

REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, October 5, 2022
6:00 p.m.

Council Chambers
City Hall

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. 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: 897 7517 9569#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER:

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

INVOCATION: Mike Souza, Harvest Community Church

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

PUBLIC COMMENT:

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

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Certificate Recognizing Dennis Smith for 11 Years of Service on ADA Advisory Council
2. Certificate Recognizing Tim Riche for 6 Years of Service on ADA Advisory Council
3. Proclamation Recognizing Indigenous People Day
4. Madera Community College - Lumina Million Dollar Community College Challenge

INTRODUCTIONS:

1. Liliana Camacho, Administrative Assistant Grants Department

A. WORKSHOP: None

B. CONSENT CALENDAR:

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

B-1 Minutes – 05/18/22, 06/01/22

Recommendation: Approve the City Council Minutes of May 18, 2022 and June 1, 2022

B-2 Informational Report on Register of Audited Demands for September 10, 2022 to September 23, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Request to Waive City Fees relating to Madera High School's Homecoming Parade

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police and Public Works Services relating to the Madera High School Homecoming Parade in the amount of \$2,124 (Report by Dino Lawson)

B-4 Letter of Support for Amond World and the Pursuit of California Competes Tax Credit

Recommendation: Approve a Minute Order Approving a Letter of Support for Amond World and the California Competes Tax Credit (Report by Arnoldo Rodriguez)

B-5 Appointment to the Civil Service Commission

Recommendation: Adopt a Resolution Appointing Dennis Smith to the Civil Service Commission (Report by Wendy Silva)

B-6 Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement at 1389 Taylor Lane (APN 006-580-006)

Recommendation: Adopt a Resolution Approving a Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement (PUE) at Property Owners Risk (Report by Keith Helmuth)

B-7 Letter of Support for the Affiliation of Madera Community Hospital, Trinity Health, and Saint Agnes Medical Center

Recommendation: Approve a Minute Order Approving a Letter of Support the Affiliation of Madera Community Hospital, Trinity Health, and Saint Agnes Medical Center (Report by Arnoldo Rodriguez)

B-8 Consideration of a Request by Nadeem Ahmad and Shahzada Farooq for Connection to the City's Water System

Recommendation: Adopt a Resolution Approving an Agreement for Outside City Limits Water Connection for 16255 North D Street (Report by Keith Helmuth)

C. PUBLIC HEARINGS:

C-1 Public Hearing for Annexation No. 11 (Tract 20-S-02 Pecan Square Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions

Recommendation:

- 1) Adopt a Resolution Authorizing the Annexation (Annexation No. 11) of Territory to Community Facilities District (CFD) No. 2005-1 and Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
- 2) Adopt a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 11 of CFD 2005-1 the Proposition Regarding the Annual Levy of Special Taxes within Annexation No. 11 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance within the District; and
- 3) Conduct a Special Election of the Qualified Electors of Annexation No. 11 of the City's CFD 2005-1 and Declaration and Certification of the Results Thereof; and
- 4) Adopt a Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 11 to CFD 2005-1 (Report by Will Tackett)

C-2 Public Hearing Regarding for Annexation No. 12 (Tract 21-S-01 Crown Tozer Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions

Recommendation:

- 1) Adopt a Resolution Authorizing the Annexation of Territory (Annexation No.12) to Community Facilities District (CFD) No. 2005-1 and Authorizing the Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors; and
- 2) Adopt a Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 12 of the City's CFD 2005-1 Proposition Regarding the Annual Levy of Special Taxes within Annexation No. 12 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance within the District; and
- 3) Conduct a Special Election of the Qualified Electors of Annexation No. 12 of the City's CFD 2005-1 and Declaration and Certification of the Results Thereof; and
- 4) Adopt a Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 12 to CFD 2005-1 (Report by Will Tackett)

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

E. ADMINISTRATIVE REPORTS:

- E-1 Identification of Improvements for Inclusion in the Reconnecting Communities Pilot Program Grant for use on the Caltrans Downtown Madera CAPM (Capital Preventive Maintenance) and Council Direction Regarding Possible Use of Alternate Source of Funds should it be found necessary**

Recommendation: Adopt a Minute Order Approving the City's Project List for the Reconnecting Communities Pilot Program Grant Application and Provide Direction Regarding Possible Use of an Alternate Funding Source for the Same Grant should it be found to be necessary (Report by Keith Helmuth)

- E-2 Discussion and Direction regarding Developer Request to add a Rolled Curb Standard to the City of Madera Standard Plans and Specifications**

Recommendation: This report is submitted for Discussion and Direction regarding Developer Request to Add a Rolled Curb Standard to the 2005 City of Madera Standard Plans and Specifications (Report by Keith Helmuth)

- E-3 Update on Citywide Cannabis Process**

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

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

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

G. CLOSED SESSION:

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

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

Employee Groups: General Bargaining Unit, Madera Police Officers' Association, Mid-Management Employee Group, Law Enforcement Mid Management Group

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

Agency Designated Representatives: Arnolando Rodriguez and Che Johnson

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

ADJOURNMENT:

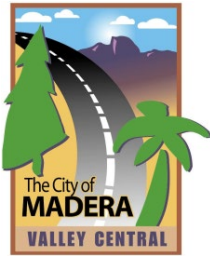
UPCOMING MEETING DATES:

- Wednesday, October 19, 2022
- Wednesday, November 2, 2022

- Please silence or turn off cell phones and electronic devices while the meeting is in session.
 - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
 - A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (559) 661-5405 or by email at cityclerkinfo@madera.gov.
 - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
 - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
 - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for October 5, 2022, near the front entrances of City Hall and on the City's website www.madera.gov at 9:30 p.m. on September 29, 2022.


Alicia Gonzales, City Clerk



Item:	B-1
Minutes for:	05/18/2022
Adopted:	10/05/2022

Minutes of a Regular Meeting of the Madera City Council

Wednesday, May 18, 2022
6:00 p.m.

Council Chambers
City Hall

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. 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: 810 5476 9040#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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

ROLL CALL:

Present: Mayor Santos Garcia
Mayor Pro Tem Anita Evans, District 4
Councilmember Cece Gallegos, District 1 – Zoom, attended in-person at 6:47 p.m.
Councilmember Jose Rodriguez, District 2 - Zoom
Councilmember Steve Montes, District 3
Councilmember Elsa Mejia, District 5
Councilmember Artemio Villegas, District 6

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, City Engineer Keith Helmuth, Interim Director of Financial Services Anthony Forestiere, Fire Division Chief Matt Watson, Grants Administrator Marcela Zuniga, Human Resources Director Wendy Silva, Interim Parks Director Joseph Hebert, Planning Manager Gary Conte, Police Chief Dino Lawson, Commander Gino Chiramonte, Interim Public Works Director Dan Foss, Grants Administrator Marcela Zuniga, Deputy City Engineer Ellen Bitter, Senior Civil Engineer Steve Bettencourt, Assistant Planner Ricardo Olea, Senior Planner Robert Smith, Computer Technician Kevin Newsome, and Communication Specialist Joseph Carrello.

