APN 007-192-011) (Report by Keith Helmuth)

B-10 Amendment to the Community Development Block Grant (CDBG) 2020-2024 Consolidated Plan

Recommendation: Adopt a Resolution to approve the amendment to the 2020-2024 CDBG Consolidated Plan to include HOME Investment Partnerships Program (HOME) funds in the amount of \$372,064.92 and the City's portion in the amount of \$127,935.08 for a total of \$500,000 (Report by Michael Lima)

B-11 Contract Award for Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehabilitation

Recommendation: Adopt a Resolution approving the contract award for Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehabilitation in the amount of \$450,211.00 to VSS International, Inc. (Report by Keith Helmuth)

B-12 Amend the Notice of Completion for 2023 Water Meter Project, City Project W-31

Recommendation: Adopt a Minute Order to amend the Notice of Completion for 2023 Water Meter Project, City Project W-31 and record with the Madera County Recorder's Office (Report by Keith Helmuth)

B-13 Child Forensic Interview Team Protocol

Recommendation: Adopt a Resolution approving a multi-agency Memorandum of Understanding establishing the Child Forensic Interview Team of Madera County and authorizing the Chief of Police to execute the agreement (Report by Giachino Chiamonte)

B-14 Appointment to the Planning Commission

Recommendation: Adopt a Resolution Approving the Appointment of Abel Perez to the Planning Commission (Report by Will Tackett)

C. WORKSHOP: None

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

D-1 Establishing Madera as a Welcoming City

Recommendation: Adopt a Resolution Affirming the City of Madera's Commitment to Being a Welcoming, Inclusive and Supportive Community for All Residents (Report by Arnolando Rodriguez)

D-2 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (SETP) Update

Recommendation: Adopt a Resolution Approving the ADA SETP Update Prepared by Sally Swanson Architects, Inc. (Report by Wendy Silva)

D-3 Change Order for the Avenue 13 Sewer Interceptor Rehabilitation Project, City Project SS-00014 for Excess Cleaning and Debris Removal

Recommendation: Adopt a Resolution Authorizing an Increase in Allowable Contingence to Approve a Change Order in an Amount not to exceed \$2,500,000 Addressing Excess Cleaning and Debris Removal by SAK Construction, LLC, Related to Emergency Repairs (Report by Keith Helmuth)

E. ADMINISTRATIVE REPORTS:

E-1 Select Recipient for the Proclamations in the Month of April

Recommendation: Request for Council's Selection of a Recipient for the Proclamation Recognizing Sexual Assault Awareness Month and a Proclamation Recognizing National Volunteer Day (Report by Alicia Gonzales)

E-2 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)

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items, and (iv) to take action on matters initiated under this section of the agenda. Under this section, the Council may take action only on items specifically agendized and which meet other requirements for action.

G. CLOSED SESSION:

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

Agency Designated Representatives: Arnoldo Rodriguez, Wendy Silva and Che Johnson

Employee Organizations: Madera Affiliated City Employees' Association, Madera Police Officers' Association, Mid Management Employee Group, and Law Enforcement Mid Management Employee Group

G-2 Conference with Labor Negotiators pursuant to Government Code §54957.6

Agency Designated Representative: Arnoldo Rodriguez and Che Johnson

Unrepresented Positions: Police Chief, Director of Parks & Community Services, City Engineer, Director of Human Resources, Director of Information Technology, Chief Building Official, Planning Manager, Director of Financial Services, Public Works Operations Director, and Director of Community Development

UPCOMING MEETING DATES:

- Wednesday, March 19, 2025
- Wednesday, April 2, 2025

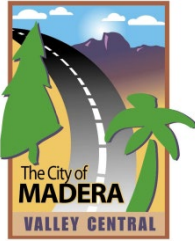
ADJOURNMENT:

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- 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.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for March 5, 2025, near the front entrances of City Hall and on the City's website www.madera.gov at 8:00 p.m. on February 27, 2025.



Alicia Gonzales, City Clerk



REPORT TO THE CITY COUNCIL

Approved by:



Will Tackett, Community Development Director



Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: A-1

SUBJECT

Ordinance Text Amendment (OTA) 2024-03, for the amendment of Chapter 3 of Title X: Planning and Zoning of the City Municipal Code.

RECOMMENDATION

The Planning Commission and staff recommend the City Council conduct a public hearing 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 determining the project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and amending Chapter 3 of Title X: Planning and Zoning of the City Municipal Code (CMC) regarding Lapse of Site Plan Approval (CMC § 10-3.4.0114); Termination of a Use Permit (CMC § 10- 3.1311[A]); and, Termination of a Variance (CMC § 10-3.1411).

SUMMARY:

The Zoning Regulations of the City Municipal Code (CMC) specify periods of time in which an applicant must exercise rights associated with approval of an entitlement before the entitlement expires (i.e., the approval lapses or terminates) unless a request for a discretionary extension is requested prior to the expiration of entitlement approval.

Due to the relatively short periods of time (6-12 months) afforded to exercise rights associated with entitlement approvals, the City of Madera Planning Department receives regular requests for extensions of entitlement approvals. Given the frequency and repetitiveness of customer applications for extensions, at the regularly scheduled meeting of the Planning Commission (Commission) held on November 12, 2024, the Commission adopted Resolution No. 2008 initiating the procedure to amend the provisions of the Zoning Regulations, contained in Title X, Chapter 3 of the City Municipal Code (CMC) relating to the lapse and termination of entitlements.

CMC Section 10-3.1500 et seq. provides that a public hearing shall be held before the Commission for proposed amendments to Zoning Regulations of the CMC (Title X, Chapter 3); and, after the conclusion of the public hearing, the Commission shall render a recommendation to the Council. Accordingly, the Commission held a public hearing on February 11, 2025, and adopted Resolution No. 2023 (Attachment 1) recommending the City Council adopt an ordinance approving the proposed amendments to Chapter 3 of Title X of the Madera Municipal Code regarding Lapse of Site Plan Review (CMC § 10-3.4.0114); Termination of a Use Permit (CMC § 10- 3.1311[A]); and, Termination of a Variance (CMC § 10-3.1411).

In accordance with the provisions of CMC Section 10-3.1509, following receipt of the recommendation made by the Commission, the Council may adopt the amendment, or any part thereof, set forth in the petition in such form as the Council may deem to be advisable.

ANALYSIS:

OTA 2024-03 would amend existing text of the CMC to lengthen the period of time provided to an applicant to exercise rights associated with approval of an entitlement before the entitlement expires (i.e., approval lapses or terminates) and/or a request for a discretionary extension is required. The following sections and provisions of the CMC pertaining to expiration of Planning entitlements are proposed to be amended by strikethroughs and underlined additions:

- § 10-3.4.0114 LAPSE OF SITE PLAN APPROVAL.

A site plan approval shall be void ~~one year~~ 24 months following the date on which approval by the Community Development Director, Planning Commission, or City Council became effective unless, prior to the expiration of ~~one year~~ 24 months, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan. Approval may be extended for one year periods of time, upon written application to the Director before expiration of the approval.

- § 10-3.1311 TERMINATION AND REVOCATION.

(A) Any use permit granted by the city as herein provided shall be conditioned upon the privileges granted therein being utilized within ~~12~~ 24 months after the effective date thereof. Failure to utilize such permit within such ~~12~~ 24-month period shall render the permit null and void unless a written request for extension is submitted to the Planning Commission prior to the expiration of the permit. The Planning Commission shall review the request at its next regular meeting and may grant or conditionally grant an extension as it deems appropriate. Use permits utilized but later abandoned for a period of 12 consecutive months shall automatically terminate unless a written request for extension is submitted and approved as described in this section.

- § 10-3.1411 TERMINATION.

If the use authorized by any variance is or has been unused, abandoned, or discontinued for a period of ~~six~~ 24 months, or if the conditions of the variance have not been complied with, the variance shall become null and void and of no effect; excepting that where construction of buildings, structures, and/or facilities is necessary, work on such construction shall be

actually commenced within the aforesaid ~~6~~ 24-month period and shall be diligently prosecuted to completion; otherwise the variance shall be automatically null and void and of no effect.

These amended provisions of the CMC require that the rights or privileges authorized through approval of Site Plan Reviews; Use Permits; and Variances be exercised within 24 months, or the respective approvals expire. Rights are exercised through either obtaining a building permit for development (Site Plan Review) and/or through use/utilization of the privileges (e.g., commencement of operations) or rights granted (CUP & Variance).

The extended lengths of time afforded by the amendments shall relieve unnecessary burden on applicants and developers. While it is acknowledged the CMC does permit discretionary extensions, the longer timeframe to exercise rights will reduce the current need for applicants/customers to file additional applications (including the payment of additional processing fees) and will reduce relative demands for staff resources and the need and associated costs for additional public hearings. Based upon research conducted by staff, the proposed amendments will also bring the City of Madera's regulations into closer alignment with other local municipalities.

ENVIRONMENTAL REVIEW:

The California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.) specify that a "project" consists of the whole of an action (i.e., not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. This proposal qualifies as a project under CEQA because it involves an amendment to the zoning ordinance as described in CEQA Guidelines Section 15378(a)(1) but has no direct or reasonably foreseeable indirect effect on the environment.

OTA 2024-03 does not authorize any particular activity beyond what will already been evaluated for purposes of CEQA and is primarily being implemented to address inefficiencies and add refinements to local policies. Section 15162 of the CEQA Guidelines provides circumstances and reference to findings required to be made respectively to consideration of whether subsequent environmental review is required. Circumstances relating to a specific project and findings required by CEQA will be required to be evaluated at the time any discretionary extension requests may be received and would otherwise be considered speculative at this time. Therefore, staff supports a finding consistent with CEQA Guidelines Section 15061(b)(3). Under this "common sense" rule, it can be shown with certainty that the project does not have the potential to have a significant effect on the environment, and therefore it is not subject to further environmental review.

COUNCIL ACTION:

The Council will be acting on OTA 2024-02. Staff and the Planning Commission recommend that the Council:

1. Waive full reading and introduce by title only an Ordinance of the City Council of the City of Madera determining the project is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines and amending Chapter 3 of Title X: Planning and Zoning of the City Municipal Code regarding Lapse of Site Plan Approval (CMC § 10-

3.4.0114); Termination of a Use Permit (CMC § 10-3.1311[A]); and, Termination of a Variance (CMC § 10-3.1411).

ALTERNATIVES:

As an alternative, the Council may elect to:

1. Move to refer the item back to staff and/or continue the public hearing to a future City Council meeting at a date and time certain with direction to staff to return with an updated staff report and/or Ordinance (Council to specify and articulate reasons for referral/continuance).
2. Do not introduce the ordinance.
3. Provide staff with other alternative directives.

ATTACHMENTS:

1. Planning Commission Resolution (Recommendation)
2. City Council Ordinance

ATTACHMENT 1

Planning Commission Resolution 2023

RESOLUTION NO. 2023

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA
RECOMMENDING THE CITY COUNCIL OF THE CITY OF MADERA ADOPT AN
ORDINANCE AMENDING TITLE X OF CHAPTER 3: PLANNING AND ZONING OF
THE CITY MUNICIPAL CODE (CMC) REGARDING LAPSE OF SITE PLAN APPROVAL
(CMC § 10-3.4.0114); TERMINATION OF A USE PERMIT (CMC § 10- 3.1311[A]);
AND TERMINATION OF A VARIANCE (CMC § 10-3.1411).**

WHEREAS, pursuant to the authority granted to the City of Madera ("City") by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote public health, public morals, or public safety; and

WHEREAS, comprehensive zoning regulations and regulations upon the use of land and property within the City lie within the City's police power; and

WHEREAS, Sections 10-3.4.0114, 10-3.1311(A) and 10-3.1411 of the City Municipal Code (CMC) contain provisions relating to the lapse and termination of Site Plan Reviews, Use Permits and Variances; and

WHEREAS, Section 10-3.1500 et seq. of the CMC contain provisions for amending or changing the Zoning Regulations contained in Title X, Chapter 3 of the CMC whenever the public necessity, convenience, general welfare, or good zoning practices require; and

WHEREAS, pursuant to CMC Section 10-3.1502(B), initiation of amendments to the Zoning Regulations in Title X, Chapter 3, may be made by the Planning Commission (Commission) by resolution of intention; and

WHEREAS, at the regularly scheduled meeting of the Commission held on November 12, 2024, the Commission adopted a Resolution of Intention to initiate procedure to amend Title X, Chapter 3 of the City Municipal Code (CMC) relating to: Lapse of Site Plan Approval (CMC § 10-3.4.0114); Termination of a Use Permit (CMC § 10- 3.1311[A]); and, Termination of a Variance (CMC § 10-3.1411)

WHEREAS, the City has determined that the project is exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3) and that no additional environmental analysis is required; and

WHEREAS, under the CMC, the Planning Commission (Commission) is a recommending body for Ordinance Text Amendments and will forward a recommendation to the Madera City Council (Council) on OTA 2024-03; and

WHEREAS, the City provide notice of the Commission meeting on February 11, 2025, as required by law; and

WHEREAS, the Commission received and independently reviewed OTA 2024-03 at the duly noticed meeting on February 11, 2025; and

WHEREAS, at the February 11, 2025, Commission meeting, a public hearing was held, the public was provided an opportunity to comment, and evidence, both written and oral, was considered by the Commission; and

WHEREAS, the Commission has independently completed its review of the staff report and documents submitted for OTA 2024-03, evaluated the information contained within the report and documents submitted, and considered testimony received as part of the public hearing process; and

WHEREAS, after due consideration of the items before it, the Commission now desires to adopt this Resolution recommending that the Council determine the project to be exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines and adopt an ordinance approving OTA 2024-03.

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: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The Planning Commission recommends the City Council determine the project is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines. The activity is covered by the "Common Sense" exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, OTA 2024-03 does not authorize any particular activity beyond what will already have been evaluated for purposes of CEQA and proposes amendments to local ordinance only for the purpose of implementing local policy. Any proposed future development or requests for discretionary extensions would be subject to CEQA analysis as mandated for project discretionary approvals. No further environmental analysis is required.
3. Recommendation: The Commission hereby recommends that the Council approve OTA 2024-03, amending the sections of Title X of Chapter 3 of the CMC enumerated herein and in substantially the form contained in Exhibit "A" attached hereto with deletions shown in ~~strikethrough~~ and additions shown in underline.

The following sections have been proposed for amendment:

- Lapse of Site Plan Approval (CMC § 10-3.4.0114);
 - Termination of a Use Permit (CMC § 10-3.1311[A]); and,
 - Termination of a Variance (CMC § 10-3.1411).
4. Effective Date: This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 11 day of February 2025, by the following vote:

AYES:

NOES:

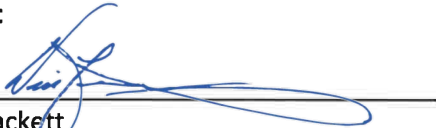
ABSTENTIONS:

ABSENT:



Robert Gran Jr.
Planning Commission Chairperson

Attest:



Will Tackett
Community Development Director

Exhibit "A" – OTA 2024-03 Draft Ordinance

ATTACHMENT 2

City Council Ordinance

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA
DETERMINING THE PROJECT IS EXEMPT PURSUANT TO SECTION 15061(b)(3)
OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND
AMENDING CHAPTER 3 OF TITLE X: PLANNING AND ZONING OF THE CITY
MUNICIPAL CODE (CMC) REGARDING LAPSE OF SITE PLAN APPROVAL (CMC §
10-3.4.0114); TERMINATION OF A USE PERMIT (CMC § 10- 3.1311[A]); AND
TERMINATION OF A VARIANCE (CMC § 10-3.1411).**

WHEREAS, pursuant to the authority granted to the City of Madera ("City") by Article XI, Section 7 of the California Constitution, the City has the police power to adopt regulations designed to promote public health, public morals, or public safety; and

WHEREAS, comprehensive zoning regulations and regulations upon the use of land and property within the City lie within the City's police power; and

WHEREAS, Sections 10-3,4.0114, 10-3.1311(A) and 10-3.1411 of the City Municipal Code (CMC) contain provisions relating to the lapse and termination of Site Plan Reviews, Use Permits and Variances; and

WHEREAS, pursuant to the provisions of Section 10-3.1502 of the CMC an amendment to the Zoning Regulations contained in Title X, Chapter 3 of the CMC may be initiated by the Planning Commission (Commission) whenever the public necessity, convenience, general welfare, or good zoning practices require; and

WHEREAS, at the regularly scheduled meeting of the Commission held on November 12, 2024, the Commission adopted Resolution No. 2008 initiating the procedure for Ordinance Text Amendment (OTA) 2024-03 to amend the provisions of the Zoning Regulations, contained in Title X, Chapter 3 of the City Municipal Code (CMC) relating to the lapse and termination of entitlements; and

WHEREAS, pursuant to the provisions of Section 10-3.1500 et seq. of the CMC, the Commission held a duly noticed public hearing for OTA 2024-03 on February 11, 2025, conducted a public hearing and after due consideration of all the items before it, adopted Resolution No. 2023 recommending that the Council adopt an ordinance approving OTA 2024-03; and

WHEREAS, in accordance with the provisions of CMC Section 10-3.1509, following receipt of the recommendation made by the Commission, the Council shall set the matter for public hearing may adopt the amendment, or any part thereof, set forth in the petition in such form as the Council may deem to be advisable; and

WHEREAS, the City provided notice of the Council hearing on March 5, 2025, as required by law; and.

WHEREAS, the Council received and independently reviewed OTA 2024-03 at the regularly scheduled meeting of the Council held on March 5 2025; and

WHEREAS, at the March 5, 2025 Council meeting, a public hearing was held, the public was provided the opportunity to comment, and evidence, both written and oral, was considered by the Council; and.

WHEREAS, after due consideration of the items before it, the Council now desires to adopt OTA 2024-03.

NOW, THEREFORE, the City Council of the City of Madera ordains as follows:

1. Recitals: The City Council hereby finds that all of the facts set forth in the recitals are true and correct and are incorporated herein.

2. CEQA: A preliminary environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The City Council has determined the project is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines. The activity is covered by the "Common Sense" exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, OTA 2024-03 does not authorize any particular activity beyond what will already been evaluated for purposes of CEQA and proposes amendments to local ordinance only for the purpose of implementing local policy. Any proposed future development or requests for discretionary extensions would be subject to CEQA analysis as mandated for project discretionary approvals. No further environmental analysis is required.

3. Approval of OTA 2024-03: The Council hereby approves OTA 2024-03, amending the sections of Title X of Chapter 3 of the CMC as set forth herein.

4. Section 10-3.4.0114 (Lapse of Site Plan Approval) of Chapter 3 of Title 10 is amended in its entirety to read as follows (deletions shown in strikethrough and additions shown in underline):

§ 10-3.4.0114 LAPSE OF SITE PLAN APPROVAL.

A site plan approval shall be void ~~one-year~~ 24 months following the date on which approval by the Community Development Director, Planning Commission, or City Council became effective unless, prior to the expiration of ~~one-year~~ 24 months, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan. Approval may be extended for one year periods of time, upon written application to the Director before expiration of the approval.

5. Section 10-3.1311(A) (Termination and Revocation) of Chapter 3 of Title 10 is amended in its entirety to read as follows (deletions shown in strikethrough and additions shown in underline):

§ 10-3.1311 TERMINATION AND REVOCATION.

(A) Any use permit granted by the city as herein provided shall be conditioned upon the privileges granted therein being utilized within ~~12~~ 24 months after the effective date thereof. Failure to utilize such permit within such ~~12~~ 24-month period shall render the permit null and void unless a written request for extension is submitted to the Planning Commission prior to the expiration of the permit. The Planning Commission shall review the request at its next regular meeting and may grant or conditionally grant an extension as it deems appropriate. Use permits

utilized but later abandoned for a period of 12 consecutive months shall automatically terminate unless a written request for extension is submitted and approved as described in this section.

6. Section 10-3.1411 (Termination) of Chapter 3 of Title 10 is amended in its entirety to read as follows (deletions shown in strikethrough and additions shown in underline):

§ 10-3.1411 TERMINATION.

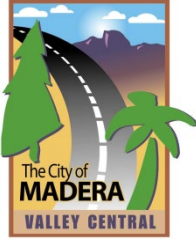
If the use authorized by any variance is or has been unused, abandoned, or discontinued for a period of ~~six~~ 24 months, or if the conditions of the variance have not been complied with, the variance shall become null and void and of no effect; excepting that where construction of buildings, structures, and/or facilities is necessary, work on such construction shall be actually commenced within the aforesaid ~~6~~ 24-month period and shall be diligently prosecuted to completion; otherwise the variance shall be automatically null and void and of no effect.

7. 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, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

8. Publication. 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.

9. Effective 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.

* * * * *



REPORT TO CITY COUNCIL

Approved by:

Giachino Chiaramonte
Giachino Chiaramonte, Chief of Police

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: A-2

SUBJECT:

Military Equipment Use Ordinance and Policy

RECOMMENDATION:

Review Military Equipment Use Policy, Ordinance, and Annual Report and by minute order affirm the Ordinance and accept the Annual Military Equipment Use Report

SUMMARY:

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill (AB) 481, relating to law enforcement agencies' use of military equipment. AB 481 established California Government Code Sections 7070 through 7075 (Government Code). Pursuant to the Government Code, law enforcement agencies are required to obtain approval from their respective governing bodies prior to taking actions related to the funding, acquisition, or use of military equipment. The bill required law enforcement agencies to draft a military equipment use policy and obtain approval from its governing body via an ordinance.

On an annual basis thereafter, an agency is required to publish a military equipment report that includes a summary of each type of military equipment, its intended purpose, how each type of equipment was used by the agency during the preceding year, a summary of any complaints received concerning the equipment, the results of any internal audits pertaining to violations of the military equipment use policy, the total cost for each type of equipment, and quantity possessed. Furthermore, the Government Code requires the governing body, at least annually, to review any ordinance adopted, approving the funding, acquisition, or use of military equipment and voting on whether to renew the ordinance.

DISCUSSION:

AB 481 was introduced to increase transparency and accountability for the funding, acquisition, and use of military equipment by state and local law enforcement agencies. The legislation includes a broad definition of what constitutes military equipment, including items such as unmanned aircraft systems (UAS, commonly referred to as drones) that are regularly used in everyday society by members of the public and have been effectively developed for many years by law enforcement agencies to respond to emerging threats, civil unrest, and mass casualty events. Furthermore, several items the bill defines as military equipment are not necessarily used by the military but are less-lethal, standard issue equipment for peace officers. While possession of such equipment does not warrant its use in ordinary circumstances, this essential equipment is deployed based on situational necessity to effectively de-escalate intense situations or bring volatile conditions and critical incidents to a safe resolution.

In compliance with the Government Code, the Police Department (Department) drafted a military equipment policy and accompanying military equipment report in 2022. The policy and report were posted for public viewing on the City's website and approved by Council at the June 15, 2022, meeting through the adoption of Ordinance number 994.

In accordance with the annual requirements outlined in the Government Code, the Department completed the 2024 Military Equipment Annual Report. The Department currently possesses seven types of items that fall under the military equipment classifications delineated in the Government Code. The availability of this equipment enables the Department to minimize risk to members of the community and officers during dynamic and unfolding high-risk incidents, maintain a state of readiness through continuous training and familiarity with such equipment, and strategically fulfill its mission to protect life and property. The report includes an inventory detailing each type of military equipment possessed by the Department and its quantity, authorized use, fiscal impact, and training requirements. The report also summarizes the usage of each type of equipment and complaints received regarding the equipment during calendar year 2024. It is worth noting that the Department did not receive any complaints regarding the usage of its military equipment.

Additionally, the report outlines anticipated purchases for the upcoming fiscal year. These projections serve as a preliminary "wish list" rather than a confirmation of actual budgeted expenditures. While these items reflect the department's anticipated needs, formal approval for procurement will be sought during the budget planning process. During this process, requests will be reviewed, prioritized, and incorporated into the proposed budget as appropriate.

The Department's 2024 Military Equipment Annual Report was made available for public review on the City's website on February 20, 2025. The Government Code requires the Department to hold at least one well-publicized and conveniently located community engagement meeting. Upon presenting the annual report at the March 5, 2025, Council meeting, the public is invited to comment on, discuss, and ask questions regarding the annual report.

FINANCIAL IMPACT:

There is no fiscal impact associated with the Military Equipment Annual Report, sans the preparation of the report.

ALTERNATIVES:

Council may renew or not renew the authorizing ordinance, disapprove authorization for equipment where standards have not been met, or require modifications to the military equipment use policy based on whether the equipment detailed within the annual report complies with policy and meets specified standard as set forth in California Government Code Section 7071, subdivision (d). If the Council decides not to renew the authorizing ordinance, the Military Equipment Annual Report will be considered invalid and not accepted.

ATTACHMENTS:

1. 2024 Military Equipment Annual Report
2. Ordinance 994 C.S.
3. Madera Police Department Policy 709



MADERA POLICE DEPARTMENT

ANNUAL MILITARY EQUIPMENT USE REPORT

January 1, 2024 –
December 31, 2024

Annual Military Equipment Use Report

On September 30, 2021, California Governor Gavin Newsom approved Assembly Bill 481, requiring law enforcement agencies to obtain approval from the applicable governing body, by adoption of a military equipment use policy. On June 15, 2022, the City Council adopted Ordinance No. 994 C.S., regarding the City's Equipment Use Policy. Per AB 481, the Madera Police Department is required to submit to the City Council and Annual Military Equipment Use Report and to seek approval of their military equipment use policy at a regular open meeting prior to taking certain actions relating to the funding, acquisition, and use of military equipment.

Assembly Bill 481 allows the governing body to approve the funding, acquisition, and use of military equipment within its jurisdiction, only if it determines that the military equipment meets specified standards. The military equipment use policy is subject to the City Council review to determine whether the standards set forth in Assembly Bill 481 have been met, based upon annual military equipment use report.

Finally, Assembly Bill 481 requires publication of military equipment use policy and the annual military equipment use report on the department's website.

Assembly Bill 481

California Government Code section 7072 states the following:

(a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well publicized and conveniently located community engagement meeting, at which the public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

In addition to maintaining the highest levels of public safety, the Madera Police Department is committed to transparency, public trust, community partnerships, and compliance with the law. As such, the Department has authored the following Annual Military Equipment Use Report in accordance with annual reporting requirements set forth in California Government Code section 7072.

This Report outlines the military equipment usage from January 1 to December 31, 2024. Certain items of military equipment, particularly consumables (ammunition, diversionary devices, pepper balls, chemical agents, etc.) are used throughout the year on a regular basis for training to maintain proficiency. Training usage is not captured in this section. This section only provides data for the operational use of military equipment listed within this Annual Military Equipment Use Report.

Outreach and Community Engagement

The Madera Police Department is committed to improving the trust and confidence between the Police and the community it serves. The Madera Police Department utilizes select military equipment, including UAS, the Mobile Command Vehicle, during outreach and community events, as a means of public awareness, transparency, and education. Military equipment may also be displayed during community events as a means of providing a safe environment for the public to enjoy.

This Annual Military Equipment Use Report outlines a summary of military equipment usage guidelines, inventory, fiscal impact, complaints, and reported concerns from January 1, 2024, through December 31, 2024.

The following is the data for Military Equipment Use by category:

Unmanned Aircraft System (UAS)

Unmanned Aircraft Systems were utilized a total of forty-three (43) times from January 1, 2024, through December 31, 2024.

Authorized usages:

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

- search for missing persons.
- natural disaster management.
- Crime/Accident scene photography.
- SWAT, tactical or other public safety and life preservation missions.
- In response to specific requests from local, state, or federal fire authorities for fire response and/or prevention.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Robots

Robots were utilized zero (0) times from January 1, 2024, through December 31, 2024.

Authorized usages:

- To be used to remotely gain visual/audio data
- Delivery of items (i.e., CNT phone) during critical incidents to engage in de-escalation and/or crisis intervention techniques in an attempt to resolve incidents peacefully
- To visually clear buildings

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Mobile Incident Command Vehicle

The Mobile Command Vehicle was utilized a total of fifteen (15) times from January 1, 2024, through December 31, 2024.

Authorized usages:

- To be used based on the specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Breaching Equipment

The breaching equipment was utilized one (1) time between January 1, 2024, through December 31, 2024.

Authorized usages:

- To safely and quickly gain entry into a structure.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Chemical Agent and Smoke Canisters

Chemical Agents and Smoke Canisters were utilized zero (0) times between January 1, 2024, through December 31, 2024.

Authorized usages:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the chemical agent systems may include, but are not limited to:

- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

40MM Launcher and Rounds

The 40MM was used zero (0) times between January 1, 2024, through December 31, 2024.

Authorized usages:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- Self-destructive, dangerous, and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Less Lethal Launcher

Less Lethal launcher was utilized during one (1) call for service between January 1, 2024, through December 31, 2024.

Authorized usages:

- To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
- Self-destructive, dangerous and/or combative individuals.
- Riot/crowd control and civil unrest incidents.
- Circumstances where a tactical advantage can be obtained.
- Potentially vicious animals.
- Training exercises or approved demonstrations.

Unauthorized usages:

- There have been zero (0) reported violations of the military equipment use policy from January 1, 2024, through December 31, 2024.

Inventory by Equipment Type

January 1, 2024, through December 31, 2024

Note: The inventory of certain items of consumable military equipment (i.e. ammunition, diversionary devices, chemical agents, etc.) frequently fluctuates throughout the year due to operational usage, training usage, operational wear, and/or manufacturer recommended replacement guidelines. While the Madera Police Department strives to provide accuracy in its inventory reporting, this report reflects approximations of certain consumable items of military equipment during the time period listed above.

Unmanned Aircraft System (UAS)	
Equipment Name and Model/Manufacturer	Quantity
DJI Air S2	4
DJI Mavic 3	2
DJI Avata 2	1

Robots	
Equipment Name and Model/Manufacturer	Quantity
Avatar III	1

Mobile Incident Command Vehicles	
Equipment Name and Model/Manufacturer	Quantity
28-foot-long, two-axle, bumper pulled Mobile Command Trailer	1

Breaching Equipment	
Equipment Name and Model/Manufacturer	Quantity
Remington 870 breaching shotgun	2

CTS 12 gauge breaching munition	7
Royal Arms 12-gauge Flash Bang Cartridge	65

Chemical Agent and Smoke Canisters	
Equipment Name and Model/Manufacturer	Quantity
Defense Technology Triple Chaser Smoke Grenade	3 canisters
Defense Technology 518 Riot Continuous CS Grenade	6 canisters
Defense Technology Riot Control CS Grenade	6 canisters
Defense Technology Triple Chaser CS Grenade	3 canisters
Defense Technology Instantaneous Blast OC	2 canisters

40MM Launcher and Rounds	
Equipment Name and Model/Manufacturer	Quantity
Defense Technology 40MM multi-launcher	2
Defense Technology 40MM Spede-Heat Long Range CS	3 rounds
Defense Technology 40MM Spede-Heat smoke	6 rounds
Defense Technology 40MM Stinger Ball / Foam Baton	20 rounds

Less Lethal Shotgun	
Equipment Name and Model/Manufacturer	Quantity
Remington 870 Less-Lethal shotgun	20
Safariland 12-gauge Super-Sock	127 rounds

Fiscal Impact Calendar Year 2024

Unmanned Aircraft System (UAS)- Combined purchase of 3 drones with extra batteries and accessories: \$15,165.63 (General Fund: \$2,488.36, Federal Asset Forfeiture: \$5,285.00, Measure K; Investigations account: \$7,392.27)

Robot- No maintenance in 2024.

Mobile Incident Command Vehicles- Combined annual maintenance of approximately \$89.80.

Breaching Equipment- No maintenance in 2024.

Chemical Agent and Smoke Canisters- No annual maintenance.

40MM Launcher and Rounds- No maintenance in 2024.

Less Lethal Shotgun- No maintenance in 2024.

Training Costs**Calendar Year 2024 - Military Equipment Use Training Costs**

The use of certain items of military equipment and related special tactics are perishable skills that require ongoing training to maintain proficiency. The courses attended by officers can vary year to year depending on operational need. Funding sources for training are from the existing budget.

The following are training classes attended by officers in 2024 and associated costs related to military equipment covered in the annual equipment report:

UAS Drone Certification

Test Company: PSI True Talent

Details: FAA testing and certification

Cost: \$175/per person (1 officer-Training budget)

Chemical Agent Operator Certification

Company: Advanced Combat Evolutions

Details: Chemical agent training and certification

Cost: \$349.00 (1 Officer - Training Budget)

Maintenance Costs**Maintenance of Military Equipment Supply Levels**

The Department may order up to 25% of the existing inventory of consumable items on this list in a calendar year, without Board approval, in order to maintain a stock available for Department needs. Consumable items include:

- a. Breaching rounds
- b. Chemical agents and smoke canisters
- c. 40MM munitions
- d. Less-lethal 12-gauge rounds

Summary of Complaints or Concerns:

None.

Violations of Equipment Use Policy:

None.

Anticipated Purchases
Calendar Year 2025

UAS Drone Certification

Test Company: PSI True Talent

Details: FAA testing and certification

Cost: \$175/per person (3 officer - General Fund-Training Budget)

Breaching equipment

Company: AARDVARK Tactical

Details: Kinetic Breaching Tool and Chop Attachment

Cost: \$18,116.25 (General Fund)

Unmanned Aircraft System (UAS)- Combined purchase of (3) drones with extra batteries and accessories.

Estimated combined cost: \$15,163.63. (General Fund)

Mobile Command Post

Company: Braun NW Inc.

Details: Mobile Command Vehicle

Cost: \$580,595.84 (State Funding / General Fund)

Diversionsary Device and Less Lethal Instructor Course

Company: Sacramento County Sheriff's Department

Details: Instructor certifications for Less Lethal and Diversionsary Devices.

Cost: \$664/per person (2 Officers- General Fund-Training Budget)

Flashbang/Diversionsary Devices

Company: LC Action

Details: CTS 7290M- Mini Bang

Cost: Approximately \$2500.00 (Asset Forfeiture)

ORDINANCE NO. 994 C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
MADERA ADDING CHAPTER 16 TO TITLE III OF THE MADERA
CITY CODE RELATING TO ADOPTION OF A MILITARY
EQUIPMENT USE POLICY**

THE CITY COUNCIL OF THE CITY OF MADERA DOES ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER 16 is added to Title III of the Madera Municipal Code to read as follows:

**CHAPTER 16
Military Equipment Use Policy**

3-16.01 Title of Ordinance.

3-16.02 Findings.

3-16.03 Determinations.

Section 3.16.01 Title of Ordinance

This chapter shall be titled “Military Equipment Use Policy.”

Section 3.16.02 Findings.

- A. On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.
- B. Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code section 7070.
- C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations.
- D. The proposed Military Equipment Use Policy is found within Madera Police Department Policy Section 709.
- E. The Military Equipment Use Policy as set forth in Madera Police Department Manual Section 709 was published on the Madera Police Department’s internet website on April 21, 2022. The Madera Police Department Policy Section 709 was presented to City Council on April 21, 2022.

- F. The Military Equipment Use Policy as set forth in Department Policy Section 709 meets the requirements of California Government Code section 7070, subdivision (d).

Section 3-16.03. Determinations.

Based on the findings above, in addition to information provided to the City Council at the public hearing, the City Council determines as follows:

- A. The military equipment identified in Madera Police Policy 709 is necessary, because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.
- B. The Military Equipment Use Policy as set forth in Madera Police Manual 709 will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. The military equipment identified as Madera Police Manual 709 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- D. The Military Equipment Use Policy as set forth in Madera Police Manual 709 is approved and adopted.
- E. A copy of the Madera Police Manual 709 may be obtained from the Madera Police Department or the City Clerk.

SECTION 2. CEQA. The City Council finds and determines that this ordinance is not a "project" for the purposes of the California Environmental Quality Act (CEQA), as the ordinance does not have the potential for resulting in either a direct physical change in the environment, or a reasonably indirect physical change in the environment. Instead, the ordinance merely provides a procedural mechanism for enforcing the City's Municipal Code and abating nuisances so as to promote public health, safety, and welfare. As such, the adoption of this ordinance is not subject to CEQA.

SECTION 3. Effective Date. This ordinance shall become effective thirty days after its adoption.

SECTION 4. Publication. The City Clerk is authorized to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation in the City of Madera, within fifteen days after its adoption. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted at City Hall at least five days prior to the meeting at which the ordinance is adopted and again after the meeting at which it is adopted. The ordinance shall become effective thirty days after its adoption.

(Certification on next page)

The foregoing Ordinance No. 994 C.S. was introduced and given its first reading at a regular meeting of the City Council of the City of Madera held on the 1st day of June 2022 and adopted after a second reading at a regular meeting of the City Council held on 15th day of June 2022 by the following vote:

AYES: Mayor Garcia, Councilmembers Gallegos, Rodriguez, Montes, Evans, Mejia and Villegas.

NOES: None.

ABSTENTIONS: None.

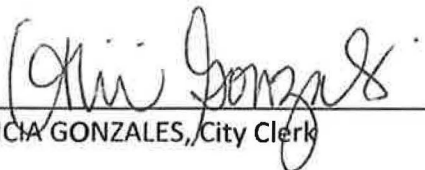
ABSENT: None.

APPROVED:



SANTOS GARCIA, Mayor

ATTEST:



ALICIA GONZALES, City Clerk



Military Equipment

709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

709.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Madera Police Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Madera Police Department

Madera PD Policy Manual

Military Equipment

709.2 POLICY

It is the policy of the Madera Police Department (MPD) that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

709.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Madera Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

709.4 MILITARY EQUIPMENT INVENTORY

The list set forth in Attachment A is the list of qualifying equipment for the Department:

709.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

Military Equipment

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

709.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this department shall be approved for use and in accordance with this department policy. Military equipment used by other jurisdictions that are providing mutual aid to this department, or operating in conjunction with this department, shall comply with their respective military equipment use policies in rendering mutual aid.

709.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

709.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Military Equipment

709.9 MAINTENANCE OF MILITARY EQUIPMENT SUPPLY LEVELS

The Department may order up to 25% of the existing inventory of consumable items in this list in a calendar year, without city council approval, to maintain a stock available for Department needs. MPD is authorized to acquire additional stock of items listed here from other law enforcement agencies of CalOES in the event of an emergency when approved by the Chief of Police or designee. Consumable items include:

- a. Breaching rounds
- b. Distraction devices
- c. Chemical agents and smoke canisters
- d. 40MM munitions
- e. Less-lethal 12-gauge rounds

ATTACHMENT A TO POLICY 709 MILITARY EQUIPMENT

SECTION 709.4

SECTION ONE: Qualifying Equipment Owned/Utilized by the Madera Police Department.

1. **Unmanned Aircraft System (UAS):** An unmanned aircraft along with the associated equipment necessary to control it remotely.
 - a. Description, quantity, capabilities, and purchase cost of current UAS:
 - i. DJI Air S2, cost \$1,500 each, quantity 3. Miniature UAS that weighs approximately 595 grams and can record video and obtain digital images with approximately 31 minutes of flight time.
 - b. Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

 - i. Search for missing persons.
 - ii. Natural disaster management.
 - iii. Crime/Accident scene photography.
 - iv. SWAT, tactical or other public safety and life preservation missions.
 - v. In response to specific requests from local, state, or federal fire authorities for fire response and/or prevention.
 - c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate UASs during approved missions.
 - d. Expected Life Span

All UAS equipment, 3-5 years.
 - e. Fiscal Impact

Combined annual maintenance and battery replacement cost for all UASs is approximately \$1,000.
 - f. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend quarterly department training.
 - g. Legal and Procedural Rules

Use is established under FAA Regulation 14 CFR Part 107, and the MPD UAS policy. It is the policy of the MPD to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal

law.

2. **Robots:** Unmanned machine operating on the ground utilized to enhance the safety to the community and officers.

a. Description, quantity, capabilities, and purchase cost

- i. Avatar III, cost: \$90,000 each, quantity: 1. The Avatar III is a rugged, heavy-duty tactical robot that allows personnel to remotely inspect dangerous situations safely and quickly. It has stair climbing ability and an arm capable of lifting 65lbs. The Avatar III also offers microphones, speakers, and cameras for communications, and can deliver small items into unsafe environments.

b. Purpose

To be used to remotely gain visual/audio data, deliver hostage negotiator phone, open doors, disrupt packages, and visually clear buildings.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the robot identified at section 2(a)(i). Use is established by the Investigations Lieutenant and/or Incident Commander.

d. Expected Life Span

15 years.

e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$250.

f. Training

All robot operators complete annual basic operator training to operate the robot identified at sections 2(a)(i).

g. Legal and Procedural Rules

It is the policy of the MPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

3. **Mobile Incident Command Vehicle:** A mobile office that provides shelter, access to Police Department computer systems, and incident briefing room for extended events.

a. Description, quantity, capabilities, and purchase cost

- i. 2009 Wells Cargo- model EW2824W. 28-foot-long, two-axle, bumper pulled Mobile Command Trailer, cost \$41,000, quantity 1. The interior of the trailer provides three workstations with computers and mobile radios. The trailer has

a small refrigerator, microwave, and climate control unit.

b. Purpose

To be used based on the specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.

c. Authorized Use

The Mobile Command Center (MCC) shall be used by Officers / Volunteers trained in their deployment and in a manner consistent with Department policy and training. Furthermore, only Officers / Volunteers who are properly licensed and have completed a driver's training program will be allowed to drive the MCC.

d. Lifespan

20 years with IT upgrades every 5 – 7 years.

e. Fiscal Impact

Annual maintenance cost is approximately \$2,050.

f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course.

g. Legal and Procedural Rules

It is the policy of the MPD to use the MCC only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

4. **Breaching Equipment:** Tools that are used to breach doors or glass by use of slugs or explosives.

a. Description, quantity, capabilities, and purchase cost

- i. Remington 870 breaching shotgun, cost: \$500, quantity 2. This weapon allows for breachers to utilize shotgun breaching rounds in order to defeat deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gasses to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round.

- ii. CTS 12-gauge breaching munition, #2570, cost \$7 each, quantity 10. The round is fired from a breaching shotgun and is used to disrupt locking mechanisms and hinges, defeat and breach external and internal doors.
 - iii. Royal Arms Flash Bang Cartridge FBC (Red Cap), cost: \$7.50, quantity: 81, This cartridge is used with the breaching shotgun for diversionary, disorientation, breaching, and crowd control. The round is designed to breach solid wood doors, sliders, and car windows.
- b. Purpose
To gain entry safely and quickly into a structure.
- c. Authorized Use
Breaching with 12-gauge rounds may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.
- d. Lifespan
Breaching shotgun – 25 years
Breaching rounds – 5 years
- e. Fiscal Impact
Annual maintenance is approximately \$500.
- f. Training
All Officers who use breaching rounds shall be certified by a POST instructor in the use of breaching rounds and equipment.
- g. Legal and Procedural Rules
It is the policy of the MPD to utilize breaching equipment only for official law enforcement purposes, and pursuant to State and Federal law.