INVOCATION: Joyce Lane, Glory of Zion Ministry

PLEDGE OF ALLEGIANCE: Councilmember Elsa Mejia

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY MAYOR PRO TEM EVANS, THE APPROVAL OF AGENDA WAS APPROVED BY A 7/0 VOTE. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

PUBLIC COMMENT:

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

Mayor Garcia announced that before Public Comment is opened, a presentation addressing the Fresno River Fire will be made by Arnoldo Rodriguez City Manager, Chief Dino Lawson, and Chief Matt Watson.

Public comment was made by City residents Mark Meyers, DJ Becker, Michael Horalis, Baldwin Moy, Lisa, Mandy De La Pena, Mary Sandoval, Lydia, Diane, Daisy De La Pena, Johanna Torres, Sylvia, Jessica Melgoza, Pedro Rivera, Rosa Charboneau, and Elizabeth Yost.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Proclamation Recognizing Madera Rotary's Centennial Anniversary

Council recognized the Rotary Club of Madera for their centennial anniversary, honoring their 100-year service to the community of Madera. Mayor Garcia awarded the certificate for their commitment to provide humanitarian service, encourage high ethical standards and promote good will in their community. He proclaimed the 18th day of May as Madera Rotary Club Centennial Celebration Day. Rotary Club President, Alexis Hicks was in attendance to accept the award.

2. Certificate of Recognition - Thomas Jefferson Middle School 8th Grade Baseball 2022 CVAL Champions
3. Certificate of Recognition - Thomas Jefferson Middle School 7th Grade Softball 2022 CVAL Champions

Both Thomas Jefferson Middle School 7th and 8th grade teams were not in attendance due to a previously scheduled engagement and will be recognized at a future Council meeting.

4. Certificate of Recognition - Hilda Cantu Montoy, League of Women Voters 100 Notable Women of Fresno

Council honored City Attorney, Hilda Cantu-Montoy with a certificate of recognition for being selected as one of Fresno's 100 most Notable Women by the League of Women Voters. The organization pays tribute to women who have made a difference in their communities.

5. Madera County Mosquito & Vector Control - Mosquitos and Public Health Concerns

Trinidad Reyes, biologist with Madera County Mosquito Abatement and Vector Control, presented the County's efforts to protect Madera and Chowchilla residents from over infestation of mosquitos.

INTRODUCTIONS: None

A. WORKSHOP: None

B. CONSENT CALENDAR:

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

Item B-4 was pulled from the Consent Calendar to be discussed separately. Councilmember Montes requested the community to be included in the cleanup efforts if and when possible. City Manager stated that staff will make an effort to include community members and to notify them of any actions taken regarding litter abatement in the Fresno River.

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

THE MOTION PASSED FOR ALL ITEMS EXCEPT B-4 WITH THE FOLLOWING VOTE:

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

B-1 Minutes – December 1, 2021

Recommendation: Approve the City Council Minutes of 12/01/21

B-2 Informational Report on Register of Audited Demands for April 23, 2022 to May 6, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Informational Report on Personnel Activity

Recommendation: No Action Required (Report by Wendy Silva)

B-4 Service provider agreement with O&E Transportation LLC, for litter abatement project in the Fresno River

Recommendation: Adopt a Resolution Approving a Service Provider Agreement with O&E Transportation LLC, for a Litter Abatement Project Addressing the Fresno River within the City limits (Report by Daniel Foss)

RES 22-67 A RESOLUTION OF THE CITY COUNCIL OF MADERA, CALIFORNIA APPROVING A SERVICE PROVIDER AGREEMENT WITH O&E TRANSPORTATION LLC SERVICE PROVIDER AGREEMENT WITH O&E TRANSPORTATION LLC, FOR LITTER ABATEMENT PROJECT IN THE FRESNO RIVER

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, THE CONSENT CALENDAR, WAS APPROVED BY A 7/0 VOTE. ITEM B-4 WAS PULLED FOR DISCUSSION. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

B-5 Amendment No. 1 to Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc. for design services for shoulder paving and sidewalks

Recommendation: Adopt a Resolution Approving Amendments No. 1 to the Consultant Services Agreement with Blair, Church, and Flynn Consulting Engineers, Inc. (BCF) for Design Services for Shoulder Paving and Sidewalks (Report by Keith Helmuth)

RES 22-68 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT WITH BLAIR, CHURCH, AND FLYNN CONSULTING ENGINEERS, INC. (BCF) FOR DESIGN ENGINEERING FOR SHOULDER PAVING AND SIDEWALKS

B-6 Agreement with Planet Bids, Inc. for Electronic Procurement Software

Recommendation: Adopt a Resolution Approving an Annual Software Services Agreement between the City and Planet Bids, Inc. for Electronic Procurement Software (Kingsley Okereke)

RES 22-69 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN ANNUAL SUPPORT SERVICE AGREEMENT BETWEEN THE CITY OF MADERA AND PLANETBIDS FOR COST EPROCUREMENT SOFTWARE IN THE AMOUNT OF \$5,875.00 FOR THE FIRST YEAR, \$6,021.88 FOR THE SECOND YEAR, \$6,172.42 FOR THE THIRD YEAR, \$6,326.73 FOR THE FOURTH YEAR, AND \$6,484.90 FOR THE FIFTH YEAR, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

B-7 Amendment No. 2 to the City of Madera Transit System Procurement Guidelines

Recommendation: Adopt a Resolution Approving Amendment No. 2 to the City of Madera Transit System Procurement Guidelines, an Administrative Supplement to the City of Madera's Purchasing Policies and Procedures relating to the Leasing of FTA-assisted Assets to others for Transit Service (Report by Kingsley Okereke)

RES 22-70 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 2 TO THE CITY OF MADERA TRANSIT SYSTEM PROCUREMENT GUIDELINES, AN ADMINISTRATIVE SUPPLEMENT TO THE CITY OF MADERA'S PURCHASING POLICIES AND PROCEDURES RELATING TO THE LEASING OF FTA ASSISTED ASSETS TO OTHERS FOR TRANSIT SERVICE

B-8 Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 361)

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

RES 22-71 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE CITY COUNCIL AND ALL BOARDS, COMMISSIONS, AND STANDING COMMITTEES OF THE CITY IN ACCORDANCE WITH ASSEMBLY BILL 361 FOR A PERIOD OF THIRTY DAYS

B-9 Letter authorizing City Manager to act on behalf of the City of Madera in relation to signing the Official Claim Form for Excess Proceeds with the County of Madera

Recommendation: Approve a Minute Order Approving the letter Authorizing City Manager to act on behalf of the City in relation to signing the Official Claim Form for Excess Proceeds with the County of Madera (Report by Kingsley Okereke)

B-10 Agreement with CDM-Smith for Professional Engineering Services for the completion of design of Water Well 37, Project W-GW-001

Recommendation: Adopt a Resolution Approving an Agreement with CDM-Smith for \$50,312.00 for professional engineering services for the design of Water Well No. 37 Improvements, City Project No. W-GW-001 (Report by Keith Helmuth)

RES 22-72 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH COM-SMITH IN THE AMOUNT OF \$50,312.00 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF WATER WELL NO. 37, CITY PROJECT NO. W-GW-001

C. PUBLIC HEARINGS: None

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

E. ADMINISTRATIVE REPORTS:

E-1 Fiscal Year Budget 2022/2023 Presentation and Workshop

Recommendation: Presentation for Fiscal Year Budget 2021/2022, Council Review, Discuss and Provide Direction to Staff (Report by Kingsley Okereke)

Staff provided Council with an update on projected revenues for Fiscal Year Budget 2021-2022. This Item was informational only and required no specific action by Council.

E-2 Direction on future training opportunities for City Council and Community Engagement

Recommendation: Presentation, Council review, discuss and provide direction to staff (Report by Arnoldo Rodriguez)

Staff sought direction on trainings previously requested by Councilmembers. Hilda Cantu-Montoy City Attorney offered the following trainings for Council to consider: City Council Legal Powers & Obligations, Open Government and Conflicts of Interest, Governance and Success, Procedure for City Council Meetings, Land Use 101, CEQA Refresher, Public Hearings, and Relationship between Council, Manager and Staff.

Staff sought direction from Council on beginning a process to explore opportunities for civic engagement. The goal is to involve community members and offer a "Citizens Academy" in which residents can learn about the different aspects of local government. Suggestions for the informational sessions were City Governance for the Public, Citizens' Role in Meetings/Hearings, Public Engagement, Written Rules and Procedures for City Council Meetings and Events Policies and Protocols.

On the first item, Council would like to cover any and all trainings listed as time permits.

On the second item, Council expressed their approval in offering a Citizen's Academy for any residents who are interested in accessing the different governmental resources available to them.

E-3 Appointment of a 3rd Councilmember to Ad-Hoc Committee to participate in negotiations on a tax sharing agreement between the City and the County

Recommendation: Appoint a third Councilmember to serve on the Ad-Hoc Committee (Report by Arnoldo Rodriguez)

At the May 4, 2022 Council meeting, two Councilmembers were elected to serve on an Ad-Hoc Committee to negotiate tax sharing agreement with the County, with the possibility of adding an additional member pending agreement from the County. After the meeting, staff approached the County on the subject, and the County confirmed that it is agreeable with the additional appointment to the Committee.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, COUNCILMEMBER RODRIGUEZ IS APPOINTED AS THE THIRD COMMITTEE MEMBER, WAS APPROVED BY A 6/1 VOTE. NOES: MAYOR PRO TEM EVANS. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER MEJIA
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

NO: 1 - MAYOR PRO TEM EVANS

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

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

Councilwoman Gallegos expressed her gratitude to Staff, police officers and firefighters who were present at the Riverview fire. Miracle Realty has set up a GoFundMe for both families affected by this fire.

Councilmember Montes voiced his sympathies to the families who lost their homes to the Riverview fire, and commended Fire and PD for their efforts. He also highlighted AB-1482 regarding rent protection and asked to involve all interested parties in the discussion in future meetings. He mentioned concerns on behalf of the Soccer Leagues of Madera which he would like to bring on the record at a future meeting.

Councilmember Rodriguez reviewed his meeting with Madera County Transportation Commission Steering Committee and their efforts to pass Measure T, which will provide funding that allows for road repairs. He also mentioned the "Walk the Trails" event at Town & Country Park and expressed his appreciation to Joseph Hebert and the PCS team for pursuing the funding and for executing this project. He expressed his sympathies to the families who were tragically affected by the Riverview Fires and thanked fire fighters and police officer who were there protecting the community. Lastly, Councilmember Rodriguez confirmed that the City and its partners have secured enough funding to finance a fireworks show for the public to enjoy for the 4th of July celebration.

Mayor Pro Tem Evans acknowledged Joseph Hebert and the Parks Staff for coordinating the reopening of the Frank Bergon Senior Center. She also highlighted the Madera County Law Enforcement Memorial Ceremony held on May 17th honoring local Madera County peace officers who gave their lives protecting our community. She also thanked Staff and first responders for their help covering the Riverview fire.

Councilwoman Mejia had nothing to report.

Councilmember Villegas conveyed his sympathies to the families who lost their homes and thanked the fire department and surrounding area responders for their responsiveness in the Riverview fire.

Mayor Garcia recognized citizens in attendance for voicing their frustrations and concerns and thanked the City Manager for securing an emergency verbal approval from the California Department of Fish and Wildlife to clean up the Fresno River.

G. CLOSED SESSION:

G-1 Liability Claim Pursuant to Section §54956.95

Agency Claimed Against: City of Madera

Claimant: David Davis

City Attorney Hilda Cantu Montoy made the closed session announcement at 8:28 p.m.

Council returned from Closed Session at 8:49 p.m. with all members of the Council present.

City Attorney announced City Council rejected the claim with a 7/0 vote.

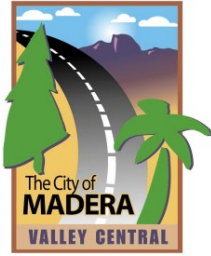
ADJOURNMENT: Meeting was adjourned at 8:50 p.m.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

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

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor



Item:	B-1
Minutes for:	06/01/2022
Adopted:	10/05/2022

Minutes of a Regular Meeting of the Madera City Council

**Wednesday, June 1, 2022
6:00 p.m.**

**Council Chambers
City Hall**

The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at www.madera.gov/live. 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: 856 7169 2434#. Comments will also be accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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

ROLL CALL:

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

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, City Engineer Keith Helmuth, Interim Director of Financial Kingsley Okereke, Fire Division Chief Matt Watson, IS Manager Mark Souders, Interim Parks Director Joseph Hebert, Planning Manager Gary Conte, Police Chief Dino Lawson, Commander Gino Chiramonte, Interim Public Works Director Dan Foss, Deputy City Engineer Ellen Bitter, Assistant Engineer Alexis Raymundo, Administrative Analyst II Eric Battles, and Communication Specialist Joseph Carrello.

INVOCATION: Pastor Fred Thurman, New Life Assembly

PLEDGE OF ALLEGIANCE: Councilmember Jose Rodriguez

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, THE APPROVAL OF AGENDA WAS APPROVED BY A 7/0 VOTE, MOVING ITEM E-1 TO BE HEARD AFTER THE CONSENT CALENDAR, AND ITEM G-2 WAS REMOVED FROM THE AGENDA TO A FUTURE COUNCIL MEETING. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

PUBLIC COMMENT:

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

Resident at 2828 Monocott Avenue requested traffic study.

Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

INTRODUCTIONS:

City Manager Arnolando Rodriguez introduced Kingsley Okereke, Interim Finance Director.