5. **Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.

- a. Description, quantity, capabilities, and purchase cost
 - i. Defense Technology, Flameless Tri-Chamber SAF Smoke Grenade, #1027, cost \$43 each, quantity 100. The Tri-chamber flameless smoke grenade will deliver .70 oz of agent during a 20-25 second burn time. It can be used in crowd control as well as tactical deployment situations but was designed with a barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. It provides the option of delivering indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.

- ii. Defense Technology, Riot Control Continuous Discharge Grenade, CS, #1082, cost \$27, quantity 6. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload through four gas ports located on top of the canister. It can be used to conceal tactical movement or to route a crowd. The launchable grenade holds 2.7 oz of active agent.
- iii. Defense Technology, Flameless Tri-Chamber CS Grenade, #1026, cost \$45 each, quantity 3. The Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. It is designed primarily for indoor tactical situation to detect and/or dislodge a barricaded subject. The grenade will deliver .70 oz of agent during its 20-25 seconds burn time. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfit, and/or incapacitation of potentially violent or dangerous subjects.
- iv. Defense Technology, Instantaneous Blast OC #1040, cost \$27, quantity 2. The Instantaneous Blast OC grenade is designed for indoor or outdoor use; this grenade's powder is expelled upon initiation of a small internal detonator that has sufficient force to split the canister at six machined grooves on the outside surface. This device is well suited for affecting numerous subjects grouped in an area, using wind to the advantage. It will deliver 1.5 oz of active agent.

b. Purpose

To limit the escalation of conflict and minimize the use of more serious force options. Situations for use of the chemical agents' systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

c. Authorized Use

Only Officers who have received POST certification in the use chemical agents are authorized to use chemical agents.

d. Training

Officers utilizing chemical agent canisters are certified by POST in the use of less lethal and chemical agents instructors.

e. Lifespan

5 years from manufacturing date.

f. Fiscal Impact

No annual maintenance.

g. Legal and Procedural Rules

It is the policy of the MPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

6. **40MM Launchers and Rounds:** 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds and chemical munitions.

a. Description, quantity, capabilities, and purchase cost:

- i. Defense Technology, 40MM tactical 4 shot launcher, #1440, quantity 2, cost \$2500 each. The 40MM multi launcher is a multi-shot pump action launcher that features an adjustable stock, integrated front grip, and an accessory rail. It features a revolving cylinder that will hold four rounds and will fire standard 40MM less lethal ammunition up to 4.8 inches in cartridge length.
- ii. Defense Technology Spede-Heat 40MM long-range, CS, #6182, cost \$30 each, quantity 3. The Spede-Heat CS long-range munitions delivers one chemical canister of CS agent from a 40MM launcher down range up to 150 yards. The pyrotechnic round is designed specifically for outdoor use in crowd control situations.
- iii. Defense Technology Spede-Heat 40MM long-range round, SAF Smoke #6183, cost \$27 each, quantity 6. The Spede-Heat SAF Smoke munitions deliver one chemical canister of SAF-smoke down range up to 150 yards. The round is designed for outdoor use in crowd control situations with a continuous burn that expels its payload in 20-40 seconds from a single source.
- iv. Defense Technology Stinger 40MM .60 caliber rubber ball round, #6097, cost \$28 each, quantity 20. The Stinger 40MM .60 caliber round is most widely used as a crowd management tool by law enforcement. The round contains approximately eighteen .60 caliber rubber balls. It utilizes smokeless powder as the propellants. The round is generally deployed in low trajectories or skip fired in the general direction (non-target specific) of the intended targets. It is suitable for administering a means of pain compliance over a distance of 15-40 feet with non-compliant crowds.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous, and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Training

Officers utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by POST certified less lethal and chemical agents' instructors.

e. Lifespan

40MM Launchers - 15 years.

40MM munitions - 5 years.

f. Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

g. Legal and Procedural Rules

It is the policy of MPD to utilize the 40mm equipment only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

7. **Less Lethal Launcher:** A Less Lethal Launcher is used to deploy the less lethal 12-gauge rounds.

a. Description, quantity, capabilities, and purchase cost

- i. Remington 870 Less Lethal Launcher, cost \$950 each, quantity: 25. Used to deploy less lethal impact munitions. The stock and pump grip of the launcher are bright orange in color to indicate it's use as less lethal.
- ii. 12-gauge Safariland drag stabilized beanbag round, #3027, cost: \$5, quantity 234. A less lethal 12-gauge round that launches a ballistic fiber bag filled with 40 grams of lead shot. The effective range of this munition is at least 20 feet up to 75 feet from the target. It does not require a minimum range to "unfold" or "stabilize" and accuracy is relative to the launcher, barrel length, environmental conditions, and the operator.

b. Purpose

To limit the escalation of conflict and attempt to avoid the need for lethal force.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Lifespan

Remington 870 Less Lethal Launcher–
25years

Safariland drag stabilized round–No
expiration

e. Fiscal Impact

Annual maintenance is approximately \$50 for each shotgun.

f. Training

All officers are trained in the use of 12-gauge less lethal launcher as a less lethal option by in-service training.

g. Legal and Procedural Rules

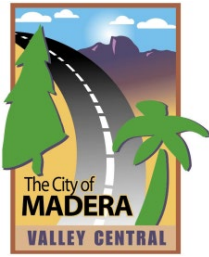
It is the policy of the MPD to utilize the less lethal launcher only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

SECTION TWO: Qualifying equipment known to be owned and/or utilized by law enforcement units with which the Madera Police Department collaborates and/or participates for law enforcement purposes. The Madera Police Department participates in the Madera County Regional SWAT Team. This equipment is owned and operated by Madera County SWAT Team through the Madera County Sheriff's Office, which could result in its deployment and/or use in the City of Madera.

1. **Unmanned Aircraft System (UAS):** An unmanned aircraft along with the associated equipment necessary to control it remotely.
2. **Robots:** Unmanned machine operating on the ground utilized to enhance the safety to the community and officers.
3. **Armored Vehicles:** Commercially produced, wheeled, armored personnel vehicle utilized for law enforcement purposes.

4. **Mobile Incident Command Vehicle:** A mobile office that provides shelter, access to Sheriff's Office computer systems, incident briefing room, and restroom facilities for extended events.
5. **Breaching Equipment:** Tools that are used to breach doors or glass by use of slugs or explosives.
6. **Distraction Devices:** A distraction device produces a loud noise and bright flash and is used to distract and temporarily disorient dangerous suspects during hostage rescue, room entries, or other high-risk arrest situations.
7. **Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.
8. **CTS Launching Cup:** Cups that attach to 12 gauge less lethal shotguns which allow officers to launch canisters of chemical agents or smoke.
9. **PepperBall Launcher:** A device that discharges irritant projectiles.
10. **Long Range Acoustic Device (LRAD):** A high intensity directional acoustical array for long-range, crystal-clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.
11. **40MM and 37MM Launchers and Rounds:** 40MM and 37MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds and chemical munitions.
12. **Less Lethal Launcher:** A Less Lethal Launcher is used to deploy 12-gauge rounds.

SECTION THREE: This Policy has been adopted by the City Council as Ordinance No. 994 C.S.



Item:	B-1
Minutes for:	02/19/2025
Adopted:	03/05/2025

Minutes of a Regular Meeting of the Madera City Council

February 19, 2025
6:00 p.m.

Council Chambers
City Hall

The Madera City Council meetings are open to the public. The meeting was available for public viewing and participation through Zoom. Members of the public were able to observe the live-streamed meeting on the City's website and were able to comment on agenda items at the meeting, remotely through an electronic meeting via phone, via email and by regular mail.

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

ROLL CALL:

Present: Mayor Pro Tem Jose Rodriguez, District 2
Councilmember Rohi Zacharia, District 1
Councilmember Steve Montes, District 3
Councilmember Artemio Villegas, District 6

Absent: Mayor Cece Gallegos
Councilmember Anita Evans, District 4
Councilmember Elsa Mejia, District 5

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Shannon L. Chaffin, City Engineer Keith Helmuth, Community Development Director Will Tackett, Director of Financial Services Michael Lima, Division Fire Chief Justin Macomb, Director of Human Resources Wendy Silva, Director of Parks and Community Services Joseph Hebert, Chief of Police Giachino Chiaramonte and Communication Specialist Joseph Carrello.

INVOCATION: Rev. Joseph Alicea, Awaken Church of God

PLEDGE OF ALLEGIANCE: Councilmember Montes

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, THE AGENDA WAS APPROVED BY A 4/0 VOTE. ABSENT: MAYOR GALLEGOS AND COUNCILMEMBERS EVANS AND MEJIA.

PRESENTATIONS:

1. Proclamation Recognizing the Retirement of City Employee Juan Montemayor, Maintenance Worker II
2. Proclamation Recognizing NAACP for Black History Month
3. Proclamation Recognizing National Pesticide Safety Education Month

PUBLIC COMMENT:

The first 15 minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked, but are not required, to identify themselves and state the subject of their comments. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

Larry Lihosit, author of the book “Neighbors Oral History from Madera, California” mentioned some of the people that he interviewed for his book.

John Stalker, a member of the public, asked Council to adopt a resolution opposing the Mileage Road Tax in the State of California.

Monica Felix, a member of the public, spoke in favor of the City of Madera being a Welcoming City.

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

A. PUBLIC HEARINGS:

A-1 Adoption of New Purchasing Procedures Ordinance and Amendment of Administrative Policy 18, Purchasing Policy of the City of Madera

Recommendation: Waive the Full Reading and by Title Only Introduce an Ordinance of the City of Madera Repealing and Replacing Chapter 4 of Title II of the Madera Municipal Code Relating to Purchasing Procedures and Including Raising Purchasing Thresholds, and adopt a Resolution amending Administrative Policy 18, Purchasing Policy of the City of Madera Contingent upon Subsequent Adoption of the Accompanying Ordinance (Report by Michael Lima)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS, ITEM A-1 WAS APPROVED BY A 4/0 VOTE. ABSENT: MAYOR GALLEGOS AND COUNCILMEMBERS EVANS AND MEJIA.

INTRO ORD AN ORDINANCE OF THE CITY OF MADERA REPEALING AND REPLACING CHAPTER 4 OF TITLE II OF THE MUNICIPAL CODE RELATING TO PURCHASING PROCEDURES AND INCLUDING RAISING PURCHASING THRESHOLDS

RES 25-33 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AMENDMENT TO ADMINISTRATIVE POLICY 18, PURCHASING POLICY OF THE CITY OF MADERA

B. CONSENT CALENDAR:

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Council may request an item be removed from the Consent Calendar and it will be considered separately.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER VILLEGAS,

ITEM B-1 WAS APPROVED BY A 4/0 VOTE. ABSENT: MAYOR GALLEGOS AND COUNCILMEMBERS EVANS AND MEJIA.

B-1 Minutes – February 5, 2025

Recommendation: Approve the City Council Minutes of February 5, 2025 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for January 25, 2025 to February 7, 2025 (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 Informational Report on Contract City Attorney Services and Litigation Expenditures

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

B-5 Proclamation Recognizing Scout Troop 117 for their 100 Years of Service to the Youth of Madera

Recommendation: Adopt a Minute Order Approving a Proclamation Recognizing Scout Troop 117 for their 100 Years of Service to the Youth of Madera (Report by Alicia Gonzales)

B-6 Appointment to the Community Development Block Grant Commission

Recommendation: Adopt a Resolution Appointing Diana Mosqueda to the Block Grant Commission (BGC) (Report by Michael Lima)

RES 25-34 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE APPOINTMENT OF DIANA MOSQUEDA TO THE CITY OF MADERA BLOCK GRANT COMMISSION

B-7 Appointment to the Transit Advisory Board

Recommendation: Adopt a Resolution Appointing Cynthia Ortegón to the Transit Advisory Board (Report by Michael Lima)

RES 25-35 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE APPOINTMENT OF CYNTHIA ORTEGÓN TO THE CITY OF MADERA TRANSIT ADVISORY BOARD

B-8 Madera County 5150 Response Protocol

Recommendation: Adopt a Resolution Approving a Multi-agency Memorandum of Understanding that defines the City's roles and responsibilities in relation to Madera County's 5150 Response Protocol and authorizing the Chief of Police to execute the agreement (Report by Giachino Chiamonte)

- RES 25-36 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MULTI-AGENCY MEMORANDUM OF UNDERSTANDING THAT DEFINES THE CITY'S ROLES AND RESPONSIBILITIES IN RELATION TO MADERA COUNTY'S 5150 RESPONSE PROTOCOL AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE AGREEMENT
- B-9 Assignment of an Airport Ground Lease Agreement Between the City of Madera and WSD, LLC, to Wood Cattle Company, LLC**
- Recommendation:** Adopt a Resolution Approving the Assignment of an Airport Ground Lease Agreement dated February 19, 2025, between the City of Madera and WSD, LLC, to Wood Cattle Company, LLC (Report by Arnolando Rodriguez)
- RES 25-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE ASSIGNMENT OF AN AIRPORT GROUND LEASE AGREEMENT BETWEEN THE CITY OF MADERA AND WSD, LLC, TO WOOD CATTLE COMPANY, LLC
- B-10 First Amendment to Solar Power & Services Agreement Between SunE GIL1, LLC, and the City of Madera**
- Recommendation:** Adopt a Resolution Approving the First Amendment to Solar Power & Services Agreement between SunE GIL1, LLC, successor-in-interest to SunEdison Origination1, LLC, and the City of Madera (Report by Arnolando Rodriguez)
- RES 25-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO SOLAR POWER & SERVICES AGREEMENT BETWEEN SUNE GIL1, LLC, SUCCESSOR-IN-INTEREST TO SUNEDISON ORIGATION1, LLC, AND THE CITY OF MADERA
- B-11 Four Easement Deeds for Sidewalk Improvements at Various Locations City Project R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761**
- Recommendation:** Adopt a Resolution Approving Four Agreements for Purchase and Sale of Real Property with the Property Owners and Authorizing the City Clerk to Execute the Certificate of Acceptance and Record the Easement Deeds (Report by Keith Helmuth)
- RES 25-39 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING FOUR AGREEMENTS FOR PURCHASE AND SALE OF REAL PROPERTY WITH THE PROPERTY OWNERS AND AUTHORIZING THE CITY CLERK TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND RECORD THE EASEMENT DEEDS FOR SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS CITY PROJECT R-94 BID PACKAGE 3 PHASE 2 AHSC AGREEMENT NO. 19-AHSC-12761
- B-12 2024 Wastewater Treatment Plant Improvements Escrow Agreement for Security in Lieu of Retention**
- Recommendation:** Adopt a Resolution approving Escrow Agreement for security in lieu of

retention with Gateway Pacific Contractors for the 2024 Wastewater Treatment Plant Improvements Project WWTP 24-01 (Report by Keith Helmuth)

RES 25-40

A RESOLUTION APPROVING ESCROW AGREEMENT FOR SECURITY DEPOSITS IN LIEU OF RETENTION WITH GATEWAY PACIFIC CONTRACTORS FOR THE 2024 WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT WWTP 24-01 AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT ON BEHALF OF CITY, IN ADDITION TO AUTHORIZING THE CITY ENGINEER TO EXECUTE ASSOCIATED PROJECT DOCUMENTS ON BEHALF OF THE CITY

C. **WORKSHOP:** None

D. **PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:** None

E. **ADMINISTRATIVE REPORTS:**

E-1 **Select Recipient for the Proclamations in the Month of March**

Recommendation: Request for Council's Selection of a Recipient for the Proclamation Recognizing Red Cross Month and a Proclamation Recognizing Women's History Month (Report by Alicia Gonzales)

Council by consensus approved proclamations for the Red Cross Month and Women's History Month.

F. **COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:**

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items, and (iv) to take action on matters initiated under this section of the agenda. Under this section, the Council may take action only on items specifically agendaized and which meet other requirements for action.

Councilmember Zacharia had nothing to report.

Councilmember Montes expressed his condolences to Councilmember Evans on the passing of her brother. He also wanted to report that the Community Action Partnership of Madera County (CAPMC) is hosting a free tax preparation program for certain individuals that takes place on Saturdays now through April 12th.

Councilmember Villegas mentioned he attended the swearing-in ceremony of Assemblymember Esmeralda Soria and noted it was an enjoyable event.

Mayor Pro Tem Rodriguez attended the Black History Month celebration on Sunday, February 16th, to honor the achievements and contributions of Black Americans. The event paid tribute to the women of the 6888th Central Postal Directory, the first all-Black female unit of the U.S. Women's Army to serve overseas during World War II, recognizing their dedication and historic service.

G. **CLOSED SESSION:**

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

Agency Designated Representatives: Arnoldo Rodriguez, Wendy Silva and Che Johnson

Employee Organizations:

Madera Affiliated City Employees' Association, Madera Police Officers' Association, Mid Management Employee Group, and Law Enforcement Mid Management Employee Group

G-2 Conference with Labor Negotiators pursuant to Government Code §54957.6

Agency Designated Representative: Arnolando Rodriguez and Che Johnson

Unrepresented Positions: Police Chief, Director of Parks & Community Services, City Engineer, Director of Human Resources, Director of Information Technology, Chief Building Official, Planning Manager, Director of Financial Services, Public Works Operations Director, and Director of Community Development

City Attorney Shannon Chaffin made the closed session announcement at 6:48 p.m. Mr. Chaffin and Council returned from Closed Session at 8:32 p.m. Mr. Chaffin stated there was no reportable action.

UPCOMING MEETING DATES:

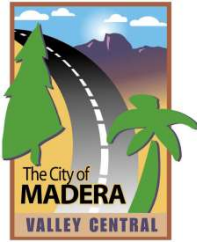
- Wednesday, March 5, 2025
- Wednesday, March 19, 2025

ADJOURNMENT: Meeting was adjourned at 8:32 p.m.

ALICIA GONZALES, City Clerk

CECELIA K. GALLEGOS, Mayor

MINUTES PREPARED BY
ZELDA LEÓN, Deputy City Clerk



REPORT TO CITY COUNCIL

Approved by:

Michael Lima

Michael Lima, Director of Financial Services

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-2

SUBJECT:

Informational Report on Register of Audited Demands

RECOMMENDATION:

Review Register of Audited Demands Report for February 8 to February 21, 2025

SUMMARY:

The Register of Audited Demands for the City covering obligations paid during the period of February 8 to February 21, 2025, 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	41647 – 41756	\$1,220,119.07

Table 2: Wire Transfer Summary

Description	Vendor	Amount
Payroll and Taxes	US Bank	\$693,376.24
SDI	EDD	\$3,009.06
CalPERS Payment	CalPERS	\$0.00

DISCUSSION:

Warrant requests are processed weekly based on the Fiscal Year 2024/2025 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 2024/2025 Adopted Budget.

ALTERNATIVES:

Informational only.

ATTACHMENTS:

Register of Audited Demands

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

March 5, 2025

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
41647	02/10/2025	ENGINEERING	Sewer Capital Outlay	RMA GEOSCIENCE, INC.	AVE 13 SOIL TESTING	110.00
41648	02/10/2025	ENGINEERING	Water Capital Outlay	BEYAZ & PATEL, INC.	PROFESSIONAL ENGINEERING SVS	48,192.31
41649	02/10/2025	FINANCE	Finance	MV CHENG & ASSOCIATES, INC.	CONSULTING SERVICES: FINANCE DIRECTOR	2,000.00
41650	02/10/2025	CITY CLERK'S OFFICE	City Clerk's Office	GENERAL LOGISTICS SYSTEMS US INC	OVERNIGHT MAIL - CITY ATTORNEY	8.29
41651	02/10/2025	ENGINEERING	CDBG Public Improvements	THE MADERA MAIL DROP	PLAN & SPECS PRINTING	374.70
41652	02/10/2025	FINANCE	AIRPORT OPS	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	84.60
41652	02/10/2025	FINANCE	Central Admin	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	136.52
41652	02/10/2025	FINANCE	Comm & Rec Centers	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	535.52
41652	02/10/2025	FINANCE	COMPUTER MAINT	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	14.00
41652	02/10/2025	FINANCE	Engineering	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	99.44
41652	02/10/2025	FINANCE	Facilities Maintenance	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	556.64
41652	02/10/2025	FINANCE	Fleet Maintenance	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	448.20
41652	02/10/2025	FINANCE	Parks	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	676.52
41652	02/10/2025	FINANCE	STREETS	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	797.08
41652	02/10/2025	FINANCE	Sewer Mtnc/Operations	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	283.24
41652	02/10/2025	FINANCE	Street Cleaning	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	69.52
41652	02/10/2025	FINANCE	UB - Water	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	45.48
41652	02/10/2025	FINANCE	Water Mtnc/Operations	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	597.38
41652	02/10/2025	FINANCE	Water Quality Control	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	175.52
41652	02/10/2025	FINANCE	WWTP	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	738.24
41652	02/10/2025	FINANCE	PD Operations	PRUDENTIAL OVERALL SUPPLY	UNIFORM SERVICES 12/24	136.24
41653	02/10/2025	CITY ADMIN	City Attorney	ALESHIRE & WYNDER LLP	CONSULTING SVS CITY ATTORNEY	25,035.19
41654	02/10/2025	ENGINEERING	Sewer Capital Outlay	AECOM TECHNICAL SERVICES, INC.	SS-06 ONCALL FAIRGROUND LIFT STATION MODIFICATIO	1,877.50
41655	02/10/2025	ENGINEERING	Engineering	AMERICAN BUSINESS MACHINES	PLOTTER LEASE	160.00
41655	02/10/2025	ENGINEERING	Engineering	AMERICAN BUSINESS MACHINES	PRINTER FINANCE CHARGE	29.29
41656	02/10/2025	ENGINEERING	Water Capital Outlay	BSK ASSOCIATES	EXTRA TESTING SERVICES	2,710.00
41657	02/10/2025	ENGINEERING	Sewer Capital Outlay	BLAIR CHURCH & FLYNN	PROFESSIONAL ENGINEERING SVS	9,186.00
41658	02/10/2025	FINANCE	Building	DEPARTMENT OF CONSERVATION	4TH QTR 23/24 SMIP FEE REPORTING	(346.12)
41658	02/10/2025	FINANCE	General Fund	DEPARTMENT OF CONSERVATION	4TH QTR 23/24 SMIP FEE REPORTING	6,922.31
41659	02/10/2025	FINANCE	PAYROLL TRUST	COLONIAL LIFE & ACCIDENT INSURANCE CO	#E700482-3 FOR 01/31/2024 PAYROLL	936.34
41660	02/10/2025	FINANCE	PAYROLL TRUST	COLONIAL LIFE & ACCIDENT INSURANCE CO	#E700482-3 FOR 01/17/2025 PAYROLL	984.55
41661	02/10/2025	PARKS ADMINISTRATION	Comm & Rec Centers	DIAMOND COMMUNICATIONS	UPDATED SECURITY CODES - FBSC	90.00
41661	02/10/2025	PARKS ADMINISTRATION	Comm & Rec Centers	DIAMOND COMMUNICATIONS	FIRE ALARM MONITORING - PANAM	36.00
41661	02/10/2025	PARKS ADMINISTRATION	Comm & Rec Centers	DIAMOND COMMUNICATIONS	UPDATED SECURITY CODES - PANAM	90.00
41662	02/10/2025	GRANTS	INTERMODAL BLDG	CITY OF MADERA	02/25 UTILITY SERVICES 3040421	49.96
41662	02/10/2025	GRANTS	INTERMODAL BLDG	CITY OF MADERA	02/25 UTILITY SERVICES 3040431	104.75
41662	02/10/2025	GRANTS	INTERMODAL BLDG	CITY OF MADERA	02/25 UTILITY SERVICES 3040441	76.75
41663	02/10/2025	FINANCE	PAYROLL TRUST	M.C.E.A.	MONTHLY DUES 01/25 MONTHLY DUES 01/25	320.00
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 037-040-004-000	527.08
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 038-050-018-000	358.89
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-014-000	245.07
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-220-001-000	2,440.54

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41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-002-000	1,410.99
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-001-000	1,452.53
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-003-000	694.22
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-011-000	485.12
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-012-000	291.27
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-005-000	1,406.06
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-010-039-000	11,538.75
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-016-000	744.24
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-017-000	4,530.17
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-030-018-000	205.66
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-010-041-000	6,070.85
41664	02/10/2025	PW ADMIN	AIRPORT OPS	MADERA COUNTY TAX COLLECTOR	2024 PROPERTY TAX APN - 013-010-040-000	3,460.95
41665	02/10/2025	FINANCE	PAYROLL TRUST	M P O A	MONTHLY DUES 01/25	8,820.44
41666	02/10/2025	ENGINEERING	CDBG Public Improvements	MADERA TRIBUNE	REQUEST FOR BID - R-97	1,309.00
41666	02/10/2025	ENGINEERING	AFFORDABLE HOUSING	MADERA TRIBUNE	REQUEST FOR BID - R-94	869.00
41666	02/10/2025	HR/RISK MGT	HR/RISK MGT	MADERA TRIBUNE	JOB ADVERTISEMENT	72.20
41667	02/10/2025	FLEET MAINTENANCE	Code Enforcement	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	6.23
41667	02/10/2025	FLEET MAINTENANCE	Code Enforcement	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	6.61
41667	02/10/2025	FLEET MAINTENANCE	Engineering	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	21.77
41667	02/10/2025	FLEET MAINTENANCE	Engineering	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	43.77
41667	02/10/2025	FLEET MAINTENANCE	Fleet Motor Pool	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	13.79
41667	02/10/2025	FLEET MAINTENANCE	Fleet Motor Pool	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	4.24
41667	02/10/2025	FLEET MAINTENANCE	LMD Services	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	16.56
41667	02/10/2025	FLEET MAINTENANCE	LMD Services	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	67.96
41667	02/10/2025	FLEET MAINTENANCE	Parks	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	52.08
41667	02/10/2025	FLEET MAINTENANCE	Parks	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	179.04
41667	02/10/2025	FLEET MAINTENANCE	STREETS	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 12/23	29.78
41667	02/10/2025	FLEET MAINTENANCE	STREETS	MADERA UNIFIED SCHOOL DISTRICT	MUSD CNG FUEL - 11/23	89.45
41668	02/10/2025	PARKS ADMINISTRATION	Aquatics Programs	MAMMOTH OXYGEN	CO2 FOR POOL	111.60
41669	02/10/2025	PARKS ADMINISTRATION	Comm & Rec Centers	MAGNETAR. US, INC.	YC ALARM SYSTEM SERVICE	413.50
41670	02/10/2025	FLEET MAINTENANCE	Fleet Maintenance	NAPA MADERA MOTOR PARTS	MISC REPAIR PARTS	3,548.93
41671	02/10/2025	ENGINEERING	LTF - Streets	NATIONAL DATA & SURVEYING SERVICES	TRAFFIC COUNTS - OWENS ST & ELLIS ST	790.00
41672	02/10/2025	PARKS	Prop 68 Grant	O'DELL ENGINEERING, INC.	PROP 68 - OLIVE/TAUBERT PARK	1,082.91
41672	02/10/2025	PARKS ADMINISTRATION	Special Legislative Grant	O'DELL ENGINEERING, INC.	DESIGN SVS - LTC TRAILS	2,268.92
41673	02/10/2025	ENGINEERING	Engineering	SPARKLETTS	ENGINEERING - DRINKING WATER	80.42
41674	02/10/2025	PW ADMIN	AIRPORT OPS	STATE WATER RESOURCES CONTROL BOARD	ANNUAL WASTE DISCHARGE FEES	4,526.00
41675	02/10/2025	GRANTS	INTERMODAL BLDG	VILLA GARDENING SERVICE INC	LAWN SERVICES 01/25	500.00
41676	02/10/2025	PARKS ADMINISTRATION	Comm & Rec Centers	OTP- PARKS REFUNDS	DEPOSIT REFUND - PANAM MULTI-ROOM	200.00
41676	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - PANAM MULTI-ROOM	100.00
41677	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - PANAM MULTI-ROOM	100.00
41678	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - FBSC MULTI-ROOM	100.00
41679	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - SUNRISE ROTARY FIELDS	50.00
41680	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - PANAM MULTI-ROOM	100.00
41681	02/10/2025	PARKS ADMINISTRATION	General Trust Fund	OTP- PARKS REFUNDS	DEPOSIT REFUND - ROTARY YOUTH HUT	50.00
41682	02/10/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9921154 634 ST MONTELENA	36.52

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41683	02/10/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9891465 1704 JENNINGS	334.09
41684	02/10/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9917772 521 SHANNON	184.31
41685	02/10/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB TERM REFUND 9924534	157.82
41686	02/21/2025	ENGINEERING	Sewer Capital Outlay	SAK CONSTRUCTION, LLC	AVE 13 SEWER INTERCEPTOR REHABILITATION SS-14	557,674.93
41687	02/21/2025	PD OPERATIONS	PD Operations	KER'S GAS & LUBE, INC.	PD CAR WASHES	4,530.00
41688	02/21/2025	PD OPERATIONS	MEAS K - PD	HARRY D. WILSON INC.	BMW 1250 - SERVICE	1,844.37
41689	02/21/2025	PD OPERATIONS	MEAS K - PD	RAUL R. HERRERA JR.	POLYGRAPHS	500.00
41690	02/21/2025	PARKS ADMINISTRATION	Sports Programs	J & D MANUFACTURING	YOUTH BASKETBALL JERSEYS	1,968.53
41691	02/21/2025	PD OPERATIONS	PD Operations	TRILOGY MEDWASTE WEST LLC	REUSABLE TUB - MEDICAL WASTE	79.30
41692	02/21/2025	PARKS ADMINISTRATION	Parks	ELITE MAINTENANCE AND TREE SERVICE	GROUP 2 NON-MEDIAN LANDSCAPE MAINTENANCE	5,678.40
41692	02/21/2025	PARKS ADMINISTRATION	MEDIAN LANDS	ELITE MAINTENANCE AND TREE SERVICE	GROUP 3 MEDIAN LANDSCAPE MAINTENANCE	12,560.80
41692	02/21/2025	PARKS ADMINISTRATION	Parking Dist Operation	ELITE MAINTENANCE AND TREE SERVICE	GROUP 1 DOWNTOWN LANDSCAPE MAINTENANCE	509.60
41693	02/21/2025	FINANCE	AIRPORT OPS	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	73.76
41693	02/21/2025	FINANCE	Animal Control	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	386.56
41693	02/21/2025	FINANCE	Building	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	114.53
41693	02/21/2025	FINANCE	Code Enforcement	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	122.77
41693	02/21/2025	FINANCE	DRAINAGE	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	220.28
41693	02/21/2025	FINANCE	Engineering	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	280.82
41693	02/21/2025	FINANCE	Facilities Maintenance	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	390.90
41693	02/21/2025	FINANCE	Fleet Maintenance	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	42.87
41693	02/21/2025	FINANCE	Fleet Motor Pool	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	41.89
41693	02/21/2025	FINANCE	GRAFFITI ABATE	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	597.86
41693	02/21/2025	FINANCE	LMD Services	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	698.60
41693	02/21/2025	FINANCE	Parks	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	1,890.46
41693	02/21/2025	FINANCE	STREETS	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	2,232.60
41693	02/21/2025	FINANCE	Sewer Mtnc/Operations	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	654.96
41693	02/21/2025	FINANCE	Street Cleaning	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	1,679.01
41693	02/21/2025	FINANCE	TRANS - FIXED	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	3,726.16
41693	02/21/2025	FINANCE	TRANS - DAR	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	3,390.26
41693	02/21/2025	FINANCE	Water Mtnc/Operations	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	1,164.47
41693	02/21/2025	FINANCE	Water Quality Control	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	44.03
41693	02/21/2025	FINANCE	PD Operations	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	7,082.44
41693	02/21/2025	FINANCE	PW Safe & Clean Initiative	VAN DE POL ENTERPRISES, INC.	FUEL CITY VEHICLES - 01/16/25-01/31/25	170.35
41693	02/21/2025	WWTP	WWTP	VAN DE POL ENTERPRISES, INC.	FUEL WWTP - BULK PROPANE	2,595.70
41694	02/21/2025	FINANCE	General Trust Fund	CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY	MPD ASSET FORFEITURE - 24M-07886	61.80
41695	02/21/2025	PD OPERATIONS	PD Operations	CINTAS CORPORATION	MEDICAL SUPPLIES	275.01
41696	02/21/2025	FLEET MAINTENANCE	Fleet Maintenance	DL BATTY, INC.	SHOP - ROLL UP DOOR REPLACEMENT	59,937.98
41697	02/21/2025	FLEET MAINTENANCE	Facilities Maintenance	PB LOADER CORPORATION	#1533 LIFT GATE	8,098.91
41698	02/21/2025	FINANCE	Madera Groundwater JPA Cor	CALTECH WEB LLC	WEB DESIGN & MAINTENANCE - 01/10/25-02/10/25	99.00
41698	02/21/2025	FINANCE	Madera Groundwater JPA Cor	CALTECH WEB LLC	WEB DESIGN & MAINTENANCE - 02/10/25-03/10/25	99.00
41699	02/21/2025	FIRE	Fire	KING TRAINING INNOVATIONS LLC	TRAINING PROPS	4,812.86
41700	02/21/2025	WWTP	WWTP	DELLAVALLE LABORATORY, INC.	PERMIT COMPLIANCE LAB	3,970.00
41700	02/21/2025	WATER QUALITY CONTR	Water Quality Control	DELLAVALLE LABORATORY, INC.	WEEKLY SAMPLING	1,824.00
41700	02/21/2025	WATER QUALITY CONTR	Water Quality Control	DELLAVALLE LABORATORY, INC.	MONTHLY SAMPLING	288.00
41700	02/21/2025	WATER QUALITY CONTR	Water Quality Control	DELLAVALLE LABORATORY, INC.	WEEKLY SAMPLING	608.00

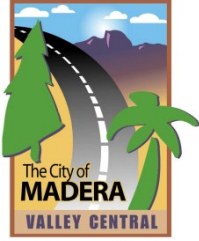
CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
41701	02/21/2025	FINANCE	AIRPORT OPS	AT&T	SERVICE 831-000-6408-576 11/24	533.86
41701	02/21/2025	FINANCE	AIRPORT OPS	AT&T	SERVICE 831-000-6408-576 11/24	505.02
41701	02/21/2025	FINANCE	Building	AT&T	SERVICE 831-000-6408-576 11/24	108.63
41701	02/21/2025	FINANCE	Building	AT&T	SERVICE 831-000-6408-576 12/24	102.77
41701	02/21/2025	FINANCE	City Attorney	AT&T	SERVICE 831-000-6408-576 11/24	35.38
41701	02/21/2025	FINANCE	City Attorney	AT&T	SERVICE 831-000-6408-576 12/24	33.47
41701	02/21/2025	FINANCE	City Clerk's Office	AT&T	SERVICE 831-000-6408-576 11/24	29.80
41701	02/21/2025	FINANCE	City Clerk's Office	AT&T	SERVICE 831-000-6408-576 12/24	28.19
41701	02/21/2025	FINANCE	Code Enforcement	AT&T	SERVICE 831-000-6408-576 11/24	595.31
41701	02/21/2025	FINANCE	Code Enforcement	AT&T	SERVICE 831-000-6408-576 12/24	563.15
41701	02/21/2025	FINANCE	Comm & Rec Centers	AT&T	SERVICE 831-000-6408-576 11/24	1,663.03
41701	02/21/2025	FINANCE	Comm & Rec Centers	AT&T	SERVICE 831-000-6408-576 12/24	1,573.19
41701	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	SERVICE 831-000-6408-576 11/24	112.36
41701	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	SERVICE 831-000-6408-576 12/24	106.29
41701	02/21/2025	FINANCE	Engineering	AT&T	SERVICE 831-000-6408-576 11/24	249.55
41701	02/21/2025	FINANCE	Engineering	AT&T	SERVICE 831-000-6408-576 12/24	236.07
41701	02/21/2025	FINANCE	Finance	AT&T	SERVICE 831-000-6408-576 11/24	85.04
41701	02/21/2025	FINANCE	Finance	AT&T	SERVICE 831-000-6408-576 12/24	80.45
41701	02/21/2025	FINANCE	Fire	AT&T	SERVICE 831-000-6408-576 11/24	1,068.33
41701	02/21/2025	FINANCE	Fire	AT&T	SERVICE 831-000-6408-576 12/24	1,010.62
41701	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	SERVICE 831-000-6408-576 11/24	104.29
41701	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	SERVICE 831-000-6408-576 12/24	98.65
41701	02/21/2025	FINANCE	HR/RISK MGT	AT&T	SERVICE 831-000-6408-576 11/24	70.77
41701	02/21/2025	FINANCE	HR/RISK MGT	AT&T	SERVICE 831-000-6408-576 12/24	66.94
41701	02/21/2025	FINANCE	Planning	AT&T	SERVICE 831-000-6408-576 11/24	91.25
41701	02/21/2025	FINANCE	Planning	AT&T	SERVICE 831-000-6408-576 12/24	86.32
41701	02/21/2025	FINANCE	UB - Garbage	AT&T	SERVICE 831-000-6408-576 11/24	207.34
41701	02/21/2025	FINANCE	UB - Garbage	AT&T	SERVICE 831-000-6408-576 12/24	196.15
41701	02/21/2025	FINANCE	UB - Sewer	AT&T	SERVICE 831-000-6408-576 11/24	207.34
41701	02/21/2025	FINANCE	UB - Sewer	AT&T	SERVICE 831-000-6408-576 12/24	196.13
41701	02/21/2025	FINANCE	UB - Water	AT&T	SERVICE 831-000-6408-576 11/24	414.67
41701	02/21/2025	FINANCE	UB - Water	AT&T	SERVICE 831-000-6408-576 12/24	392.27
41701	02/21/2025	FINANCE	City Manager	AT&T	SERVICE 831-000-6408-576 11/24	35.38
41701	02/21/2025	FINANCE	City Manager	AT&T	SERVICE 831-000-6408-576 12/24	33.47
41701	02/21/2025	FINANCE	PD Operations	AT&T	SERVICE 831-000-6408-576 11/24	595.31
41701	02/21/2025	FINANCE	PD Operations	AT&T	SERVICE 831-000-6408-576 12/24	563.15
41702	02/21/2025	FINANCE	Building	AT&T	01/25 CALNET SERVICE 9391031577	30.28
41702	02/21/2025	FINANCE	Building	AT&T	01/25 CALNET SERVICE 9391026390	34.95
41702	02/21/2025	FINANCE	Building	AT&T	01/25 CALNET SERVICE 9391031559	18.67
41702	02/21/2025	FINANCE	Building	AT&T	01/25 CALNET SERVICE 9391026407	31.53
41702	02/21/2025	FINANCE	City Attorney	AT&T	01/25 CALNET SERVICE 9391031577	8.64
41702	02/21/2025	FINANCE	City Attorney	AT&T	01/25 CALNET SERVICE 9391026390	9.97
41702	02/21/2025	FINANCE	City Attorney	AT&T	01/25 CALNET SERVICE 9391031559	7.00
41702	02/21/2025	FINANCE	City Attorney	AT&T	01/25 CALNET SERVICE 9391026388	62.76
41702	02/21/2025	FINANCE	City Clerk's Office	AT&T	01/25 CALNET SERVICE 9391031577	8.64

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
41702	02/21/2025	FINANCE	City Clerk's Office	AT&T	01/25 CALNET SERVICE 9391026390	9.97
41702	02/21/2025	FINANCE	City Clerk's Office	AT&T	01/25 CALNET SERVICE 9391031559	4.67
41702	02/21/2025	FINANCE	Code Enforcement	AT&T	01/25 CALNET SERVICE 9391026413	62.29
41702	02/21/2025	FINANCE	Comm & Rec Centers	AT&T	01/25 CALNET SERVICE 9391063910	322.79
41702	02/21/2025	FINANCE	Comm & Rec Centers	AT&T	01/25 CALNET SERVICE 9391026392	63.09
41702	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	01/25 CALNET SERVICE 9391031577	17.30
41702	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	01/25 CALNET SERVICE 9391026390	19.97
41702	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	01/25 CALNET SERVICE 9391031559	2.33
41702	02/21/2025	FINANCE	Engineering	AT&T	01/25 CALNET SERVICE 9391031577	60.57
41702	02/21/2025	FINANCE	Engineering	AT&T	01/25 CALNET SERVICE 9391026390	69.90
41702	02/21/2025	FINANCE	Engineering	AT&T	01/25 CALNET SERVICE 9391031559	35.00
41702	02/21/2025	FINANCE	Facilities Maintenance	AT&T	01/25 CALNET SERVICE 9391031564	13.72
41702	02/21/2025	FINANCE	Facilities Maintenance	AT&T	01/25 CALNET SERVICE 9391026394	24.96
41702	02/21/2025	FINANCE	Finance	AT&T	01/25 CALNET SERVICE 9391031577	47.58
41702	02/21/2025	FINANCE	Finance	AT&T	01/25 CALNET SERVICE 9391026390	54.91
41702	02/21/2025	FINANCE	Finance	AT&T	01/25 CALNET SERVICE 9391031559	23.33
41702	02/21/2025	FINANCE	Fleet Maintenance	AT&T	01/25 CALNET SERVICE 9391031564	9.15
41702	02/21/2025	FINANCE	Fleet Maintenance	AT&T	01/25 CALNET SERVICE 9391026394	16.67
41702	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	01/25 CALNET SERVICE 9391031577	17.30
41702	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	01/25 CALNET SERVICE 9391026390	19.97
41702	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	01/25 CALNET SERVICE 9391031559	11.67
41702	02/21/2025	FINANCE	HR/RISK MGT	AT&T	01/25 CALNET SERVICE 9391031577	12.95
41702	02/21/2025	FINANCE	HR/RISK MGT	AT&T	01/25 CALNET SERVICE 9391026390	14.95
41702	02/21/2025	FINANCE	HR/RISK MGT	AT&T	01/25 CALNET SERVICE 9391031559	7.00
41702	02/21/2025	FINANCE	Planning	AT&T	01/25 CALNET SERVICE 9391031577	21.62
41702	02/21/2025	FINANCE	Planning	AT&T	01/25 CALNET SERVICE 9391026390	24.95
41702	02/21/2025	FINANCE	Planning	AT&T	01/25 CALNET SERVICE 9391031559	11.67
41702	02/21/2025	FINANCE	STREETS	AT&T	01/25 CALNET SERVICE 9391031564	22.88
41702	02/21/2025	FINANCE	STREETS	AT&T	01/25 CALNET SERVICE 9391026394	41.64
41702	02/21/2025	FINANCE	Sewer Mtnc/Operations	AT&T	01/25 CALNET SERVICE 9391031564	16.01
41702	02/21/2025	FINANCE	Sewer Mtnc/Operations	AT&T	01/25 CALNET SERVICE 9391026394	29.12
41702	02/21/2025	FINANCE	SOLID WASTE	AT&T	01/25 CALNET SERVICE 9391031564	18.32
41702	02/21/2025	FINANCE	SOLID WASTE	AT&T	01/25 CALNET SERVICE 9391026394	33.30
41702	02/21/2025	FINANCE	Sr Citizen Community Service	AT&T	01/25 CALNET SERVICE 9391026389	31.53
41702	02/21/2025	FINANCE	Sr Citizen Community Service	AT&T	01/25 CALNET SERVICE 9391026395	31.53
41702	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 CALNET SERVICE 9391031577	14.05
41702	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 CALNET SERVICE 9391026390	16.19
41702	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 CALNET SERVICE 9391031559	6.22
41702	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 CALNET SERVICE 9391031564	4.57
41702	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 CALNET SERVICE 9391026394	8.32
41702	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 CALNET SERVICE 9391031577	14.05
41702	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 CALNET SERVICE 9391026390	16.22
41702	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 CALNET SERVICE 9391031559	6.22
41702	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 CALNET SERVICE 9391031564	4.57
41702	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 CALNET SERVICE 9391026394	8.32