A. WORKSHOP: None

B. CONSENT CALENDAR:

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

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

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

B-1 Minutes – 12/15/21

Recommendation: Approve the City Council Minutes of December 15, 2021

B-2 Informational Report on Register of Audited Demands for May 7, 2022 to May 20, 2022

Recommendation: No Action Required (Report by Kingsley Okereke)

B-3 Section 125 Flexible Benefits Plan Amendment

Recommendation: Adopt a Resolution

- 1) Approving an Amendment to the City of Madera Flexible Benefits Plan; and
- 2) Authorizing the City Manager to sign the Amendment and any related documents (Report by Wendy Silva)

RES 22-73 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE AMENDMENT TO THE CITY OF MADERA FLEXIBLE BENEFITS PLAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND ANY RELATED DOCUMENTS

B-4 Sale of Two Police Canines

Recommendation: Approve a Minute Order Authorizing the Sale of Two Police Canines for \$1.00 each (Report by Dino Lawson)

B-5 Three Easement Deeds for Sidewalk Improvements on Maple, Santa Cruz, and Monterey Streets City Project R-84

Recommendation: Adopt a Resolution Approving Three Purchase and Sale of Real Property Agreements and Authorizing the City Clerk to prepare the Certificate of Acceptance and Record Three Easement Deeds (APN No. 012-096-006, 012-095-004, and 012-096-016) (Report by Keith Helmuth)

RES 22-74 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THREE AGREEMENTS FOR PURCHASE AND SALE OF REAL PROPERTY (APN NO. 012-096-006, 012-095-004, 012-096-016) WITH THE PROPERTY OWNERS AND AUTHORIZING THE CITY CLERK TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND RECORD THE EASEMENT DEEDS FOR THE SIDEWALK IMPROVEMENTS ON MAPLE STREET, SANTA CRUZ STREET AND MONTEREY STREET, CITY PROJECT NO. R-84

B-6 Consultant Services Agreement with Madera Unified School District

Recommendation: Adopt a Minute Order Approving the Consultant Services Agreement with the Madera Unified School District (MUSD) for the Foster and Homeless/Families in Transition Enrichment Services Program not to exceed \$40,000 (Report by Joseph Hebert)

B-7 Clean California Local Grant Program – Fresno River & Vernon McCullough River Trail Project

Recommendation: Adopt a Resolution Approving a Restricted Grant Agreement with the California Department of Transportation for the Clean California Local Grant Program and Authorizing the City Manager to Execute the

Agreement for the Fresno River & Vernon McCullough River Trail Project
(Report by Joseph Hebert)

RES 22-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE
CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR FRESNO RIVER &
VERNON MCCULLOUGH RIVER TRAIL PROJECT

Item E-1 was presented. Staff provided Council and the Public with an update on the Fresno River cleanup.

Public Comment was made by DJ Becker, Jesus De La Gomez, and Michael Varlas.

Comments were made by Mayor Pro Tem Evans, Councilmember Rodriguez, Councilmember Montes, and Mayor Garcia.

C. PUBLIC HEARINGS:

C-1 Public Hearing to consider the proposed Annual Assessment for Zones of Benefit of the City-Wide Landscaping and Lighting Maintenance Assessment District and to Consider Increasing the Annual Assessment for Certain Zones of Benefit of the City-Wide Landscaping and Lighting Maintenance Assessment District as Required by the Landscaping and Lighting Act and Proposition 218

Recommendation: Staff recommends that the City Council take the following actions:

- 1) Conduct the public hearing and receive any public comments.
- 2) Direct the City Clerk to tabulate protests for Zones of Benefit for annual assessments and to tabulate ballots for proposed increase of annual assessments.
- 3) Adopt Resolution No. 22- __:
 - a. Declaring the results of the Proposition 218 proceedings to increase assessments for certain Zones of Benefit 3, 7, 8, 9, 10A, 10D, 10G, 10H, 10I, 13, 14, 15B, 15C, 16, 17A, 17C, 17D, 20B, 21A, 23, 25C, 26, 26B, 26C, 26D, 27B, 28B, 31A, AND 36B.
 - b. Confirming the diagram and assessments as set forth in said Engineer's Report for the Landscape and Lighting District of the City of Madera, as the same may be modified for Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50, and 51 of the City Wide Landscape and Lighting Assessment District.
 - c. Levying the assessments as set forth in said report of the Engineer for Fiscal Year 2022/2023 *[NOTE: if a majority protest exists for any Zone of Benefit, any such Zone of Benefit shall not include the imposition of an extended or increased assessment and will be deleted from the Proposed Resolution at the hearing]*.
 - d. Authorizing and directing the City Engineer to file the diagram and assessments with the Madera County Auditor's Office and to make any clerical corrections (Report by Keith Helmuth)

Presentation by Nicole Say, Administrative Analyst.

Public Comment was made by community members David a resident in Zone 31A and Iris Esteves a resident in Zone 16, both in opposition of Proposition 218.

Comments were also made by Staff, Councilmember Rodriguez, and Councilmember Montes.

The Public Hearing was closed.

A recess was called at 7:28 p.m. while the City Clerk and staff tabulated the ballots in the lobby of City Hall.

The meeting reconvened at 7:35 p.m. Council agreed to continue with the meeting and consider other agenda items while the ballots were being tabulated.

An amendment was made to section III of the resolution based on the Proposition 218 ballots. Because none of the Zones of Benefits received a majority vote in favor, no assessment increases were imposed.

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

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

RES 22-76 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING THE RESULTS OF THE PROPOSITION 218 PROCEEDINGS TO INCREASE ASSESSMENTS FOR ZONES OF BENEFIT 3, 7, 8, 9, 10A, 10D, 10G, 10H, 10I, 13, 14, 15B, 15C, 16, 17A, 17C, 17D, 20B, 21A, 23, 25C, 26, 26B, 26C, 26D, 27B, 28B, 31A, AND 36B; CONFIRMING THE DIAGRAM AND ASSESSMENTS; ORDERING THE LEVY AND COLLECTION FOR ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-1, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50, AND 51 OF THE CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT FOR FISCAL YEAR 2022/2023; AND AUTHORIZING THE CITY ENGINEER TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

C-2 First Reading of an Ordinance Relating to the Police Department's Use of Military Equipment Per Assembly Bill 481 (AB 481)

Recommendation: Waive the full reading and introduce the Ordinance Adding Chapter 16 to Title III of the Madera Municipal Code (MMC) (Report by Dino Lawson)

Presentation by Chief Lawson and Commander Chiramonte.

Comments were made by Councilmember Rodriguez, Councilmember Montes, Councilmember Gallegos, and Mayor Pro Tem Evans

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

THE MOTION PASSED WITH THE FOLLOWING VOTE:

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

INTRO ORD 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

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

D-1 Approval of a New Schedule "A" Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2022, to June 30, 2023, for Fire Service Operations

Recommendation: Adopt a Resolution Approving a New Schedule "A" Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) for fire service operation from July 1, 2022, to June 30, 2023 (Report by Matthew Watson)

Presentation by Chief Watson.

Comments were made by Councilmember Gallegos, Councilmember Rodriguez, Mayor Pro Tem Evans, and Councilmember Montes.

ON MOTION BY MAYOR GARCIA AND SECONDED BY MAYOR PRO TEM EVANS, ITEM D-1, WAS APPROVED BY A 5/2 VOTE. NOES: COUNCILMEMBER GALLEGOS AND MEJIA. ABSENT: NONE. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 5 - COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
MAYOR PRO TEM EVANS
COUNCILMEMBER VILLEGAS
MAYOR GARCIA**

**NO: 2 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER MEJIA**

E. ADMINISTRATIVE REPORTS:

E-1 Fresno River Cleanup Update

Recommendation: Informational Report (Report by Arnolando Rodriguez)

This item was presented after the Consent Calendar.

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

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

Councilwoman Gallegos thanked the City Manager, Station 58, and Chief Watson for welcoming the 9/11 beam during the Memorial Day celebration. She also expressed her appreciation for Madera Irrigation District for their partnership with the City in the Fresno River clean up and advised those who are working in rising temperatures to stay hydrated.

Councilmember Montes voiced appreciation for the Memorial Day 9/11 beam event. He and Councilmember Gallegos also participated in the Red Cross Sound the Alarm event, which provided for the installation of 172 smoke alarms in 89 Madera households. Additionally, he requested Staff review the actions the City may take to protect citizens from rent hikes related to Assembly Bill 1482, which was raised during the Public Comment portion from the prior Council meeting.

Councilmember Rodriguez had nothing to report.

Mayor Pro Tem Evans mentioned the VFW and Memorial Day celebrations were outstanding. She will be attending graduation at James Monroe Elementary, where she will deliver a speech and present graduates with gift bags provided by the City. She also highlighted Juneteenth, which will fall on Friday, June 17th this year due to Father's Day falling on the 19th. A banner, donated by Andy's Sports & Designs, will be displayed from the Courthouse to the old City Hall for this occasion. The City will be holding an event at Courthouse Park to commemorate this holiday and all are invited to attend.

Councilwoman Mejia had nothing to report.

Councilmember Villegas thanked the Fire Department and all other agencies who are participating in the river cleanup.

Mayor Garcia highlighted a professional dance group, "Mexico en el Corazon," who donated their time to perform at the Memorial Day event. He also praised Madera County for their work involved in bringing a historical beam from the Twin Towers to Madera. Finally, he reminded the public that June 7th marks County Election Day and encouraged the public to exercise their right to vote.

G. CLOSED SESSION:

G-1 Conference with Legal Counsel – Existing Litigation Pursuant to Government Code §54956.9(d)(1): 1 case:

- 1) Oscar Garcia WCAB No. ADJ13541904

G-2 Liability Claim Pursuant to Section §54956.95 - Agency Claimed Against: City of Madera

Claimants:

- 1) Randy Williams
- 2) Thomas Burns
- 3) Madera Police Officers' Association

G-3 Conference with Real Property Negotiators pursuant to Government Code Section §54956.8

Property: Parcel #045-121-006 and Parcel #045-121-007

Agency Negotiators: Arnaldo Rodriguez, Daniel Foss, and Keith Helmuth

Negotiating Parties: Sordi and Sons Inc.

Under Negotiation: Price and Terms

City Attorney Hilda Cantu Montoy made the closed session announcement at 8:34 p.m.

Item G-2 was removed from the agenda and moved to future meeting date.

Council returned from Closed Session with all members of the Council present.

City Attorney announced there was no reportable action.

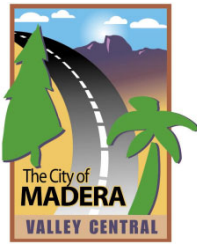
ADJOURNMENT: Meeting was adjourned at 9:45 p.m.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

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

ALICIA GONZALES, City Clerk

SANTOS GARCIA, Mayor



REPORT TO CITY COUNCIL

Approved by:

Department Director

City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-2

SUBJECT:

Informational Report on Register of Audited Demands

RECOMMENDATION:

Review Register of Audited Demands Report for September 10, 2022 to September 23, 2022

SUMMARY:

The Register of Audited Demands for the City covering obligations paid during the period of September 10, 2022 to September 23, 2022 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	34070 – 34189	\$1,705,558.73

Table 2: Wire Transfer Summary

Description	Vendor	Amount
Payroll and Taxes	Union Bank	\$608,159.25
SDI	EDD	\$2,565.69
CalPERS Payment	CalPERS	\$121,390.02

DISCUSSION:

Warrant requests are processed weekly based on the adopted Fiscal Year 2021/2022 and 2022/2023 budgets and released for payment every Monday. Each demand has been audited and the Finance Director hereby certifies as to their accuracy and that there were sufficient funds for their payment. Per the request of City Council, we have included the departments from which

each of the respective warrants were requested as well as the fund/division description from which they were paid.

FINANCIAL IMPACT:

Demands for payments are made within the constraints of the approved 2021/2022 and 2022/2023 budgets.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

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

ALTERNATIVES:

Informational only.

ATTACHMENTS:

Register of Audited Demands

CITY OF MADERA
REGISTER OF AUDITED DEMANDS FOR BANK #1 - UNION BANK GENERAL ACCOUNT
October 5, 2022

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34070	09/12/2022	ENGINEERING	ENGINEERING	ACRO SERVICE CORPORATION	TEMP SERVICES - ENGINEERING	\$ 2,460.00
34071	09/12/2022	PW ADMIN	AIRPORT OPS	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 276.16
34071	09/12/2022	PW ADMIN	CENTRAL ADMIN	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 3,224.32
34071	09/12/2022	PW ADMIN	COMM & REC	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 5,626.09
34071	09/12/2022	PW ADMIN	ENGINEERING	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 2,444.56
34071	09/12/2022	PW ADMIN	FINANCE	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 217.25
34071	09/12/2022	PW ADMIN	INTERMODAL BLDG	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 513.12
34071	09/12/2022	PW ADMIN	SEWER OPS	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 672.81
34071	09/12/2022	PW ADMIN	SOLID WASTE	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 672.82
34071	09/12/2022	PW ADMIN	UB - GARBAGE	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 217.26
34071	09/12/2022	PW ADMIN	UB - SEWER	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 217.26
34071	09/12/2022	PW ADMIN	UB - WATER	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 434.49
34071	09/12/2022	PW ADMIN	WATER QUALITY	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 206.73
34071	09/12/2022	PW ADMIN	WWTP	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 805.05
34071	09/12/2022	PW ADMIN	TRANSIT CENTER	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 1,627.13
34071	09/12/2022	PW ADMIN	PD OPS	SERVICEMASTER BY J&C BROWN	09/22 JANITORIAL SERVICES	\$ 4,265.58
34072	09/12/2022	FINANCE	PAYROLL TRUST	COURT ORDERED DEBT COLLECTIONS	COURT ORDERED DEBT COLLECTION	\$ 35.48
34073	09/12/2022	FINANCE	PAYROLL TRUST	CA DEPARTMENT OF CHILD SUPPORT	CHILD SUPPORT DEDUCTIONS	\$ 996.43
34074	09/12/2022	PW ADMIN	WWTP	GALLEGOS, PETER	PER DIEM - WASTEWATER REVIEW GRADE IV & V	\$ 99.00
34075	09/12/2022	IS	COMPUTER MAINT	NORTHWIND VENTURES, INC.	MOBILE DEVICE MANAGER RENEWAL	\$ 3,096.00
34076	09/12/2022	FINANCE	AIRPORT OPS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 74.04
34076	09/12/2022	FINANCE	CENTRAL ADMIN	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 112.00
34076	09/12/2022	FINANCE	COMM & REC	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 664.00
34076	09/12/2022	FINANCE	COMPUTER MAINT	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 92.86
34076	09/12/2022	FINANCE	ENGINEERING	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 78.00
34076	09/12/2022	FINANCE	FACILITIES MAINT	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 672.58
34076	09/12/2022	FINANCE	FLEET MAINT	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 600.23
34076	09/12/2022	FINANCE	PARKS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 518.32
34076	09/12/2022	FINANCE	STREETS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 907.12
34076	09/12/2022	FINANCE	SEWER OPS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 249.15
34076	09/12/2022	FINANCE	UB - WATER	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 36.00
34076	09/12/2022	FINANCE	WATER OPS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 471.15
34076	09/12/2022	FINANCE	WATER QUALITY	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 173.44
34076	09/12/2022	FINANCE	WWTP	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 1,135.97