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41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391031577	28.17
41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391026390	32.51
41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391031559	12.44
41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391031564	9.16
41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391026394	16.67
41702	02/21/2025	FINANCE	UB - Water	AT&T	01/25 CALNET SERVICE 9391026393	93.04
41702	02/21/2025	FINANCE	Water Mtnc/Operations	AT&T	01/25 CALNET SERVICE 9391031564	20.58
41702	02/21/2025	FINANCE	Water Mtnc/Operations	AT&T	01/25 CALNET SERVICE 9391026394	37.45
41702	02/21/2025	FINANCE	Water Quality Control	AT&T	01/25 CALNET SERVICE 9391031564	9.15
41702	02/21/2025	FINANCE	Water Quality Control	AT&T	01/25 CALNET SERVICE 9391026394	16.67
41702	02/21/2025	FINANCE	WWTP	AT&T	01/25 CALNET SERVICE 9391031564	13.72
41702	02/21/2025	FINANCE	WWTP	AT&T	01/25 CALNET SERVICE 9391026394	24.96
41702	02/21/2025	FINANCE	City Manager	AT&T	01/25 CALNET SERVICE 9391031577	8.64
41702	02/21/2025	FINANCE	City Manager	AT&T	01/25 CALNET SERVICE 9391026390	9.97
41702	02/21/2025	FINANCE	City Manager	AT&T	01/25 CALNET SERVICE 9391031559	9.33
41702	02/21/2025	FINANCE	Purchasing	AT&T	01/25 CALNET SERVICE 9391031564	13.72
41702	02/21/2025	FINANCE	Purchasing	AT&T	01/25 CALNET SERVICE 9391026394	24.96
41702	02/21/2025	FINANCE	PD Operations	AT&T	01/25 CALNET SERVICE 9391026414	382.09
41702	02/21/2025	FINANCE	PD Operations	AT&T	01/25 CALNET SERVICE 9391031561	155.55
41702	02/21/2025	FINANCE	PD Operations	AT&T	01/25 CALNET SERVICE 9391031579	288.23
41702	02/21/2025	FINANCE	PD Operations	AT&T	01/25 CALNET SERVICE 9391026411	148.03
41702	02/21/2025	PD OPERATIONS	PD Operations	AT&T	01/25 CALNET SERVICE 9391031566	155.55
41702	02/21/2025	PD OPERATIONS	PD Operations	AT&T	01/25 CALNET SERVICE 9391031578	156.74
41702	02/21/2025	PD OPERATIONS	PD Operations	AT&T	01/25 CALNET SERVICE 9391064552	572.42
41703	02/21/2025	FINANCE	Aquatics Programs	AT&T	01/25 CALNET SERVICE 9391026397	29.97
41703	02/21/2025	FINANCE	Fire	AT&T	01/25 CALNET SERVICE 9391026402	31.53
41704	02/21/2025	FINANCE	AIRPORT OPS	AT&T	01/25 FIRSTNET SERVICE 287302656036	90.16
41704	02/21/2025	FINANCE	Building	AT&T	01/25 FIRSTNET SERVICE 287302656036	215.24
41704	02/21/2025	FINANCE	City Clerk's Office	AT&T	01/25 FIRSTNET SERVICE 287302656036	90.16
41704	02/21/2025	FINANCE	City Council	AT&T	01/25 FIRSTNET SERVICE 287302656036	281.68
41704	02/21/2025	FINANCE	Code Enforcement	AT&T	01/25 FIRSTNET SERVICE 287302656036	45.08
41704	02/21/2025	FINANCE	Comm & Rec Centers	AT&T	01/25 FIRSTNET SERVICE 287302656036	50.13
41704	02/21/2025	FINANCE	COMPUTER MAINT	AT&T	01/25 FIRSTNET SERVICE 287302656036	743.41
41704	02/21/2025	FINANCE	Engineering	AT&T	01/25 FIRSTNET SERVICE 287302656036	240.76
41704	02/21/2025	FINANCE	Facilities Maintenance	AT&T	01/25 FIRSTNET SERVICE 287302656036	791.61
41704	02/21/2025	FINANCE	Finance	AT&T	01/25 FIRSTNET SERVICE 287302656036	185.58
41704	02/21/2025	FINANCE	Fleet Maintenance	AT&T	01/25 FIRSTNET SERVICE 287302656036	45.08
41704	02/21/2025	FINANCE	GRANT OVERSIGHT	AT&T	01/25 FIRSTNET SERVICE 287302656036	95.21
41704	02/21/2025	FINANCE	HR/RISK MGT	AT&T	01/25 FIRSTNET SERVICE 287302656036	50.13
41704	02/21/2025	FINANCE	Parks	AT&T	01/25 FIRSTNET SERVICE 287302656036	290.74
41704	02/21/2025	FINANCE	Parks Administration	AT&T	01/25 FIRSTNET SERVICE 287302656036	50.13
41704	02/21/2025	FINANCE	Planning	AT&T	01/25 FIRSTNET SERVICE 287302656036	90.16
41704	02/21/2025	FINANCE	STREETS	AT&T	01/25 FIRSTNET SERVICE 287302656036	50.13
41704	02/21/2025	FINANCE	Recreation	AT&T	01/25 FIRSTNET SERVICE 287302656036	90.16
41704	02/21/2025	FINANCE	UB - Garbage	AT&T	01/25 FIRSTNET SERVICE 287302656036	11.27

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41704	02/21/2025	FINANCE	UB - Sewer	AT&T	01/25 FIRSTNET SERVICE 287302656036	11.27
41704	02/21/2025	FINANCE	UB - Water	AT&T	01/25 FIRSTNET SERVICE 287302656036	22.54
41704	02/21/2025	FINANCE	WWTP	AT&T	01/25 FIRSTNET SERVICE 287302656036	50.13
41704	02/21/2025	FINANCE	City Manager	AT&T	01/25 FIRSTNET SERVICE 287302656036	140.50
41704	02/21/2025	FINANCE	PD Operations	AT&T	01/25 FIRSTNET SERVICE 287302656036	7,078.81
41705	02/21/2025	PD OPERATIONS	PD Operations	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES	1,876.98
41706	02/21/2025	FINANCE	Building	DEPARTMENT OF CONSERVATION	1ST QTR 24/25 SMIP FEE REPORTING	(169.30)
41706	02/21/2025	FINANCE	Building	DEPARTMENT OF CONSERVATION	2ND QTR 24/25 SMIP FEE REPORTING	(166.61)
41706	02/21/2025	FINANCE	General Fund	DEPARTMENT OF CONSERVATION	1ST QTR 24/25 SMIP FEE REPORTING	3,386.07
41706	02/21/2025	FINANCE	General Fund	DEPARTMENT OF CONSERVATION	2ND QTR 24/25 SMIP FEE REPORTING	3,332.19
41707	02/21/2025	PD OPERATIONS	PD Operations	COMMUNITY MEDICAL CENTER	LEGAL BLOOD DRAWS - 11/24	175.00
41708	02/21/2025	HR/RISK MGT	HR/RISK MGT	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA	PRE-EMPLOYMENT SERVICES	1,073.00
41709	02/21/2025	PD OPERATIONS	PD Operations	CEDERQUIST, BRENT	PER DIEM - SLI SESSION #2	322.50
41710	02/21/2025	PD OPERATIONS	Code Enforcement	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 01/25	87.50
41710	02/21/2025	PD OPERATIONS	UB - Garbage	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 01/25	21.88
41710	02/21/2025	PD OPERATIONS	UB - Sewer	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 01/25	21.88
41710	02/21/2025	PD OPERATIONS	UB - Water	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 01/25	43.74
41711	02/21/2025	PW ADMIN	COMPUTER MAINT	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	32.50
41711	02/21/2025	PW ADMIN	Facilities Maintenance	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	73.12
41711	02/21/2025	PW ADMIN	Fleet Maintenance	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	47.50
41711	02/21/2025	PW ADMIN	Parks	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	32.50
41711	02/21/2025	PW ADMIN	STREETS	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	73.12
41711	02/21/2025	PW ADMIN	Sewer Mtnc/Operations	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	73.13
41711	02/21/2025	PW ADMIN	Water Mtnc/Operations	DIAMOND COMMUNICATIONS	SECURITY ALARM MONITORING - PW	73.13
41712	02/21/2025	PD OPERATIONS	MEAS K - PD	FRESNO CITY COLLEGE	REGISTRATION FEES - POLICE ACADEMY	820.00
41713	02/21/2025	GRANTS	INTERMODAL BLDG	GUARDIAN WESTERN SWEEPING INC.	POWER SWEEPING 02/25	434.50
41713	02/21/2025	GRANTS	Parking Dist Operation	GUARDIAN WESTERN SWEEPING INC.	POWER SWEEPING 02/25	434.50
41714	02/21/2025	PD OPERATIONS	General Fund	INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE	MEMBERSHIP DUES 2025	220.00
41714	02/21/2025	PD OPERATIONS	PD Operations	INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE	MEMBERSHIP DUES 2025	220.00
41715	02/21/2025	PD OPERATIONS	PD Operations	J'S COMMUNICATIONS	PROCESS FCC LICENSING	885.00
41716	02/21/2025	FACILITIES	Facilities Maintenance	JAM SERVICES INC	SOLAR RRFB CROSSWALK SYSTEM	8,660.00
41717	02/21/2025	PD OPERATIONS	PD Operations	LANGUAGE LINE SERVICES, INC.	INTERPRETATION SERVICES	1,487.98
41718	02/21/2025	FINANCE	WATER CONSERV	CITY OF MADERA	RAIN BARREL REBATE - 9913461	31.95
41718	02/21/2025	FINANCE	WATER CONSERV	CITY OF MADERA	DISHWASHER REBATE - 9914111	200.00
41718	02/21/2025	FINANCE	WATER CONSERV	CITY OF MADERA	DISHWASHER REBATE - 10000348	200.00
41719	02/21/2025	FINANCE	Airport Oper Fund	CITY OF MADERA	HANGER REFUND - #44	150.00
41720	02/21/2025	FINANCE	Airport Oper Fund	CITY OF MADERA	HANGER REFUND - #49	200.00
41721	02/21/2025	FINANCE	Airport Oper Fund	CITY OF MADERA	HANGER REFUND - #8	50.00
41722	02/21/2025	FINANCE	General Trust Fund	MADERA COUNTY	MPD ASSET FORFEITURE - 2M-07886	1,483.25
41722	02/21/2025	PD OPERATIONS	Animal Control	MADERA COUNTY	ANIMAL SERVICES FY 24/25	150,000.00
41723	02/21/2025	ENGINEERING	Sewer Capital Outlay	MADERA COUNTY	DEBRIS REMOVAL	47,181.43
41724	02/21/2025	FINANCE	General Trust Fund	MADERA COUNTY DISTRICT ATTORNEY	MPD ASSET FORFEITURE - 24M-07886	1,245.02
41725	02/21/2025	FINANCE	General Trust Fund	MADERA POLICE DEPARTMENT	MPD ASSET FORFEITURE - 24M-07886	4,017.15
41726	02/21/2025	FLEET ACQUISITION	Fleet Acquisition	MUNICIPAL MAINTENANCE EQUIP., INC.	#7012 BOOM MOWER	71,221.54
41727	02/21/2025	PARKS ADMINISTRATION	Golf Course Capital	SIERRA GOLF MANAGEMENT	CAPITAL IMPROVEMENTS FY 24/25	11,180.00

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41728	02/21/2025	WWTP	WWTP	SPARKLETTS	WWTP - LAB & DRINKING WATER	386.47
41729	02/21/2025	WWTP	Sewer Capital Outlay	STANTEC CONSULTING SERVICES INC.	PROFESSIONAL ENGINEERING SVS	6,997.50
41730	02/21/2025	FINANCE	Water Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #41	1,700.00
41731	02/21/2025	FINANCE	Water Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #26	1,700.00
41731	02/21/2025	FINANCE	Water Utility	AR REFUNDS	HANGER DEPOSIT REFUND - #26	(70.59)
41732	02/21/2025	FINANCE	Airport Oper Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #11	160.00
41733	02/21/2025	FINANCE	Water Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #21	1,700.00
41734	02/21/2025	FINANCE	Airport Oper Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #25	150.00
41735	02/21/2025	FINANCE	Water Fund	AR REFUNDS	HANGER DEPOSIT REFUND - #40	1,700.00
41735	02/21/2025	FINANCE	Water Utility	AR REFUNDS	HANGER DEPOSIT REFUND - #40	(262.28)
41736	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9905794 2605 WESTGATE	342.05
41737	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9922878 1017 SAN RAMON	105.18
41738	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 10000999 866 GUNNISON	72.87
41739	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9917249 1045 E KENNEDY	185.82
41740	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9926120 128 WALLACE	173.49
41741	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9919531 577 BARBERA	261.43
41742	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9900265 1063 NAVAL	125.00
41743	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9919132 3709 LOS OSOS	293.50
41744	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9897020 2156 STARFISH	243.58
41745	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9915728 1396 TOLEDO	253.66
41746	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9922373 1295 CRYSTAL	337.72
41747	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9921013 605 EL MONTE	98.82
41748	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 10000802 346 BO TREE	93.13
41749	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9893401 820 COLUMBIA	276.55
41750	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9919178 1308 ALICANTE	203.76
41751	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9922283 3120 GLENVILLE	275.33
41752	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 1214002 729 S D	178.00
41753	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9921771 168 S GRANADA	213.43
41754	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9920884 1001 RIVERVIEW	260.15
41755	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9904108 167 SANTA LUCIA	294.67
41756	02/21/2025	UB - WATER	Water Fund	OTP- UB REFUNDS	UB 9924684 701 E RIVERSIDE	272.17
647	02/10/2025	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	SECTION 125 PLAN YEAR FEE & PARTICIPANT FEE	402.00
648	02/11/2025	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 02/11/25	2,737.91
649	02/12/2025	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 02/12/25	1,235.50
BANK #1 - US BANK GENERAL ACCOUNT TOTAL						\$ 1,220,119.07



REPORT TO CITY COUNCIL

Approved by:

Council Meeting of: March 5, 2025

Agenda Number: B-3

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

SUBJECT:

Madera Evening Lions Club Fee Waiver Request for the Running with Lions Stride for Diabetes 5K Run/Walk Event

RECOMMENDATION:

Adopt a Resolution waiving the rental fees of the Lions Town & Country Park on April 12, 2025, related to the Running with Lions Stride for Diabetes 5K Run/Walk event hosted by the Madera Evening Lions Club, at an anticipated fee rental of \$495

SUMMARY:

The City has received a request from the Madera Evening Lions Club seeking a waiver of rental fees for the use of the Lions Town & Country Park (LT&C) to host the Running with Lions Stride for Diabetes 5K Run/Walk event. The event is scheduled for Saturday, April 12, 2025, from 6:00 a.m. to 12:00 p.m.

DISCUSSION:

The Madera Evening Lions Club has submitted a formal request to use LT&C, specifically for the 4th annual Running with Lions Stride for Diabetes 5K Run/Walk event. The event is scheduled for Saturday, April 12, 2025.

The Madera Evening Lions Club is a local community organization dedicated to providing leadership, experience, and opportunities to the youth of Madera. The Madera Evening Lions Club consists of members passionate about serving the community of Madera. Over the past several years, the Lions Strides for Diabetes 5K Run/Walk event has become one of their more prominent events, raising awareness and providing the community with information in a fun and engaging way.

Although the event is scheduled from 8:00 a.m. to 12:00 p.m., the group estimates the set up to begin at 6:00 a.m. and for the event clean up to occur by 12:00 p.m., with the time accounted for in the reservation request.

FINANCIAL IMPACT:

The applicable costs associated with the rental of LT&C, with the space as requested, are summarized in Table 1, which would be applicable for this rental. Costs are derived from the City of Madera Master Fee Schedule.

Table 1: Estimated Financial Impact Without Fee Waiver	
Administrative Fee	\$25
Deposit	\$100
Special Event Fee	\$100
Rental of Amphitheater and Track	\$270
Total	\$495

The total applicable cost for the LT&C rental would be \$495.

ALTERNATIVES:

The Council may elect to reject the fee waiver and require the Madera Evening Lions Club to remit any associated fees if they wish to rent LT&C for the Running with Lions Stride for Diabetes 5K Run/Walk event.

ATTACHMENTS:

1. Resolution – Waiving the rental fees of the Lions Town & Country Park on April 12, 2025, related to the Running with Lions Stride for Diabetes 5K Run/Walk event hosted by the Madera Evening Lions Club, at an anticipated fee rental of \$495

ATTACHMENT 1

Resolution – Waiving the rental fees of the Lions Town & Country Park on April 12, 2025, related to the Running with Lions Stride for Diabetes 5K Run/Walk event hosted by the Madera Evening Lions Club, at an anticipated fee rental of \$495

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA WAIVING THE RENTAL FEES OF THE LIONS TOWN &
COUNTRY PARK ON APRIL 12, 2025, RELATED TO THE RUNNING WITH
LIONS STRIDE FOR DIABETES 5K RUN/WALK EVENT HOSTED BY THE
MADERA EVENING LIONS CLUB, AT AN ANTICIPATED FEE RENTAL OF \$495**

WHEREAS, the City has received a request for waiving of fees for the rental of the Lions Town & Country Park (LT&C); and

WHEREAS, the request is from the Madera Evening Lions Club; and

WHEREAS, the Madera Evening Lions Club is looking to host the Running with Lions Stride for Diabetes 5K Run/Walk event; and

WHEREAS, the request is for rental utilization on Saturday, April 12, 2025, from 6:00 am – 12:00 pm, including setup and cleanup time; and

WHEREAS, the estimated fees for the request are calculated based on the City of Madera Master Fee Schedule; and

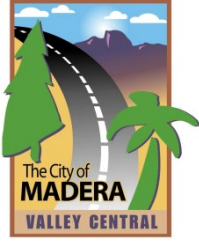
WHEREAS, the fees for the event are calculated at \$495; and

WHEREAS, the Madera Evening Lions Club organization is still subject to providing insurance documentation for City facility rentals that meets City requirements.

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 Evening Lions Club is a non-profit organization, dedicated to providing leadership, experience, and opportunities to the youth of Madera. The Running with Lions Stride for Diabetes 5K Run/Walk event promotes diabetes awareness in the community.
3. The City Council does hereby waive the City fees for Rental Fees of the Lions Town & Country Park on the date and time identified, subject to confirmation of insurance.
4. This resolution is effective immediately upon adoption.

* * * * *



REPORT TO CITY COUNCIL

Approved by:

Joseph Hebert

Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-4

SUBJECT:

Fresno Tzu Chi Mobile Clinic Fee Waiver Request for the “Our Migrant Families Dental Care” Event

RECOMMENDATION:

Adopt a Resolution waiving the rental fees of the John Wells Youth Center on March 16, 2025, related to the “Our Migrant Families Dental Care” event hosted by the Fresno Tzu Chi Mobile Clinic, at an anticipated fee rental of \$500

SUMMARY:

The City received a request from the Fresno Tzu Chi Mobile Clinic seeking a waiver of rental fees for the use of the John Wells Youth Center (JWYC) to host the “Our Migrant Families Dental Care” event. The event is scheduled for Sunday, March 16, 2025, from 9:00 a.m. to 3:00 p.m.

DISCUSSION:

The Fresno Tzu Chi Mobile Clinic has submitted a formal request to use the JWYC, specifically the parking lot and lobby area. The Fresno Tzu Chi Mobile Clinic organization is planning the Our Migrant Families Dental Care event. The event is scheduled for Sunday, March 16, 2025.

The Fresno Tzu Chi Mobile Clinic provides free, patient-focused healthcare services to underserved communities in Fresno and surrounding cities and towns. To better serve patients and reach further into communities, the Tzu Chi Mobile Clinic is well-equipped with the supplies and tools required to provide quality medical, dental, and vision services.

This event would focus on dental care. The planned services include dental cleaning, filling, and extraction. The services would be provided by a mobile clinic set up in the parking lot area, with

attendees using the JWYC lobby area to check in and as the waiting area. Patients would not be seen in the JWYC, rather it will be used as a patient waiting area and the restroom.

Although the event is scheduled from 9:00 a.m. to 3:00 p.m., the group estimates the set up to begin at 8:00 a.m. and for the event clean up to occur through 4:30 p.m., with the time accounted for in the reservation request.

FINANCIAL IMPACT:

The applicable costs associated with the rental of JWYC, with the space as requested, are summarized in Table 1, which would be applicable for this rental. Costs are derived from the City of Madera Master Fee Schedule.

Table 1: Estimated Financial Impact Without Fee Waiver	
Administrative Fee	\$25
Deposit	\$200
Special Event Fee	\$250
Rental of Tables & Chairs	\$25
Total	\$500

The total applicable cost for the JWYC rental would be \$500.

ALTERNATIVES:

The Council may elect to reject the fee waiver and require the Fresno Tzu Chi Mobile Clinic to remit any associated fees if they wish to rent JWYC for the “Our Migrant Families Dental Care” event.

ATTACHMENTS:

1. Resolution – Waiving the rental fees of the John Wells Youth Center on March 16, 2025, related to the “Our Migrant Families Dental Care” event hosted by the Fresno Tzu Chi Mobile Clinic, at an anticipated fee rental of \$500

ATTACHMENT 1

Resolution – Waiving the rental fees of the John Wells Youth Center on March 16, 2025, related to the “Our Migrant Families Dental Care” event hosted by the Fresno Tzu Chi Mobile Clinic, at an anticipated fee rental of \$500

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA WAIVING THE RENTAL FEES OF THE JOHN WELLS YOUTH
CENTER ON MARCH 16, 2025, RELATED TO THE “OUR MIGRANT FAMILIES
DENTAL CARE” EVENT HOSTED BY THE FRESNO TZU CHI MOBILE CLINIC,
AT AN ANTICIPATED FEE RENTAL OF \$500**

WHEREAS, the City has received a request for waiving of fees for the rental of the John Wells Youth Center (JWYC); and

WHEREAS, the request is from the Fresno Tzu Chi Mobile Clinic; and

WHEREAS, the Fresno Tzu Chi Mobile Clinic are looking to host the “Our Migrant Families Dental Care” event; and

WHEREAS, the request is for rental utilization on Sunday, March 16, 2025, from 8:00 am – 4:30 pm, including setup and cleanup time; and

WHEREAS, the estimated fees for the request are calculated based on the City of Madera Master Fee Schedule; and

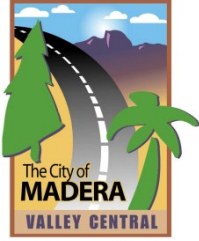
WHEREAS, the fees for the event are calculated at \$500; and

WHEREAS, the Fresno Tzu Chi Mobile Clinic organization is still subject to providing insurance documentation for City facility rentals that meet City requirements.

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 Fresno Tzu Chi Mobile Clinic is a non-profit organization, that provides free, patient-focused healthcare services to underserved communities, thus offering a valuable service to residents of Madera.
3. The City Council does hereby waive the City fees for Rental Fees of the John Wells Youth Center on the date and time identified, subject to confirmation of insurance.
4. This resolution is effective immediately upon adoption.

* * * * *



REPORT TO CITY COUNCIL

Approved by:

Council Meeting of: March 5, 2025

Agenda Number: B-5

Joseph Hebert
Joseph Hebert, Parks & Community Services Director

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

SUBJECT:

Consideration of California Conservation Corps (CCC) Sponsor Agreement

RECOMMENDATION:

Adopt a Resolution Approving an Agreement with the California Conservation Corps for the Performance of Fire Crews in the Fresno River for Fuel Reduction, Project Number P-24-2652-14761

SUMMARY:

Since November 2024, the Council has approved three separate agreements with the California Conservation Corps (CCC). The first agreement, approved on November 20, 2024, was for river cleanup efforts in the Fresno River. On December 4, 2024, the Council approved two additional agreements for citywide tree trimming and landscape maintenance services.

The CCC has requested a fourth agreement to support potential fire crews supporting fuel reduction efforts in the Fresno River. This agreement would enhance wildfire prevention by reducing vegetation and other fire hazards in the area.

DISCUSSION:

The CCC, a California State organization dedicated to conservation and emergency response, actively supports habitat restoration and disaster recovery. The CCC is a department within the California Natural Resources Agency and is the oldest and largest conservation corps in the nation.

The CCC program provides young adults 18 – 25 years old a year of paid service to the State of California. During their year of service, Corpsmembers work on environmental projects and

respond to natural and man-made disasters. Through this work, they gain skills and experience that may lead to meaningful careers.

Locally, the CCC oversees programs that include Resource, Forestry, Energy, and Fire. The funding for each of these programs is specific. CCC must have a separate project for each program and crew type so that we can responsibly account for the funds expended.

This specific agreement would allow the CCC Fresno Fire Crew to participate. This provides the benefit of additional hands for the work of fuel reduction in the Fresno River. It also benefits the project by bringing fire-trained personnel with their greater knowledge and experience in fuel reduction. Specifically, the agreement would allow experienced crews to complete work such as:

- Fuel reduction efforts along the flat sides of the Fresno River
- Fuel reduction through cutting and removal of green waste
- Fuel reduction through removal of trash within 100 feet of bridges
- Fuel reduction through tree trimming and limbing where appropriate

As with the previously approved agreements with the CCC for river cleanup, tree trimming and landscape maintenance services, the City's financial obligations under these agreements would be limited to material costs and minimal labor expenses, if needed. This partnership continues to align with the City's goals for fiscal responsibility and enhanced service delivery.

FINANCIAL IMPACT:

The City will contribute no more than \$5,000 to the agreement. This cost will cover miscellaneous equipment and employee costs. These funds will be provided from the Parks Maintenance budget, #10206100-6610 Contingency.

ALTERNATIVES:

As an alternative, the Council may also elect to request additional information be brought forth at the next meeting to make a more informed decision. The Council may also elect to not enter into the Sponsor Agreement with the CCC that would allow fire crews to assist with fuel reduction efforts in the Fresno River.

ATTACHMENTS:

1. Adopt a Resolution Approving an Agreement with the California Conservation Corps for the Performance of Fire Crews in the Fresno River for Fuel Reduction, Project Number P-24-2652-14761
 - a. Exhibit A: Project Number P-24-2652-14761 Sponsor Agreement

RESOLUTION NO. 25- _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA APPROVING AN AGREEMENT WITH THE CALIFORNIA
CONSERVATION CORPS FOR THE PERFORMANCE OF FIRE CREWS IN THE
FRESNO RIVER FOR FUEL REDUCTION, PROJECT NUMBER P-24-2652-
14761**

WHEREAS, the City of Madera (City) has been requested to enter into a Sponsor Agreement with the California Conservation Corps (CCC); and

WHEREAS, the CCC is the oldest and largest conservation corps in the country and develops thousands of young men and women into citizens with character, credentials, and commitment; and

WHEREAS, the City needs services to assist with fuel reduction efforts in the Fresno River; and

WHEREAS, the CCC offers services on work projects to public agencies such as the City; and

WHEREAS, the City and CCC wish to collaborate on a mutually beneficial citywide tree trimming project through June 30, 2025.

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

1. The above recitals are true and correct.
2. The City Council approves the Sponsor Agreement for Project Number P-24-2652-14761 between the City and California Conservation Corps attached as Exhibit A.
3. This resolution is effective immediately upon adoption.

* * * * *

Exhibit A: Project Number P-24-2652-14761 Sponsor Agreement



State of California
California Natural Resources Agency
CALIFORNIA CONSERVATION CORPS PROJECT EVALUATION
FORM CCC 58
P-24-2652-14761
Fire Crew - City of Madera-Fresno River Fuel Reduction

Project Data

Project Title: Fire Crew - City of Madera-Fresno River Fuel Reduction

Project Number: P-24-2652-14761

Center Information: 2652 - Fresno Satellite

Contract Information: -

Project Description:

Fuel Reduction (cutting and removal of greenwaste, removal of trash) in the Fresno River along its course within 100 feet of bridges. Fuel reduction along the flat sides of the Fresno River between the intersection of Echo Road and Raymond Road in the east (approximately: beginning parallel to the last city street light in that area) and heading west until roughly parallel to the intersection of Caitlan Drive and Riverview Drive. Approximate total distance is 4.2 miles.

Fuel reduction: all designated growth will be trimmed or removed per instruction from City of Madera. Tree trimming and limbing appropriate to reduce fuels for wildfire. Removal of trees designated by City of Madera. Cut material will be stacked where designated by City of Madera.

Sponsor Information

Agency Name: CITY OF MADERA **Agency Code:** 40141

Mailing Address
701 East 5th Street

Mailing City
Madera

Mailing State
CA

Mailing ZIP Code
93638

Sponsor Contact Information:

Contact type	Title	First name	Last name	Phone number	Email address
Sponsor Representative; Technical Advisor; Instructor; Manager		Joseph	Hebert	559-661-5491	jhebert@madera.gov

Estimate Information

Estimated Number of Hours: 0

Estimated Start and End Dates: 2/10/25-6/30/25

Work Site Information:

Address	City	State	ZIP code	Geolocation latitude	Geolocation longitude	CES 4.0 %
701 E. 5th Street	Madera	CA	93638			98.30

direction to site location	special instructions
99 North, Exit 4th street, east on 4th. South on Flume street. Building on left.	



State of California
California Natural Resources Agency
CALIFORNIA CONSERVATION CORPS PROJECT EVALUATION
FORM CCC 58
P-24-2652-14761
Fire Crew - City of Madera-Fresno River Fuel Reduction

Fiscal Summary

Total OE&E	Total CM labor amount	Total fiscal summary amount
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Equipment, Materials and Labor

Sponsor Supplied Materials, Equipment and Labor:

Materials: fuel and oil for power tools, garbage bags

Equipment: City of Madera will gathering and transporting off site all greenwaste and trash. This will include appropriate disposal equipment for syringes and other potential hazardous materials.

Labor: City of Madera will provide a representative daily to act as contact point with CCC field staff. This representative will provide guidance and support to CCC staff when project activities intersect with residents, infrastructure, or other city concerns.

BY SIGNING THIS DOCUMENT:

The CCC Representative agrees to the following:

- A Sponsor Agreement (CCC 96 or, where applicable, an Inter Agency Agreement or other Master Agreement) is on file at Headquarters (HQ).
- If the Sponsor is a non-profit entity, a Private Property/Sponsor Authorization form has been submitted to HQ.
- If the Sponsor is a for-profit entity, a Private Property/Sponsor Authorization form has been submitted to HQ.
- The project conforms to the CCC's Injury and Illness Prevention Program (IIPP).
- The signing CCC Representative has the authority to enter into a contractual agreement of this amount with the Sponsor.

The Sponsor Representative agrees to the following:

- Hazardous Materials
 - If there are hazardous materials present, the Sponsor has provided the location, identity, and amounts of any hazardous substances at the worksite and provided all Material Safety Data Sheets (MSDS) for hazards that are present at the worksite.
 - OR
 - To the best knowledge of the Sponsor, the worksite is free of any known hazardous materials.
- All applicable local, state, tribal, and federal permits, approvals, and clearances have been obtained.
- Project Funding
 - For projects funded by the Sponsor or entity other than the CCC, the Sponsor agrees to reimburse the CCC for estimated costs in accordance with the fiscal details shown in this document.
 - OR



State of California

California Natural Resources Agency

CALIFORNIA CONSERVATION CORPS PROJECT EVALUATION

FORM CCC 58

P-24-2652-14761

Fire Crew - City of Madera-Fresno River Fuel Reduction

- For projects funded internally by CCC's Environmental Programs or other special fund, the Sponsor agrees to comply with all applicable program and eligibility criteria to fund the project.
- The signing Sponsor Representative has the authority to enter into a contractual agreement of this type (and, if any, this amount) with the CCC.



State of California
California Natural Resources Agency
CALIFORNIA CONSERVATION CORPS PROJECT EVALUATION
FORM CCC 58
P-24-2652-14761
Fire Crew - City of Madera-Fresno River Fuel Reduction

Sponsor Representative:

Print Name: _____

Title: _____

Signature: _____

Date: _____

CCC Representative:

Print Name: BRY DUNKLE

Title: CONSERVATIONIST SUPERVISOR

Signature: BAD

Date: 2/7/25

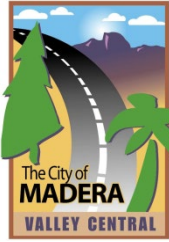
CCC Representative:

Print Name: Shawn Murphy

Title: District Director

Signature: Shawn

Date: 2/7/25



REPORT TO CITY COUNCIL

Approved by:

Michael Lima

Michael Lima, Director of Financial Services

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-6

SUBJECT:

Approval of Change Orders to Fleet Rollup Door Replacement and Associated Budget Amendment.

RECOMMENDATION:

Adopt a resolution approving change orders under the contract to DL Batty, Inc., for the Removal and Replacement of Fleet Rollup Doors in the amount of \$6,069, and authorizing a budget amendment for the same.

SUMMARY:

The existing roll-up doors at the Fleet Maintenance building have reached the end of their useful life. As part of the Fiscal Year (FY) 2023/24 budget, Council approved an appropriation of \$165,000 in the Fleet Services Division budget to replace the 11 roll-up doors. As work has progressed on the replacement of the doors, two unanticipated tasks have arisen which need to be addressed. One is to raise the internal clearance of one of the doors for increased functionality, and the other to shorten the door track to avoid interference with the vehicle lift. To address these items, change orders to the original contract totaling \$6,069 are recommended for approval.

DISCUSSION:

The Fleet Services Division operates with multiple roll-up doors that are original to the construction of the Fleet Maintenance building. These doors are subjected to continuous cycling up and down throughout the day as vehicles are brought into and out of the shop for service. Due to their age, the doors have become worn and require frequent repairs, often resulting in the loss of a maintenance bay until they can be fixed.

Recognizing the need to address this issue, Council appropriated \$165,000 in the FY 2023/24 Adopted Budget to fund the replacement of all 11 roll up doors at the Fleet Maintenance building.

After staff conducted a procurement process, Council approved IFB 202324-21 to D L Batty in the amount of \$162,192 on June 5, 2024. During installation of the Transmission room and south bay rollup doors, both the contractor and City staff noticed two adjustments were needed to make the doors more functional. First, the internal clearance of the door when open is very low. In order to address this clearance issue, staff is recommending raising the doors' internal height to give more clearance for a forklift inside the building. Increasing the height will prevent damage to the door in the future and leave more clearance for equipment and other items. The second change is to shorten the tracks on an additional rollup door to avoid interference with the vehicle lift when fully raised. Currently, the lift cannot be raised to its full height without damaging the rollup door rail mounting.

As both of these changes are outside the scope of the initial contract, change orders are needed to authorize this work. DL Batty has provided an estimate of \$4,833 to increase the doors' internal clearance and \$1,236 to shorten the track. In total, the change orders will cost \$6,069.

While the original contract amount of \$162,192 is encumbered in the Fleet Services Division's FY 2024/25 budget, the total amount of the change orders is not budgeted. Thus, Fleet is requesting approval of a budget amendment that will increase the division's appropriations by \$6,069 to cover the cost of the change orders. The Fleet Maintenance Fund has sufficient fund balance to finance this budget amendment.

FINANCIAL IMPACT:

The recommended actions will reduce the Fleet Maintenance Fund's fund balance by \$6,069.

ALTERNATIVES:

An alternative would be to reject the change orders. Rejecting the change orders will reduce the functionality of the two doors.

ATTACHMENTS:

1. Resolution approving change orders under the contract to DL Batty, Inc. for the Removal and Replacement of Fleet Rollup Doors in the amount of \$6,069, and authorizing a budget amendment for the same.
 - a. Exhibit 1 – Budget Amendment
2. Change Order 1 For IFB202324-21 Remove Replace Doors
3. Change Order 2 For IFB202324-21 Remove Replace Doors

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION APPROVING CHANGE ORDERS UNDER THE CONTRACT TO DL BATTY, INC.
FOR THE REMOVAL AND REPLACEMENT OF FLEET ROLLUP DOORS IN THE AMOUNT OF
\$6,069, AND AUTHORIZING A BUDGET AMENDMENT FOR THE SAME**

WHEREAS, the City of Madera released an Invitation for Bids (IFB) No. 202324-21 on April 23, 2024 for the removal and replacement of eleven Fleet roll-up doors; and

WHEREAS, one bid was received as of May 3, 2024, by DL Batty, Inc. for \$162,191.80; and

WHEREAS, Council awarded a Construction Agreement with DL Batty, Inc. for the completion of the project on June 5, 2024; and

WHEREAS, Fleet Services is requesting a change order in the amount of \$4,833 to raise the transmission room door; and

WHEREAS, Fleet Services is requesting a change in order in the amount of \$1,236 to shorten the rollup door track; and

WHEREAS, the Fleet Division needs a budget amendment of \$6,069 to pay for the change orders.

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

1. The above recitals are true and correct.
2. The Council approves change orders in the amount of \$4,833 to raise the transmission room door, and \$1,236 to shorten the rollup door track, to D L Batty, Inc. for contract IFB 202324-24 Removal and Replace Fleet Rollup Doors.
3. The budget amendment for \$6,069 is approved as set forth in Exhibit 1. The Director of Financial Services is directed to adjust the City's Fiscal Year 2024/25 Amended Budget in the amount of the approved amendment.
4. This Resolution shall take effect immediately upon its adoption.

* * *

EXHIBIT 1

**CITY OF MADERA FISCAL YEAR 2024/25 BUDGET AMENDMENT
FOR FLEET SERVICES ROLLUP DOOR CHANGE ORDER**

FUND	ORG CODE	OBJECT CODE	DESCRIPTION	(+)	(-)
<u>FLEET FUND</u>					
- 3070	30701240	4900	Budgetary Carryover Vehicles &		6,069
3070	30701240	7000	Equipment	6,069	
TOTALS				<u>6,069</u>	<u>6,069</u>

ATTACHMENT 2

2/10/25, 8:35 AM

Change Order Print



Change Order

Printed: Feb 10, 2025
324 W. Yosemite Avenue, Suite B, Madera, CA 93637
Phone: 559-481-8391
License #1000379
DIR #1000013844

Client Info Randy Collins

Job Info 1030 S. Gateway Dr.
Madera, CA 93637

Change Order ID

0001

City of Madera Remove & Replace Fleet Rollup Doors

CO ID	Created / Approved Date	Price
0001	Created: DAVID J. ENGSTROM Feb 7, 2025	\$4,832.45

Description

Raise Track Height on 7'6" Door RE: IFB202324-21

Request approval of change order for parts, equipment rental, installation and taxes for hi-lift 30" (raise track) on the 7'6" door of the Fleet Services Building. This work was not included in the original scope of the project.

Parts to hi-lift: \$2,643.31

Freight: \$250.00

Scissor Lift: \$253.25

Installation: \$834.50

Subtotal : \$4,202.13

Markup 15%: \$630.32

Total : \$4,832.45

Status	Signature	Date
Approved by: _____		___/___/___

Approval Comments

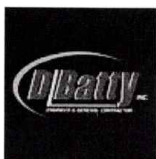
Please Note: A signature of Approval OR **Electronic Acceptance** is required before change order is effective. This change order becomes part of the existing contract.

TOTAL AMOUNT OF CHANGE ORDER: \$4,832.45

ATTACHMENT 3

2/17/25, 8:24 AM

Change Order Print



Change Order

Printed: Feb 17, 2025
324 W. Yosemite Avenue, Suite B, Madera, CA 93637
Phone: 559-481-8391
License #1000379
DIR #1000013844

Client Info Randy Collins

Job Info 1030 S. Gateway Dr.
Madera, CA 93637

Change Order ID

0002

City of Madera Remove & Replace Fleet Rollup Doors

CO ID	Created / Approved Date	Price
0002	Created: <i>DAVID J. ENGSTROM</i> Feb 17, 2025	\$1,236.25

Description

Cut Horizontal Track and Move Spring Assembly

Change Order request for approval of labor cost to shorten the door horizontal track and move spring assembly forward. This was required to allow for one of the vehicle lift(s) to clear the spring assembly.

Labor: \$1,075.00

Markup: \$161.25

Total: \$1,236.25

Status	Signature	Date
Approved by: _____		___/___/___

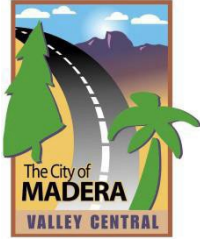
Approval Comments

Please Note: A signature of Approval OR **Electronic Acceptance** is required before change order is effective. This change order becomes part of the existing contract.

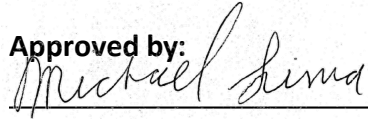
David J. Engstrom 2/17/2025

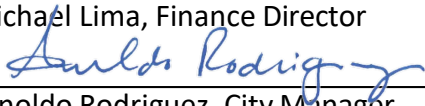
TOTAL AMOUNT OF CHANGE ORDER:

\$1,236.25



REPORT TO CITY COUNCIL

Approved by:


Michael Lima, Finance Director


Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-7

SUBJECT:

Purchasing Procedures Ordinance Amendment

RECOMMENDATION:

Waive the Second Reading and by Title Only Adopt an Ordinance of the City of Madera Repealing and Replacing Chapter 4 of Title II of the Madera Municipal Code Relating to Purchasing Procedures and Including Raising Purchasing Thresholds.