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34076	09/12/2022	FINANCE	PD OPS	PRUDENTIAL OVERALL SUPPLY	08/22 UNIFORM SERVICES	\$ 114.00
34077	09/12/2022	IS	COMPUTER MAINT	PDQ INTERMEDIATE INC	PDQ NETWORK TOOLS RENEWAL	\$ 2,500.00
34078	09/12/2022	FINANCE	FINANCE	ADRIAN PACHECO	BANK FEE REFUND	\$ 15.00
34079	09/12/2022	FINANCE	FINANCE	CHRISTOPHER RODRIGUEZ	BANK FEE REFUND	\$ 50.00
34080	09/12/2022	FINANCE	FINANCE	ARMANDO VILLAGOMEZ ESPINOZA	BANK FEE REFUND	\$ 12.00
34081	09/12/2022	FINANCE	FINANCE	FRANKLIN MCBEE	BANK FEE REFUND	\$ 10.00
34082	09/12/2022	FINANCE	FINANCE	STEVE BETTENCOURT	BANK FEE REFUND	\$ 12.00
34083	09/12/2022	BUILDING	BUILDING	JESUS VAZQUEZ	PER DIEM - CALBO EDUCATION WEEK	\$ 167.55
34084	09/12/2022	BUILDING	BUILDING	EXTENDED STAY AMERICA SUITES	HOTEL STAY - CALBO EDUCATION WEEK	\$ 360.40
34085	09/12/2022	FINANCE	AIRPORT OPS	AT&T	08/22 CALNET 3 SVS 9391026409	\$ 26.77
34085	09/12/2022	FINANCE	CENTRAL ADMIN	AT&T	08/22 CALNET 3 SVS 9391026406	\$ 24.66
34085	09/12/2022	FINANCE	FINANCE	AT&T	08/22 CALNET 3 SVS 9391026406	\$ 24.67
34085	09/12/2022	FINANCE	HR/RISK MGT	AT&T	08/22 CALNET 3 SVS 9391026400	\$ 26.34
34085	09/12/2022	FINANCE	PARKS	AT&T	08/22 CALNET 3 SVS 9391026412	\$ 170.98
34085	09/12/2022	FINANCE	PARKS ADMINISTRATION	AT&T	08/22 CALNET 3 SVS 9391031580	\$ 272.78
34085	09/12/2022	FINANCE	SEWER OPS	AT&T	08/22 CALNET 3 SVS 9391026410	\$ 51.00
34085	09/12/2022	FINANCE	SR CITIZEN COMM	AT&T	08/22 CALNET 3 SVS 9391026415	\$ 67.39
34085	09/12/2022	FINANCE	WWTP	AT&T	08/22 CALNET 3 SVS 9391026417	\$ 37.75
34085	09/12/2022	FINANCE	WWTP	AT&T	08/22 CALNET 3 SVS 9391026405	\$ 27.47
34085	09/12/2022	FINANCE	PD OPS	AT&T	08/22 CALNET 3 SVS 9391026414	\$ 369.40
34086	09/12/2022	GRANTS	CDBG PUBLIC SVC	BIG BROTHERS BIG SISTERS	CDBG 21/22 - JUNE 22 INVOICE	\$ 1,807.23
34087	09/12/2022	FACILITIES	UB - WATER	CALIFORNIA CLIMATE CONTROL, INC.	HVAC MAINTENANCE - CITY HALL FINANCE	\$ 145.00
34087	09/12/2022	FACILITIES	PD OPS	CALIFORNIA CLIMATE CONTROL, INC.	HVAC MAINTENANCE - PD	\$ 645.00
34088	09/12/2022	FINANCE	PAYROLL TRUST	COLONIAL LIFE & ACCIDENT INSURANCE CO	EE LIFE INSURANCE PREMIUMS	\$ 777.80
34089	09/12/2022	GRANTS	CDBG PUBLIC SVC	COMMUNITY ACTION PRTRNSHP OF MADERA	CDBG 21/22 01/22-06/22	\$ 9,908.15
34090	09/12/2022	UB - WATER	UB - GARBAGE	DATAPROSE, LLC	07/22 NEWSLETTER	\$ 295.79
34090	09/12/2022	UB - WATER	UB - GARBAGE	DATAPROSE, LLC	08/22 BILLING	\$ 2,385.79
34090	09/12/2022	UB - WATER	UB - GARBAGE	DATAPROSE, LLC	09/22 NEWSLETTER	\$ 295.79
34090	09/12/2022	UB - WATER	UB - SEWER	DATAPROSE, LLC	07/22 NEWSLETTER	\$ 295.79
34090	09/12/2022	UB - WATER	UB - SEWER	DATAPROSE, LLC	08/22 BILLING	\$ 2,385.80
34090	09/12/2022	UB - WATER	UB - SEWER	DATAPROSE, LLC	09/22 NEWSLETTER	\$ 295.79
34090	09/12/2022	UB - WATER	UB - WATER	DATAPROSE, LLC	07/22 NEWSLETTER	\$ 591.59
34090	09/12/2022	UB - WATER	UB - WATER	DATAPROSE, LLC	08/22 BILLING	\$ 4,771.60
34090	09/12/2022	UB - WATER	UB - WATER	DATAPROSE, LLC	09/22 NEWSLETTER	\$ 591.59
34091	09/12/2022	IS	COMPUTER MAINT	DELL COMPUTER CORPORATION	SERVER REPLACEMENT	\$ 13,184.16
34092	09/12/2022	ENGINEERING	ENGINEERING	FEDERAL EXPRESS	EXPRESS SHIPPING	\$ 55.42
34093	09/12/2022	BUILDING	BUILDING	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION SVS 08/16/22 - 08/31/22	\$ 17,440.00

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34094	09/12/2022	FACILITIES	FACILITIES MAINT	JAM SERVICES INC	TRAFFIC SIGNAL PARTS	\$ 2,197.48
34095	09/12/2022	FINANCE	WATER CONSERV	CITY OF MADERA	DISHWASHER REBATE - 9920718	\$ 200.00
34096	09/12/2022	FINANCE	PD OPS	MADERA COUNTY TREASURER	07/22 COUNTY'S PORTION OF PARKING PENALTIES PAID	\$ 801.00
34097	09/12/2022	GRANTS	CDBG PUBLIC SVC	MADERA RESCUE MISSION, INC.	CDBG 21-22 05/22-06/22 2022	\$ 2,379.77
34098	09/12/2022	CITY ADMIN	COMMUNITY PROMO	MADERA TRIBUNE	PRIDE 2022	\$ 1,200.00
34099	09/12/2022	ENGINEERING	CDBG PUB IMPR	SALEM ENGINEERING GROUP	SIDEWALK IMPROVEMENT - LILLY & VINEYARD	\$ 1,770.00
34100	09/12/2022	FINANCE	PD OPS	PHOENIX GROUP INFO SYS	07/22 CITATIONS	\$ 311.18
34101	09/12/2022	ENGINEERING	ENGINEERING	RICOH USA, INC.	PRINTER MAINTENANCE	\$ 6.59
34102	09/12/2022	ENGINEERING	CDBG PUB IMPR	SEAL RITE PAVING	CONSTRUCTION SERVICES - SIDEWALK IMPR	\$ 1,797.69
34102	09/12/2022	ENGINEERING	MEASURE T -LTP ADA	SEAL RITE PAVING	CONSTRUCTION SERVICES - SIDEWALK IMPR	\$ 11,431.39
34103	09/12/2022	ENGINEERING	WWTP	SPARKLETTS	DRINKING WATER - ENG	\$ 160.92
34103	09/12/2022	WWTP	WWTP	SPARKLETTS	LAB & DRINKING WATER	\$ 211.47
34104	09/12/2022	IS	COMPUTER MAINT	SOUTHERN COMPUTER WAREHOUSE	REPLACEMENT LAPTOPS	\$ 18,710.46
34104	09/12/2022	IS	COMPUTER MAINT	SOUTHERN COMPUTER WAREHOUSE	VIDEO MONITORS	\$ 5,129.10
34105	09/12/2022	FINANCE	PAYROLL TRUST	STATE OF CALIFORNIA	FRANCHISE TAX DEDUCTIONS	\$ 200.00
34106	09/12/2022	PW ADMIN	AIRPORT OPS	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 35.00
34106	09/12/2022	PW ADMIN	CENTRAL ADMIN	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 45.00
34106	09/12/2022	PW ADMIN	COMM & REC	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 435.00
34106	09/12/2022	PW ADMIN	ENGINEERING	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 60.00
34106	09/12/2022	PW ADMIN	FIRE	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 105.00
34106	09/12/2022	PW ADMIN	INTERMODAL BLDG	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 75.00
34106	09/12/2022	PW ADMIN	SEWER OPS	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 25.00
34106	09/12/2022	PW ADMIN	SOLID WASTE	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 25.00
34106	09/12/2022	PW ADMIN	WATER OPS	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 25.00
34106	09/12/2022	PW ADMIN	WWTP	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 45.00
34106	09/12/2022	PW ADMIN	PD OPS	TECH. MASTER PEST MANAGEMENT	09/22 PEST CONTROL SERVICES	\$ 40.00
34107	09/12/2022	FINANCE	PAYROLL TRUST	VANTAGEPOINT TRANSFER AGENTS-457	EE DEFERRED COMP CONTRIBUTIONS	\$ 26,363.91
34108	09/12/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,224.00
34109	09/12/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,328.00
34110	09/12/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9923768	\$ 86.08
34111	09/12/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REUND 9904518	\$ 115.11
34112	09/12/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 10000180	\$ 25.98
34113	09/12/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9925347	\$ 101.11
34114	09/12/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9898285	\$ 256.93
34115	09/12/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC PAVILION	\$ 50.00
34116	09/12/2022	PARKS	GENERAL TRUST	OTP- PARKS REFUNDS	PARK DEPOSIT REFUND - LTC PAVILION	\$ 50.00
34117	09/12/2022	UB - WATER	WATER FUND	OTP- UB REFUNDS	UB TERM REFUND 316 SOLANO	\$ 255.89

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34118	09/16/2022	BUILDING	BUILDING	COOK, DANIEL	PER DIEM - CALBO EDUCATION WEEK	\$ 195.55
34119	09/16/2022	BUILDING	BUILDING	LIPPINCOTT, JOHN	PER DIEM - CALBO EDUCATION TRAINING	\$ 195.55
34120	09/16/2022	BUILDING	BUILDING	SAN RAMON MARRIOTT	HOTEL STAY - CALBO EDUCATION	\$ 388.96
34121	09/16/2022	BUILDING	BUILDING	SAN RAMON MARRIOTT	HOTEL STAY - CALBO EDUCATION	\$ 388.96
34122	09/20/2022	ENGINEERING	ENGINEERING	ACRO SERVICE CORPORATION	TEMP SERVICES - ENGINEERING	\$ 3,480.00
34123	09/20/2022	FINANCE	PAYROLL TRUST	MID-MGMT EMPLOYEE GROUP	04/22 MONTHLY DUES	\$ 520.00
34124	09/20/2022	PD OPS	SUPP LAW ENF	ZAK'S ENTERPRISES LLC	SECURITY SERVICE - 8.24.22	\$ 203.50
34125	09/20/2022	PD OPS	SUPP LAW ENF	LEATHAM FAMILY, LLC	BADGE ORDER	\$ 903.00
34126	09/20/2022	PD OPS	PD OPS	TIM J LAW	EMPLOYMENT BACKGROUND	\$ 700.00
34127	09/20/2022	CITY ADMIN	CITY ATTORNEY	MONTOY LAW CORPORATION	CITY ATTORNEY CONTRACTED LEGAL SERVICES	\$ 26,481.50
34128	09/20/2022	GRANTS	TRANS - FIXED	MV TRANSPORTATION, INC.	08/22 TRANSIT OPERATOR	\$ 84,307.60
34128	09/20/2022	GRANTS	TRANS - DAR	MV TRANSPORTATION, INC.	08/22 TRANSIT OPERATOR	\$ 42,628.05
34129	09/20/2022	PD OPS	PD OPS	PACIFIC STORAGE COMPANY	SHREDDING SERVICES	\$ 711.00
34130	09/20/2022	CITY ADMIN	FINANCE	MV CHENG & ASSOCIATES, INC.	CONSULTING SVS INTERIM FINANCE DIRECTOR	\$ 28,400.00
34131	09/20/2022	CITY CLERK	FINANCE	GENERAL LOGISTICS SYSTEMS US INC	OVERNIGHT MAIL - STATE CONTROLLER'S OFFICE	\$ 8.79
34132	09/20/2022	PD OPS	PD OPS	CV FORENSIC NURSING SPECIALISTS	VICTIM EXAM - 22M-06209	\$ 1,000.00
34133	09/20/2022	PW ADMIN	AIRPORT OPS	AVIATION MANAGEMENT CONSULTING GROUP	CAT-11 AIRPORT MGMT SUPPORT FEE 03/2022	\$ 490.00
34133	09/20/2022	PW ADMIN	AIRPORT OPS	AVIATION MANAGEMENT CONSULTING GROUP	CAT-11 AIRPORT MGMT SUPPORT FEE 04/2022	\$ 490.00
34133	09/20/2022	PW ADMIN	AIRPORT OPS	AVIATION MANAGEMENT CONSULTING GROUP	CAT-11 AIRPORT MGMT SUPPORT FEE 05/2022	\$ 980.00
34133	09/20/2022	PW ADMIN	AIRPORT OPS	AVIATION MANAGEMENT CONSULTING GROUP	CAT-11 AIRPORT MGMT SUPPORT FEE 06/22	\$ 490.00
34134	09/20/2022	FINANCE	DRAINAGE	NBS GOVERNMENT FINANCE GROUP	RATE STUDY/ANALYSIS	\$ 187.50
34134	09/20/2022	FINANCE	SOLID WASTE	NBS GOVERNMENT FINANCE GROUP	RATE STUDY/ANALYSIS	\$ 187.50
34134	09/20/2022	FINANCE	UB - SEWER	NBS GOVERNMENT FINANCE GROUP	RATE STUDY/ANALYSIS	\$ 187.50
34134	09/20/2022	FINANCE	UB - WATER	NBS GOVERNMENT FINANCE GROUP	RATE STUDY/ANALYSIS	\$ 187.50
34135	09/20/2022	FINANCE	AIRPORT OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 93.90
34135	09/20/2022	FINANCE	ANIMAL CONTROL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 679.04
34135	09/20/2022	FINANCE	BUILDING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 403.47
34135	09/20/2022	FINANCE	CODE ENF	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 190.05
34135	09/20/2022	FINANCE	DRAINAGE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 698.86
34135	09/20/2022	FINANCE	ENGINEERING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 276.12
34135	09/20/2022	FINANCE	FACILITIES MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 546.89
34135	09/20/2022	FINANCE	FLEET MAINT	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 253.59
34135	09/20/2022	FINANCE	FLEET MOTOR POOL	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 273.65
34135	09/20/2022	FINANCE	GRAFFITI ABATE	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 664.52
34135	09/20/2022	FINANCE	PARKS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 3,159.49
34135	09/20/2022	FINANCE	STREETS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 3,391.15
34135	09/20/2022	FINANCE	SEWER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 1,165.42