SUMMARY:

The City's procurement practices are governed by both the Purchasing Policy and Title II, Chapter 4 of the Madera Municipal Code (MMC). Additionally, the City Council approved adopting the California Uniform Public Construction Cost Accounting Act (CUPCCAA) bidding standards for public works projects in December 2022. On January 1, 2025, Assembly Bill 2192 (AB 2192) went into effect, which increased the bidding threshold levels for CUPCCAA-governed bids. In response to these changes, staff is recommending that the bidding thresholds listed in the Purchasing Policy and the MMC are changed to match those in CUPCCAA.

The ordinance related to the MMC changes was first introduced at the February 19, 2025 City Council Meeting. This agenda item represents the second reading of the MMC changes and adoption the ordinance. At the same City Council meeting where the Ordinance was introduced, Council approved a resolution modifying the Purchasing Policy contingent upon final adoption of the ordinance.

DISCUSSION:

The City's procurement practices are governed by Ordinance No. 996 C.S. as codified in Title II, Chapter 4 of the MMC. This chapter of the MMC establishes various dollar thresholds that dictate the procurement processes for the City. These thresholds determine when formal bidding is required, when informal quotes are sufficient, and when staff can make purchases without competitive bids. The MMC's procurement requirements are supplemented by the City's Purchasing Policy, which goes into more depth than the MMC on procurement regulations. The

Purchasing chapter of the MMC and the Purchasing Policy were approved by Council on December 21, 2022, and August 21, 2024, respectively.

As part of the adoption of Ordinance 996 C.S., the City also adopted CUPCCAA standards for public works projects. CUPCCAA standards were generally higher than those for other City purchases. Given the large dollar amounts typical for public works projects, utilizing CUPCCAA standards reduced the purchasing efforts for staff in bidding out certain capital projects.

Governor Gavin Newsom signed into law AB 2192 on September 29, 2024. This new law made several changes to CUPCCAA requirements. In short, the new law raised the bidding thresholds and broadened the definition of a “public project” to include installations involving any publicly owned, leased, or operated facility. Additionally, AB 2192 enhanced the powers of the California Uniform Construction Cost Accounting Commission (Commission) by requiring the Commission to review the accounting procedures of any participating public agency where an interested party presents evidence that the work undertaken by the public agency has been split or separated into smaller work orders or projects, as specified, and would make conforming changes, as well as review noncompliance with bidding procedures for the publication or posting and electronic transmission of notice inviting formal bids. These changes went into effect on January 1, 2025.

In order to maintain consistency with the CUPCCAA requirements as amended by AB 2192, staff is recommending that the MMC be updated. The following is a summary of the proposed revisions:

Purchasing Amount Authority and Signature

The proposed amendment would increase the City Manager’s purchasing authority for contracts for the purchase of goods and services from less than \$60,000 to less than \$75,000 per project per fiscal year unless the Council expressly reserves approval on a particular purchase/contract or the City Manager requests Council approval. This increase will continue to apply to contracts not measured monetarily, but which are reasonably estimated to be within the purchasing authority of the City Manager, such as the waiver of indemnification and insurance. Contracts for \$75,000 or more would continue to be submitted to the Council for consideration.

Basic Procedures

The proposed amendment includes increased thresholds and procedures for purchasing non-public works project materials, supplies, equipment, and services to ensure the City pays fair prices and receives commensurate value. In short:

- Leaves to department discretion for purchases less than \$6,000
- Requires price quotes and issuance of a purchase order for purchases between \$6,000 and less than \$15,000
- Requires written specifications and price quotes from a minimum of 3 vendors (if available) as well as the issuance of a purchase order for purchases between \$15,000 and less than \$75,000

- Requires more rigorous bidding procedures and the issuance of a purchase order for contracts of \$75,000 or higher, such as a request for proposal (RFP), invitation for bids (IFB), or request for qualifications (RFQ).

A comparison of current limits and proposed limits is provided in Table 1.

Table 1: Summary of Proposed Changes to Purchasing Limits and Procedures		
Current Limit	Proposed Limit	Proposed Purchasing Requirement
Less than \$6,000	Less than \$6,000	No Purchase Order required
\$6,000 – \$15,000	\$6,000 – \$15,000	Purchase Order required with 3 informal quotes; lowest quote in writing from the vendor
\$15,000 - \$60,000	\$15,000.01 - \$75,000	Purchase required with written specifications and at least 3 quotes in writing
\$60,000 or more	\$75,000.01 or more	Written price quotes from 3 vendors through the bidding process or RFP/RFQ. Requires City Council action.

California Uniform Public Construction Cost Accounting Act Revisions

Under existing law, CUPCCAA provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities. It defines “public project” to include, among other things, construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

AB 2192 modified the definition of “public project” to additionally include installations involving any publicly owned, leased, or operated facility.

AB 2192 increases the various bid thresholds that were codified in the existing CUPCCAA statute. Specifically, AB 2192 authorized public projects of \$75,000 or less to be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order, authorizes public projects of \$220,000 or less to be let to contract by informal procedures, and requires public projects of more than \$220,000 to be let to contract by formal bidding procedures. The new law also permits the governing body of a public agency, in the event all bids received for the performance of that public project are in excess of \$220,000, to award the contract at \$235,000 or less to the lowest responsible bidder if it determines the cost estimate of the public agency was reasonable. A comparison of the CUPCCAA’s initial bid thresholds and revised bid thresholds is provided in Table 2.

Table 2: Summary of Proposed Changes to CUPCCAA Purchasing Limits and Procedures		
Initial Limit	Proposed Limit	Proposed Purchase Procedure
Less than \$60,000	Less than \$75,000	Performed by the employees of a public agency by force account, by negotiated contract, or by purchase order
\$60,000 – \$200,000	\$75,000 – \$220,000	Informal bidding procedures
Over \$200,000	Over \$220,000	Formal bidding procedures

Revisions to CUPCCAA also included broader definition of a public work under CUPCCAA as well as increased thresholds and bidding procedures.

A “public project” was initially defined as:

1. A project for the erection, improvement, painting, or repair of public buildings and works
2. Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow
3. Street or sewer work except for maintenance or repair, or
4. Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers (PCC Section 20161)

The definition of a “public project” has been amended to include, “Installations involving any publicly owned, leased, or operated facility.”

FINANCIAL IMPACT:

There is minor financial benefit anticipated from these proposed changes coming from a reduction in the time needed to conduct and manage a procurement.

ALTERNATIVES:

Council could direct staff to modify the ordinance further or to forego modifications. Council could also reject the resolution to amend the MMC, thus continuing with the current policy. Doing so would cause a discrepancy between the CUPCCAA-governed bid limits and those in the MMC.

ATTACHMENTS:

1. Ordinance

ATTACHMENT 1
ORDINANCE

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MADERA REPEALING AND REPLACING
CHAPTER 4 OF TITLE II OF THE MUNICIPAL CODE RELATING TO
PURCHASING PROCEDURES AND INCLUDING RAISING PURCHASING
THRESHOLDS**

THE CITY COUNCIL OF THE CITY OF MADERA DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 4 (Purchasing Procedures) of Title II (Administration) of the Madera Municipal Code is repealed in its entirety and added to read in its entirety as follows:

CHAPTER 4: PURCHASING PROCEDURES

Sections:

- 2-4.01 Purpose and Implementation
- 2-4.04 Expenditure Authority
- 2-4.03 Designation of and Responsibility of Purchasing Agent
- 2-4.04 Purchasing Amount Authority and Signature
- 2-4.05 Purchases and Contracts that are Not Public Projects
- 2-4.06 Uniform Public Construction Cost Accounting Act Public Project Procedures
- 2-4.07 Exceptions: Cooperative Purchasing Agreements and Piggyback Purchases.
- 2-4.08 Sole Source Purchases
- 2-4.09 Prevailing Wages and Public Works Projects
- 2-4.10 Requests for Proposals and Requests for Qualifications
- 2-4.11 Conflict of Interest

2-4.01 PURPOSE AND IMPLEMENTATION.

(A) Title. This chapter shall be known as the City of Madera Purchasing Ordinance ("Purchasing Ordinance"). The purpose of this Purchasing Ordinance is to establish efficient procedures for the purchase of supplies, equipment, and services at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to define purchasing authority, and to assure the quality of purchases.

(B) Compliance with Laws. The adoption of this Purchasing Ordinance is intended to meet the requirements of state law including but not limited to the following: (i) Government Code Sections 54201 to 54205 regarding the purchase of supplies and equipment; (ii) Public Contract Code Section 20160 to 20174 regarding city public works construction projects; (iii) Public Contracts Code Sections 22000 to 22045 regarding the Uniform Public Construction Cost Accounting Procedures; (iv) Government Code Section 4526 regarding professional services; (v) Labor Code requirements for prevailing wages; (vi) Government Code Section 4529.2 regarding architectural engineering services; and (vii) other applicable laws.

(C) Superseding State and Federal Procurement Requirements. The procurement requirements under this Purchasing Ordinance shall be followed. However, in the event stricter requirements are required by state or federal funding sources, those requirements shall be met to ensure funding compliance and shall supersede the provisions of this chapter.

(D) Administrative Purchasing Policy. The city's purchasing functions shall be governed by this Purchasing Ordinance and by the city's Administrative Purchasing Policy which shall be established by the Council as both as may be amended from time to time. The Administrative Purchasing Policy will serve to implement the provisions of the Purchasing Ordinance and will generally contain administrative requirements, responsibilities, and updated best practices to meet the city's needs.

2-4.02 EXPENDITURE AUTHORITY.

Purchase and contract expenditures must be authorized in the city's annual budget or pursuant to amendment to the annual budget approved by the council.

2-4.03 DESIGNATION AND RESPONSIBILITY OF PURCHASING AGENT.

The City of Madera Municipal Code section 2-2.203 (D) designates the Director of Finance of the city as the city Purchasing Agent with the responsibility to supervise and control the disbursement of all monies and the audit of all purchase orders and related invoices and payments. Subject to the direction of the Director of Finance, the duties of the Purchasing Agent may be performed by an authorized representative or be delegated to such city office or position as may be determined by the Director of Finance.

The Purchasing Agent shall have authority to:

(A) Purchase or contract for supplies, equipment and services required by city in accordance with purchasing procedures prescribed by this Purchasing Ordinance, the Administrative Purchasing Policy, and any requirement as shall be prescribed by state or federal funding agencies.

(B) Negotiate and recommend execution of contracts for the purchase of

supplies, equipment, and services at least expense to the city.

(C) Act to procure for the city the needed quality in supplies, equipment, and services at least expense to the city.

(D) Discourage uniform bidding and endeavor to obtain as full and open competition as possible on purchases.

(E) Prepare and recommend to the council revisions and amendments to the Purchasing Ordinance.

(F) Prescribe and maintain the forms as are reasonably necessary to the operation of the Purchasing Ordinance and other laws.

(G) Supervise or delegate the inspection of all supplies, equipment and services purchased to ensure conformance with specifications of the product or service.

(H) Maintain a bidders' list, vendors catalog file, pre-qualified vendor lists, and records needed for the efficient operation of the Purchasing System; and

(I) Require that all employees verify and ensure purchases are made in accordance with the Purchasing Ordinance and with state or federal funding sources.

2-4.04 PURCHASING AMOUNT AUTHORITY AND SIGNATURE.

(A) City Manager. Purchases and contracts of less than \$75,000 per project per fiscal year may be awarded and signed by the City Manager, after being approved as to form by the City Attorney and Purchasing Agent, unless the council expressly reserves approval on a particular purchase or contract, or the City Manager requests council approval. This also includes contracts not measured monetarily such as the waiver of indemnification and insurance.

(B) Council. If the amount of any purchase or contract is \$75,000 or more in a fiscal year, the contract is required be awarded by the council at its discretion and signed by the Mayor unless a resolution specific to the particular contract authorizes the City Manager or other designee to sign the contract.

2-4.05 PURCHASES AND CONTRACTS THAT ARE NOT "PUBLIC PROJECTS."

(A) Procedures for Specific Amounts. The procedures in this section shall be followed when purchasing or leasing materials, supplies, equipment, or services that are (i) not public projects as defined in Section 2-5.06 of this Code and (ii) not procured through Requests for Qualifications and Requests for Proposals.

(1) Less than \$6,000 - All city employees authorized to purchase or lease materials,

supplies, equipment, or services shall ensure that the city pays fair prices and receives commensurate value for amounts expended.

(2) \$6,000 to less than \$15,000 - Price quotes must be solicited, either verbally or in writing, from a minimum of three vendors, if available. The low-price quote must be confirmed in writing by the vendor.

(3) \$15,000 to less than \$75,000 - Written specifications describing the delivery schedule, materials, supplies, equipment, or services must be prepared by city. Price quotes must be solicited in writing from a minimum of three vendors, if available.

(4) \$75,000 or higher – The informal bidding requirements under Section 2-4.06 D(2) of this Code relating to public projects shall be followed except that for non-public projects, the city is not required to award to the lowest bidder. The city may award to the best qualified vendor. In determining “best qualified vendor” as used in Section 2-4.05 consideration is to be given to quality and performance of the goods and supplies, equipment or materials to be purchased or nonprofessional services to be provided by the vendor. Criteria for determining best qualified vendor includes, but is not limited to, the following:

(a) The cost or best value of the goods and supplies, equipment, materials, or nonprofessional services;

(b) The ability, capacity, and skill of the vendor to perform the contract and to provide the goods and supplies, equipment, materials, or nonprofessional services requested;

(c) The ability of vendor to provide the goods and supplies, equipment, materials, or nonprofessional services promptly or within the time specified and without delay;

(d) The quality of vendor’s performance on previous purchases or contracts; and

(e) The vendor’s responsiveness.

(B) Purchase Order or Written Contract Required. Purchases of supplies, equipment, and services of \$6,000 or more shall be made only by written purchase order or by written contract.

(C) Emergency Purchases. In the case of an emergency regarding a non-public project as defined in Section 2-4.06, the Purchasing Agent may determine to proceed with the immediate purchase of goods, supplies, equipment, materials, or services. The term “**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 services. Such immediate purchase of goods, supplies, equipment, materials, or services still requires the standard terms and conditions for written purchase orders or written contracts.

(1) If the dollar amount is within the City Manager's authority, the Purchasing Agent shall promptly file with the City Manager a signed declaration showing that emergency conditions existed and created the necessity for such action, together with an itemized account of all expenditures.

(2) If the dollar amount is above the City Manager's authority, the Purchasing Agent shall at the next regular meeting of the council seek ratification of the purchase by resolution which includes the emergency conditions which existed and the immediate need to take action together with an itemized account of all expenditures.

(D) Prohibition against piecemealing, splitting or separating purchases. It is impermissible to split or separate purchases of materials, supplies, equipment or services for the purpose of evading the provisions of the procedures for specific amounts set forth above.

2-4.06 UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT PROCEDURES FOR PUBLIC PROJECTS.

(A) California Uniform Public Construction Cost Accounting Act Adopted. The council of the City of Madera, California hereby readopts the California Uniform Public Construction Cost Accounting Act (California Public Contract Code § 22000 et seq.) for the purpose of prescribing regulations governing contracts awarded by the city for public projects. However, nothing contained herein shall preclude the city from utilizing more restrictive procedures if, and when required by federal or state law, or when federal or state funds are involved in the contract to be awarded and the funding agency requires more restrictive procedures.

(B) Definitions of Terms. As used in Section 2-4.06, the words, terms, and phrases shall have the following meanings, as defined in Public Contract Code Section 22002, unless otherwise apparent from the context:

(1) "Facility" means any plant, building, structure, ground facility, real property, street, highway, or other public work improvement.

(2) "Maintenance Work" does not constitute a "public project" under the definition of "public project" in subsection (B)(3) below; it does include the following:

(a) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

(b) Minor repainting.

(c) Resurfacing of streets and highways at less than one inch.

(d) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

(e) Work performed to keep, operate, and maintain city-owned water and wastewater systems.

(3) "Public Project" means any of the following:

(a) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

(b) Painting or repainting any publicly owned, leased, or operated facility.

(c) Public Project does not include maintenance work, as defined above.

(d) Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.

(e) Installations involving any publicly owned, leased, or operated facility.

(C) Dollar Amount of Public Project Determines Process to be Used. The dollar amount thresholds provided in this section shall automatically adjust upon the effectiveness of any adjustment notification by the State Controller in accordance with Public Contract Code section 22020 *et seq.*, without the necessity of amending this section or any subdivision herein to reflect any such adjustment.

(1) Public projects of \$75,000 or less may be performed by city employees by force account, by negotiated contract or by purchase order.

(2) Public projects of \$75,000.01 to \$220,000 may be let to contract by informal bidding procedures as set forth in subsection (D) below.

(3) Public projects of more than \$220,000 shall, except as otherwise provided in this section, be let to contract by formal bidding procedure as set forth in subsection (D) below.

(D) Procedures to Be Used for Contracts Regarding Public Projects.

(1) No bidding required. Per Public Contract Code Section 22032, public projects of \$75,000 or less may be performed by the employees of the city by force account, by negotiated contract, or by purchase order consistent with the procedures in Section 2-4.05 (A) (1)–(3). Such contracts may be approved and executed by City Manager or designee.

(2) Informal bidding procedures. Public projects of \$75,000.01 to \$220,000 per subsection (C)(2) above shall be awarded to the lowest responsive and responsible bidder in accordance with the Uniform Construction Cost Accounting Act, Section 22034 *et seq.* of the Public Contract Code, as follows:

(a) Contractors List. A list of qualified contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

(b) Notice Inviting Informal Bids. A notice inviting informal bids shall be prepared, which shall describe the project in general terms, describe how to obtain more detailed information about the project, and state the time and place for the submission of bids. The notice shall be mailed, not less than ten (10) days before bids are due, to either all the contractors on the Contractors List for the category of work to be bid, or to all construction trade journals specified in the California Public Contract Code Section 22036, or both, unless the product or service delivery is proprietary.

(c) The informal bids for public projects shall be awarded by the council and signed by the Mayor or by council designee.

(d) If all bids received are in excess of \$220,000, the council may, by adoption of a resolution of four-fifths vote of the members of the council, award the contract, at \$235,000 or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

(3) Formal bidding procedures. Public projects of more than \$220,000.00 per section (C)(3), above, shall be awarded pursuant to formal bidding procedures to the lowest responsive and responsible bidder in accordance with, but not limited to, the procedures set forth below.

(a) Notice Inviting Formal Bids. The following are required:

(i) Contents of Notice. Notice inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project.

(ii) Publication of Notice. The notice shall be published at least 14 calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in the city, or otherwise comply with the requirements of Public Contracts Code Section 22037.

(iii) Electronic Transmission of Notice. The notice inviting formal bids shall also be sent electronically, if available, by either facsimile or electronic mail and mailed to all construction trade journals as required by the Commission as specified in Public Contract Code Section 22036. The notice shall be sent at least fifteen calendar days before the date of opening the bids.

(iv) Per Labor Code Section 1771.1, the notice must state that a contractor or

subcontractor is not qualified to bid on, be last in a bid proposal for, or perform work on a project unless it is registered and qualified under Labor Code Section 1725.5.

(b) Instructions to Bidders – The Notice Inviting Formal Bids should also identify the contract documents to be considered, the availability of information, any scheduled pre-bid meetings, bid protest procedures, addenda, and any other procedures to be followed for bids to be considered.

(c) Bid Package – The bid package should include the following:

(i) The proposal form.

(ii) Submission of sealed bids.

(iii) A public bid opening.

(iv) Award to the lowest, responsive and responsible bidder.

(v) City reservation in notice inviting bids of the right to reject any or all bids and to waive minor irregularities.

(vi) Award and execution of a written contract.

(vii) Reference to applicable state or federally funded project requirements.

(viii) Bid security.

(ix) Performance and payment bonds.

(x) Listing of subcontractors.

(E) Authority to Prepare and Issue Notice Inviting Bids. The Purchasing Agent or designee is authorized to prepare and issue notices inviting bids and to establish such additional bidding procedures which must be consistent with those stated herein.

(F) Prohibition against splitting or separating projects. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this Purchasing Ordinance requiring work to be done by contract after competitive bidding. Under Public Contract Code Section 22033 “It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding.”

(G) Council Authority to Reject, Re-advertise, or Otherwise Award.

(1) In its discretion, the council may reject any and all bids presented under the informal and formal bidding procedures described above for public projects, if the city, prior to rejecting all bids furnishes a written notice to the apparent low bidder. The notice shall inform the bidder of the city's intent to reject the bid and shall be mailed or emailed at least two (2) business days prior to the council meeting at which the city intends to reject the bid. If after the first invitation for bids all bids are rejected, after reevaluating its cost estimates of the project, the city shall have the option of either of the following:

(a) Abandoning the project or re-advertising for bids in the manner described in this Section 2-4.06.

(b) By passage of a resolution by a four-fifths vote of the council declaring that the project can be performed more economically by the employees of the city, the city may have the project done by force account without further complying with this Section 2-4.06.

(2) If the contract is awarded, it shall be awarded to the lowest responsive and responsible bidder. If two (2) or more bids are the same and the lowest, the city may accept the one it chooses.

(3) If no bids are received through the informal or formal bidding procedures described above, the project may be performed by employees of the city by force account or by informal bidding procedures set forth above.

(H) Emergency.

(1) In case of an emergency regarding a public project which requires formal bidding procedures, the council may pass a resolution by a four-fifths vote declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property. The resolution shall specify findings as required in Public Contracts Code Section 22050.

(2) "Emergency" as used in this section 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.

(I) Written Contracts Required. All contracts for public projects shall be in writing; all amendments to contracts shall be in writing. The City Manager or his or her designee shall work with the City Attorney to ensure that the contract includes language protecting the city's interest and language required by law. This language shall include, but is not limited to specified term, scope of services, termination language, insurance, warranties, indemnification, non-collusion, contractor license, security, bonds, liquidated damages, change orders, retention, delays, claims process, prevailing wages, and compliance with applicable laws.

(J) Change Order Limits for Public Projects. The award of contracts for public projects shall include a recommended contingency amount not to exceed 15%. Any change order must be reasonably related to the scope of the original contract and based on post-award information that requires modification based on unforeseen conditions or by mutual agreement of the parties. Any change order which results in a total contract amount greater than the limits in this provision shall require council approval.

2-4.07 EXCEPTIONS: COOPERATIVE PURCHASING AGREEMENTS AND PIGGYBACK PURCHASES.

(A) Cooperative Purchasing. The city, through the Purchasing Agent, may purchase supplies, equipment, or services through a joint powers or other cooperative purchasing program with any local, county, state, or federal public entity or entities, or any association of public agencies, including the California League of Cities, the California State Association of Counties, and the National Conference of Mayors, provided that:

(1) The selected bidder was selected in compliance with the competitive bidding or proposal process requirements of any participating entity or association; and

(2) The Purchasing Agent determines that the competitive bidding or proposal process utilized is similar to that contained in this chapter; and

(3) The Purchasing Agent determines that, as a result of cooperative purchasing, the price of the supplies, equipment, or services is likely to be lower than it would be if purchased directly by the city pursuant to this chapter.

(B) Information Technology Goods and Services. In accordance with Public Contract Code Section 10299, the city, through the Purchasing Agent may, without formal or informal bidding, contract with suppliers who have been awarded contracts by governmental entities for the purchase of goods, information technology, and services under the competitive process in Public Contract Code Sections 12100 to 12113. Such contracts typically take the form of master agreements, price schedules, or multiple award schedules. The city may make these purchases directly from the vendors or the state may provide assistance to the city in making these acquisitions.

(C) "Piggyback" Purchasing. The city may utilize the purchasing practice commonly referred to as "piggyback" purchasing. The city, through the Purchasing Agent, may purchase supplies, equipment, or services, without complying with the bidding or proposal procedures in this chapter, from any supplier who offers the supplies, equipment, or services at the same or better price, terms, and/or conditions as the supplier previously offered to another city or other public agency as the lowest bidder pursuant to the competitive bidding or proposal process required by that city or other public agency, provided that:

(1) The competitive bidding or proposal process required by that city or other public

agency is similar to that contained in this chapter; and

(2) The competitive bidding or proposal process required by that city or other public agency included all known bidders; and

(3) The supplier's bid or proposal was for like or greater quantities, and a like or greater quality, of supplies, equipment, or services.

2-4.08 SOLE SOURCE PURCHASES.

(A) In the event that there is one, and only one, source for a product of \$6,000 or more, a sole-source purchase may be used. When a department wishes to make a sole-source purchase, it must make the findings set forth below in writing and file such certification with the Purchasing Agent for the Purchasing Agent's approval. In order to establish a legal basis for a sole-source exception, the following statements and findings must be made:

(1) A statement describing the unique or specialized feature of the product in question;

(2) A statement of the department director's efforts to locate all possible suppliers of such product;

(3) A statement that, in spite of its efforts, the department director has been able to locate only one supplier of the product in question;

(4) A statement that indicates the ultimate cost of the product and the process used to determine the cost of the product;

(5) A finding that it is, therefore, proper for the city to dispense with a competitive bidding requirement and to authorize the city to purchase the product in question under the sole-source exception; and/or

(6) A disclosure statement of the department director and each individual involved in evaluating and/or in making a recommendation for the purchase.

(B) If the purchase exceeds the City Manager's monetary authority to contract, a resolution making the findings set forth above must be submitted with the staff's request for award of a sole source contract by the council.

2-4.09 PREVAILING WAGES AND PUBLIC WORKS PROJECTS.

(A) This section applies to prevailing wages under local and state law. The requirements for prevailing wages under the federal Davis-Bacon Act are separate and should be reviewed separately as required by applicable federal funding sources. Under California Labor Code

Section 1771, all work performed under contract for “public works” projects of more than \$1,000 shall be subject to prevailing wages. The Labor Code defines the term “public works project” broader than the Public Contract Code defines “public project” as per Section 2-4.06 above. There may be instances in which bidding is not required but payment of prevailing wages is required.

(B) “Public Works Project” for the purpose of state prevailing wages means:

(1) Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part from city funds. For purposes of this paragraph, “construction” includes work performed during the design and preconstruction phases of construction, including, but not limited to, inspection and land surveying work. For purposes of this paragraph, “installation” includes, but is not limited to, the assembly and disassembly of freestanding and affixed modular office systems;

(2) The laying of carpet done under a building lease-maintenance contract and paid for out of public funds;

(3) Street, sewer, or other improvement work done under the direction and supervision of the city;

(4) Hauling refuse from a public works site to an outside disposal location; or

(5) Maintenance work, including routine, recurring, and usual work for the preservation of a city-owned or operated facility, and landscape maintenance work per Labor Code Section 1771.

(C) Prevailing wage requirements do not apply to work performed by the city with its own forces.

(D) The City Manager is authorized to establish guidelines for implementing prevailing wages requirements that are consistent with this section and with the Labor Code.

(E) The City Manager shall designate a person to comply with the contractor registration requirements on all contracts requiring prevailing wages.

2-4.10 REQUESTS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS

Procurements under a Request for Proposal (RFP) or Request for Qualifications (RFQ) are appropriate for services that are not subject to legal public bidding requirements. Such procurements may include consulting services, professional services, and maintenance services as described in this section.

(A) RFP or RFQ. If there are no statutory or funding condition requirements that specify

use of an RFP or RFQ, selection is based on the nature of the procurement. For example, an RFP is generally the preferred option for project-based procurement where the specific scope of services is known in advance and one of the primary criteria will be the best lump sum price for providing services (although experience and qualifications may also be considered). An RFQ is often preferable for ongoing or on-call professional or consulting services where there is not a single, defined project and the qualifications and experience of the consultant are the primary criteria (although hourly rates may also be considered).

(B) RFP/RFQ Required.

(1) Architectural and Engineering Services. Per Government Code Section 4529.12 all architectural and engineering services shall be procured pursuant to a fair, competitive selection process. Therefore, an RFP/RFQ process must be followed. The term “architectural and engineering services” includes all architectural, landscape architectural, environmental, engineering, land surveying, and construction project management services. (See Government Code Section 4529.10)

(2) Design-Build. An RFQ and RFP must be used if the city adopts an ordinance for design-build procurement under Public Contract Code Section 22160 et. seq.

(3) Funding Source Requirement. The city shall comply with County, State, or Federal funding source requirements for use of an RFP/RFQ.

(4) Master Service Agreements. Master Service Agreements may be entered into with specific vendors for support services on an “as needed” basis pursuant to an RFP process.

(C) RFP/RFQ Not Required.

(1) Professional/Consultant Services. The city may contract with any specially trained and experienced persons, firms or corporations for special services and advice in financial, economic, accounting, legal or administrative services. Selection shall be on the basis of demonstrated competence, on the professional qualifications necessary for the satisfactory performance of the services required, and at a fair and reasonable price to the city. To obtain the best competitive value for services, the city may employ an RFP or RFQ process dependent on nature of the services, complexity, estimated cost, and immediate needs as determined by the City Manager.

(2) Routine Supplies/Equipment. Procurement of routine supplies or equipment where best price is the only objective, there is no need to use an RFP/RFQ. A clear and specific request for price quotes or informal bidding requirements per Section 2-4.05 of this Code is often the most efficient procurement method for obtaining the best price for goods except that factors other than low price may be considered. However, the city may choose to use an RFP/RFQ process.

2-4.11 CONFLICT OF INTEREST.

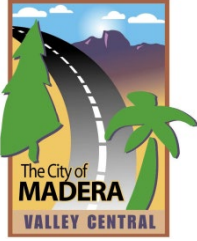
No person shall recommend, participate in any contract evaluation, selection, purchase, or lease which would constitute a conflict of interest defined in the city Conflict of Interest Code or applicable state law.

SECTION 3. CEQA. The City Council finds this ordinance is not a project under the California Environmental Quality Act because it can be seen with certainty that it will not have a significant effect or physical change to the environment. See Title 14, California Code of Regulations, Section 15061 (b) (3).

SECTION 4. Severance. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. Publication. Upon passage, this ordinance, or a summary of the same shall be published as required by law.

SECTION 6. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.



REPORT TO CITY COUNCIL

Approved by: Michael Lima
Michael Lima, Director of Financial Services
Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-8

SUBJECT:

Appointment to the Transit Advisory Board

RECOMMENDATION:

Adopt a Resolution approving the appointment of Jack Porter to the Transit Advisory Board

SUMMARY:

The City of Madera Transit Advisory Board (TAB) was established by the City Council in March 1996 to serve in an advisory capacity to transit staff and the City Council on matters pertaining to Madera Metro's public transportation services and operations. TAB is comprised of seven (7) members with each member of the City Council making a nomination to be considered for appointment by the Mayor, subject to approval of the City Council by resolution. At this time, Councilmember Zacharia has nominated Jack Porter to the Mayor for appointment to the TAB. The Mayor has considered the nomination and has approved the appointment of Mr. Porter. The requested action is a resolution of the City Council to approve the appointment of Jack Porter to the TAB.

DISCUSSION:

The TAB was formed to serve in an advisory capacity to the City Council and staff on matters related to public transit. Their duties include the following:

1. Provide oversight and make recommendations regarding the operation of the public transit system including projects, programs, and special studies.
2. Ensure grievance procedures for transit services are followed and enforced.
3. Each TAB member is required to complete two Secret Rider Evaluations bi-annually.

TAB members are noted below in Table 1, with the individual considered for approval of appointment indicated in bold text.

Table 1. Transit Advisory Board Membership		
<i>Member</i>	<i>Nominating Councilmember</i>	<i>City Council District</i>
Andrew Albonico	Mayor Gallegos	At-large Mayor
Jack Porter	Councilmember Zacharia	District 1
Vacant	Mayor Pro Tem Rodriguez	District 2
Marie Luna	Councilmember Montes	District 3
Patricia Carreon	Councilwoman Evans	District 4
Otilia Morales	Councilwoman Mejia	District 5
Cynthia Ortegon	Councilmember Villegas	District 6

Mr. Porter has been serving on the City's ADA Advisory Board since 2022 and has expressed interest in also serving for the TAB. At this time, the Mayor has considered the nomination of Mr. Porter by Councilmember Zacharia and is seeking approval from the City Council of the appointment to TAB. Per the Municipal Code, this appointment will be for a term matching the councilmember, or until the replacement is appointed. The councilmember's term ends on December 2, 2026. The Municipal Code also provides that the resolution of appointment must receive at least four (4) affirmative votes to pass.

FINANCIAL IMPACT:

There is no anticipated financial impact to the City, as TAB members serve on a voluntary basis and do not receive compensation for their participation.

ALTERNATIVES:

Council may direct staff to seek additional applications to serve on the Transit Advisory Board.

ATTACHMENTS:

1. Resolution
2. Volunteer application for Jack Porter

Resolution No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING THE APPOINTMENT OF JACK PORTER TO THE CITY OF
MADERA TRANSIT ADVISORY BOARD**

WHEREAS, the City of Madera has established a Transit Advisory Board (TAB) to serve in a volunteer capacity to fulfill the duties of the TAB as provided in their adopted bylaws; and

WHEREAS, TAB is comprised of seven (7) citizens nominated by members of the City Council and appointed by the Mayor, subject to confirmation by the Council as a whole; and

WHEREAS, Jack Porter has expressed desire to serve on TAB; and

WHEREAS, Councilmember Zacharia has nominated Jack Porter to be considered for appointment to TAB for a term concluding December 2, 2026, or as otherwise provided in the Madera Municipal Code; and

WHEREAS, Mayor Gallegos has considered the above-named nominated individual and has appointed Jack Porter.

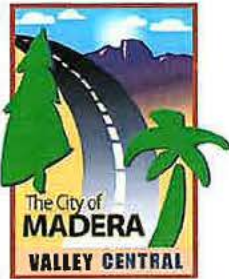
NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Council approves the appointment of Jack Porter to TAB for a term ending December 6, 2028, unless otherwise indicated by the Madera Municipal Code.
3. This resolution is effective immediately upon adoption.

* * * * *

RECEIVED

FEB 18 2025



**CITY OF MADERA
COMMISSION, BOARD, AND COMMITTEE**

City of Madera
Office of the City Clerk
By: *[Signature]*

APPLICATION

I hereby request that I be considered as a nominee for the following City of Madera Commission, Board, or Committee:

PLEASE CHECK ONE OR MORE:

- | | |
|--|--|
| <input type="checkbox"/> ADA Advisory Council | <input type="checkbox"/> Airport Advisory Commission |
| <input type="checkbox"/> Beautification Committee | <input type="checkbox"/> Civil Service Commission |
| <input type="checkbox"/> CDBG Block Grant Commission | <input type="checkbox"/> Loan Review Committee |
| <input type="checkbox"/> Planning Commission | <input checked="" type="checkbox"/> Transit Advisory Board |
| <input type="checkbox"/> Other: _____ | |

Please type or print in ink.

<u>PORTER</u>	<u>JACK</u>	<u>W</u>
LAST NAME	FIRST NAME	M.I.
[REDACTED]		
HOME ADDRESS	CITY, STATE, ZIP	HOME PHONE
[REDACTED]		
MAILING ADDRESS	CITY, STATE ZIP	E-MAIL ADDRESS
<u>SELF EMPLOYED</u>	<u>PUBLISHER/EDITOR</u>	[REDACTED]
EMPLOYER	JOB TITLE	BUSINESS PHONE
[REDACTED]		

Length of residence in the City of Madera: Years <u>58</u> Months _____	Have you ever been convicted of a felony? Yes _____ No <u>X</u>	Are you 18 years of age or older? Yes <u>X</u> No _____
--	--	--

Educational background:

BA - FRESNO STATE

AA - MADERA COMM COL

Please list any organizations of which you are a member and any offices you have held in those organizations:

DETA UPSILON
PHI ALPHA THETA HONORS SOCIETY

Please list any appointed public boards or commissions on which you have served, dates of service, and any chairmanship or office held:

ADA ADVISORY BOARD - 2022 TO PRESENT
MADERA SOUTH SCHOOL SITE COUNCIL, CHAIRMAN, 2015-2020

I am interested in serving for the following reasons:

CONSISTENCY FOR ACCESSABILITY POLICY IN PUBLIC TRANSIT
FOR ALL OF MADERA

References (optional):



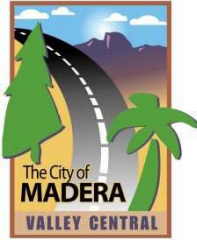
02 / 2025
Date

Signature

A handwritten signature in black ink, appearing to be 'J. B.', written over the signature line.

Please return completed application to:

CITY OF MADERA
OFFICE OF THE CITY CLERK
205 West 4th Street, Madera, CA 93637
cityclerkinfo@madera.gov
(559) 661-5405



REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, Department Director

Arnaldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-9

SUBJECT:

One Easement Deed for Sidewalk Improvements at Various Locations City Project R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761

RECOMMENDATION:

Adopt a Resolution Approving an Agreement for Purchase of an Easement at 348 South B Street, Madera, CA 93638 (APN 007-192-011)

SUMMARY:

Right-of-Way (ROW) acquisition from several parcels of land is necessary for the Sidewalk Improvements at Various Locations City Project R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761 (Project). One is presented at this time.

The agreement and easement deed has been executed by the property owner and it is recommended for approval. The value of the land for the acquisition of the parcel is \$5,056.86. Funds for the ROW acquisition are included in the City's Fiscal Year (FY) 2024/25 Budget for the project.

DISCUSSION:

The scope of the project consists of installation of sidewalk improvements at various locations in the City. The project includes excavation of native soil, roadway excavation, demolition of concrete improvements, installation of curb ramps, curb and gutter, drive approaches, asphalt backpatch to new curb and gutter, tree removal, fence relocation, and adjusting utility boxes to grade. ROW acquisition is necessary from owners of fourteen parcels; six have been approved and executed by the property owners. All 14 parcels require a partial land acquisition to construct City standard curb access ramps and/or sidewalks. This item is for one of the 14 parcels. For the parcel location see Location Map attached to report.

The land acquisition and improvement from the subject parcel is listed in Table 1. The subject parcel is owned by Juan Avila, Jose Avila, and Armando Paredes.

Table 1: ROW Impact & Cost		
APN	Area (Square Feet)	Cost
007-192-011	622	\$5,056.86

The City follows Caltrans guidelines for minor acquisition takes. Caltrans Local Assistance Procedures Manual indicates that when the City determines that the valuation is uncomplicated and the market value is estimated at \$10,000 or less, based on a review of available data, a formal appraisal report is not required. This is consistent with City Administrative Policy No. AP-48 for waiver of formal appraisals on certain real property and to acquire said parcels by sale or donation where such parcels or portions thereof to be acquired do not have fair market value in excess of \$2,500. The acquisition of this parcel exceeded the threshold of \$2,500 per AP-48 therefore a formal appraisal was obtained.

The formal offer and acquisition information, Purchase and Sale of Real Property Agreement and easement Deed with a description of the interest in land to be acquired has been presented to the property owner.

On October 21, 2021, the City determined that the project is Categorically Exempt under Article 19, Section 15301 (c) of the Guidelines for California Environmental Quality Act (Minor alteration of existing public facilities).

FINANCIAL IMPACT:

There will be no impact to the City's General Fund for the ROW and construction costs for this project. The right of way acquisition is funded from the Local Transportation Funds programmed in the FY 2024/25 Capital Improvements Project Budget. Construction will be funded by the Affordable Housing and Sustainable Communities (ASHC) Grant.

ALTERNATIVES:

City Council may choose to reject the ROW acquisition. The rejection of ROW acquisition would result in the inability to install City Standard curb access ramps and sidewalk and therefore our inability to complete the project potentially jeopardizing funds.

ATTACHMENTS:

1. Resolution
 - Exhibit 1 – Agreement and Deed
 - Exhibit A – Agreement (348 S B Street, Madera, CA 93637)
 - Exhibit 1 – Deed with One Exhibit
 - Exhibit 2 - Property Owner List
2. Location Map

Attachment 1

Resolution

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING AN AGREEMENT FOR THE PURCHASE OF AN EASEMENT AT
348 SOUTH B STREET, MADERA, CA 93638 (APN 007-192-011)**

WHEREAS, a project is programmed in the Fiscal Year 2024/25 Capital Improvement Program (CIP) to install sidewalks at various locations and is identified as “Sidewalk Improvements at Various Locations City Project R-94 Bid Package 3 Phase 2 AHSC Agreement No. 19-AHSC-12761” (Project); and

WHEREAS, the Project requires the acquisition of right-of-way from one parcel of land to construct sidewalks and curb access ramps in the Project area; and

WHEREAS, the one property owner of record, listed in Exhibit 2 attached hereto, has offered for sale to the City of Madera the interest in real property necessary for the Project; and

WHEREAS, the property to be acquired is more specifically described in the legal description included in the Agreement for Purchase and Sale of Real Property (Agreement) and attached to the Easement Deed; and

WHEREAS, the purchase price offered for the property has been established per square foot in accordance with a formal appraisal; and

WHEREAS, on October 21, 2021, the City determined that the Project is Categorically Exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301(a-e) of the CEQA Guidelines; and

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

1. The above recitals are true and correct.
2. The City Council of the City of Madera approves the one Agreement for Purchase and Sale of Real Property and accepts the Easement Deed,
3. The one Agreement, copy of which is attached hereto as Exhibit 1 and referred to for particulars, are approved.
4. The City Clerk is authorized to prepare the Certificate of Acceptance for the Easement Deed.
5. The Finance Director is authorized to make the payment for the land acquisition in

the amount shown in the attached Exhibit 2.

6. The City Engineer with the agreement of the City Manager and City Attorney is authorized to make non-material or technical corrections to documents required for implementation of the agreement.
7. This resolution is effective immediately upon adoption.

* * * * *

EXHIBIT 1

Agreement and Deed

Exhibit A – Agreement (348 S B Street, Madera, CA 93637)

Exhibit 1 – Deed with One Exhibit

EXHIBIT A

Agreement

(348 S B Street, Madera, CA 93637)

OWNERS: Juan Manuel Ceja Avila, Jose Guadalupe Ceja Avila, Armando Popoca Paredes

PROJECT: AHSC Sidewalk Improvements at Various Locations, City Project R-94

ADDRESS: 348 South B Street
Madera, CA 93638

APN: 007-192-011

SITUS: NW Corner of Clinton Street and South B Street

AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

This Agreement for Purchase and Sale of Real Property is effective this _____ day of _____, 2025.

JUAN MANUEL CEJA AVILA, JOSE GUADALUPE CEJA AVILA, & ARMANDO POPOCA PAREDES, hereinafter referred to as the “Seller”, hereby offers to sell to the CITY OF MADERA, a municipal corporation, hereinafter referred to as the “city”, and City agrees to purchase the hereinafter described real property on the following terms and conditions:

1. Seller is the fee owner of that certain real property located at 348 S. B Street, in the City of Madera, County of Madera, State of California, (APN 007-192-011) more particularly described in **Exhibit A** titled Easement Legal Description to the Easement Deed (“Property”). The Easement Deed is attached as **Exhibit A** to this Agreement.

2. The purchase price for the Property shall be the sum of Five Thousand Fifty-Six Dollars and Eighty-Six Cents (\$5,056.86) as just compensation for land and improvements.

3. Seller warrants that the Offered Property is being acquired under threat of condemnation.

4. Seller represents and warrants that they have the authority to take the offer herein made, and that they hold fee title to the Property.

5. The sale shall be completed by and through this Agreement upon the following terms and conditions, and Sellers and City by their signature to this Agreement make this paragraph their purchase instructions:

a. City shall pay to Sellers the sums specified in Paragraph 2 of this Agreement upon receipt and recording of the Easement Deed.

b. There shall be no proration of taxes and insurance.

c. Disbursements to be in the amounts, at the times, and in all respects in accordance with the terms and conditions and subject to the limitations of this Agreement.

d. Seller shall deliver to the City a signed and notarized Easement Deed in the form substantially as set forth in Exhibit A and as prepared by the City and presented to Seller with this Agreement.

6. Seller warrants that tenants on the Property pursuant to any lease agreement will not be adversely affected by this acquisition.

7. It is agreed and confirmed by the parties hereto that, notwithstanding other provisions in this contract, the right of possession and use of the Property by the City (including, but not limited to, the right to construct and install new improvements and to replace, repair, restore, remove, and/or dispose of existing improvements) shall commence upon execution of this Agreement, and that the amount shown in Clause 2 herein includes, but is not limited to, full payment for such possession and use, including damages if any, from said date.

8. Grantor Sellers hereby grant to the City, its permittees, contractors, agents or assigns, a license to enter upon, over, across, and under all of Seller's property during the period of construction for the purpose of removal and replacement of existing owner improvements on the Property and for the purpose of facilitating the construction of public improvements and accomplishing all necessary incidence thereto, including, but not limited to, the repair, replacement, restoration, removal, and/or disposal of existing improvements. Any actual damage or substantial interference with the possession or use of the adjacent land caused by City, its permittees, contractors, agents, or assigns shall be cured by the same.

9. The obligation of the City to purchase the Property is contingent upon the finding by City that there is no evidence that there may be hazardous or toxic materials located on the Property. The cost of this determination is the sole expense of the City.

10. Time is of the essence of each and every term, condition, and covenant.

11. It is understood and agreed that this Agreement shall become a contract for the purchase and sale of real property and improvements on the parcel binding upon Seller and City, their heirs, executors, administrators, successors in interest, and assigns.

12. No addition to or modification of any term or provision of this Agreement shall be effective unless set forth in writing and signed by both parties. If any legal action is necessary to enforce or interpret this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and costs.

///

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CITY OF MADERA,
A municipal corporation

By: _____
CeCe Gallegos, Mayor

Date: _____

APPROVED AS TO FORM:

By: _____
Shannon L. Chaffin, City Attorney

ATTEST:

By: _____
Alicia Gonzales, City Clerk

SELLER

✓ By: Juan Ceja
Juan Manuel Ceja Avila

Date: 01-15-2025

1 By: [Signature]
Jose Guadalupe Ceja Avila

Date: 01-15-2025

By: [Signature]
Armando Popoca Paredes

Date: 01/17/2025

(Seller Signature Requires Notary Acknowledgement)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

ALAMEDA

SS.

On this the

1-15-2025

before me,

J. A. HEREDIA

Date

Here Insert Name and Title of the Officer

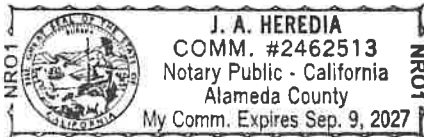
Personally appeared

JUAN MANUEL CRJA AVILA AND

Name(s) of Signer(s)

JOSE GUADALUPE CRJA AVILA

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

J. A. Heredia

Signature of Notary Public

Place Notary Seal/Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of the Attached Document

Title or Type of Document:

Agreement for Purchase & Sale of Real Property

Document Date:

01-15-2025

Number of Pages:

3 Pages

Signer(s) Other Than Named Above:

NONE

Capacity(ies) Claimed by Signer(s)

<p>Signers Name: _____</p> <p>Corporate Officer – Title(s): _____</p> <p><input type="checkbox"/> Partner <input type="checkbox"/> Limited <input type="checkbox"/> General</p> <p><input type="checkbox"/> Individual <input checked="" type="checkbox"/> Attorney in Fact</p> <p><input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator</p> <p><input type="checkbox"/> Other: _____</p> <p>Signer is Representing: _____</p>	<p>Signers Name: _____</p> <p>Corporate Officer – Title(s): _____</p> <p><input type="checkbox"/> Partner <input type="checkbox"/> Limited <input type="checkbox"/> General</p> <p><input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact</p> <p><input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator</p> <p><input type="checkbox"/> Other: _____</p> <p>Signer is Representing: _____</p>
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ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this Certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

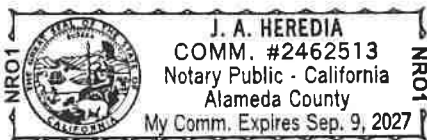
County of ALAMEDA

} SS.

On 01-17-2025, before me, J. A. HEREDIA, Notary Public,

personally appeared ARMANDO POPOCO PARRONS, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

J. A. Heredia

PLACE NOTARY SEAL IN ABOVE SPACE

NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER SELF
☐ PARTNER(S) TITLE(S)
☐ ATTORNEY-IN-FACT
☐ GUARDIAN/CONSERVATOR
☐ SUBSCRIBING WITNESS
☐ OTHER: _____

SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

SELF

DESCRIPTION OF ATTACHED DOCUMENT

AGREEMENT FOR PURCHASE

TITLE OR TYPE OF DOCUMENT

- 3 -

NUMBER OF PAGES

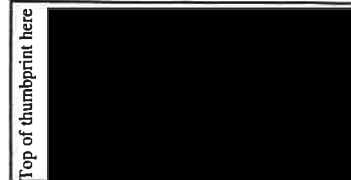
01-15-2025

DATE OF DOCUMENT

AND SALE OF REAL PROPERTY

OTHER

RIGHT
THUMBPRINT
OF
SIGNER



**EXHIBIT A TO AGREEMENT
EASEMENT DEED**

RECORDING REQUESTED BY:

City of Madera

AFTER RECORDING RETURN TO:

City of Madera

205 W. 4th Street

Madera, CA 93637

Attn: City Clerk

Fee waived per Section 27383 of the Government Code

No Fee Due

APN: 007-192-011

No Doc Tax Due R&T 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, **JUAN MANUEL CEJA AVILA, ("Grantor")** DOES HEREBY GRANT TO **THE CITY OF MADERA**, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA ("**Grantee**") a permanent exclusive easement for public sidewalks, street improvements, and any and all other municipal purposes over, under, through and across, on and in the following described real property in the City of Madera, County of Madera, State of California, being more particularly described in EXHIBIT "A", **LEGAL DESCRIPTION**, attached hereto and **hereof**:

By:

Juan Manuel Ceja Avila

Date:

01-15-2025

✓ By:

Jose Guadalupe Ceja Avila

Date:

01-15-2025

By:

Armando Popoca Paredes

Date:

01-17-2025

EXHIBIT "A"

LAND DESCRIPTION

RIGHT OF WAY DEDICATION

The land referred to herein below is situated in, the City of Madera, County of Madera, State of California, in Section 19, Township 11 South, Range 18 East, Mount Diablo Meridian, being a portion of Lot 1 as shown on the map titled Poletti Addition, filed in Book 6 of Maps, Page 8, Madera County Records, more particularly described as follows:

BEGINNING at the easterly corner of Lot 1 of said map;

thence, along the southeasterly line of said Lot 1, South 44°51'50" West, 150.60 feet, to the southerly corner of said Lot 1;

thence, North 40°09'46" West, 4.00 feet, to a line lying northwesterly of and parallel with the southeasterly line of said Lot 1;

thence, along said parallel line, North 44°51'50" East, 140.72 feet, to a tangent curve, to the left, with a radius of 10.00 feet;

thence, along said curve, through a central angle of 54°04'44", an arc distance of 9.44 feet;

thence, North 09°12'54" West, 4.15 feet, to the northeasterly line of said Lot 1;

thence, along the northeasterly line, South 40°09'45" East, 11.52 feet, to the **POINT OF BEGINNING**;

Containing an area of 622 square feet more or less.

A PLAT OF THE ABOVE DESCRIBED AREA IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

Stephen J. Pyle

Stephen J. Pyle
Professional Land Surveyor
California No. 8385

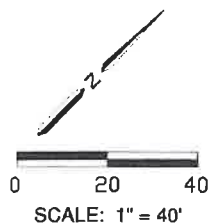
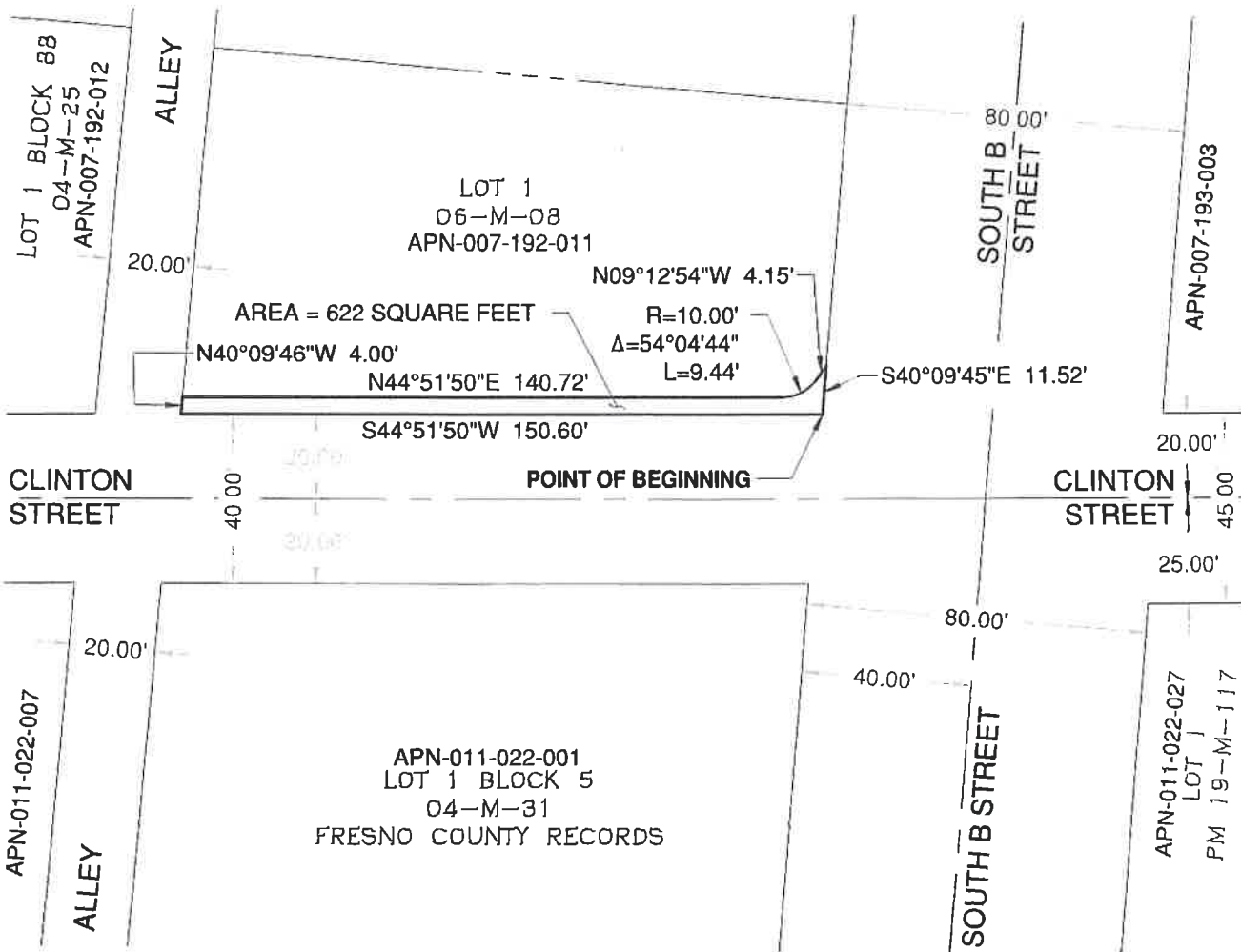


September 26, 2024

Date

C:\Users\cjohanson\appdata\local\temp\AcPublish_16136\41000-ROW.dwg CDJohnson 15:23:25 09/25/2024

EXHIBIT "B"



LEGEND

—————	ADJACENT PROPERTY
- - - - -	CENTER LINE
=====	RIGHT OF WAY
=====	SUBJECT AREA



2024-09-26

SECTION 19, T11S, R18E



1165 Scenic Drive, Suite A
Modesto, CA 95350
odellengineering.com

EXHIBIT "B" RIGHT OF WAY DEDICATION

SCALE:	1"=40'	DATE:	2024-09-26
JOB NO.:	41000		
FILE:	41000-ROW.DWG		

1
of
1

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

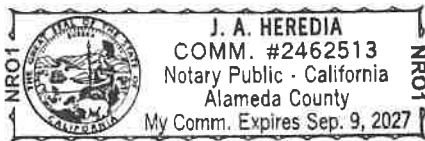
State of California

County of ALAMEDA } ss.

On this the 01-15-2025 before me, J.A. HEREDIA, Notary Public
Date Here Insert Name and Title of the Officer

Personally appeared JUAN MANUEL CETA AVILA AND
Name(s) of Signer(s)
JOSE GUADALUPE CETA AVILA

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

J. A. Heredia
Signature of Notary Public

Place Notary Seal/Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of the Attached Document

Title or Type of Document: Easement Deed, Legal Description, & Surveyors Plat

Document Date: 01-15-2025 Number of Pages: 4 Pages

Signer(s) Other Than Named Above: - NONE -

Capacity(ies) Claimed by Signer(s)

<p>Signers Name: _____</p> <p>Corporate Officer – Title(s): _____</p> <p><input type="checkbox"/> Partner <input type="checkbox"/> Limited <input type="checkbox"/> General <input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator <input type="checkbox"/> Other: _____ Signer is Representing: _____</p>	<p>Signers Name: _____</p> <p>Corporate Officer – Title(s): _____</p> <p><input type="checkbox"/> Partner <input type="checkbox"/> Limited <input type="checkbox"/> General <input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact <input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator <input type="checkbox"/> Other: _____ Signer is Representing: _____</p>
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ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this Certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ALAMEDA } SS.

On 01-17-2025, before me, J. A. HEREDIA, Notary Public,

personally appeared ARMANDO POPOCA PARDOES, who proved to me on the

basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

J. A. Heredia

NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER SELF
☐ PARTNER(S) TITLE(S)
☐ ATTORNEY-IN-FACT
☐ GUARDIAN/CONSERVATOR
☐ SUBSCRIBING WITNESS
☐ OTHER: _____

SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

SELF

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EASEMENT DEED

TITLE OR TYPE OF DOCUMENT

- 4 -

NUMBER OF PAGES

01-15-2025

DATE OF DOCUMENT

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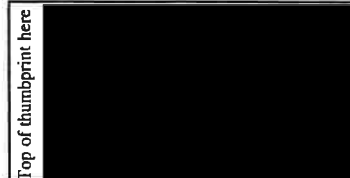


EXHIBIT 2

Property Owners List

PROPERTY OWNER LIST

RIGHT OF WAY ACQUISITION

For

SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS CITY PROJECT NO. R-94 BID PACKAGE 3
PHASE 2 AHSC AGREEMENT NO. 19-AHSC-12761

<u>APN</u>	<u>PROPERTY OWNER/ADDRESS</u>	<u>AMOUNT</u>
007-192-011	Juan Manuel Ceja Avila 348 S B Street Madera, CA 93637	\$5,056.86

Attachment 2

Location Map

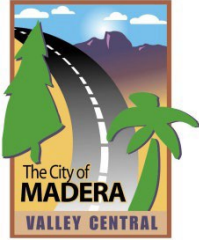
Location Map



LEGEND



Affected Properties -
see easement deed for
sketch of actual
easement



REPORT TO CITY COUNCIL

Approved by:

Michael Lima

Michael Lima, Director of Financial Services

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-10

SUBJECT:

Amendment to the Community Development Block Grant (CDBG) 2020-2024 Consolidated Plan

RECOMMENDATION:

Adopt a Resolution to approve the amendment to the 2020-2024 CDBG Consolidated Plan to include HOME Investment Partnerships Program (HOME) funds in the amount of \$372,064.92 and the City's portion in the amount of \$127,935.08 for a total of \$500,000.

SUMMARY:

On June 13, 2024, the City received notice from the U.S. Department of Housing and Urban Development (HUD) indicating that the City may qualify as a participating jurisdiction for the HOME program. On August 7, 2024, City Council (Council) adopted Resolution No. 24-117 to amend the 2023/24 City Budget to include HOME funds in the amount of \$372,064.92 and a one-time City match of \$127,935.08 from the General Fund. The funds must be incorporated into the City's Consolidated Plan and appropriate Action Plan in order for the City to enter into a HOME Agreement with HUD.

A CDBG recipient agency must follow the requirements of the Citizen Participation plan (CPP). To amend the Consolidated Plan. Council initiated the amendment process detailed in the CPP by approving a Minute Order on February 5, 2025 which commenced the mandated 15-day public review process.

DISCUSSION:

The City is a recipient of CDBG funding and is required to submit a five-year Consolidated Plan to HUD. The Consolidated Plan allocates federal resources and establishes funding priorities and objectives. The Consolidated Plan serves as a comprehensive planning document for the City to identify the overall needs for affordable and supportive housing, community and economic

development, and outlines a strategy to address these needs.

The HOME program provides formula grants to states and localities that communities use to fund a wide range of activities including building, buying and/or rehabilitating affordable housing or rent or homeownership or providing direct rental assistance to low-income people.

These grant funds provide financial tools to support low-to moderate income individuals, families, and communities to address homelessness, affordable housing challenges, aging infrastructure and economic hardships. Eligible activities include:

- New construction of owner-occupied housing
- New construction of rental housing
- Homeownership assistance to homebuyers
- Rehabilitation of owner-occupied housing
- Rehabilitation of rental housing
- Tenant-Based rental assistance

Up to now, the City has been receiving HOME funds via the State of California. In June 2024, City staff was notified by HUD staff that the City was now eligible to receive HOME funds. The difference between state HOME funds and federal HOME funds is the latter are allocated directly to a participating jurisdiction (PJ) from HUD. Once a PJ commits to receiving HOME monies, the PJ can expect to receive an annual allotment of these monies.

As a condition of receiving these monies, the City committed to make a one-time match payment equal to roughly one-third of the awarded amount. In the City's case, a \$127,935.08 match payment is needed to access the \$371,064.92 of HOME monies. Council approved a budget amendment on August 7, 2024 authorizing the match payment from the General Fund. That authorization was reaffirmed in the Fiscal Year 2025/25 Adopted Budget.

Council approved a Minute Order on February 5, 2025 to initiate the 15-day public review and hearing process to comply with the CPP for the amendment of the 2020-2024 Consolidated Plan to allocate \$372,064.92 of HOME funds and City contribution of \$127,935.08 toward HOME project development. The public hearing closed on February 20, 2025. There were no public comments received.

Staff is recommending Council approve amendment of the 2020-2024 Consolidated Plan to allocate \$372,064.92 of HOME funds and City contribution of \$127,935.08 toward HOME Program project development.

FINANCIAL IMPACT:

The City included in its Fiscal Year 2024/25 Adopted Budget a one-time match of \$127,935.08 paid from the General Fund. Future HOME allocations will not require a match. Administration of planning and developing the City's HOME program will be paid for by HOME funds.

ALTERNATIVES:

As an alternative, Council may:

1. Request additional information prior to approving the 2020-2024 CDBG Consolidated Plan amendment
2. Deny the request.

ATTACHMENTS:

1. Attachment A: Resolution approving the amendment to the 2020-2024 CDBG Consolidated Plan
 - a. Exhibit A: 2020-2024 Consolidated Plan – Strategic Plan Section

RESOLUTION NO. 25-___

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA APPROVING THE AMENDMENT OF THE 2020-2024
COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED
PLAN TO ALLOCATE \$372,064.92 OF HOME INVESTMENT
PARTNERSHIPS PROGRAM (HOME) FUNDS AND THE CITY'S
PORTION OF \$127,935.08 FOR A TOTAL OF \$500,000**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires recipients of Community Development Block Grant (CDBG) funding to submit a five-year Consolidated Plan; and

WHEREAS, on July 22, 2020 by Resolution No. 20-108 the City Council approved the 2020-2024 CDBG Consolidated Plan; and

WHEREAS, on February 5, 2025 City Council authorized a Minute Order initiating the citizen participation process to amend the 2020-2024 CDBG Consolidated Plan; and

WHEREAS, on February 20, 2025 the public hearing and comment period closed without any public comment received; and

WHEREAS, staff recommends approval to amend the 2020-2024 CDBG Consolidate Plan to allocate \$372,064.92 of HOME funds and City contribution of \$127,935.08 toward HOME project development.

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

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The City Council approves amendment of the 2020-2024 U.S. Department of Housing and Urban Development City of Madera CDBG Consolidated Plan, of which a copy of the amended portion is attached as Exhibit A to this resolution and incorporated by reference.
3. This resolution is effective immediately upon adoption.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

This section contains the Strategic Plan for housing and community development that will guide the City of Madera's investment of Community Development Block Grant (CDBG) funding during the 2020-2024 planning period. The City of Madera's priority needs were identified through an extensive public input process. The City will use its available CDBG resources to fund activities that will achieve the goals identified in the plan and address the priority needs.

The Consolidated Plan embodies and reflects five overall goals, which relate to the major commitments and priorities of HUD. These goals serve as the basis for the actions the City will use to meet these needs. The goals are listed below in no particular order:

- Low- to moderate-income citizens will have access to safe, decent, and affordable housing
- Improve the quality and access to programs and facilities for health and safety, transportation, and recreation services
- Enhance the economic well-being of all citizens through education and training, employment opportunities, and business development
- Enhance the quality and use of the physical infrastructure of Madera
- Prevent and reduce homelessness

The City anticipates funding activities using a variety of sources, including CDBG, HOME, the General Fund, and grants received by the City. The City will work with local and regional nonprofits, as well as affordable housing developers, to implement many of the activities. The City will also undertake public improvements using internal staff and contractors.

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

Table 47 - Geographic Priority Areas

1	Area Name:	City of Madera City Limits
	Area Type:	Local Target area
	Other Target Area Description:	
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	Comprehensive
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	City of Madera, California City Limits
	Include specific housing and commercial characteristics of this target area.	City of Madera, California City Limits
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	City of Madera, California City Limits
	Identify the needs in this target area.	The City of Madera does not intend to target funds on a geographic basis, but rather on the basis of need over the planning period. In consultation with City staff, service providers, and community groups, no particular areas were identified as needing a high level of investment.
	What are the opportunities for improvement in this target area?	The City of Madera does not intend to target funds on a geographic basis, but rather on the basis of need over the planning period. In consultation with City staff, service providers, and community groups, no particular areas were identified as needing a high level of investment.
	Are there barriers to improvement in this target area?	The City of Madera does not intend to target funds on a geographic basis, but rather on the basis of need over the planning period. In consultation with City staff, service providers, and community groups, no particular areas were identified as needing a high level of investment.

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The City of Madera does not intend to target funds on a geographic basis, but rather on the basis of need over the planning period. In consultation with City staff, service providers, and community groups, no particular areas were identified as needing a high level of investment.

Certain types of projects, including affordable housing and accessibility improvements, were consistently ranked as a high priority. Given the difficulties that already exist in implementing these types of projects, it does not make sense to further limit them to a certain area within the City. Most of the services available in the City are open to all residents.

Geographic Area

The City is not proposing any geographic area targeting. The Geographic Priority Areas table is therefore not included. However, the City uses CDBG funds within eligible CDBG census tracts and has submitted a request for a technical assistance grant to identify and establish a geographic area of operation to qualify as a Community Based Development Organization (CBDO). This would allow the City to establish new programs, and would likely result in the City proposing geographic targeting in subsequent consolidated plans and/or annual plans.

SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 48 – Priority Needs Summary

1	Priority Need Name	Housing Needs
	Priority Level	High
	Population	Low Moderate Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities
	Geographic Areas Affected	City of Madera City Limits
	Associated Goals	Access to Affordable Housing Prevent and Reduce Homelessness Administration

2	Description	<p>Goal: Low- to moderate-income citizens will have access to safe, decent and affordable housing</p> <p>Increase the supply of rental units for those with extremely low-income and very low-income</p> <p>Increase the supply of housing (e.g. apartments and lower cost homes) for people on a fixed income or otherwise at-risk of being “priced out” of the area</p> <p>Increase public awareness and education of landlords on public housing programs to help reduce the stigma of public housing and to increase the available units available to public housing program recipients</p> <p>Support discussions around incentives for developers to build more affordable houses through potential new programs, such as empowerment or opportunity zones</p> <p>Support expansion of emergency and transitional housing capacity for individuals who are experiencing homelessness, mental health and/or substance use issue, and young people transitioning out of foster care</p> <p>Support affordable specialized housing for sub-populations, such as but not limited to, veterans, migrant workers, young people transitioning out of foster care</p> <p>Support programs that help homeowners and individuals with disabilities modify their homes or apartments for accessibility</p> <p>Expand the education and enforcement of safety and building codes</p> <p>Support the development of a Citywide rental inventory program with annual rental inspections to ensure units are safe and meet codes</p> <p>Support rental, mortgage, and utility assistance programs for those affected by COVID-related issues</p>
	Basis for Relative Priority	Focus Group Meetings, Community Survey, Stakeholder Interviews and the Housing Market Analysis identified this as a priority need
	Priority Need Name	Community Services
	Priority Level	High
	Population	<p>Extremely Low</p> <p>Low</p> <p>Moderate</p> <p>Families with Children</p> <p>Chronic Substance Abuse</p> <p>veterans</p> <p>Victims of Domestic Violence</p> <p>Unaccompanied Youth</p> <p>Elderly</p>

	Geographic Areas Affected	City of Madera City Limits
	Associated Goals	Improve Access to Services Enhance Economic Well-Being Enhance Quality of Infrastructure Administration
	Description	Goal: Improve the quality of and access to programs and facilities for health and safety, transportation, and recreation services Increase awareness about available services in the community Increase access to quality youth centers and programs in the community, such as but not limited to, sports fields, public tennis courts, swimming pools, and other programs Support the expansion of alternatives to traditional sports, such as esports, arts, and music Support the expansion of food distribution for home-bound seniors and other food distribution programs Support the expansion of the public transportation system
	Basis for Relative Priority	Focus Group Meetings, Community Survey, Stakeholder Interviews and the Housing Market Analysis identified this as a priority need
	3 Priority Need Name	Economic Development
	Priority Level	High
	Population	Low Moderate Middle Families with Children Other
	Geographic Areas Affected	City of Madera City Limits
	Associated Goals	Enhance Economic Well-Being Enhance Quality of Infrastructure Administration

	Description	<p>Goal: Enhance the economic well-being of all citizens through education and training, employment opportunities, and business development</p> <p>Provide small business grants to businesses affected by COVID-19</p> <p>Support the development of job skills training for youth, workforce development, and job creation</p> <p>Support financial literacy programs, including homebuyer counseling</p>
	Basis for Relative Priority	Focus Group Meetings, Stakeholder Interviews, and the Community Survey identified this as a priority need
4	Priority Need Name	Public Improvements and Public Infrastructure
	Priority Level	High
	Population	<p>Low</p> <p>Moderate</p> <p>Persons with Mental Disabilities</p> <p>Persons with Physical Disabilities</p> <p>Persons with Developmental Disabilities</p>
	Geographic Areas Affected	City of Madera City Limits
	Associated Goals	<p>Improve Access to Services</p> <p>Enhance Economic Well-Being</p> <p>Enhance Quality of Infrastructure</p> <p>Administration</p>
	Description	<p>Goal: Enhance the quality and use of the physical infrastructure of Madera</p> <p>Develop Safe Routes to schools by continuing to improve the public infrastructure through measures such as, but not limited to, building ADA compliant sidewalks and streetlights</p> <p>Support incentive programs for developers and investors for new development in the City</p>
	Basis for Relative Priority	Focus Group Meetings, stakeholder interviews, and the community survey identified this as a priority need
5	Priority Need Name	Homeless Needs and Services
	Priority Level	High

Population	Extremely Low Low Moderate Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Victims of Domestic Violence Unaccompanied Youth
Geographic Areas Affected	City of Madera City Limits
Associated Goals	Prevent and Reduce Homelessness Administration
Description	<p>Goal: Prevent and reduce homelessness</p> <p>Support programs that provide additional access to food, clothing, healthcare including behavioral health, showers, toilets, childcare support/day care and job training</p> <p>Support programs and services that provide outreach to the homeless population about available services</p> <p>Support the expansion of beds for domestic violence shelters</p> <p>Provide vouchers and assistance for those transitioning from shelters to more permanent housing</p> <p>Support and enhance referral service programs</p>
Basis for Relative Priority	Community Needs Survey, focus groups, and stakeholder interviews identified this as a priority need

Narrative (Optional)

After broad community and stakeholder outreach, the City identified the following priority needs, all of which are high priority. Projects will only be considered for funding within the Consolidated Plan period if they address these high priority needs.

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	Of the 15,807 housing units with three or more bedrooms, 50.1% percent are owner-occupied, though rental units outweigh owner units by over 1,000. Given the high rate of overcrowding among renters, this indicates a potential mismatch between the City’s housing inventory and the housing needed by renter households who want to locate units that meet the occupancy standards established under the Tenant Based Rental Assistance program.
TBRA for Non-Homeless Special Needs	Madera’s advisory committee on issues related to the disabled community (the “Madera ADA Advisory Council”) has indicated that there are too few residential units available to accommodate the physically disabled. The Committee has indicated that expanding use of universal design features in housing construction will help facilitate the housing needs of the disabled.
New Unit Production	According to the State of California Department of Finance Population and Housing Estimates, there was an increase in housing units from 2014 to 2019. More specifically, single detached housing units increased in number by 17%, from 12,413 to 14,558. In other words, the market has increased the supply of housing (particularly the supply of multifamily housing). The City will continue to provide incentives to developers and property owners for the construction of affordable housing including density bonuses for units for lower-income, senior and large-family households.
Rehabilitation	For owner-occupied households, 32% have substandard housing conditions. However, for renter-occupied units, the comparable figure is almost 70 percent (65.6%). Since It is sometimes difficult to persuade rental property owners to accept the affordability restrictions required by CDBG loans and other financing sources, this makes rehabilitation of rental housing more difficult. In addition, Madera faces the problem of over-crowded, substandard housing occupied by agricultural workers, some of whom are undocumented. These circumstances present serious health and safety problems and substandard housing conditions, such as electrical hazards and inadequate toilet, shower, heating, and kitchen facilities.
Acquisition, including preservation	The low availability of multifamily rental housing to acquire is a primary factor in Madera. Construction costs for rehabilitation and the availability of private and/or tax credit financing is also a factor.

Table 49 – Influence of Market Conditions

Housing Needs Assessment Demographics

The demographic data above shows the change in population, households, and median household income in Madera from 2010 to 2019. From 2010 to 2019, the population increased by 8.5 percent, from 59,006 to 64,058. Over the same time period, the number of households increased by 11 percent from 15,857 households in 2010 to 17,606 households in 2019. From 2010 to 2019, the median household income in the City decreased slightly from \$40,889 to \$40,731, a 0.3 percent decrease.

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

The City anticipates continuing to receive CDBG funding throughout the Consolidated Plan period. The City also expects to apply for and receive HOME grants from the California Department of Housing and Community Development.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	911,586	0	0	911,586	0	The City is a CDBG entitlement jurisdiction.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Admin and Planning Housing	905,023	0	0	905,023	0	HOME. DAP and OOR funding through HCD in the amount of \$532,959. In June 2024, the City was notified of its eligibility to become a HOME PJ. The City's federal HOME allocation is \$372,064.92. The City will review all eligible uses for HOME funds that include new construction of owner-occupied and rental housing, rehabilitation of owner-occupied and rental housing, tenant based rental assistance, and homeownership assistance. Upon executing the HOME agreement, program planning will commence.
Other	public - federal	Housing	0	0	0	0	72,504	RLF. The City is a CDBG entitlement jurisdiction. Note: This is an estimate of the Revolving Loan Fund (RLF) earnings for 2020/2021. It is not an amount we program for 2020/2021. It is not a prior year CDBG resource. These funds contribute to the amount of funding on hand to use before CDBG funds are drawn. We have no way of knowing what the RLF will earn

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - state	Housing	422,319	0	0	422,319	0	PLHA. A state grant to local governments for housing-related projects and programs that assist in addressing the unmet housing needs of local communities.
Other	public - state	Housing Public Improvements	11,074,460	0	0	11,074,460	0	AHSC.This is a competitive grant. 48-unit community of affordable housing options for veterans, seniors, and families. Also, for designated sidewalk improvements in City.
Other	public - local	Admin and Planning Housing	127,935	0	0	127,935	0	As a condition of receiving HOME funds from HUD , the City committed to a one-time match payment in the amount of \$127,935.08.

Table 50 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The CDBG program does not have a matching requirement. However, in evaluating the proposals for CDBG funding each year, the City uses the availability of matching funds as a factor in determining recommended allocations.

In June of 2024 City staff was notified by HUD staff that the City was now eligible to receive HOME funds. The HOME program provides formula grants to states and localities that communities use to fund a wide range of activities including building, buying and/or rehabilitation affordable

housing for rent or homeownership or providing direct rental assistance to low -income people. On August 7, 2024, the City Council (Council) adopted Resolution No. 24-117 to amend the 2023/24 City Budget to include HOME funds in the amount of \$372,064.92 and a one-time City match of \$127,935.08 that came from the General fund.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

No publicly owned land or property within the City has been identified and that would be used to address identified needs. However, the City could use some CDBG funding to acquire such land over the course of the planning period. Furthermore, the City may consider the use of surplus land for the development of affordable housing units.

Discussion

The City attempts to maximize the use of all of its available funding sources by encouraging projects that access private financing (grants, loans, and donations) or other Federal or State funding resources, including tax credits. The City actively pursues available grants for housing and community development programs.

HOME funds provide the financial tools to support low-to moderate income individuals, families, and communities to address homelessness, affordable housing challenges, aging infrastructure and economic hardships. Eligible activities include:

- New construction of owner-occupied housing
- Rehabilitation of owner-occupied housing
- Homeownership assistance to homebuyers
- New construction of rental housing
- Rehabilitation of rental housing
- Tenant Based rental assistance

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
City of Madera Grants Administration Department	Government	public services	Other

Table 51 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The role of the City of Madera Grants Administration Department is to serve as the Lead Agency by providing oversight of the implementation, contracting, and monitoring of the CDBG program. The City of Madera Grants Administration Department also provides Fair Housing administration.

The working relationship between the City and the organizations described elsewhere in the Consolidated Plan are strong. The size of the City provides the opportunity for direct and fast communication between its partners. As a result of these factors, gaps in program services or program delivery are typically not a result of poor institutional structure or lack of intergovernmental cooperation, but rather due to shortcomings in available resources.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X	X	
Mortgage Assistance	X		
Rental Assistance	X	X	
Utilities Assistance	X	X	
Street Outreach Services			
Law Enforcement			
Mobile Clinics			
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X		
Education	X	X	

Employment and Employment Training	X		
Healthcare	X		
HIV/AIDS	X		
Life Skills	X	X	
Mental Health Counseling	X	X	
Transportation	X		
Other			

Table 52 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

The City of Madera participates in the Fresno Madera Continuum of Care (FMCoC). The Fresno and Madera Continuum of Care is a consortium of community organizations, private and public, not-for-profit and for-profit entities committed to ending homelessness in Fresno and Madera. The FMCoC's strategy revolves around the belief that the most effective solution to homelessness is to address immediate crisis basic needs before homelessness occurs, rapidly re-house the homeless through affordable local housing, and ensuring necessary supports are in place to promote sustainability and stability.

The Fresno and Madera Continuum of Care is overseen by a Governing Board, which coordinates and facilitates the planning process and oversees the distribution of funding. The Governing Board is comprised of both elected and appointed members representing the range of organizations and groups needed to end homelessness, including homeless service providers, consumers and advocates, City, County and state agencies, and business and foundation leaders.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

Included within this Continuum of Care are schools, faith organizations, local businesses and employers, civic organizations, and concerned individuals, as well as public and private providers and service-funders that help address the needs of people who are homeless. Shelter providers, mental health organizations, substance abuse treatment programs, domestic violence counseling centers, employment assistance groups, housing developers, and state and City government offices all play key roles in the organization. Through outreach and consultation, the following general housing needs were identified for the homeless and formerly homeless:

- Additional capacity of temporary shelters.

- Transitional support housing for individuals who are experiencing homelessness, mental health and/or substance use issues.
- Housing for homeless young people and young people transitioning out of foster care.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The City of Madera hopes to address these needs by first identifying appropriate programs and services to provide in the City, then providing local services, facilities, and programs over time to assist target-income residents. The City will work closely with its nonprofit partners to determine whether there are any funding resources or collaborative relationships (e.g. shared space) that would facilitate greater local service provision.

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Access to Affordable Housing	2020	2024	Affordable Housing	City of Madera City Limits	Housing Needs	CDBG: \$215,000 RLF: \$72,504	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted Other: 20 Other
2	Improve Access to Services	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	City of Madera City Limits	Community Services Public Improvements and Public Infrastructure	CDBG: \$96,759	Other: 840 Other
3	Enhance Economic Well-Being	2020	2024	Non-Housing Community Development	City of Madera City Limits	Community Services Economic Development Public Improvements and Public Infrastructure	CDBG: \$10,000	Public service activities for Low/Moderate Income Housing Benefit: 10 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Enhance Quality of Infrastructure	2020	2024	Non-Housing Community Development	City of Madera City Limits	Community Services Economic Development Public Improvements and Public Infrastructure	CDBG: \$377,621	Other: 1500 Other
5	Prevent and Reduce Homelessness	2020	2024	Homeless	City of Madera City Limits	Housing Needs Homeless Needs and Services	CDBG: \$30,000	Homelessness Prevention: 300 Persons Assisted
6	Administration	2020	2024	Administration	City of Madera City Limits	Housing Needs Community Services Economic Development Public Improvements and Public Infrastructure Homeless Needs and Services	CDBG: \$182,206	Public service activities for Low/Moderate Income Housing Benefit: 20000 Households Assisted

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	Access to Affordable Housing
	Goal Description	<p>Increased supply of affordable housing.</p> <ol style="list-style-type: none"> 1. Rentals for those with extremely low-income and very low-income. This would also include rental assistance programs. 2. Increased supply of housing (e.g., apartments and lower-cost homes) for people on a fixed income or otherwise at-risk of being “priced out” of the area – specifically, low-income seniors, people living with disabilities, and others on a fixed income. 3. Increased supply of apartments suitable for people living with disabilities. 4. Additional specialized housing (e.g., seasonal or congregate-style units) for agricultural workers. 5. Additional, centralized sources of housing information for low income residents – especially in select areas in Madera. 6. Additional resources to improve the quality of existing apartments and houses such as energy efficient improvements. 7. Additional shelters and support services for abused, abandoned, or neglected children; this would also include greater access to information about existing services. 8. Urgent resources for individuals and families impacted by the COVID-19 pandemic including information and support services (e.g., food, clothing, sanitation, and job support services) for those at-risk of becoming homeless, easily accessible information regarding foreclosure and eviction laws and rights, increased supply of temporary shelters (as noted above). <p>Funding will come from CDBG.</p>
2	Goal Name	Improve Access to Services
	Goal Description	<ol style="list-style-type: none"> 1. Expanded job training and employment opportunity programs. Program to assist with job-skills development and job placement. This may increase in priority as the current COVID-19 pandemic continues to impact communities and the related economic need. 2. Additional services to address community health needs, e.g., mental health, substance misuse / abuse; intimate partner violence; services for abused, abandoned, or neglected children; and people living with HIV/AIDS. 3. Expanded Meals-on-Wheels for home-bound seniors. <p>Funding will come from CDBG.</p>

3	Goal Name	Enhance Economic Well-Being
	Goal Description	<ol style="list-style-type: none"> 1. Improved infrastructure such as street maintenance; additional, accessible sidewalks; and, improved maintenance of existing sidewalks. 2. Additional incentives to incentivize new development such as (but not limited to) reduce regulatory and permitting fees, increased zoning and building requirement flexibility. 3. Enhanced public transportation – including better access for seniors, youth, and people living with disabilities. <p>Funding will come from CDBG.</p>
4	Goal Name	Enhance Quality of Infrastructure
	Goal Description	<ol style="list-style-type: none"> 1. Additional health and wellness activities for youth such as Teen Activity programs, new / renovated Teen Centers, and other community-led activities. 2. Increased downtown revitalization. 3. Increased / improved services for people experiencing homelessness including but not limited to food, clothing, healthcare including behavioral healthcare, showers, toilets, and child support/day care. 4. Improved infrastructure such as street maintenance; additional, accessible sidewalks; and, improved maintenance of existing sidewalks. 5. Additional incentives to incentivize new development such as (but not limited to) reduce regulatory and permitting fees, increased zoning and building requirement flexibility. 6. Enhanced public transportation – including better access for seniors, youth, and people living with disabilities. <p>Funding will come from CDBG.</p>
5	Goal Name	Prevent and Reduce Homelessness
	Goal Description	<ol style="list-style-type: none"> 1. Additional capacity of temporary shelters. 2. Transitional support housing for individuals who are experiencing homelessness, mental health and/or substance use issues. 3. Housing for homeless young people and young people transitioning out of foster care. <p>Funding will come from CDBG</p>

6	Goal Name	Administration
	Goal Description	Provide Administrative Services to Achieve Madera 2020-2024 Consolidated Plan Goals

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The City of Madera uses CDBG funds primarily for public services, economic development, and capital projects/public improvements. The City funds housing activities with Department of Housing and Community Development HOME and CalHome grants.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The Housing Authority of Madera (HACM) Section 504 Voluntary Compliance Agreement does not require an increase in the number of accessible units.

Activities to Increase Resident Involvements

HACM encourages residents to participate by holding resident meetings and question and answer workshops. HACM sends out informational flyers in both English and Spanish to inform residents of any updates and encourage feedback and comments regarding any changes.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the ‘troubled’ designation

HACM is not identified as “troubled.”

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

The provision of affordable housing can be constrained by a number of factors, including public policies on housing and residential investment. Potential barriers to affordable housing include:

- **Land use controls.** Zoning designations affect the availability of land for multifamily development.
- **Residential development standards.** Parking regulations, height limits, and open space requirements may constrain the density of a housing development but are essential for ensuring Madera remains a safe and attractive community.
- **Off-site Improvements.** Off-site improvements can be a major cost of development, but are essential to orderly development, the provision of services, and the health and safety of residents. Permit and approval process. In addition to the cost of fees on new projects, the amount of time required to process them varies by project, and the developer generally must pay holding costs, such as property taxes, during this time.
- **Credit Score Restrictions.** This report was completed amidst the COVID-19 pandemic, where many lenders have increased credit score minimums.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The City is committed to removing or reducing barriers to affordable housing whenever possible. The City's Housing Element contains a variety of actions to address these barriers, including:

- **Providing incentives for the development of affordable housing,** such as density bonus, priority processing, expedited review, and modification of development requirements, such as parking standards for special needs housing.
- **Providing fee waivers and adjustments for infill projects.**
- **Supporting funding applications and pursuing grant funding for affordable housing.**

Barriers to Affordable Housing Continued

- ***Construction costs.*** Construction costs can be a major barrier, especially when prevailing wage law is triggered.
- ***Availability of financing.*** Securing financing for affordable housing is more difficult than market rate housing.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

One of the City's goals relates to expanding homeless housing and services. To that end, the City expects to work with nonprofits that provide counseling and outreach to homeless persons or those at risk of homelessness. The City will continue to participate in the Fresno Madera Continuum of Care and the Madera County Homeless Coalition to coordinate regionally on homeless issues

Addressing the emergency and transitional housing needs of homeless persons

The City will address emergency shelter and transitional housing needs of the homeless population by:

1. Continuing to support the FMCoC's efforts to implement its 10-Year Plan to End Homelessness and local agencies that provide emergency and transitional housing.
2. Continuing to support the Community Action Partnership of Madera County's (CAPMC) Shunammite Place women's permanent supportive housing program.
3. Continuing to support the CAPMC's leadership of the Madera County Homeless Coalition.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The City's strategic plan goals contribute to helping homeless persons make the transition to permanent housing and independent living by supporting facilities operated by agencies that serve these populations and by expanding affordable housing options to these populations. Specifically, the City will:

1. Continue to incorporate and support the programs provided by Madera County Behavioral Health Department.
2. Work with and support CAPMC.
3. Work with and support the homeless providers of Madera County Office of Education and Madera Unified School District.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

The City will help low-income individuals and families avoid becoming homeless by expanding affordable housing opportunities in the city. The City will also consider providing funding for service providers that serve these populations and assist residents in becoming self-sufficient. The City will continue to encourage participation in the Madera County Homeless Coalition and collaborate with:

- the Central California Women's Facility
- the Madera County Sherriff's Department
- the City of Madera Police Department
- the Madera County Department of Social Services
- the Madera County Workforce Investment Corporation
- the Madera Rescue Mission
- the Housing Authority of the City of Madera
- First 5 Madera
- Madera Unified School District
- Madera County Office of Education
- Madera County Behavioral Health
- Madera County Department of Social Services
- Madera Community Hospital
- Camarena Health Centers

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

This section outlines programs the City will pursue over the next five years to evaluate and reduce lead-based paint hazards. According to the Needs Assessment almost half of all renter-occupied units were built before 1980. Since older units are more at-risk of lead-based paint, programs that help renter-occupied housing are critical.

The City will continue to enforce building, electrical, mechanical and fire codes to assure safe housing. The City shall continue to explore new sources of revenue to make its code enforcement programs self-sufficient, and work toward reinitiating the Neighborhood Improvement Program and developing new programs. However, with the loss of Redevelopment funds, it depends on the State to administer funding for the Neighborhood Improvement Program. Information programs will be developed, and technical assistance will be provided to educate families to identify lead-based paint and to reduce the incidence of accidental ingestion of leaded paint by infants and children.

In addition, the City will continue to seek and use available funds for weatherization and energy conservation work in homes and provide for inspection and reduction of lead-based paint hazards as priority in housing rehabilitation programs.

Finally, the City will continue to incorporate energy measures and lead-based paint removal into Housing Rehabilitation work, especially insulation and weather stripping.

How are the actions listed above related to the extent of lead poisoning and hazards?

Through inspections and programs to help fund building upgrades, the hazards of lead poisoning should be reduced.

How are the actions listed above integrated into housing policies and procedures?

These actions are part of code enforcement, and are included in weatherization and energy conservation programs, as well as in the Housing Rehabilitation program.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

There are two aspects to the City's anti-poverty strategy: Economic Development and direct services.

Economic development activities as a means to reduce the number of poverty level families through the creation and retention of new jobs tied to a Small Business Revolving Loan Program funded by CDBG and administered by the Madera County Economic Development Commission in partnership with the Madera County Workforce Investment Corporation. The loans are used by businesses within the City of Madera to increase job opportunities to low and moderate-income persons. As the loans are recaptured they are lent out to other businesses to create or retain jobs for targeted citizens.

The programs and policies for producing and preserving affordable housing set forth in the housing component of the Consolidated Plan will be coordinated with these new wage earners so that they can take advantage of new housing opportunities. To the extent that the Revolving Loan Program is used to create new jobs, the number of people benefiting from this effort will be reported, including an estimate of the number of poverty level families assisted.

In addition to the economic development-based approach identified above, the City will pursue the following anti-poverty strategies:

- Provide support services to low-income households to achieve self-sufficiency: child care, youth services, and elderly services.
- Provide targeted youth services to teach job training and life skills.
- Reduce concentration of poverty through geographic dispersion of affordable housing. The City will encourage affordable housing developments that locate outside of existing low-income neighborhoods. This geographic dispersion allows for increased opportunities for low-income households.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

Dispersion of affordable housing can indirectly reduce poverty by expanding opportunities for better schools and access to job centers.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Madera Grants Administration Department has the monitoring responsibilities for the CDBG Programs. The Department is assisted in its monitoring efforts by local agencies and governments that contract for many of the funded goods and services. Prior to issuing payment for any good or service funded under the CDBG program, the City verifies that the good or service has been provided and that the various program requirements have been met. The City assumes total responsibility for Federal requirements including environmental reviews, labor standards, bidding, prevailing wage, Section 3, and contract requirements. In addition, City staff directly monitors sub recipients on an annual basis to assure compliance with Federal regulations. The City encourages minority businesses and women-owned businesses to submit proposals for CDBG-funded projects.

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City anticipates continuing to receive CDBG funding throughout the Consolidated Plan period. The City also expects to apply for and receive HOME grants from the California Department of Housing and Community Development.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	911,586.00	0.00	0.00	911,586.00	0.00	The City is a CDBG entitlement jurisdiction.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Admin and Planning Housing	905,023.00	0.00	0.00	905,023.00	0.00	HOME. DAP and OOR funding through HCD in the amount of \$532,959. In June 2024, the City was notified of its eligibility to become a HOME PJ. The City's federal HOME allocation is \$372,064.92. The City will review all eligible uses for HOME funds that include new construction of owner-occupied and rental housing, rehabilitation of owner-occupied and rental housing, tenant based rental assistance, and homeownership assistance. Upon executing the HOME agreement, program planning will commence.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Housing	0.00	0.00	0.00	0.00	72,504.00	RLF. The City is a CDBG entitlement jurisdiction. Note: This is an estimate of the Revolving Loan Fund (RLF) earnings for 2020/2021. It is not an amount we program for 2020/2021. It is not a prior year CDBG resource. These funds contribute to the amount of funding on hand to use before CDBG funds are drawn. We have no way of knowing what the RLF will earn
Other	public - state	Housing	422,319.00	0.00	0.00	422,319.00	0.00	PLHA. A state grant to local governments for housing-related projects and programs that assist in addressing the unmet housing needs of local communities.
Other	public - state	Housing Public Improvements	11,074,460.00	0.00	0.00	11,074,460.00	0.00	AHSC. This is a competitive grant. 48-unit community of affordable housing options for veterans, seniors, and families. Also, for designated sidewalk improvements in City.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - local	Admin and Planning Housing	127,935.00	0.00	0.00	127,935.00	0.00	

Table 54 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The CDBG program does not have a matching requirement. However, in evaluating the proposals for CDBG funding each year, the City uses the availability of matching funds as a factor in determining recommended allocations.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

No publicly owned land or property within the City has been identified that would be used to address identified needs. However, the City could use some CDBG funding to acquire such land over the course of the planning period. Furthermore, the City may consider the use of surplus land for the development of affordable housing units.

Discussion

The City attempts to maximize the use of all of its available funding sources by encouraging projects that access private financing (grants, loans, and donations) or other Federal or State funding resources, including tax credits. The City actively pursues available grants for housing and community development programs.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Access to Affordable Housing	2020	2024	Affordable Housing	City of Madera City Limits	Housing Needs	CDBG: \$215,000.00	Other: 20 Other
2	Improve Access to Services	2020	2024	Non-Homeless Special Needs Non-Housing Community Development	City of Madera City Limits	Community Services	CDBG: \$96,759.00	Other: 840 Other
3	Enhance Economic Well-Being	2020	2024	Non-Housing Community Development	City of Madera City Limits	Community Services Economic Development	CDBG: \$10,000.00	Public service activities for Low/Moderate Income Housing Benefit: 10 Households Assisted
4	Enhance Quality of Infrastructure	2020	2024	Non-Housing Community Development	City of Madera City Limits	Public Improvements and Public Infrastructure	CDBG: \$377,621.00	Other: 1500 Other
5	Prevent and Reduce Homelessness	2020	2024	Homeless	City of Madera City Limits	Homeless Needs and Services	CDBG: \$30,000.00	Homelessness Prevention: 300 Persons Assisted

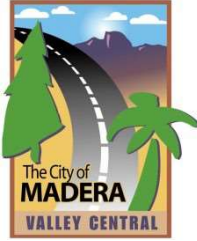
Table 55 – Goals Summary

Goal Descriptions

1	Goal Name	Access to Affordable Housing
	Goal Description	<p>1. Increased supply of affordable housing. Rentals for those with extremely low-income and very low-income. This would also include rental assistance programs. Increased supply of housing (e.g., apartments and lower-cost homes) for people on a fixed income or otherwise at-risk of being “priced out” of the area – specifically, low-income seniors, people living with disabilities, and others on a fixed income.</p> <p>2. Additional resources for people experiencing homelessness. Additional capacity of temporary shelters. Transitional support housing for individuals who are experiencing homelessness, mental health and/or substance use issues. Housing for homeless young people and young people transitioning out of foster care.</p> <p>3. Increased supply of apartments suitable for people living with disabilities.</p> <p>4. Additional specialized housing (e.g., seasonal or congregate-style units) for agricultural workers.</p> <p>5. Additional, centralized sources of housing information for low income residents – especially in select areas in Madera.</p> <p>6. Additional resources to improve the quality of existing apartments and houses such as energy efficient improvements.</p> <p>7. Additional shelters and support services for abused, abandoned, or neglected children; this would also include greater access to information about existing services.</p> <p>8. Urgent resources for individuals and families impacted by the COVID-19 pandemic including information and support services (e.g., food, clothing, sanitation, and job support services) for those at-risk of becoming homeless, easily accessible information regarding foreclosure and eviction laws and rights, increased supply of temporary shelters (as noted above).</p> <p>Funding will come from CDBG.</p>

2	Goal Name	Improve Access to Services
	Goal Description	<p>1. Expanded job training and employment opportunity programs. Program to assist with job-skills development and job placement. This may increase in priority as the current COVID-19 pandemic continues to impact communities and the related economic need.</p> <p>2. Additional services to address community health needs, e.g., mental health, substance misuse / abuse; intimate partner violence; services for abused, abandoned, or neglected children; and people living with HIV/AIDS.</p> <p>3. Expanded Meals-on-Wheels for home-bound seniors.</p> <p>Funding will come from CDBG.</p>
3	Goal Name	Enhance Economic Well-Being
	Goal Description	<p>1. Improved infrastructure such as street maintenance; additional, accessible sidewalks; and, improved maintenance of existing sidewalks.</p> <p>2. Additional incentives to incentivize new development such as (but not limited to) reduce regulatory and permitting fees, increased zoning and building requirement flexibility.</p> <p>3. Enhanced public transportation – including better access for seniors, youth, and people living with disabilities.</p> <p>Funding will come from CDBG.</p>
4	Goal Name	Enhance Quality of Infrastructure
	Goal Description	<p>1. Additional health and wellness activities for youth such as Teen Activity programs, new / renovated Teen Centers, and other community-led activities.</p> <p>2. Increased downtown revitalization.</p> <p>3. Increased / improved services for people experiencing homelessness including but not limited to food, clothing, healthcare including behavioral healthcare, showers, toilets, and child support/day care.</p> <p>4. Improved infrastructure such as street maintenance; additional, accessible sidewalks; and, improved maintenance of existing sidewalks.</p> <p>5. Additional incentives to incentivize new development such as (but not limited to) reduce regulatory and permitting fees, increased zoning and building requirement flexibility.</p> <p>6. Enhanced public transportation – including better access for seniors, youth, and people living with disabilities.</p> <p>Funding will come from CDBG.</p>

5	Goal Name	Prevent and Reduce Homelessness
	Goal Description	<p>Additional capacity of temporary shelters.</p> <p>Transitional support housing for individuals who are experiencing homelessness, mental health and/or substance use issues.</p> <p>Housing for homeless young people and young people transitioning out of foster care.</p> <p>Funding will come from CDBG</p>



REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, City Engineer

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-11

SUBJECT:

Contract Award for Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehabilitation

RECOMMENDATION:

Adopt a Resolution approving the contract award for Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehabilitation in the amount of \$450,211.00 to VSS International, Inc.

SUMMARY:

On February 26, 2025, the City received one bid for the Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehabilitation (Project). The Project is funded with AHSC Grant funds and Road Maintenance and Rehabilitation Account (RMRA) funds. VSS International, Inc. submitted the lowest responsive and responsible bid.

BACKGROUND:

As part of the Affordable Housing and Sustainable Communities Program (AHSC), the City was awarded funds for multimodal improvements associated with the Veteran's Housing Project (now called Esperanza Village). The AHSC funding the City was awarded is split into three different projects.

- Bid Package 1 – RRFB and Safety Improvements at George Washington Elementary School. This project is complete.
- Bid Package 2 (this item) – Bike Lane Construction Plan for Various Streets.
- Bid Package 3 – Sidewalk Installation. Bid Package 3 is split into two phases due to some of the work being done within the right-of-way (ROW) of Caltrans. That work is Phase 1.

Phase 2 of Bid Package 3 was awarded on February 5th, and is sidewalk installation not within Caltrans ROW.

DISCUSSION:

The general scope of work consists of installation of bicycle lane striping, marking, and stenciling on approximately 1.6 miles of roadway. Work also includes removal of existing striping and installation of appropriate bicycle lane street signs. The bicycle lane project overlaps planned pavement rehabilitation work on D Street between Cleveland Avenue and 3rd Street. So as not to pave over newly striped bicycle lanes, the pavement rehabilitation work was included as part of the project. Thus, the Project work also includes removal and restoration of severely deteriorated sections of asphalt pavement (dig outs), asphalt crack filling, and application of slurry seal as well as curb access ramp reconstruction.

On January 27, 2025 the City released the project for public bidding on the PlanetBids web portal. Also, an Advertisement for Bids was duly published in the Madera Tribune on January 26th and February 8th of 2025.

On February 26, 2025, one bid was received. The bid was checked for accuracy against bidding requirements, validity of licenses, and bid security. The bid received is summarized in Table 1. The pavement rehabilitation portion of the project is relatively small which may partially explain why only one contractor submitted a bid for the project. There were at least seven potential bidders on the planholders list in PlanetBids.

Table 1: Bid Overview	
<i>Bidder</i>	<i>Total Base Bid</i>
1. VSS International, Inc.	\$450,211.00
<i>Engineer's Opinion of Cost</i>	<i>\$356,433.50</i>

The project is split into two funding sources which is to be charged as shown in Table 2.

Table 2: Project Budget	
<i>Line Item</i>	<i>Amount</i>
VSS International, Inc. Construction Contract	\$450,211.00
Project Contingency	\$45,021.10
Total Project Budget	\$495,232.10
<i>Funding Source</i>	
Affordable Housing and Sustainable Communities	\$95,590.00
Road Maintenance and Rehabilitation Account	\$399,642.10

VSS International, Inc. submitted the lowest responsive, and responsible bid that meets the contract requirements.

Staff recommends award of the project to VSS International, Inc. in the amount of \$450,211.00 and include a 10 percent of contract amount for allowable contingencies as approved by the City Engineer.

FINANCIAL IMPACT:

There is no fiscal impact on the City's General Fund. The Project is programmed in the CIP FY 24/25 budget for AHSC Grant funding and RMRA Gas Tax funds.

ALTERNATIVES:

The alternative to awarding the project is to reject all bids. Rebidding the project could result in higher bids and would result in delays in the Bike Lane Installation and D Street Rehab project. At present, there is a requirement of the AHSC funding agreement that the project be completed by June 2025. Rebidding could jeopardize the AHSC funds.

ATTACHMENTS:

1. Resolution Contract Award
 - a. Exhibit A - Contract
2. Project Maps

Attachment 1

Resolution

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA APPROVING THE CONTRACT AWARD FOR BIKE LANE
CONSTRUCTION PLAN FOR VARIOUS STREET CITY PROJECT R-94 BID
PACKAGE 2 AND S STREET PAVEMENT REHABILITATION AHSC
AGREEMENT NO. 19-AHSC-12761 IN THE AMOUNT OF \$450,211.00 AND
AUTHORIZING CONSTRUCTION CONTINGENCIES RELATING TO THE
CONTRACT**

WHEREAS, on January 27, 2025, the City of Madera (City) Engineering Department advertised a solicitation for construction bids for Bike Lane Construction Plan for Various Streets City Project R-94 Bid Package 2 and D Street Pavement Rehab AHSC Agreement No. 19-AHSC-12761 hereinafter referred to as “the Project”; and

WHEREAS, a single bid was received on February 26, 2025, and opened by the City Engineer; and

WHEREAS, VSS International, Inc. was deemed a responsive and responsible bidder; and

WHEREAS, funding for the Project is programmed in the Capital Improvement Projects Budget for Fiscal Year 2024/25 under CIP Project R-94 and R-79.

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

1. The above recitals are true and correct.
2. The City Council (Council) has reviewed and considered all of the information presented including the report to Council from the Engineering Department.
3. The City finds that VSS International, Inc. is the lowest responsible and responsive bidder.
4. The contract for the Project in the amount of \$450,211.00 to VSS International, Inc., a copy of which is attached hereto as Exhibit A and referred to for particulars, is approved.
5. Council authorizes Construction Contingencies of up to 10 percent as approved by the City Engineer.
6. This Resolution is effective immediately upon adoption.

Exhibit A

Contract Agreement

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2025, between the City of Madera, hereinafter called "**OWNER**", and _____, doing business as (an individual), or (a partnership), or (a corporation), hereinafter called "**CONTRACTOR**".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The **CONTRACTOR** shall commence and complete all **WORK** required for the "**BIKE LANE CONSTRUCTION PLAN FOR VARIOUS STREETS, AHSC AGREEMENT NO. 19-AHSC-12761 CITY PROJECT R-94 BID PACKAGE 2, AND D STREET PAVEMENT REHAB**"

2. The **CONTRACTOR** shall furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the **WORK** described herein.

3. The **CONTRACTOR** shall commence the **WORK** required by the **CONTRACT DOCUMENTS** within 10 calendar days after the date of the **NOTICE TO PROCEED** and will complete the same within the time period set forth in the **CONTRACT DOCUMENTS**. The **CONTRACTOR** shall submit a Payment Bond and Performance Bond in the amount of **\$450,211.00**, each and Insurance Certificates as specified in the **CONTRACT DOCUMENTS** prior to commencing any **WORK**.

4. The **CONTRACTOR** agrees to perform all of the **WORK** described in the **DOCUMENTS** for the unit and lump sum prices set forth in the Bid Schedule.

5. The term "**CONTRACT DOCUMENTS**" means and includes the following:

- (A) Advertisement for Bids
- (B) Information for Bidders
- (C) Bid Proposal
- (D) Bid Bond
- (E) Agreement
- (F) Payment Bond
- (G) Performance Bond
- (H) Insurance Requirements for Contractors
- (I) Construction Plans and Specifications prepared or issued by the City of Madera 7entitled "Bike Lane Construction Plan for Various Streets, AHSC Agreement No. 19-AHSC-12761 City Project R-94 Bid Package 2, and D Street Pavement Rehab" dated February 6, 2025.
- (J) Addendum No. _____, dated _____
Addendum No. _____, dated _____
Addendum No. _____, dated _____

6. In the event the **CONTRACTOR** does not complete the **WORK** within the time limit specified herein or within such further time as authorized, the **CONTRACTOR** shall pay to the **OWNER** liquidated damages in the amount of **Two Thousand Eight Hundred (\$2800.00)** per day for each and every calendar day delay in finishing the **WORK** beyond the completion date so specified.

7. The **OWNER** will pay to the **CONTRACTOR** in the manner and at such times as set forth in the General Conditions such amounts as required by the **CONTRACT DOCUMENTS**. In no event shall total compensation exceed **\$450,211.00** except as may otherwise be authorized in writing per Section 16. For any moneys earned by the **CONTRACTOR** and withheld by the **OWNER** to ensure the

performance of the Contract, the **CONTRACTOR** may, at his request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Division 2, Part 5, Section 22300 of the Public Contract Code of the State of California.

8. In the event of a dispute between the **OWNER** and the **CONTRACTOR** as to an interpretation of any of the specifications or as to the quality or sufficiency of material or workmanship, the decision of the **OWNER** shall for the time being prevail and the **CONTRACTOR**, without delaying the job, shall proceed as directed by the **OWNER** without prejudice to a final determination by negotiation, arbitration by mutual consent or litigation, and should the **CONTRACTOR** be finally determined to be either wholly or partially correct, the **OWNER** shall reimburse him for any added costs he may have incurred by reason of work done or material supplied beyond the terms of the contract as a result of complying with the **OWNER'S** directions as aforesaid. In the event the **CONTRACTOR** shall neglect to prosecute the work properly or fail to perform any provisions of the **CONTRACT**, the **OWNER**, after three days written notice to the **CONTRACTOR**, may, without prejudice to any other remedy it may have, make good such deficiencies and may deduct the cost thereof from the payment then or thereafter due to the **CONTRACTOR**, subject to final settlement between the parties as in this paragraph herein above provided.

8A. CLAIMS RESOLUTION PROCESS FOR DISPUTES.

It is the intent of this Contract that disputes regarding the Contract be resolved promptly and fairly between the Contractor and the Owner. However, it is recognized that some disputes will require detailed investigation and review by one or both parties before a determination and resolution can be reached. For the protection of the rights of both the Contractor and the Owner, the following provisions are provided for the resolution of disputes which cannot be resolved by the Owner and the Contractor within three business days after either party gives verbal notice of dispute or potential dispute to the other's attention and prior to the commencement of such work.

The following provisions are intended by Contractor and Owner to comply with Public Contract Code Sections 9204 and 20104 et. seq.

A. Claims:

The term "claim" refers to a separate demand by Contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:

1. A time extension, including, without limitation, for relief from damages or penalties for delay assessed by Owner under this Contract.
2. Payment by the Owner of money or damages arising from work done by, or on behalf of, the Contractor pursuant to the Contract and payment for which is not otherwise expressly provided or to which the Contractor is not otherwise entitled.
3. Payment of an amount that is disputed by the Owner.

B. The Claim Must Be Timely and in Writing:

For all claims the claim must be in writing and include the documents necessary to substantiate the claim. A notice of potential claim must be filed within five (5) business days of Contractor's completion of work that is a potential claim. Notice of an actual claim must be filed on or before the date of final payment.

C. Receipt of Claim by Owner:

Upon receipt of a claim pursuant to this section, the Owner will conduct a reasonable review of the claim and, within a period not to exceed 45 days from the date of receipt,

will provide the Contractor with a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, Owner and Contractor may, by mutual agreement, extend the time period provided in this section.

The Contractor shall furnish reasonable documentation to support the claim. If additional information is thereafter required, it shall be requested and provided upon mutual agreement by the Owner and the Contractor. The District's written response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the Contractor in producing the additional information or requested documentation.

D. City Council Approval:

If the Owner needs approval from the City Council to provide the Contractor a written statement identifying the disputed portion and the undisputed portion of the claim, and the City Council does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the Owner shall have up to three days following the next duly publicly noticed regular meeting of the City Council after the 45-day period or extension expires to provide the Contractor a written statement identifying the disputed portion and the undisputed portion.

E. Payment of Claim:

Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. If the Owner fails to issue a written statement, paragraph F below shall apply.

F. Meet and Confer:

If the Contractor disputes the Owner's written response, or if the Owner fails to respond to a claim issued pursuant to this section within the time prescribed, the Contractor may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the Owner shall schedule a meet and confer conference within 30 days for settlement of the dispute.

Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the Owner shall provide the Contractor a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the Owner issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the Owner and the Contractor sharing the associated costs equally. The Owner and Contractor shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute shall be subject to applicable procedures outside this section.

Under this Contract, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or

board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

Unless otherwise agreed to by the Owner and the Contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Public Contract Code Section 20104.4 to mediate after litigation has been commenced.

If mediation as set forth above does not resolve the parties' dispute, the parties will proceed to arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program.

G. Filing a Government Code Written Claim Notice:

Following the meet and confer conference, if the claim or any portion remains in dispute, the Contractor may file a claim under the Torts Claims Act as provided in Chapter 1 (commencing with Section 900) and Chapter 2 commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code Section 900.

H. Owner's Failure to Respond to Claim:

Failure by the Owner to respond to a claim from Contractor within the time periods described above or to otherwise meet the time requirements set forth above shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the Owner's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the Contractor.

I. Interest:

Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.

J. Subcontractor Claims:

If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against Owner because privity of contract does not exist, the Contractor may present to the Owner a claim on behalf of a subcontractor or lower tier subcontractor. For purposes of this paragraph, the term "subcontractor" means any type of subcontractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with the Contractor or is a lower tier subcontractor. A subcontractor may request in writing, either on his or her own behalf or on behalf of a lower tier subcontractor, that the Contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the Owner shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this written request, the Contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the Owner and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

K. Filing of Action on Unresolved Claims:

The parties shall follow the procedures set forth in Public Contracts Code Section 20104.4 if an action is filed to resolve claims under the foregoing provisions. Any action shall be filed in Madera County.

9. Attention is directed to Section 1735 of the Labor Code, which reads as follows:

“No discrimination shall be made in the employment of persons upon public works because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical conditions, marital status, or sex of such persons except as provided in Section 12940 of the Government Code, and every contractor for public works violating this section is subject to all the penalties imposed for by violation of this chapter”.

10. In accordance with the provisions of Article 5, Chapter I, Part 7, Division 2 (commencing with Section 1860) and Chapter 4, Part I, Division 4 (commencing with Section 3700) of the Labor Code of the State of California, the **CONTRACTOR** is required to secure the payment of compensation to his employees and shall for that purpose obtain and keep in effect adequate Worker's Compensation Insurance.

The undersigned **CONTRACTOR** is aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against Liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions before commencing the performance of the **WORK** of this Agreement.

11. The **CONTRACTOR** shall comply with Part 7, Chapter I, Article 2, Section 1775 of the Labor Code of the State of California. The **CONTRACTOR** shall, as a penalty to the **OWNER**, forfeit fifty dollars (\$50.00) for each calendar day, or portion thereof, for each workman paid less than the prevailing rates for such work or craft in which such workman is employed for any public work done under the Contract by him or by any **SUBCONTRACTOR** under him. The difference between such prevailing wage rates and the amount paid to each workman for each calendar day or portion thereof for which each workman was paid less than a prevailing wage rate, shall be paid to each workman by the **CONTRACTOR**.

12. The **CONTRACTOR** shall comply with Part 7, Chapter I, Article 2, Section 1776 of the Labor Code of the State of California. The **CONTRACTOR** shall keep and require that all **SUBCONTRACTORS** keep accurate payroll records showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice worker or other employee employed by him in connection with public work. Such payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of the **CONTRACTOR** by the **OWNER**, its officers and agents and to the representatives of the Division of Labor Law Enforcement of the State Department of Industrial Relations. In the event of non-compliance with the requirements of Section 1776, the **CONTRACTOR** shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects the **CONTRACTOR** must comply. Should non-compliance still be evident after the ten (10) day period, the **CONTRACTOR** shall, as a penalty to the **OWNER** forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due.

13. Attention is directed to the provisions in Sections 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the **CONTRACTOR** or any **SUBCONTRACTOR** under him. It is the **CONTRACTOR'S** responsibility to ensure compliance by both itself and all **SUBCONTRACTORS**.

Section 1777.5 provides, in part, as follows:

The **CONTRACTOR** or **SUBCONTRACTOR**, if he is covered by this section, upon the issuance of the approval certificate, or if he has been previously approved in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeyman stipulated in the apprenticeship standards. Upon proper showing by the **CONTRACTOR** that he employs apprentices in the craft or trade

in the State on all of his/her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by a journeyman, or in the land surveyor classification, one apprentice for each five journeymen, the Division of Apprenticeship Standards may grant a certification exempting the **CONTRACTOR** from the one (1) to five (5) hourly ratio as set forth in this section. This section shall not apply to contracts of general **CONTRACTORS** or to contracts of specialty contractors not bidding for work through a general or prime **CONTRACTOR**, when the contracts of general **CONTRACTORS**, or those specialty **CONTRACTORS** involve less than thirty thousand dollars (\$30,000). Any work performed by a journeyman in excess of eight hours per day or forty (40) hours per week shall not be used to calculate the hourly ratio required by this section.

Apprenticeable craft or trade, as used in this section, shall mean a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the Apprenticeship Council. The joint apprenticeship committee shall have the discretion to grant a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting a **CONTRACTOR** from the 1 to 5 ratio set forth in this section when it finds that any one of the following conditions is met:

- (a) In the event unemployment for the previous three-month period in such area exceeds an average of 15 percent, or
- (b) In the event the number of apprentices in training in such area exceeds a ratio of 1 to 5, or
- (c) If there is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either (1) on a statewide basis, or (2) on a local basis, or
- (d) If assignment of an apprentice to any work performed under a public works contract would create a condition which should jeopardize his life or the life, safety, or property of fellow employees, or the public at large or if the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

When such exemptions are granted to an organization which represents **CONTRACTORS** in a specific trade from the 1 to 5 ratio on a local or statewide basis the member **CONTRACTORS** will not be required to submit individual applications for approval to local joint apprenticeship committees, provided they are already covered by the local apprenticeship standards.

The **CONTRACTOR** is required to make contributions to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in apprenticeable trade on such contracts and if other **CONTRACTORS** on the public work site are making such contributions. The **CONTRACTOR**, and any **SUBCONTRACTOR** under him, shall comply with the requirements of Sections 1777.5 and 1777.6 of the Labor Code in the employment of apprentices. Information relative to number of apprentices, identifications, wages, hours of employment and standards of working conditions shall be obtained from the Division of Apprenticeship Standards. Consult the white pages of your telephone directory under California, State of, Industrial Relations, Apprenticeship Standards, for the telephone number and address of the nearest office. Willful failure by the **CONTRACTOR** to comply with the provisions of Sections 1777.5 will subject the **CONTRACTOR** to the penalties set forth in Section 1777.7 of the Labor Code.

14. Pursuant to California Labor Code Section 1813, eight hours in any one calendar day and forty (40) hours in any calendar week shall be the maximum hours any workman is required or permitted to work, except in cases of extraordinary emergency caused by fires, flood, or danger to life and property. The **CONTRACTOR** doing the work, or his duly authorized agent, shall file with **OWNER** a

report, verified by his oath, setting forth the nature of the said emergency, which report shall contain the name of said worker and the hours worked by him on the said day, and the **CONTRACTOR** and each **SUBCONTRACTOR** shall also keep an accurate record showing the names and actual hours worked of all workers employed by him in connection with the work contemplated by this Agreement, which record shall be open at all reasonable hours to the inspection of the **OWNER**, or its officer or agents and to the Chief of all Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations, his deputies or agents; and it is hereby further agreed that said **CONTRACTOR** shall forfeit as a penalty to the **OWNER** the sum of Twenty-Five Dollars (\$25.00) for each laborer, workman or any **SUBCONTRACTOR** under him for each calendar day during which such laborer, workman or mechanic is required or permitted to labor more than eight (8) hours in violation of this stipulation.

Overtime and shift work may be established as a regular procedure by the **CONTRACTOR** with reasonable notice and written permission of the **OWNER**. No work other than overtime and shift work established as a regular procedure shall be performed between the hours of 6:00 P.M. and 7:00 A.M. nor on Saturdays, Sundays or holidays except such work as is necessary for the proper care and protection of the work already performed or in case of an emergency.

CONTRACTOR agrees to pay the costs of overtime inspection except those occurring as a result of overtime and shift work established as a regular procedure. Overtime inspection shall include inspection required during holidays, Saturdays, Sundays and weekdays. Costs of overtime inspection will cover engineering, inspection, general supervision and overhead expenses which are directly chargeable to the overtime work. **CONTRACTOR** agrees that **OWNER** shall deduct such charges from payments due the **CONTRACTOR**.

15. The **CONTRACTOR** shall comply with Division 2, Chapter 4, Part 1 of the Public Contract Code relating to subletting and subcontracting, specifically included but not limited to Sections 4104, 4106, and 4110, which by this reference are incorporated into this Agreement as though fully set forth herein.

16. The **CONTRACTOR** and the **OWNER** agree that changes in this Agreement or in the work to be done under this Agreement shall become effective only when written in the form of a supplemental agreement or change order and approved and signed by the **OWNER** and the **CONTRACTOR**. It is specifically agreed that the **OWNER** shall have the right to request any alterations, deviations, reductions or additions to the contract or the plans and specifications or any of them, and the amount of the cost thereof shall be added to or deducted from the amount of the contract price aforesaid by fair and reasonable valuations thereof.

This contract shall be held to be completed when the work is finished in accordance with the original plans and specifications as amended by such changes. No such change or modification shall release or exonerate any surety upon any guaranty or bond given in connection with this contract.

17. **Contractor** shall indemnify, defend with legal counsel approved by City, and hold harmless City, its officers, officials, employees, and volunteers from and against all liability, loss, damage, expense, and cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with **Contractor's** negligence, recklessness, or willful misconduct in the performance of work hereunder, or its failure to comply with any of its obligations contained in this AGREEMENT, except such loss or damage caused by the sole active negligence or willful misconduct of the City. Should conflict of interest principles preclude a single legal counsel from representing both City and **Contractor**, or should City otherwise find **Contractor's** legal counsel unacceptable, then **Contractor** shall reimburse the City its costs of defense, including without limitation, reasonable legal counsel fees, expert fees, and all other costs and fees of litigation. The **Contractor** shall promptly pay any final judgment rendered against the City (and its officers,

officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the **Contractor's** negligent, reckless, or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

Contractor obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of City under any provision of this agreement, **Contractor** shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the liability involved, the obligation of **Contractor** will be for that entire portion or percentage of liability not attributable to the active negligence of City.

Contractor agrees to obtain or cause to be obtained executed defense and indemnity agreements with provisions identical to those set forth in this Section from each and every Subcontractor and Subconsultant, of every Tier. In the event the **Contractor** fails to do so, **Contractor** agrees to be fully responsible to provide such defense and indemnification according to the terms of this Section.

18. Contractor must comply with the insurance requirements as described in the section "INSURANCE REQUIREMENTS FOR CONTRACTOR", pages 39-40 of the Contract Documents.

19. Amendments- Any changes to this Agreement requested by either City or **[Name of Successful Bidder]**, may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such writing.

20. Termination.

A. This Agreement may be terminated at any time by either party upon fifteen (15) calendar days written notice. In the event the Agreement is terminated by either party, **VSS International, Inc.** shall be compensated for services performed to the date of termination based upon the compensation rates and subject to the maximum amounts payable agreed to together with such additional services performed after termination which are authorized in writing by the City representative to wind up the work performed to date of termination.

B. City may immediately suspend or terminate this Agreement in whole or in part by written notice where, if in the determination of City, there is:

1. An illegal use of funds by **VSS International, Inc.** ;
2. A failure by **VSS International, Inc.** to comply with any material term of this Agreement;
3. A substantially incorrect or incomplete report submitted by **VSS International, Inc.** to City.

In no event shall any payment by City or acceptance by **VSS International, Inc.** constitute a waiver by such party of any breach of this Agreement or any default which may then exist on the part of either party. Neither shall such payment impair or prejudice any remedy available to either party with respect to such breach or default. City shall have the right to demand of **VSS International, Inc.** the repayment to City of any funds disbursed to **VSS International, Inc.** under this Agreement which, as determined by the appropriate court or arbitrator, were not expended in accordance with the terms of this Agreement.

Notice of termination shall be mailed to the City:

City of Madera
Engineering Department
428 E. Yosemite Avenue

Madera, Ca 93637

To the Contractor **VSS International, Inc.**

Notices. All notices and communications from the **VSS International, Inc.** shall be to City's designated Project Manager or Principal-In-Charge. Verbal communications shall be confirmed in writing. All written notices shall be provided and addressed as soon as possible, but not later than thirty (30) days after termination.

21. Compliance With Laws- City shall comply with all Federal, State and local laws, ordinances, regulations and provisions applicable in the performance of City's services.

Wherever reference is made in this Agreement to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards or codes current on the effective date of this Agreement shall apply, unless otherwise expressly stated.

22. Attorneys' Fees/Venue- In the event that any action is brought to enforce the terms of this Agreement, the party found by the court to be in default agrees to pay reasonable attorneys' fees to the successful party in an amount to be fixed by the Court. The venue for any claim being brought for breach of this Agreement shall be in Madera County or as appropriate in the U.S. District Court for the Eastern District of California, located in the City of Madera.

23. Governing Law- The laws of the State of California shall govern the rights and obligations of the parties under the Agreement, including the interpretation of the Agreement. If any part of the Agreement is adjudged to be invalid or unenforceable, such invalidity shall not affect the full force and effect of the remainder of the Agreement.

24. City's Authority- Each individual executing or attesting to this Agreement on behalf of the City hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with a duly adopted resolution of the corporation's articles of incorporation or charter and bylaws; (ii) that this Agreement is binding upon such corporation; and (iii) that Contractor is a duly organized and legally existing municipal corporation in good standing in the State of California.

25. Contractor's Legal Authority - Each individual executing or attesting this Agreement on behalf of **VSS International, Inc.** hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with such corporation's articles of incorporation or charter and by-laws; (ii) that this Agreement is binding upon such corporation; and (iii) that **VSS International, Inc.** is a duly organized and legally existing corporation in good standing in the State of California.

26. Remedies for Default. Failure by a party to perform any term, condition or covenant required of the party under this Agreement shall constitute a "default" of the offending party under this Agreement. In the event that a default remains uncured for more than ten (10) days following receipt of written notice of default from the other party, a "breach" shall be deemed to have occurred. Any failure or delay by a party in asserting any of its rights and remedies as to any default shall not operate as a waiver of any default or of any rights or remedies associated with a default.

27. Independent Contractor. In performance of the work, duties, and obligations assumed by the Contractor under this Agreement, it is mutually understood and agreed that the City, including any and all of City's officers, agents and employees will, at all times, be acting and performing as an independent contractor, and shall act in an independent capacity and not as an officer, agent, servant, employee, joint venturer, partner, or associate of **City**. Furthermore, **City** shall have no right to control or supervise or direct the manner or method by which City shall perform its work and functions. The City shall comply with all applicable provisions of law and the rules and regulations, if any, of

governmental authorities having jurisdiction over the subject matter hereof.

Because of its status as an independent contractor, City shall have absolutely no right to employment rights and benefits available to **City** employees. City shall be solely liable and responsible for providing to, or on behalf of, its employees all legally required employee benefits. In addition, City shall be solely responsible and hold **City** harmless from all matters relating to payment of City's employees, including compliance with Social Security, withholding and all other regulations governing such matters. It is acknowledged that during the term of this Agreement, City may be providing services to others unrelated to **City** or to this Agreement.

28. Sole Agreement- This instrument constitutes the sole and only Agreement between City and **VSS International, Inc.** in connection to the Project and correctly sets forth the obligations of the City and **VSS International, Inc.** to each other as of its date. Any Agreements or representations in connection with the Project, not expressly set forth in this instrument are null and void.

29. Assignment-Neither the **VSS International, Inc.** nor City will assign its interest in this Agreement without the written consent of the other.

30. Binding Agreement - This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in TWO copies, each of which shall be deemed an original on the date first above written.

City of Madera
Herein Called OWNER

By: _____
Cece Gallegos, Mayor

APPROVE AS TO FORM:

Shannon L. Chaffin, City Attorney

ATTEST:

Alicia Gonzales, City Clerk

BY: _____
Herein Called CONTRACTOR

BY: _____

Federal Tax I.D. No.

Contractor License Number

DIR Registration Number

NOTE: This Notary Acknowledgment on the following page is required for verification of Contractor's signature.

Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

California Notary acknowledgement required to be attached.

State of California

County of _____

} ss.

On _____ before me, _____,
Date Here Insert Name and Title of the Officer

Personally appeared _____
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

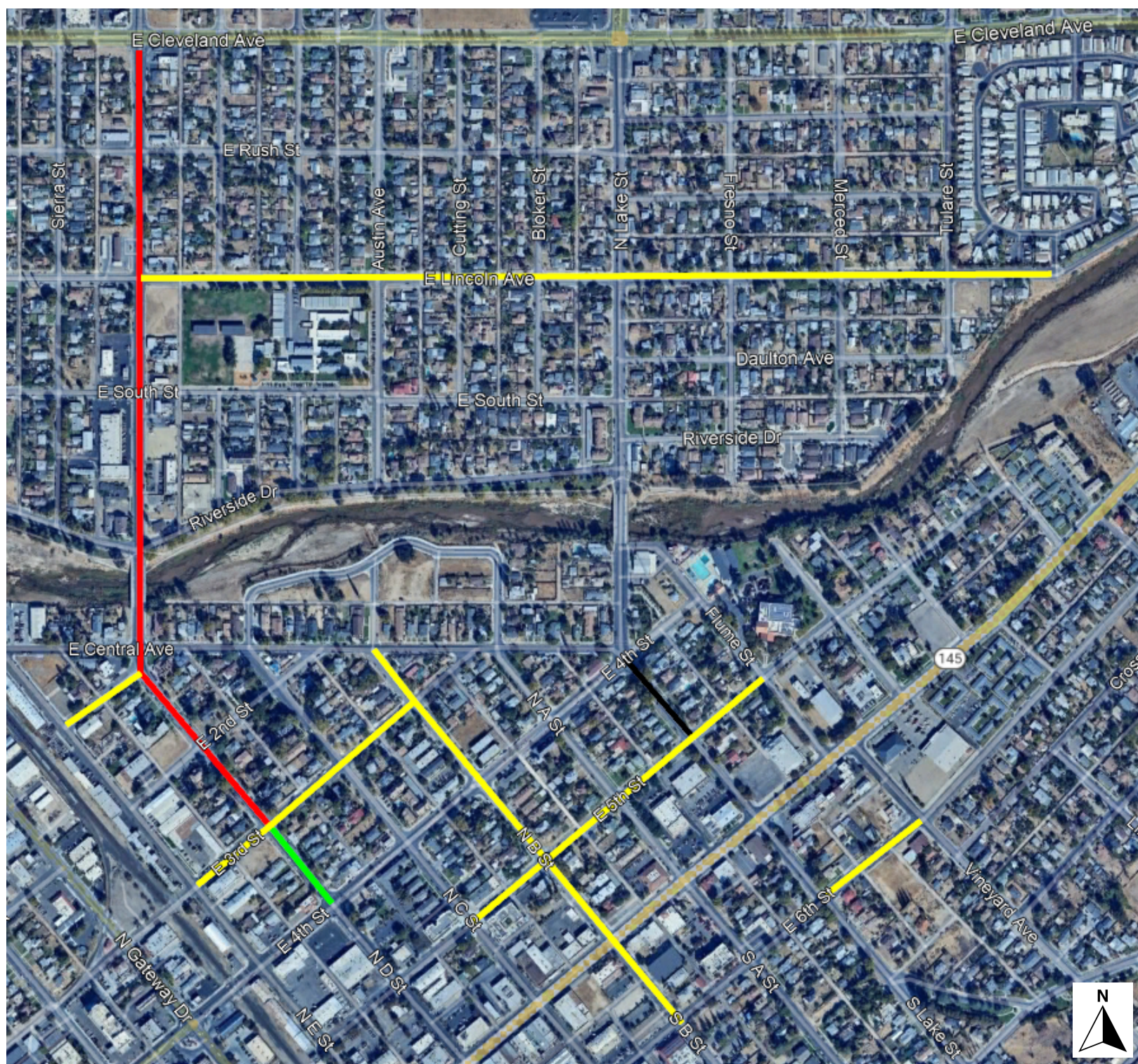
Place Notary Seal/Stamp Above

Signature of Notary Public




Attachment 2

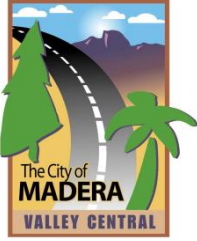
Project Maps

Project Map



LEGEND

-  Streets with Bike Lane Installation Only
-  Streets with Road Rehab Only
-  Streets with Bike Lane Installation and Road Rehab




REPORT TO CITY COUNCIL

Approved by:



Keith Helmuth, Department Director


Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-12

SUBJECT:

Amend the Notice of Completion Document for 2023 Water Meter Project, City Project W-31

RECOMMENDATION:

Adopt a Minute Order to amend the Notice of Completion Document for 2023 Water Meter Project, City Project W-31 and record with the Madera County Recorder's Office

SUMMARY:

On February 5, 2025, the City Council (Council) adopted a Minute Order approving:

1. Acceptance of the 2023 Water Meter Installation Project, City Project W-31
2. The Recording of the Notice of Completion
3. The release of retention 35 days after the recording of the Notice of Completion

The Madera County Recorder's office has requested a modification to the Notice of Completion (NOC) form presented in the February 5th Council item before it can be recorded. Specifically, the County has requested that the NOC include a list of addresses. As a result, the revised form now incorporates this request.

BACKGROUND:

On February 5, 2025, City Council accepted the W-31 water meter improvements and the filing of the Notice of Completion (NOC) at the Madera County's Recorder Office. The NOC has used standard language on all multi-location Engineering Project in the past.

When attempting to record the NOC at the County Recorder's office, City Staff was informed that multiple location projects need to include language identifying the specific locations instead of generic "various locations" project language. Item 9 of the NOC form has been modified to

include "Addresses on following page". A listing of the addresses for each meter locations is added on a separate attachment. It was reviewed by the Recorder's Office and the language finalized.

This item needs to be reviewed and approved again by Council because the NOC form as reviewed and approved on February 5th has been modified.

FINANCIAL IMPACT:

There is no financial impact from this action to modify the NOC.

ALTERNATIVES:

Should Council not approve the changes to the Notice of Completion document, the NOC will not be recorded by the County Recorder. Rejection of the Notice of Completion will result in staff's inability to release retention funds and closing the Project.

ATTACHMENTS:

1. Notice of Completion, including addresses

Recording Requested by:

City of Madera

And When Recorded, Mail to:

City of Madera – City Clerk

205 W. 4th Street

Madera, CA 93637

Space above this line for Recorder's Use

Fee Waived per Section 27383 & 27388.1(a)(2)(D) of the Government Code – No Document Tax Due \$ -0-

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner of the interest or estate stated below in the property hereinafter described.
2. The full name of the undersigned is **City of Madera.**
3. The full address of the undersigned is **205 W. 4th Street, Madera, CA 93637.**
4. The nature of the title of the undersigned is: In fee **Public Improvements**
(If other than fee, strike "In fee" and insert, for example, "purchaser under contract of purchase" or "lessee".)
5. The full name and full addresses of all persons, if any, who hold title with the undersigned as joint tenant or as tenants in common are:

Name

Address

N/A

6. A work of improvement on the property hereinafter described was completed on **07/31/2024**
7. The name of the original contractor, if any, for such work of improvement was:
(If no contractor for work of improvements as a whole, insert "none".)

West Valley Construction Inc.

8. The full name(s) and address(es) of the transferor(s) of the undersigned is(are):

Name

Address

N/A

9. The property on which said work of improvement was completed is in the City of **Madera**, County of **Madera**, State of California, and is described as follows:
Install new Automatic Meter Reading Water Meters at various commercial, industrial, and residential locations in the City of Madera. Addresses on following page.

10. The street address of said property is **Madera City Limits**
(If no street address has been officially assigned, insert "none".)

(Signature of Owner named in Paragraph 2)

Dated

Keith Brent Helmuth, P.E.
City Engineer

State of California
County of Madera

Keith Brent Helmuth, being duly sworn says: He is the City Engineer of the City of Madera, the corporation that executed the foregoing notice as owner of the aforesaid interest or estate in the property therein described; that he makes this verification on behalf of said corporation; that he has read said notice and knows the contents thereof, and that the facts herein stated are true.

(Signature of Officer)

Keith Brent Helmuth, P.E.
City Engineer

The notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy or validity of that document.

State of California
County of Madera

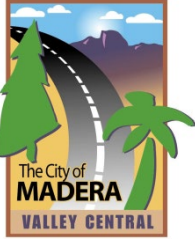
Subscribed and sworn to (or affirmed) before me on the _____ day of _____, 2025 by Keith Brent Helmuth, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Alicia Gonzales
City Clerk

(Seal)

See Item 9 attached on Notice of Completion

120 W. Adelle St, Madera, CA
124 Walnut St, Madera, CA
200 W. Fourth St, Madera, CA
220 S. H St, Madera, CA
320 N. I St, Madera, CA
329 S. I St, Madera, CA
425 W. Fourth St, Madera, CA
601 Lilly St, Madera, CA
601 Sunrise St, Madera, CA
703 Sherwood Way, Madera, CA
705 W Pecan Ave, Madera, CA
769 S. Pine St, Madera, CA
800 E. Yosemite Ave, Madera, CA
800 N. D St, Madera, CA
955 W. Pecan Ave, Madera, CA
1001 E. Yosemite Ave, Madera, CA
1100 Raymond Rd, Madera, CA
1150 E. Pecan Ave, Madera, CA
1218 E. Cleveland Ave, Madera, CA
1209 E. Almond Ave, Madera, CA
1502 E. Yosemite Ave, Madera, CA
1601 Creekside Dr, Madera, CA
1850 W. Cleveland Ave, Madera, CA
2155 N. Schnoor Ave, Madera, CA
2300 Industrial Ave, Madera, CA
2140 Industrial Ave, Madera, CA
2401 W. Almond Ave, Madera, CA
2871 Airport Dr, Madera, CA
2901 Falcon Dr, Madera, CA
3105 Airport Dr, Madera, CA
3254 Airport Dr, Madera, CA
14198 Road 28, Madera, CA
26400 Avenue 13, Madera, CA
26460 Martin St, Madera, CA
26490 Martin St, Madera, CA
28219 Avenue 14, Madera, CA
Hwy 99 and Cleveland Ave, , Madera, CA



REPORT TO CITY COUNCIL

Approved by:

Giachino Chiaramonte
Giachino Chiaramonte, Chief of Police

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-13

SUBJECT:

Child Forensic Interview Team Protocol

RECOMMENDATION:

Adopt a Resolution approving a multi-agency Memorandum of Understanding establishing the Child Forensic Interview Team of Madera County and authorizing the Chief of Police to execute the agreement

SUMMARY:

In 2021, the City entered a multi-agency Memorandum of Understanding (MOU) to establish the Child Forensic Interview Team (CFIT), comprising of key stakeholders from Madera County. The initial MOU outlines the roles and responsibilities of the City, particularly in relation to law enforcement. While the language of the MOU remains unchanged, a re-execution has been necessitated due to leadership transitions among participating stakeholders. The MOU will remain in effect until a member requests a modification or a leadership change occurs.

DISCUSSION:

The purpose of CFIT is to enhance the fact-finding process in cases of suspected child sexual abuse. The initiative aims to minimize the number of interviews conducted with child victims while encouraging interagency collaboration to support both criminal investigations and the effective delivery of social services.

The MOU defines various roles and responsibilities of the City, with key provisions outlined below:

- In relation to alleged crimes committed within the City's jurisdiction, initial interviews will be conducted by a Madera Police Department (MPD) detective

- Attend monthly meetings to evaluate and enhance policies and procedures in alignment with the CFIT mission and objectives
- Coordinate and refine procedures to ensure the timely, thorough, and professional collection of physical evidence
- MPD detectives must complete a minimum of eight hours of CFIT-related training per year, subject to approval by MPD and City leadership

The MOU has been in effect since its adoption in 2021. However, due to recent leadership changes, all participating stakeholders must reaffirm their commitment to the agreement to maintain effective coordination and compliance with established protocols. It is important to note that the City's roles and responsibilities, as outlined in the MOU, remain unchanged from its initial adoption in 2021 and are fully aligned with applicable MPD policies. The requested action authorizes the Chief of Police to execute the agreement on behalf of the City.

FINANCIAL IMPACT:

The MOU does not impose any financial obligations on the City. Investigating crimes are a standard responsibility of law enforcement and fall within the scope of routine police duties, rather than an additional extraordinary service.

ALTERNATIVES:

The City Council (Council) has the authority to deny the City's participation in the Madera County CFIT MOU. However, such a decision may adversely affect the City's service delivery and its collaborative relationships with partnering agencies, as investigating child sex crimes will remain a standard law enforcement responsibility. Alternatively, the Council may direct staff to provide additional information for further consideration.

ATTACHMENTS:

1. Resolution
 - a. Exhibit A: CFIT Memorandum of Understanding

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING A MULTI-AGENCY MEMORANDUM OF UNDERSTANDING
ESTABLISHING THE CHILD FORENSIC INTERVIEW TEAM OF MADERA
COUNTY AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE
AGREEMENT**

WHEREAS, in 2021, the City entered a multi-agency Memorandum of Understanding (MOU) in relation to Madera County's Child Forensic Interview Team (CFIT); and

WHEREAS, the change in agency leadership necessitates the reaffirmation by all participating stakeholders; and

WHEREAS, the language contained in the MOU pertaining to the roles and responsibilities of the City has remain unchanged from the original 2021 document; and

WHEREAS, the City wishes to reaffirm the MOU, establishing its continued compliance with the guidelines established in the MOU.

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 City Council approves the Child Forensic Interview Team Memorandum of Understanding, attached as Exhibit A.
3. The Chief of Police is authorized to execute the Memorandum of Understanding on behalf of the City.
4. This resolution is effective immediately upon adoption.

* * * * *

EXHIBIT A



CFIT MEMORANDUM OF UNDERSTANDING

I. Mission Statement

The mission of the Child Forensic Interview Team (CFIT) of Madera County is to establish and promote a coordinated countywide, multidisciplinary approach to child sexual abuse investigations.

II. Purpose

The purpose of this understanding is to establish a countywide Child Forensic Interview Team (CFIT) for improving the fact-finding process in suspected child sexual abuse cases. Its goal is to reduce the number of interviews of a child victim as well as promote interagency cooperation between agencies for criminal investigations and for effective social service delivery.

III. Interagency Collaboration Agreement

A. Each party agrees to support the concept and philosophy of the Child Forensic Interview Team, a neutral, child-friendly site promoting the multidisciplinary approach to investigating child sexual abuse cases at Community Action Partnership of Madera County, Inc. – Child Advocacy Center and agrees that all efforts will be made to interview and meet with children.

B. Each party will devote sufficient staff and resources to maintain a team whose goals are to facilitate the recovery of the child victim and further the prosecution of offenders on a case-by-case basis.

C. Each party agrees that initial interviews of children will be conducted by the agencies' investigating team whenever possible. Interviews involving the Madera Police Department, Chowchilla Police Department, or the Madera County Sheriff's Office will involve a detective whenever available. When said interviews are conducted at the Child Advocacy Center, they may be observed by the Deputy District Attorney, Department of Social Services, Child Advocacy Center personnel, and/or other professionals deemed appropriate by the members of the CFIT.

D. Each party agrees to coordinate and improve procedures for the timely, thorough, and professional gathering of physical evidence from child sexual abuse victims by trained physicians or nurse examiners in environments that will not add trauma to the child victim.

E. The parties recognize the fact that each of them has a different role and specific responsibilities for the interviewing, investigation, treatment, prosecution, and support services in the handling of these cases. It is further recognized that a team approach is more conducive to the resolution of the problems presented by these cases than an individual agency approach.

F. The parties agree to meet once a month or at such intervals as may be agreed upon to attend Case Review Team Meetings for the purpose of reviewing specific cases, sharing relevant information, and recommending specific referrals. Involved agencies will also be expected to participate in an annual review of the protocol itself, examining its efficiency.

G. CFIT members are obligated to hold confidential information in the strictest confidence and not to disclose the information to any person or in any manner that is inconsistent with applicable policies and procedures.

H. CFIT protocol is to improve the investigation, documentation and prosecution of cases of child sexual abuse and exploitation, by establishing standards for the person who will conduct forensic interviews of the child victim and by establishing ongoing plans for the training of local professionals in methods that reduces trauma to the child victims.

I. All parties, in accordance with their individual agency's policies, agree to participate in ongoing training in the field of child abuse. Each CFIT member shall receive a minimum of eight (8) continuing education hours related to their discipline. Verification of continuing education will be submitted to the CAPMC – Child Advocacy Center within forty-five (45) days of training taking place. A certificate stating the name of the training and the number of hours or training agenda will be considered appropriate verification.

J. Signed parties agree upon standards, annual reviews, and to commit to annual training for staff involved in the investigation of child sexual abuse.

K. The signing parties shall review this Agreement at least once a year.

L. This Agreement may be amended from time to time as the parties agree by approval of two-thirds (2/3) vote of the Steering Committee members. Each amendment will take into consideration the policies, standards, codes of conduct, and laws governing each party involved with this agreement.

IV. Administration

A. The overall administration responsibility will be with Community Action Partnership of Madera County, Inc. – Child Advocacy Center. Community Action Partnership of Madera County, Inc. will be responsible for ensuring the implementation of the CFIT protocol.

B. Community Action Partnership of Madera County, Inc. – Child Advocacy Center will maintain a list of qualified Forensic Interviewers.

C. Based on funding, a Forensic Interviewer may be a contract employee with Community Action Partnership of Madera County, Inc. and compensation for their time and role will be defined in their contract. Law enforcement agencies may appoint a staff person to conduct Forensic Interviews. Compensation will be paid by the appropriate agency.

D. The agencies that participate in the investigation of child sexual abuse comprise the members of the Child Forensic Interview Team of Madera County who will function under their own departmental policies and regulations.

I. Application of the CFIT Protocol

The CFIT of Madera County will serve all children of Madera County, under the chronological age of 18, who are suspected victims of child sexual abuse, no matter what the circumstances are (in-home, out-of-home, or stranger assaults).

II. Forensic Medical Examination Costs

In regard to medical examinations, the purpose of which is the collection of evidence (such as collection of specimens for a rape kit or forensic medical examination), the law enforcement agency in the jurisdiction in which the alleged offense was committed that requests the examination, incurs the cost of the forensic medical examination only. These costs are not billed to the victim or the victim's family as provided by Penal Code Section 13823.95.

The CFIT recommendation to an investigating officer that evidence gathering forensic medical examination occur does not constitute a directive to that officer or agency, nor does such a recommendation constitute an agreement by the CFIT (or any member thereof) to incur the cost of an evidence-seeking medical examination. If there is a determination by the District Attorney's Office that a medical examination is needed after the criminal charges are filed by Attorney, then the District Attorney's Office will request and pay for the examination. Valley Children's Hospital and/or the Community Regional Medical Center will not perform a forensic medical examination without authorization from law enforcement. This memorandum of understanding discourages duplication of forensic exams and forensic interviews. Each agency agrees to designate a procedure or process within their own agency for authorization and payment of the sexual abuse medical examinations conducted.

III. Approval and Adoption

WE RECOGNIZE AND SUPPORT the purpose of the Child Forensic Interview Team of Madera County to promote better investigation and prosecution of child sexual abuse and to lessen the trauma experienced by the victims of these acts.

WE APPROVE AND ADOPT the terms of the protocol, which we recognize as a living document subject to periodic review and modification by the members, and agree to comply with the terms of the protocol

WE AGREE to participate and take an active role in the Child Forensic Interview Team of Madera County. **This Memorandum of Understanding will be effective April 1, 2025, and remain effective until March 31st, 2028.**

Sally Moreno, District Attorney

Madera County

Date: _____

Tyson Pogue, Sheriff/Coroner

Madera County

Date: _____

Deborah Martinez, Director
Madera County Department of Social Services
Date: _____

Irene Blanco, Director Madera County
Department of Behavioral Health
Date: _____

Giachino Chiaramonte, Chief
City of Madera Police Department
Date: _____

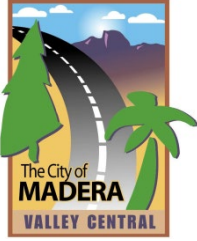
Jeffery Palmer, Chief
Chowchilla Police Department
Date: _____

Sara Bosse, Director
Madera County Department of Public Health
Date: _____

Chris Childers, Chief
Madera County Department of Probation
Date: _____

Mattie Mendez, Executive Director
Community Action Partnership of Madera County, Inc.

Date: _____



REPORT TO CITY COUNCIL

Approved by:



Will Tackett, Community Development Director



Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: B-14

SUBJECT:

Appointment to the Planning Commission

RECOMMENDATION:

Adopt a resolution approving the appointment of Abel Perez to the Planning Commission

SUMMARY:

The City of Madera Municipal Code provides that the City of Madera Planning Commission (Commission) is comprised of seven (7) members. Each member of the City Council makes a nomination to be considered for approval of the City Council by resolution. At this time, Mayor Pro Tem Rodriguez (District 2 Councilmember) has nominated Abel Perez to the Planning Commission.

DISCUSSION:

The Commission is created in Chapter 1 of Title X of the City's Municipal Code (CMC). The Commission is responsible for approving, conditionally approving or denying applications for certain tentative subdivisions and various planning entitlements, the consideration of appeals of administrative actions, as well as providing recommendations and respective reports on legislative and quasi-judicial actions to the City Council.

Pursuant to CMC § 10-1.02, the Commission shall consist of seven members who shall be appointed as provided in Chapter 1 of Title X of the CMC. Each Council Member, inclusive of the Mayor, shall nominate one person for each of the seven member Commission. All nominees shall be appointed upon adoption of a resolution of appointment approved by at least four members of the Council.

Commission members are noted below in Table 1, with the individual considered for approval of appointment indicated in bold text.

Table 1. Civil Service Commission Appointments		
<i>Commissioner</i>	<i>Nominating Councilmember</i>	<i>City Council District</i>
Timothy Riche	Mayor Gallegos	At-large Mayor
Robert Gran Jr.	Councilmember Zacharia (previously appointed by then-District 1 Councilwoman Gallegos)	District 1
Abel Perez	Mayor Pro Tem Rodriguez	District 2
Saim Mohammad	Councilmember Montes	District 3
Balwinder Singh	Councilwoman Evans	District 4
Joe Chavez Garcia	Councilwoman Mejia	District 5
Ramon Lopez-Maciel	Councilmember Villegas	District 6

At this time, Mayor Pro Tem Rodriguez is seeking approval from the City Council of the appointment of Abel Perez. Per the Municipal Code, this appointment will be for a term of four years or until the Council Member, inclusive of the Mayor, who nominated such Commissioner is no longer serving as a Council Member. The Municipal Code also provides that the resolution of appointment must receive at least four (4) affirmative votes to pass.

FINANCIAL IMPACT:

There is no anticipated financial impact.

ALTERNATIVES:

Council may direct staff to seek additional applications to serve on the Commission.

ATTACHMENTS:

1. Resolution
2. Volunteer application for Abel Perez

Attachment 1: Resolution

Resolution No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPOINTING ABEL PEREZ TO THE CITY OF MADERA
PLANNING COMMISSION**

WHEREAS, the City of Madera has created a Planning Commission (Commission) to serve in a volunteer capacity to fulfill the duties of the Commission as identified in the City of Madera Personnel Rules and Regulations and City of Madera Municipal Code; and

WHEREAS, the Commission is comprised of seven citizens nominated by members of the City Council and appointed by the Mayor, subject to confirmation by the Council as a whole; and

WHEREAS, Mayor Pro Tem Rodriguez (District 2 Councilmember) has nominated Abel Perez to the Commission for a term concluding December 4, 2028, or as otherwise provided in the City Municipal Code; and

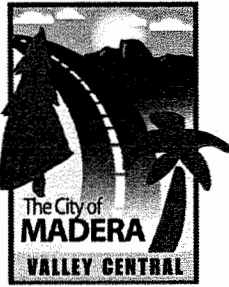
WHEREAS, Abel Perez desires to serve on the Commission.

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

1. The above recitals are true and correct.
2. The City Council appoints Abel Perez to the Planning Commission for a term ending December 2028, unless otherwise indicated by the Madera Municipal Code.
3. This resolution is effective immediately upon adoption.

* * * * *

Attachment 2: Volunteer Application for Abel Perez



CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

APPLICATION

I hereby request that I be considered as a nominee for the following City of Madera Commission, Board, or Committee:

PLEASE CHECK ONE OR MORE:

____ ADA Advisory Council

____ Airport Advisory Commission

____ Beautification Committee

____ Civil Service Commission

____ CDBG Block Grant Commission

____ Loan Review Committee

☒ Planning Commission

____ Transit Advisory Board

____ Other: _____

Please type or print in ink.

Perez Abel m
LAST NAME FIRST NAME M.I.

HOME ADDRESS CITY, STATE, ZIP HOME PHONE

MAILING ADDRESS CITY, STATE ZIP E-MAIL ADDRESS

EMPLOYER JOB TITLE BUSINESS PHONE

Length of residence in the City of Madera: Years <u>35</u> Months <u>4</u>	Have you ever been convicted of a felony? Yes _____ No <u>X</u>	Are you 18 years of age or older? Yes <u>X</u> No _____
---	--	--

Educational background:

Madera High School class of 2007

Please list any organizations of which you are a member and any offices you have held in those organizations:

Madera Evening Lions: 2020 President, General Member

Madera Young Professional: Charter Member, 2020-2002 president

Madera Association of Realtor: 2023 Affiliate Chair

Please list any appointed public boards or commissions on which you have served, dates of service, and any chairmanship or office held:

Madera County Civil Service: Chairman, Commissioner 2023-Current

I am interested in serving for the following reasons:

To ensure that Madera grows responsibly. We must make punctual decisions to ensure efficiency while maintaining a calculated approach for the consideration of the future of our community. I want to help foster the understanding that Madera is open for business while our standards for quality ensure longevity for business that choose to call Madera home.

References (optional):

Councilmember Rohi Zacharia

Councilmember Jose Rodriguez

Councilmember Elsa Mejia

2-26-25

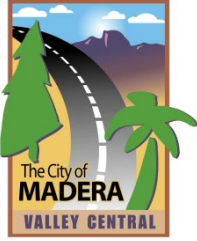
Date



Signature

Please return completed application to:

CITY OF MADERA
OFFICE OF THE CITY CLERK
205 West 4th Street, Madera, CA 93637
cityclerkinfo@madera.gov
(559) 661-5405



REPORT TO CITY COUNCIL

Approved by:


Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: D-1

SUBJECT:

Establishing Madera as a Welcoming City

RECOMMENDATION:

Adopt a Resolution affirming the City of Madera's commitment to being a welcoming, inclusive and supportive community for all residents

SUMMARY:

At the January 15, 2025, City Council meeting, Council directed staff to prepare an item discussing the City's current policies on refugees, immigrants, and the use of City resources in light of recent executive orders expanding Immigration and Customs Enforcement (ICE) operations. During this meeting, staff outlined existing State laws, including limitations on cooperation with federal immigration enforcement, the City's ongoing commitment to fostering a welcoming community, and options available to the City. Given Madera's diverse population, recent developments in immigration policies have raised concerns among residents.

The City has long embraced the ideals of respect and inclusiveness for all residents, as evidenced by its previous adoption of a Resolution supporting the Dream Act and Deferred Act on Childhood Arrivals (DACA). However, the current national political discourse on immigration has led to fear and uncertainty among certain residents, with some expressing hesitation in communicating concerns and cooperating with law enforcement. In light of this, Council directed staff to prepare a Resolution affirming Madera as a Welcoming City.

DISCUSSION:

In 2018, the City unanimously adopted a resolution urging Congress to pass the Dream Act and the DACA (DACA) legislation. Currently, the City has not specifically made a declaration on the matter of "sanctuary cities." While the definition of a sanctuary city varies, such policies aim to limit cooperation with federal immigration enforcement, particularly in cases where individuals are not accused of serious crimes. It is important to note that sanctuary city status does not

prevent federal immigration enforcement from operating within the City's jurisdiction, nor does it shield undocumented residents from deportation by federal authorities. Rather, it primarily sets guidelines on how local resources, including law enforcement, engage with federal immigration authorities.

The recent political and legal climate has been rapidly evolving, especially with regards to public entities declaring themselves as sanctuary jurisdictions. For example, a recent Presidential Executive Order "American People Against Invasion" directs that those jurisdictions designated as Sanctuary Cities" status *may be* denied access to federal funds, including those that have been awarded but not disbursed. Additionally, the U.S. Attorney General and the Secretary of Homeland Security (DHS) have been given the discretion to pursue criminal or civil enforcement against jurisdictions that obstruct federal immigration law enforcement. These actions are being actively implemented. During the date of the last meeting, the U.S. Attorney General filed a lawsuit against the State of Illinois and the City of Chicago (including elected representatives) based on sanctuary city laws and policies. Thereafter, the Attorney General filed a lawsuit against the state of New York, its governor, and Attorney General, alleging a failure to comply with federal law by shielding illegal immigrants. Also charged is the commissioner of the New York Department of Motor Vehicles in connection with New York's Green Light laws, also known as the Driver's License Act, which allows illegal immigrants to get a driver's license.

To clarify, if the City designates itself as a "sanctuary" jurisdiction under current federal policies, it faces the *potential* risk of losing federal funding that supports critical initiatives, including infrastructure projects, public programs, law enforcement services, and other essential City operations. It could also result in litigation by the federal government. Finally, it could bring unwarranted additional attention to the community in the form of additional federal immigration enforcement efforts.

It is also important to note that regardless of local laws, federal immigration authorities are legally entitled to operate in any public space in the United States, including Madera, and in private spaces with a judicial warrant. Balanced against this are existing State laws currently allow limitations on cooperation with federal immigration authorities.

California Values Act (Senate Bill 54)

The California Values Act, effective January 1, 2018, is a California law that restricts local law enforcement cooperation with federal immigration authorities, except in cases involving serious or violent crimes. As a California municipality, the City is subject to SB 54, which specifically prohibits local law enforcement from using resources to investigate, question, detain, detect, or arrest individuals for immigration enforcement purposes. This includes:

- Inquiring about an individual's immigration status.
- Detaining an individual solely based on immigration status.

- Disclose information regarding a person's custody release date or responding to requests for notification by providing release dates or other information unless that information is available to the public.
- Providing personal information about an individual, including, but not limited to, home address or work address unless that information is available to the public.
- Making or intentionally participating in arrests based on civil immigration warrants.
- Participating in immigration enforcement activities, such as sweeps or acting as immigration agents.

Community Concerns

During the public comment portion of the February 5, 2025 City Council meeting, several community members expressed heightened concerns for the City's diverse population, including many ethnic minorities and foreign-born residents. During this same meeting, staff noted that ICE is a federal agency and operates independently of the City's Police Department. In addition to the protections under State Senate Bill 54, the City does not disclose personal information unless required by law, provide access to non-public areas without a judicial warrant, or collaborate on ICE operations unless there is a direct and immediate threat to public safety.

Actions in Other Jurisdictions

Although several cities across California have taken action regarding local cooperation with immigration enforcement, there has been limited formal action on Sanctuary City status in most Central Valley jurisdictions. The following is a list of some local governments in California that have addressed this issue:

- City of Livingston – In 2017, became the first Central Valley City to declare itself a Sanctuary City by way of resolution.
- City of Huron - on January 15, 2025, Huron City Council adopted a Resolution declaring itself a Sanctuary City.
- City of Clovis - Following a push from Mayor Pro Tem Diane Pearce to declare Clovis a non-sanctuary city, City Council recently voted against placing the item on agenda; no official stance on the matter has been pursued.
- City of Huntington Beach - On January 21, 2025, Huntington Beach City Council approved a Resolution declaring itself a "Non-Sanctuary City for Illegal Immigration for the Prevention of Crime."
- City of Los Angeles - In November 2024, the LA City Council approved an ordinance officially designating LA as a sanctuary city. The ordinance prohibits city resources, including property or personnel, from being used for immigration enforcement.
- County of LA - In September 2020, the County Board of Supervisors approved a motion permanently banning warrantless transfers of individuals in custody of the LA County Sheriff's Department to immigration authorities. This policy remains in effect today.

- City of Glendale - In March 2017, the Glendale City Council adopted a resolution affirming a statement by the Chief of Police regarding the detention of individuals based on immigration status. This resolution affirmed that the Glendale Police Department does not have the authority nor the responsibility to incarcerate or detain individuals solely based on immigration status.
- City of Kerman – In January of 2025, the Kerman City Council adopted a resolution declaring itself a welcoming community.
- City of Fresno – The City of Fresno is not a sanctuary city.

Other jurisdictions in California that have taken action to designate themselves as sanctuary cities/counties include Berkeley, Long Beach, Oakland, San Diego, San Francisco, and Santa Ana. Alternatively, other cities and counties, including Orange County, Escondido, Newport Beach, and Santa Clarita, have expressed opposition to the State’s sanctuary laws. Many other jurisdictions have not yet taken action to declare an official position.

Welcoming City Status

Welcoming or inclusive city and county policies vary between jurisdictions but are generally intended to foster trust between immigrant communities and local government, ensuring that all residents feel safe when reporting crimes or accessing public services. Several California municipalities have passed similar welcoming or inclusive policies including, the City of Kerman, City of Concord, City of San Jose, San Mateo County, City of Auburn, Redwood City, Riverside County, and City of Chula Vista.

Considerations

Compliance with Federal, State, and Local Laws

City officials and employees, including public safety employees, are required to take an oath to uphold the Constitution and the laws of the United States. Current State laws, along with Police Department policies and practices, align with the United States Constitution and federal immigration laws. However, implementing an ordinance or resolution that prohibits employees from following the law may create conflict in legal obligations. This scenario could subject employees to potential lawsuits as well as criminal prosecution.

In December 2024, America First Legal, a nonprofit organization run by an advisor to President Trump, notified sanctuary jurisdictions across the country, many in California, stating that local officials (elected and non-elected) may face personal liability (to include criminal sanctions) for non-cooperation with federal immigration enforcement. Letters were distributed to leaders in designated sanctuary jurisdictions, including the California Attorney General, the Los Angeles Mayor, LAPD and LA County Sheriff. On January 20, 2025, President Trump signed an executive order, *American People Against Invasion*, directing the Attorney General and the Secretary of

Homeland Security to evaluate and undertake any lawful actions, criminal or civil, deemed warranted by a sanctuary jurisdiction's practices that interfere with the enforcement of federal law. The issuance of this order was followed by a memorandum from the acting Deputy Attorney General for the Department of Justice, Office of the Deputy Attorney General, on January 21, 2025, directing U.S. attorneys to investigate and potentially prosecute local officials who resist, obstruct, and otherwise fail to comply with lawful immigration-related commands or requests. The executive order and directive set the stage for possible legal action against local officials in sanctuary jurisdictions that limit their cooperation with immigration enforcement officials, which has since been implemented.

Potential Impact on Federal Funding

The City receives federal funding, which is a critical component in supporting many of its programs, services, and capital improvement projects. An official designation as a sanctuary city may impact funding received from federal sources. In addition to potential civil and criminal action against local officials, President Trump's January 20, 2025, executive order also directed the Attorney General and the Secretary of Homeland Security to evaluate and undertake any lawful actions to ensure that sanctuary jurisdictions do not receive access to federal funds. In 2017, during his prior presidential administration, President Trump issued a similar executive order aimed at withholding funds from cities that chose not to cooperate with federal immigration enforcement efforts. Although a federal judge ruled the prior executive order unconstitutional and blocked it with an injunction, the order caused delays in distributing some federal funding to designated sanctuary jurisdictions.

Other legal challenges to the federal government's ability to withhold funding to sanctuary jurisdictions are ongoing. An official designation as a sanctuary city may delay, reduce, prevent, or discontinue federal funding to the City. This impact would be detrimental to various City operations and projects, significantly hindering the ability to provide critical services to members of our community.

Recent Developments

As noted, this matter continues to undergo dynamic shifts. On February 5, 2025, the U.S. Attorney General issued an order entitled, "Sanctuary Jurisdiction Directives, that:

- Ends funding to state and local jurisdictions that unlawfully interfere with federal law enforcement operations
- Requires the identification and evaluation of all funding agreements with non-governmental organizations that provide support to illegal residents
- Directs enforcement actions be pursued against jurisdictions that facilitate violations of federal immigration laws or impede lawful federal immigration operations.

On February 6, 2025, the Department of Justice (DOJ), under Attorney General Pam Bondi, filed its first lawsuit against Illinois, Cook County, and Chicago, challenging their sanctuary policies. The DOJ argues that State and local laws, such as the Way Forward Act and the TRUST Act, are

preempted by federal immigration law and unlawfully impede federal enforcement efforts. The TRUST act is similar to Senate Bill 54, California Values Act.

On February 12, 2025, the Trump administration announced that it filed a lawsuit against the State of New York and its governor, Kathy Hochul and Attorney General Leticia James, alleging a failure to comply with federal law by shielding illegal immigrants. Also charged is the commissioner of the New York Department of Motor Vehicles in connection with the State's Green Light Laws, also known as the *Driver's License Act*, which allows illegal immigrants to obtain a driver's license. This Act is similar to California Assembly Bill 60, *The Safe and Responsible Drive Act*, signed by Governor Jerry Brown and is currently effective.

FINANCIAL IMPACT:

The financial impact of preparing this report and approving the attached resolution is minimal. However, due to the evolving nature of federal policies, the potential financial implications of taking formal action remain uncertain and difficult to quantify.

ATTACHMENTS:

1. Resolution

RESOLUTION NO. 25-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA, DESIGNATING THE CITY OF MADERA A WELCOMING CITY
FOR ALL, AND DECLARING THE CITY OF MADERA A PLACE OF TRUST AND
DIGNITY FOR ALL RESIDENTS**

WHEREAS, the City of Madera recognizes its long and rich history of immigrants who have contributed to our local economy and have become leaders in agriculture, the military, education, business, healthcare, and other professions; and

WHEREAS, the City of Madera is a diverse City with many foreign-born residents, including undocumented immigrants, who face challenges with access to service and safety due to their status; and

WHEREAS, immigrants, refugees, and other newcomers add significantly to the vitality of the state and national economies, with foreign-born workers representing close to 17 percent of the current U.S. labor force, and over 33.4 percent of business owners in California; and will account for over 85 percent of the net growth in the U.S. labor force over the next 20 years; and

WHEREAS, the building of a welcoming community is fundamental to a vibrant and inclusive City of Madera, to assure immigrants, refugees, and other newcomers opportunities for economic security, empowerment, civic engagement, safety, and freedom from discrimination, oppression, and violence; and

WHEREAS, many City of Madera residents, particularly undocumented individuals and mixed-status families, are confused by the state of the law, including the role of the City in enforcement, and are experiencing fear and uncertainty due to ongoing changes in immigration policies; and

WHEREAS, State law currently provides several protections including the Immigrant Worker Protection Act (AB 450), and the California Values Act (SB 54). This includes restrictions on local law enforcement to provide federal officers with certain information, and prevents arrest based solely on civil immigration warrants;

WHEREAS, in contrast federal law provides that unauthorized entry into the United States is unlawful, and executive order was recently enacted directing enforcement action against unlawfully present immigrants, etc.; and

WHEREAS, this has resulted in a chilling effect especially for victims from the immigrant members of the community, who are often afraid to report or seek assistance from local law enforcement due to their immigrant or perceived immigrant status; and

WHEREAS, while recognizing the sovereignty of the law, the City is a legally separate entity distinct from both the State and federal governments, and lacks authority over either the State or federal government; and

WHEREAS, notwithstanding the City has authority to provide police protection to all members of the community for the benefit of public safety; and

WHEREAS, the City simultaneously recognizes that we are one community in the City of Madera and all of our children, mothers, fathers, sisters, and brothers, regardless of immigration status, contribute to the social and economic fabric of this City; and

WHEREAS, ensuring the health and safety of all people regardless of their immigration status, through a dynamic and responsive process that respects the community's diversity, is a shared responsibility of the City and other public agencies; and

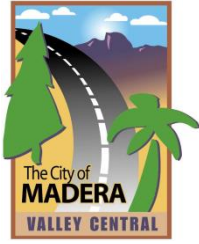
WHEREAS, the City Council wishes to make clear that the protections of the law apply to all members of the community, and that local law enforcement will help protect them from crime; and

WHEREAS, a welcoming community also addresses language and cultural access barriers to services and participation in civic life, promotes coordination of services and resources for immigrants and refugees across all systems, champions cultural competence and understanding, and strengthens accountability to maintain the highest quality of services for immigrants and refugee communities; and

WHEREAS, the City of Madera aspires to be a model for inclusion and equity for all populations, including immigrants and other newcomers, through its commitment to support the ongoing inclusion and long-term economic and social integration of newcomers.

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

1. The City Council declares and affirms that the City of Madera is a welcoming community, and declares itself a place of unity, trust, and dignity for all residents.
2. The City Council confirms that the City of Madera is committed to protecting all residents as authorized by law, and is focused on ensuring safety regardless of status or class. The Police Department's focus is on community safety, not immigration enforcement. Any person, regardless of immigration status, can be safe to report crimes to local police, and should know that local police will help protect them from crime.
3. The City Council commits that staff or employees, including local law enforcement, will continue to treat all City residents with respect regardless of color, religion, sex, sexual orientation, marital status, immigration status, national origin, race, ethnicity, and/or English proficiency.
4. The City Council promotes the value among all residents of advancing efforts for integrating immigrant communities, recognizing that a community is strongest when everyone feels welcome.
5. The City Council supports efforts to bring the community together to build welcoming communities and provide all residents with the knowledge and tools to thrive and fully participate in their communities.



REPORT TO CITY COUNCIL

Approved by:

Wendy Silva
Wendy Silva, Director of Human Resources

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: D-2

SUBJECT:

Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan (SETP) Update

RECOMMENDATION:

Adopt a resolution approving the ADA SETP Update prepared by Sally Swanson Architects, Inc.

SUMMARY:

An ADA SETP evaluates how the City meets or does not meet the needs of all citizens through its facilities, policies, and programs, specifically focused on access for persons with disabilities. A completed ADA SETP ensures the City is in compliance with Title II of the ADA, as well as requirements for grant recipients of both the Federal Department of Transportation and California Department of Transportation. The last ADA SETP was a 3-year project that began in 2007 with adoption of that plan in 2010. While an ADA SETP is a living document that should be reviewed routinely, the plan adopted in 2010 was determined to be in need of a thorough revision and update. A Request for Proposals (RFP) was published in late-2020 in compliance with the City's Purchasing Policy, with an agreement awarded to Sally Swanson Architects, Inc. (SSA), to provide the City with an updated ADA SETP. At this time, the final ADA SETP document has been compiled with all process steps completed, and staff is recommending adoption of the updated plan. SSA will be in attendance at the meeting to discuss the plan.

DISCUSSION:

The purpose of an ADA SETP is to evaluate how well the City meets the needs of citizens of all abilities through its facilities, policies, and programs. The self-evaluation portion includes assessing program accessibility, reviewing current City policies that affect the public, surveying facility access, evaluating sidewalks and curb ramps, evaluating public parking provided by the City, and evaluating City construction and design standards for public access areas such as sidewalks. The transition plan includes recommended actions to address any deficiencies noted through the self-evaluation process, with cost estimates prepared by the consultant.

ADA SETP Update Process

An update for the ADA SETP has been a priority item for the City's ADA Advisory Council. Staff reviewed the purpose and scope of the SETP with the Advisory Council and used the ADA Advisory Council's feedback to prepare an RFP for services to update the plan. The ADA Advisory Council participated in the RFP process, reviewing and scoring proposals, and making a recommendation on award of the agreement. Through this process, an agreement was awarded to SSA in 2021 to complete an update of the City's ADA SETP. The agreement for services included a much more in-depth review of the City's facilities and public rights-of-way than had been completed in the 2010 study. In September 2021, an initial public outreach meeting was held in conjunction with the ADA Advisory Council to introduce the ADA SETP update project to the public. Between 2021 and 2023, SSA gathered significant quantities of data and consolidated this information into reports for the City to review. After initial review by City staff, the draft document was published for 30 days on the City's website, followed by a public input meeting hosted by the ADA Advisory Council. This draft publication and the public input meeting were advertised on the City's website, through social media, and in the Madera Tribune. The draft document has remained on the City's website should any member of the public wish to provide feedback prior to final adoption.

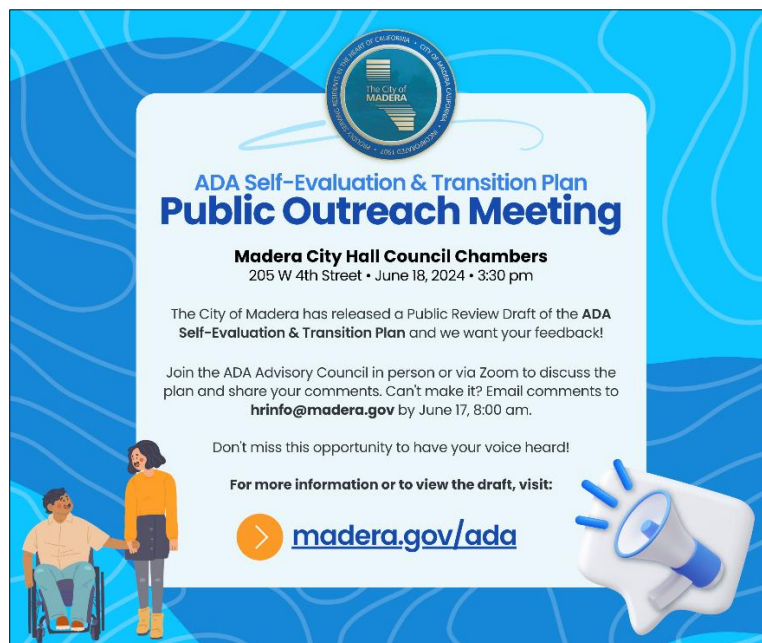


Figure 1. Print and social media advertising for public input

ADA SETP Document

The updated ADA SETP as prepared by SSA is just under 10,000 pages. This data is published on the City's website in pdf format. Staff has also been provided spreadsheets of the survey data as well as graphical information system (GIS) map layers by SSA. The ADA SETP includes several parts, further described below. A link to the ADA SETP document is provided as Exhibit 1 to the resolution contemplated with this report, with specific section page numbers noted below for

each element if viewing in the consolidated document. The document is also posted by section to allow for smaller downloadable file sizes.

1. Executive Summary (begins on page 5 of ADA SETP)

The Executive Summary introduces the plan, provides an overview of the process, and an overview of the survey results. It also includes the City's implementation policy, prioritization criteria, and ADA grievance procedure. This grievance procedure is available to the public on the City's website, specifically www.madera.gov/ada. The Executive Summary also designates the City Manager as having overall responsibility for the plan, the Director of Financial Services as having overall management of financial resources to support implementation, and the Director of Human Resources as the ADA Coordinator.

2. Self-Evaluation Report (begins on page 27 of ADA SETP)

The Self-Evaluation Report describes in detail the process SSA led to evaluate the City's programs, services, and activities. This included surveying staff and reviewing documents. The survey results identify learning opportunities for City staff and are to be used as a resource to improve the City's accessibility for persons with disabilities. For example, the survey asked individual departments if they had identified local resources that can provide auxiliary aids for communication. The City has auxiliary communication aids available, however the respondents were not aware and most answered "no." This is an educational opportunity. As part of the agreement for services, SSA will provide City staff with a training session that will address these and other training opportunities identified in the self-evaluation.

3. Facilities Survey (begins on page 123 of ADA SETP)

SSA surveyed 39 City facilities, including City Hall, community centers, parks, and the Corporation Yard. The report assesses these facilities against current ADA standards. It should be noted that many of the City's facilities were constructed prior to current ADA standards; facilities are required to be revised to meet current standards if they are remodeled or if newly constructed. Identified barriers to access must be evaluated for accommodation or removal if requested by the public to receive services. The facilities survey includes cost estimates for all identified barriers totaling \$14,599,254.

4. Sidewalk Survey (begins on page 1,529 of ADA SETP)

Public sidewalks, when provided as a community amenity, must provide an accessible path of travel. To complete the sidewalk survey, SSA staff walked 185.6 miles of public sidewalks within City limits using special equipment to measure slope, lifts, and other barriers to accessibility. The survey report includes the estimated cost to mitigate all identified barriers, totaling \$299,683,125.



Figure 2. SSA sidewalk survey

5. Curb Ramp Survey (begins on page 6,830 of ADA SETP)

Public sidewalks must have an accessible curb ramp to support accessible path of travel. SSA surveyed all intersections within the City to determine if sidewalks existed, and if yes, were curb ramps installed and to current accessibility standards. All curb ramps were measured using a 2-foot level, consistent with current code. The report includes the estimated cost to mitigate all identified barriers, totaling \$19,209,500.

6. Pedestrian Signals Survey (begins on page 9,733 of ADA SETP)

This portion of the ADA SETP evaluates whether pedestrian signals throughout the City meet current accessibility standards. The report includes the estimated cost to mitigate all identified barriers, totaling \$1,484,850.

7. Prioritization Criteria for Barrier Mitigation in Public Rights-of-Way (begins on page 9,885 of ADA SETP)

This portion of the ADA SETP explains the criteria used to set prioritization criteria for barriers in the public right-of-way.

8. Prioritization Criteria for Barrier Mitigation in Facilities (begins on page 9,905 of ADA SETP)

This portion of the ADA SETP explains the criteria used to set prioritization criteria for barriers in public facilities.

9. Public Comments (begins on page 9,911 of ADA SETP)

The final section of the ADA SETP documents the feedback received at the June 18, 2024, Public Outreach Meeting regarding the draft document.

In addition to the elements identified above as part of the ADA SETP document, SSA provided GIS mapping of the City's existing streetlights at the same time they mapped the general sidewalk conditions. SSA provided the City with a spreadsheet and GIS map layer identifying all City street lights that were in place at the time of survey.

At this time, the updated ADA SETP is complete, meeting both federal and state requirements, and staff is recommending Council adopt the plan. The document is a living document and it will be the responsibility of staff to continually review and update information pertaining to the plan and barrier removal. For example, as construction projects occur either within City facilities or the public right-of-way, the plans should be reviewed to determine any identified barriers within or adjacent to the project site that can be mitigated through the project. Additionally, staff involved in the improvements will need to document the barrier mitigation.

FINANCIAL IMPACT:

As required under Title II of the ADA, the City must ensure all facilities, policies, and programs are accessible to persons with disabilities. The City is not required to continually remodel existing facilities as code standards change, however the City must make improvements if a facility is remodeled or newly constructed. The estimates provided in SSA's report provide a snapshot in time of the estimated cost to upgrade all facilities and public amenities to current standards. While this is not financially feasible, the City is committed to improving access for persons with disabilities. Table 1 identifies recent City projects in the Fiscal Year (FY) 2023/24 and 2024/25 adopted budget that demonstrate the City's commitment to ADA improvements.

Table 1. City of Madera ADA Projects		
<i>Project Name</i>	<i>FY 2023/24 Actual</i>	<i>FY 2024/25 Budget</i>
CDBG Sidewalk and ADA Corner Ramp	288,240.95	211,759.00
CDBG Engineering Dept. Front Counter ADA Upgrades	5,809.53	19,191.00
ADA Walkability Sidewalks Program		80,000.00
2022-23 City Streets 3R & ADA Project	8,757.25	1,387,000.00
Concrete Project - Share Program		20,000.00
Schnoor Ave Sidewalk - Sunset to River	12,316.95	99,100.00
Washington School Sidewalks	16,855.62	33,050.00
Town & Country Park Connectivity Project	100,405.86	1,663,750.00
Pan American Center Doors ADA Compliance	30.75	100,000.00
Total	\$432,416.91	\$3,613,850.00

Within the ADA SETP, the City must identify the person responsible for effectively controlling the City's budget line items for ADA transition planning. This responsibility has been assigned to the

Director of Financial Services, who will ensure financial resources are recommended for appropriation each FY in support of ADA SETP implementation, after consideration of available resources and priorities.

ALTERNATIVES:

Council may direct staff to revise the ADA SETP or conduct additional surveys.

ATTACHMENTS:

1. Resolution
 - a. Exhibit 1: Updated ADA SETP

Attachment 1: Resolution

Resolution No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING THE UPDATED AMERICANS WITH DISABILITIES ACT SELF-
EVALUATION AND TRANSITION PLAN**

WHEREAS, the City of Madera is committed to ensuring City facilities, policies, and programs are accessible to persons of all abilities; and

WHEREAS, in compliance with Title II of the Americans with Disabilities Act (ADA), the City has from time to time adopted ADA Self-Evaluation and Transition Plans, with the last plan adopted October 6, 2010; and

WHEREAS, the City engaged Sally Swanson Architects, Inc., in 2021 to prepare an updated ADA Self-Evaluation and Transition Plan; and

WHEREAS, Sally Swanson Architects, Inc., gathered data regarding existing City facilities, policies, and programs and has prepared an update of the City's ADA Self-Evaluation and Transition Plan in collaboration with City staff, the City's ADA Advisory Council.

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

1. The above recitals are true and correct.
2. The 2024 ADA Self-Evaluation and Transition Plan is approved, attached as Exhibit 1 and incorporated herein.
3. This resolution is effective immediately upon adoption.

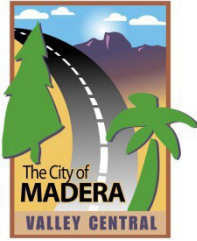
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Exhibit 1: City of Madera 2024 Americans with Disabilities Act Self-Evaluation and Transition Plan

Link to consolidated document:


https://www.madera.gov/wp-content/uploads/2025/02/City-of-Madera-ADA-Self-Evaluation-and-Transition-Plan-Final_Consolidated_Compressed.pdf

The above linked document has been compressed, however the file size is still over 200 megabytes. To aid in accessibility across various devices, the document has been posted in sections at www.madera.gov/ada.



REPORT TO CITY COUNCIL

Approved by:



Keith Helmuth, Department Director



Arnaldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: D-3

SUBJECT:

Change Order for the Avenue 13 Sewer Interceptor Rehabilitation Project, City Project SS-00014 for Excess Cleaning and Debris Removal

RECOMMENDATION:

Adopt a Resolution authorizing an increase in allowable contingency to approve a change order in an amount not to exceed \$2,500,000 addressing excess cleaning and debris removal by SAK Construction, LLC, related to emergency repairs

SUMMARY:

The Avenue 13 sewer trunk main is now fully rehabilitated from Granada Drive to the Wastewater Treatment Plant (WWTP) located at Road 21½ and Avenue 13/Pecan Avenue. The work was completed under a contract with SAK Construction, LLC, (SAK). SAK mobilized immediately following the second collapse of the Avenue 13 trunk main near Granada Drive. The progress and scope of the work was significantly impacted by the sewer main collapses within the project limits. This resulted in several changes to the contract costs and original scope of work. The awarding resolution authorized contingencies in the amount of 20 percent of the original contract as approved by the City Engineer. Costs associated with debris removal and cleaning of the pipe in advance of installation of the cured-in-place-pipeline (CIPP) have been submitted by SAK that will exceed the allowable contingencies. As a result, staff are requesting that the City Council authorize additional contingencies to allow for payment of the additional work by change order.

An emergency declaration was declared by the City, including an emergency waiver of public contracting requirements as authorized by Public Contract Code section 22050, and the Council authorized the emergency repairs to be done. This included emergency action taken by the City Manager related to the award of an emergency purchase orders and contracts without

competitive bidding for the emergency repairs. The increased costs are largely related to providing these emergency repairs and additional work resulting from the sewer failures.

DISCUSSION:

The City hired MKN Associates (MKN) for engineering and construction management services for improvements to a 4.6 mile portion of the sewer interceptor along Schnoor Avenue, Union Pacific Railroad Spur Line, and Avenue 13 between Granada Drive and Road 21½ at the WWTP. The portion of the project along Avenue 13 moved forward to bidding for construction in April, 2024 and on May 22, 2024 four bids were received for the Project. The bids are outlined in Table 1 and SAK submitted the lowest responsive and responsible bid. The bids were received prior to the two catastrophic failures on the Avenue 13 sewer line that occurred on June 3rd and June 10th of 2024.

Table 1: Bid Overview	
Bidder	Total Base Bid
1. SAK Construction	\$8,328,452.00
2. Insituform Technologies, LLC	\$10,291,186.00
3. Lamassu Utility Services, Inc	\$11,377,197.49
4. Spinello Infrastructure West, Inc	\$12,187,830.00
<i>Engineer's Opinion of Cost</i>	<i>\$11,250,960.00</i>

City Council (Council) awarded the Project to SAK Construction, LLC, on June 12, 2024 based on the bid submitted on May 22nd.

SAK started mobilizing for bypass pumping on June 10th, the night of the 2nd collapse. Implementing the long-term bypass for the Project best accommodated the emergency repairs needed at both failure locations (performed by Floyd Johnston Construction). It also allowed SAK to concurrently schedule the CIPP lining for the sewer main alleviating the possibilities of future failures due to pipe condition. The south side of the roadway remained closed to any traffic following the collapses. There were several industries impacted by these closures and it was imperative that the roadway was opened in the Fall for the winery crush season. The CIPP lining was completed and Avenue 13 was opened to traffic in September.

Excess Cleaning and Debris Removal Proposed Change Order

Figures 1 and 2 below illustrate the “before” and “after” conditions resulting from the cleaning and debris removal process. The “before” condition was not accounted for in the SAK bid and was likely caused by the sewer main failures and extremely compromised pipe, which shed cement and aggregate during the cleaning process. As a result, additional efforts were required to restore the system to an acceptable condition. Attached to this report is a letter from Kevin Norgaard, MKN & Associates, Design Engineer, providing background and justification for these additional efforts, along with cost estimates related to excess cleaning and debris removal in the sewer pipe. Please reference that letter for further details.



Figure 1 – Example of inside of pipe approximately 1/3rd full of debris prior to cleaning

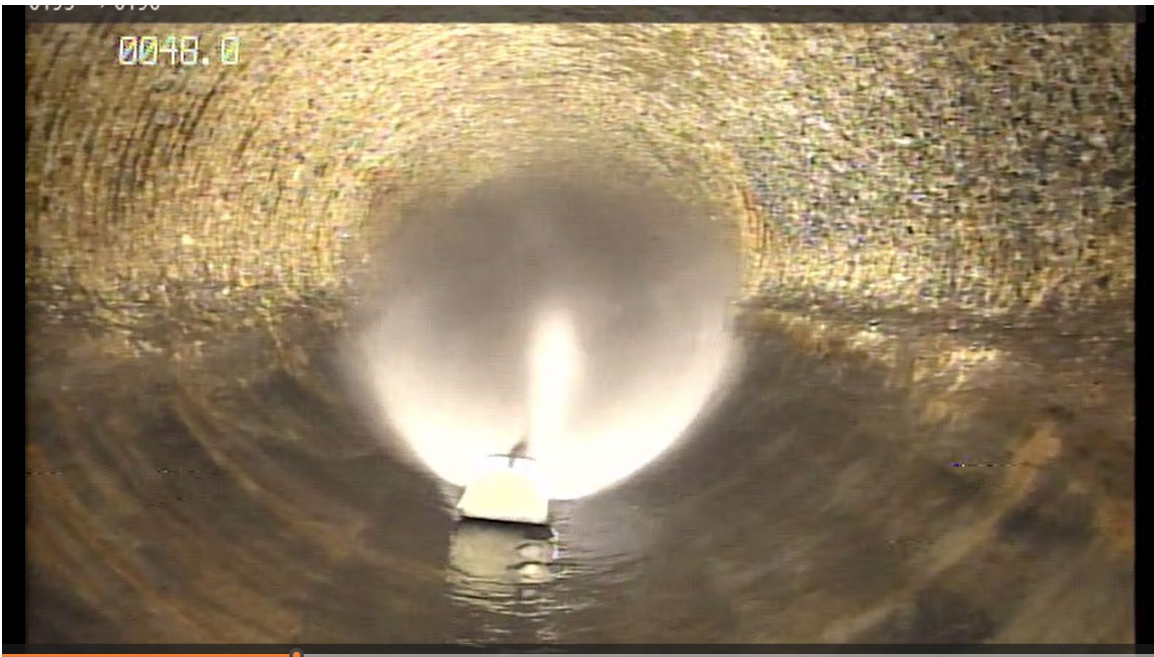


Figure 2 – Example of inside of sewer pipeline cleaned and ready for CIPP lining

The change order amount of \$2,500,000 represents the maximum reimbursement SAK could receive for costs incurred under this change order. This cap is based on daily labor, equipment, and material costs submitted by their subcontractors, Summit Pipelines and MPS, along with SAK's own costs and allowable markups. Each submittal is undergoing review for accuracy and comparison with inspection records, and payment will not be finalized until all submittals have been reviewed and accepted. In no case will the payment exceed \$2,500,000, and it may be lower following the review process.

The purpose of presenting this as a 'not-to-exceed' change order is to allow partial payments to SAK, as they have incurred these costs dating back to June 2024. Any cost savings identified after final reviews and negotiations will be addressed in a balancing change order

Unavoidable and Unforeseen Conditions

The project was awarded with an allowance for changes up to 20 percent of the original contract amount, or \$1,665,690.40 as outlined in Table 2.

Table 2: Project Amount as of June 12, 2024	
Line Item	Amount
SAK construction contract	\$8,328,452.00
Project contingency	\$1,665,690.40
Various related services	\$832,845.20
Total Project Budget	\$10,826,987.60

Due to the unavoidable and unforeseen conditions, the contingency allowance is anticipated to be fully expended outside of the proposed change order for excess cleaning and debris removal.

Typically, a project starts several weeks following project award. It allows contractors to plan and coordinate for efficient mobilization of manpower and equipment. The City's request for SAK to mobilize immediately and assist with the emergency conditions was met without hesitation. Because SAK is a nationwide operation, it was necessary to redeploy manpower and equipment from other locations with it being delivered quickly, albeit at premium costs.

SAK's subcontractor for pump bypass, MPS, mobilized first on-site. Their entire bypass plan for Phase I was created quickly and modified as needed requiring revisions to calculations and equipment to accommodate the fluid situation. MPS also provided an interim discharge connection solely for the emergency repairs.

The sewer main failures and subsequent repairs forced SAK to modify their approach to the CIPP lining for the first phase from Granada Drive to Road 24 creating delays and adding costs. The Phase I CIPP installation required multiple mobilizations due to schedule conflicts arising from the required accelerated mobilization.

Regarding changed material conditions, the existing pipeline had lost enough material on the inside of the pipes due to corrosion such that the inside diameter was, on average, two inches larger than the original pipe necessitating additional liner material. The bottoms (inverts) of the manholes were not visible during inspection for the design engineering phase. During the first phase of CIPP lining with the flows bypassed and exposing the entire manholes, it was observed they were in poor condition and needed to receive rehabilitation as well. Given the extremely deteriorated condition of the pipes that had been exposed the hydrogen sulfide gases, it was also recommended to rehabilitate the barrels of all the manholes with a protective coating thereby

eliminating the potential for future issues.

Table 3 is a summary of potential change orders for the project that are covered by the original Project contingency. Many of the potential change orders are still under review and negotiation. The figures in the table represent the maximum potential cost.

Table 3: Contract Potential Change Order (PCO) Summary	
Item	Maximum Cost
Accelerated Mobilization – most of this cost is related to set up of bypass pumping and a changed approach to the Phase I CIPP lining	\$385,500
Bypass Trench Realignment for Phase I Bypass Operation	\$80,000
Increase in CIPP lining material due to increased pipe diameter as a result of deterioration of interior of pipe	\$155,550
Additional Bypass Operations for Phase 1 due to emergency repairs and changed conditions for CIPP installation	\$220,000
Additional Roadway and Trench Restoration due to change in location of bypass trench from shoulder to middle of westbound lane	\$225,000
Costs associated with extended rental of trench plates due to bypass needs for emergency repair and delays in CIPP lining due to changed conditions	\$43,000
Add CIPP lining from last manhole to WWTP new Screen Facility (not in original scope)	\$365,511
Rehabilitate All Manholes in Project Limits (not in original scope)	\$435,000
Credits for Changes in Project Scope and bid items not needed (railroad flagging, for example)	(\$243,200)
Total Pending PCO's not including Cleaning and Debris Removal	\$1,666,361

Status of Project

The original contract work is substantially complete with the entirety of Avenue 13 from just west of Granada Drive to the WWTP receiving CIPP liner. It should be noted that the project remained on schedule throughout the course of work. There were two additions to the project scope to ensure the system was no longer compromised up to the new bar screen facility currently under construction. In August, a proposal to rehabilitate and apply a protective coating to all manholes was submitted and accepted assuring the entire system (pipeline and manholes) has the same remaining service life after the project and no further improvements will be needed. Similarly, the City requested a proposal to install CIPP liner in the remaining segment (approximately 330 feet) between the original project limits at the corner of Avenue 13 and Road 21 ½ and the new bar screen facility improvements at the WWTP. That proposal was accepted and the work recently completed with the final shot of CIPP lining.

Today, SAK is performing site clean-up and breaking down the bypass pump set ups. Bypass trenches in roadways are to be restored. The project will receive final inspections and SAK will need to address any punch list items. Concurrently, the project team of City staff, MKN & Associates, and SAK is finalizing project costs including contract work, adds to the contract, and

claims from the Contractor. Once the punch list items are complete and final costs are calculated, a recommendation for acceptance and filing of a Notice of Completion will be scheduled for Council.

Table 4 provides a projection of final contract costs.

Table 4: Potential Project Contract Costs (1)	
	Amount
<i>Budget as approved by Council on June 12, 2024</i>	
Original Contract Amount	\$8,328,452
Project contingency	\$1,665,690
Various related services	\$832,845
Subtotal	\$10,826,988
<i>Contract Amendment being proposed as part of this item</i>	
Cleaning and Debris Removal Change Order	\$2,500,000
Total	\$13,326,988
Engineer's Opinion of Cost of the Project Contract (2)	\$11,250,960
(1) All figures rounded to the nearest dollar	
(2) Prior to June 2024 failures and emergency repairs	

FINANCIAL IMPACT:

Funding for the change order for the Project is proposed from the unencumbered fund balance of FY 2024/25 Sewer Capital Outlay funds in the Sewer Enterprise Fund Account. However, this allocation will use up most of the available capacity in the budgeted capital outlay funds. Even with the addition of American Rescue Plan Act (ARPA) funds, the failures in the Avenue 13 sewer trunk main have had a significant impact on the Sewer Fund's reserves. The Sewer/WWTP projects programmed in the FY 2024/25 CIP to receive sewer funds identified in Table 5 below may be delayed in order to fund this overage in the Avenue 13 Project.

Table 5: Projects impacted by Avenue 13 Sewer Repair Rehabilitation Costs	
Project	Sewer Funds Programmed in CIP
S-000012 Schnoor Avenue Trunk Sewer System	\$1,150,000
SS-00008 2018 Sewer Manhole Project	\$200,000
SS-00011 Mainberry Sewer Project – Design	\$105,000
SS-00012 Doubletree Sewer Lateral Replacement	\$175,000
SS-00015 Sewer Lift Station R&R	\$200,000
S-STDY 1 Sewer System Cond Assess/Rehab	\$140,563
S-STDY-2 Sewer Asset Mgt. Software	\$75,000

S-VI-002 Sewer Line Video Inspection Services	\$695,000
WWTP23-04 WWTP Perimeter Fencing	\$348,000
Total	\$3,088,563

ALTERNATIVES:

1. Council could direct that General Fund monies be used to fund all or part of the Change Order. If Council directs General Fund monies be used to cover this Change Order, staff will return to Council at an upcoming meeting with a budget amendment to provide the necessary appropriations for this Change Order.
2. If Council elects not to approve the change order and/or the increase to the construction contingencies, Staff would request direction from Council as to additional information or action requested.

ATTACHMENTS:

1. Resolution
2. Letter from MKN

Attachment 1

Resolution

RESOLUTION NO. 25-_____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA
APPROVING CONTRACT CHANGE ORDER IN THE AMOUNT OF \$2,500,000
FOR CLEANING AND DEBRIS REMOVAL OF THE AVENUE 13 SEWER
INTERCEPTOR REHABILITATION PROJECT SS-00014**

WHEREAS, the City Council adopted Resolution 24-83 awarding a contract to SAK Construction, LLC,(Contractor) on June 12, 2024 for the Avenue 13 Sewer Interceptor Rehabilitation Project, City Project No. SS-00014, (Project); and

WHEREAS, on June 3,2024 and again on June 10, 2024, the Avenue 13 sewer trunk main experienced catastrophic failures of the pipeline within the Project limits, which necessitated declarations of emergency by the City; and

WHEREAS, the Contractor mobilized immediately providing bypass pumping, coordinating with and around the emergency repairs, and ultimately completing the improvements for Project under changed and worsened conditions than existing at the time of bidding for the Project; and

WHEREAS, the awarding resolution authorized up to 20 percent construction contingencies as approved by the City Engineer; and

WHEREAS, costs associated with excess cleaning and debris removal requirements will surpass the approved construction contingencies.

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

1. The above recitals are true and correct.
2. The City Council approves an increase in allowable contingencies for a change order to the contract with SAK Construction, LLC, for the Avenue 13 Sewer Interceptor Rehabilitation Project in an amount not to exceed \$2,500,000 related to cleaning and debris removal related to emergency repairs.
3. This resolution is effective immediately upon adoption.

* * * * *

Attachment 2

Letter from MKN



8405 N. Fresno Ste 120
559-500-4750 [PHONE](tel:559-500-4750)

February 27, 2025

City Council of Madera
City of Madera - Engineering
205 W. 4th Street
Madera, CA 93637

Re: Justification for \$2,500,000 Change Order for Excess Cleaning and Debris Removal in Avenue 13 Sewer Rehabilitation Project

Honorable Members of the City Council,

We request your approval for a change order totaling \$2,500,000 for additional cleaning efforts and debris removal associated with the ongoing sewer rehabilitation project. This change order is necessary due to unforeseen conditions encountered during the cleaning phase of the project, specifically involving the pipe failure and extensive deterioration of concrete sewer pipes.

Background

The purpose of the sewer rehabilitation project is to repair aging infrastructure by cleaning, inspecting, and rehabilitating deteriorated sewer mains. The cleaning part of the process includes removing debris, deteriorated pipe material, and other blockages to ensure the pipe is free of obstructions and abnormalities. Any obstructions or abnormalities that deformed the pipe shape by more than 10% compromise the pipe liner's ability to maintain structural integrity. During the cleaning operations, it became apparent that much more debris was generated than originally anticipated in the bid documents. The original estimate for debris was 30 cubic yards for the entire project. The amount of debris removed in phases 1 and 2 was 277.72 cubic yards; the estimated total debris for all four phases was 643.07 cubic yards. There are two significant sources of additional debris. First, a large amount of debris was washed into the pipe in June when the pipe failed in two different places, allowing large amounts of soil to wash into the pipe. The second source is from the pipe material itself; the condition of the concrete sewer pipe is significantly more corroded than shown in the latest CCTV inspections. The high level of corrosion causes concrete pipe material to be dislodged during the cleaning process. This pipe material must then be removed and disposed of at a landfill.

Justification for Additional Costs

1. Unforeseen Conditions:

- Initial condition assessments indicated the need for routine cleaning and debris removal. A sonar inspection was completed on a portion of the pipeline to validate that there were no excessive amounts of debris under the water level. However, the actual state of the concrete pipes was significantly worse, with advanced structural deterioration causing large amounts of pipe material to dislodge during the high pressure water cleaning. These conditions could not have been accurately assessed without initiating cleaning operations.

2. Increased Scope of Work:

- The unexpected volume of debris required additional labor, equipment, and time to ensure complete removal. Additional specialized cleaning equipment, such as high-capacity vacuum trucks, disposal bins, and water and sewer flushing trucks, were mobilized to handle the excessive material. The increased scope also necessitated the extension of work hours to prevent delays in project timelines. The contractor worked 24 hours a day and weekends during the cleaning activities, whereas their original plan was only to work weekdays for 12 hours.
- The additional cleaning operations extended the project timeline, requiring the bypass pumping system to remain operational longer than planned. The extended use of bypass equipment, additional fuel consumption, and labor hours contributed to the increased costs. The contractors originally submitted a schedule that included 56 days of bypass. Due to the extended duration of the cleaning process, the actual days of bypass were 83.

3. Mitigation of Environmental and Public Health Risks:

- If the accumulated debris within the sewer system is not removed, it would pose significant risks, including liner deformation, compromised liner structural integrity, blockages, sewer overflows, and environmental contamination. Timely removal of this debris is critical to maintaining the project schedule, maintaining the integrity of the sewer system, and preventing potential public health issues.

4. Cost Implications Without Change Order:

- Failing to address these conditions would have compromised the entire sewer rehabilitation project's success. The liner could not have been installed correctly, and the debris would have been flushed through the sewer main, ending up at the wastewater treatment plant. The wastewater treatment plant is not designed to accommodate the large amounts of debris. Addressing the debris removal now ensures long-term pipe integrity and system reliability.

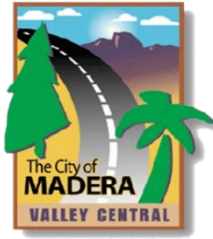
Conclusion

The unforeseen conditions encountered during the sewer rehabilitation project are directly tied to the pipe failures and advanced deterioration of the existing pipe, which necessitated this additional work. Approving this change order will allow the reimbursement of the Contractor for this unforeseen Work. This work ultimately safeguards the city's infrastructure, minimizes environmental risks, and prevents more costly interventions in the future.

We respectfully request your approval of this \$2,500,000 change order to address the excess debris removal.

Sincerely,

Kevin L. Norgaard, PE
Principal Engineer
MKN & Associates



Madera City Council Meeting

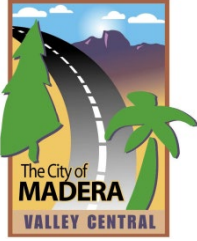
March 5, 2025

Agenda Item: E-1

Select Recipient for the Proclamations in the Month of April

Recommendation: Request for Council's Selection of a Recipient for the Proclamation Recognizing Sexual Assault Awareness Month and a Proclamation Recognizing National Volunteer Day (Report by Alicia Gonzales)

There is no written report for this item.



REPORT TO CITY COUNCIL

Approved by:

Michael Lima

Michael Lima, Director of Financial Services

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: March 5, 2025

Agenda Number: E-2

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:

This report provides an overview of the City's transit system performance for the 2nd quarter of Fiscal Year 2024/25, covering the months of September, October, and December. Data indicates a decrease in ridership compared to the 1st quarter of the fiscal year.

To enhance service for residents and ensure compliance with the Americans with Disabilities Act (ADA), bus stop improvement plans were finalized. Additionally, several key initiatives to improve transit services were initiated, advanced, or completed during this period, reflecting the City's continued commitment to strengthening public transportation.

DISCUSSION:

Madera Metro is the City's public transportation system. The system is comprised of an 18-bus fleet, with 12 buses dedicated to Fixed Route and 6 assigned to Dial-A-Ride (DAR). The DAR system includes three ADA Paratransit vans to ensure accessible transit options for individuals with disabilities. Notably, the Fixed Route service is free to all riders, while DAR passengers between 18-59 pay \$3.

For background, the City entered into an Agreement for the Management and Operation of the Madera Transit Services with MV Public Transportation, Inc. (MVPTI) on November 7, 2018. A subsequent Lease Agreement, approved by Council on September 2, 2020, grants MVPTI use of

the Transit Center at Freedom Industrial Park. MVPTI manages daily operations of the Fixed Route, DAR, and ADA Paratransit systems, while City staff oversee essential vehicle maintenance, including engine repairs.

As the community's transportation needs evolve, so does the City's transit system. Staff continuously monitors ridership and continually assesses the need to adapt services accordingly. Projects are also underway to support an efficient Madera Metro transit system.

Madera Metro Reporting

As part of its management responsibilities, MVPTI provides the City with monthly performance reports, which are key for assessing transit service effectiveness. Among key data is ridership. Table 1 summarizes the weekday ridership data collected between October 1 and December 31, 2024. Weekend ridership counts are also collected. Table 2 provides a summary of this data.

Table 1: Quarter 2 Summary of Weekday Ridership (October 1 – December 31, 2024)							
Month	Route				DAR	ADA/ Paratransit	Total Passenger Counts
	1/Purple	2/Orange	3/Green	4/Blue			
October	2,484	1,669	1,653	228	1,387	232	7,653
November	2,211	1,412	1,125	235	1,178	171	6,332
December	2,181	1,467	804	185	912	131	5,680
Total	6,876	4,548	3,582	648	3,477	534	19,665
Fixed Route Only Total	15,654						

Table 2: Quarter 2 Summary of Weekend Ridership (October 1 – December 31, 2024)					
Month	Route		DAR	ADA/ Paratransit	Total Passenger Counts
	1/Purple	2/Orange			
October	202	134	62	0	398
November	293	185	90	0	568
December	284	160	81	6	531
Totals	779	479	233	6	1,497
Fixed Route Only Total	1,258				

For comparison, the ridership totals for Quarter 1 during FY 2024/25 were 24,594, while the ridership totals for Quarter 2 were 21,162. MVPTI management has expressed to City staff that they believe the ridership decrease between Quarter 1 and Quarter 2 can be attributed to the winter closure at the Madera Community College. However, passenger counts increased between FY 2023/24 Quarter 1 and Quarter 2: the same time period when winter closure occurred last fiscal year. Staff will be following up with MVPTI management to determine additional causes for the decline.

Table 3: Year-to-Date Summary of All Ridership (July 1 – December 31, 2024)							
Month	Route				DAR	ADA/ Paratransit	Total Passenger Counts
	1/Purple	2/Orange	3/Green	4/Blue			
July	3,341	2,146	430	253	1,239	2	7,411
August	3,025	2,540	781	179	1,523	0	8,048
September	2,495	2,068	1,269	198	1,440	190	7,660
October	2,686	1,803	1,653	228	1,449	232	8,051
November	2,504	1,597	1,125	235	1,268	171	6,900
December	2,465	1,627	804	185	993	137	6,211
Totals	16,516	11,781	6,062	1,278	7,912	732	44,281
Fixed Route Only Total	35,637						

Between July 1, 2023 and December 31, 2023, Madera Metro served 52,336 passengers. The ridership total for the same time period this fiscal year is 44,281. The difference is a 15.4% decrease in ridership (8,055 passengers) DAR has seen an increase of 400 passengers in the first half of this fiscal year compared to the first half of last fiscal year, while Fixed Route has experienced a decrease of 8,455 passengers over the same time period. It must be pointed out that the Fixed Route service changed between fiscal years. Last year, there were three routes running in the first six months of last fiscal year, while there were four routes running in the same time period this fiscal year.

In addition to ridership data, staff reviews other performance measures, including on-time performance, fleet performance, driver retention, accidents/incidents, and complaints. Table 4 provides a summary of on-time performance as reported by MVPTI.

Table 4: Quarter 2 On-Time Performance (October 1 – December 31, 2024)			
	October	November	December
Fixed Route	89%	89%	100%
Dial -A-Ride	98%	97%	98%

Fleet Performance, Driver Management, and Customer Feedback

MVPTI provided the following updates regarding fleet performance, driver issues, and customer feedback for the reporting period:

- Fleet Performance: There were no mechanical failures during the quarter.
- Driver Management: Three new hires were integrated into the routes.
- Customer Feedback: No incidents, or service-related issues were reported. City staff received one phone call reporting a passenger’s inability to connect with a dispatcher and schedule a reservation. Staff notified MVPTI and was informed that only one dispatcher is available at certain times of the day. After meeting with MVPTI management in September 2024, it was agreed upon that additional MVPTI staff would be cross-trained to prevent this scheduling difficulty.

These metrics contribute to an ongoing assessment of service quality and operational efficiency, ensuring that Madera Metro maintains high fleet reliability and customer experience standards.

Expenditures

The City spent \$558,783.87 for Fixed Route service and \$401,885.39 for DAR during the second quarter of FY 2024/25. During the reporting period, transit-related expenditures were paid using Federal Transit Administration (FTA) grant funds and State transportation funds, including State Transit Assistance (STA) and Local Carbon Transit Operations (LCTOP).

Madera Metro Special Events

Madera Metro provides transit support for various City-sponsored events throughout the year, assisting with transportation for event participants. On December 20, 2024 Madera Metro dispatched 10 transit buses to support the popular Jolley Trolley community event.

Madera Metro Marketing Effort

Several marketing methods are used to provide the public with up-to-date information. These include recurring social media posts related to fare and schedule information, in-person meetings, bus postings, and information shared through community partnerships. During the second quarter, the following marketing took place:

1. Social media posts announcing updated holiday service hours. The following holidays impacted service: Columbus Day, Veterans Day, Thanksgiving, and Christmas. The public was notified through social media as well as bus postings.
2. Flyers with fare details were provided to the Madera Food Bank for their Thanksgiving and Christmas food box distributions.
3. Staff met with the Madera Unified School District Director of Community Services, Eli Medina, to share route and fare information.

Federal Transit Administration (FTA) 2024 Triennial Review

The FTA's Triennial Review of the City occurred on August 20 - 21, 2024. A final report was provided to the City on November 21, 2024. Although not an audit, the Triennial Review is required by U.S.C. 5307 (f)(2). It is the FTA's assessment of the City's compliance with federal requirements in 23 areas. In short, all of the findings have been addressed, with the exception of one which will be addressed in the next few weeks. Table 5 provides details related to the deficiency findings and the status of the City's compliance.

Table 5: Summary of Findings: 2024 FTA Triennial Review		
Review Area	Finding Description	Staff Response
Financial Management and Capacity	Funds not disbursed timely.	Awards management policy updated. Verification submitted.
Technical Capacity – Award Management	Milestone Progress Reports (MPR) lack the required information. Inactive award/untimely closeouts.	Updated MPR and Award Closeout Plan procedures and submitted verifications.
Technical Capacity – Project Management	Inadequate oversight of transit management contractor(s)/lessee(s)	Transit Services Procedure submitted.
Transit Asset Management (TAM)	Performance targets not set annually	The TAM Plan was updated and submitted along with Council resolution
Maintenance	Accessibility features not maintained	Transit Facilities & Equipment Maintenance Policy was updated. Verification submitted.
Procurement	Lacking required justification(s) and documentation for noncompetitive award(s)	Verification of procurement procedures training submitted.
Disadvantaged Business Enterprise (DBE)	1. Insufficient resources to administer the DBE program	Draft memo of corrective action requirements is being reviewed.

	2. DBE goal not submitted	<ul style="list-style-type: none"> ▪ The calculation of the DBE percentage goal has been determined to be 3%. ▪ A consultation with potential DBEs will be scheduled and the DBE goal will be posted on the City's Madera Metro website. ▪ This goal will be achieved by March 21, 2025.
	3. DBE uniform reports contain inaccuracies and/or are missing required information	DBE uniform reports are updated and submitted.
	4. Insufficient documentation of monitoring DBE compliance of contractors	DBE Program Goal procedures updated and submitted.
Americans with Disabilities (ADA) General	Insufficient oversight of contracted service for ADA requirements	ADA Contract Monitoring Procedures and verifications submitted
ADA – Complimentary Paratransit	1. Presumptive eligibility deficiencies	Transit Services Oversight Procedures submitted.
	2. Eligibility letter deficiencies	Transit Services Oversight Procedures submitted. Updates to the eligibility letter are in progress.
	3. Eligibility appeals process not properly implemented	Transit Services Oversight Procedures submitted. Updates to appeals process letter are in progress.
	4. Service to visitors not provided under same conditions as eligible riders	ADA Complementary Paratransit Visitor Policy and updated Rider's guide submitted.
	5. Limits or capacity constraints on ADA complementary paratransit service	Transit Services Oversight and monthly data spreadsheet submitted.
	6. Insufficient oversight of contractors/other private entities providing ADA complementary paratransit	ADA and Transit Services Oversight Procedures submitted. Staff participated in ADA training on 12/19/24. Certification submitted.

Madera Metro Project Updates

Several transit-related projects aimed at enhancing Madera Metro's services are currently in progress. These initiatives focus on improving service quality, accessibility, and efficiency to better serve the Madera community. Table 6 provides a detailed status update on each project:

Table 6: Summary of Madera Metro Project Progress		
Item	Project Progress	Next Steps
Madera Transit Plan	New bus stop signage has been received.	<ol style="list-style-type: none">1. New signage has been installed at all bus stops.2. All inactive bus poles have been removed.3. Solar lighting installation at all stops (without a shelter) is in progress. Completion expected by June 30, 2025.
Renovation of the Intermodal Transit Facility	This project remains in Phase III – Construction Documents.	In progress. Building Plans are currently being review by City staff. Completion of Phase III and begin Phase IV – Bidding and Construction Administration by May 1, 2025.
Micro-transit Feasibility Study	Staff developed a Micro-Transit Feasibility Study Request for Proposals (RFP).	The RFP closed on February 7, 2025. Four proposals were received. Staff will begin the evaluation phase in February. Anticipated contract award June 2025.
Transit Operator	Staff is finalizing a transit operator RFP.	Finalize the draft and release the RFP in March 2025.

Staff acknowledges a delay in releasing the Transit Operator RFP. Responding to the FTA's Triennial Review deficiency findings impacted staff's time to dedicate to the RFP. However, drafts of the RFP and all attachments are being finalized for release to potential vendors this month.

FINANCIAL IMPACT:

The Madera Metro public transit service is funded by Federal and State grants, including Measure T. The preparation of this report does not have a direct financial impact other than the staff time dedicated to complete it.

ALTERNATIVES:

This item is for informational purposes only. There is no action being requested from Council on this item.