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34135	09/20/2022	FINANCE	STREET CLEANING	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 2,721.05
34135	09/20/2022	FINANCE	TRANS - FIXED	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 3,433.48
34135	09/20/2022	FINANCE	TRANS - DAR	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 3,123.96
34135	09/20/2022	FINANCE	WATER OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 2,852.54
34135	09/20/2022	FINANCE	WATER QUALITY	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 374.11
34135	09/20/2022	FINANCE	WWTP	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 141.33
34135	09/20/2022	FINANCE	PD OPS	VAN DE POL ENTERPRISES, INC.	FUEL FOR CITY VEHICLES - 08/16/22-08/31/22	\$ 8,253.50
34135	09/20/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - BULK DIESEL	\$ 3,583.19
34135	09/20/2022	FIRE	FIRE	VAN DE POL ENTERPRISES, INC.	FUEL CDF - 08/01/22-08/15/22	\$ 486.34
34135	09/20/2022	PD OPS	SUPP LAW ENF	VAN DE POL ENTERPRISES, INC.	FUEL PD - PROPANE	\$ 4.54
34136	09/20/2022	HR	CITY CLERK	SIJ HOLDINGS LLC	RECRUITMENT ADS	\$ 670.32
34136	09/20/2022	HR	HR/RISK MGT	SIJ HOLDINGS LLC	RECRUITMENT ADS	\$ 1,697.40
34137	09/20/2022	HR	HR/RISK MGT	ALLIANT INSURANCE SERVICES, INC.	CONSULTING SVS - HEALTH & WELFARE BENEFITS	\$ 7,500.00
34138	09/20/2022	PD OPS	PD OPS	LAW DOG K9	K9 VENDOR TRAINING	\$ 600.00
34139	09/20/2022	GRANTS	CDBG PUBLIC SVC	OLIVE CHARITABLE ORGANIZATION	CDBG 21-22 JUNE 2022	\$ 3,795.34
34139	09/20/2022	GRANTS	CDBG PUBLIC SVC	OLIVE CHARITABLE ORGANIZATION	CDBG 21-22 MAY 2022	\$ 3,208.80
34140	09/20/2022	ENGINEERING	SEWER CAPITAL	MKN & ASSOCIATES	PROFESSIONAL ENGINEERING SERVICES	\$ 5,479.86
34141	09/20/2022	PD OPS	CODE ENF	SMITH, JEREMY	PER DIEM - ADVANCE 2022 CNOA CONFERENCE	\$ 277.50
34142	09/20/2022	PD OPS	PARKS	O&E TRANSPORTATION LLC	RIVER CLEAN UP	\$ 6,875.00
34143	09/20/2022	FLEET	FLEET ACQUISITION	TOMAR ELECTRONICS INC	TOMAR LIGHT BAR - FIRE	\$ 5,757.61
34144	09/20/2022	PW ADMIN	STREETS	POTTERS INDUSTRIES LLC	STREET PAINT BEADS	\$ 8,459.09
34145	09/20/2022	FINANCE	AQUATICS PROGRM	AT&T	08/22 CALNET 3 SVS 9391026397	\$ 24.81
34145	09/20/2022	FINANCE	BUILDING	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 20.05
34145	09/20/2022	FINANCE	BUILDING	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 63.32
34145	09/20/2022	FINANCE	BUILDING	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 27.35
34145	09/20/2022	FINANCE	BUILDING	AT&T	08/22 CALNET 3 SVS 9391026407	\$ 26.59
34145	09/20/2022	FINANCE	CITY ATTORNEY	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 7.52
34145	09/20/2022	FINANCE	CITY ATTORNEY	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 18.06
34145	09/20/2022	FINANCE	CITY ATTORNEY	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 7.80
34145	09/20/2022	FINANCE	CITY ATTORNEY	AT&T	08/22 CALNET 3 SVS 9391026388	\$ 52.67
34145	09/20/2022	FINANCE	CITY CLERK	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 5.01
34145	09/20/2022	FINANCE	CITY CLERK	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 18.06
34145	09/20/2022	FINANCE	CITY CLERK	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 7.80
34145	09/20/2022	FINANCE	CODE ENF	AT&T	08/22 CALNET 3 SVS 9391026413	\$ 26.37
34145	09/20/2022	FINANCE	COMM & REC	AT&T	08/22 CALNET 3 SVS 9391026391	\$ 290.49
34145	09/20/2022	FINANCE	COMPUTER MAINT	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 2.51
34145	09/20/2022	FINANCE	COMPUTER MAINT	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 36.17

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG		ISSUED TO	DESCRIPTION	AMOUNT
34145	09/20/2022	FINANCE	COMPUTER MAINT	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 15.62
34145	09/20/2022	FINANCE	ENGINEERING	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 37.59
34145	09/20/2022	FINANCE	ENGINEERING	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 126.63
34145	09/20/2022	FINANCE	ENGINEERING	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 54.69
34145	09/20/2022	FINANCE	FACILITIES MAINT	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 14.74
34145	09/20/2022	FINANCE	FACILITIES MAINT	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 26.98
34145	09/20/2022	FINANCE	FINANCE	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 25.06
34145	09/20/2022	FINANCE	FINANCE	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 99.49
34145	09/20/2022	FINANCE	FINANCE	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 42.97
34145	09/20/2022	FINANCE	FIRE	AT&T		08/22 CALNET 3 SVS 9391026402	\$ 26.59
34145	09/20/2022	FINANCE	FLEET MAINT	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 9.82
34145	09/20/2022	FINANCE	FLEET MAINT	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 18.02
34145	09/20/2022	FINANCE	GRANT OVERSIGHT	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 12.53
34145	09/20/2022	FINANCE	GRANT OVERSIGHT	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 36.17
34145	09/20/2022	FINANCE	GRANT OVERSIGHT	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 15.62
34145	09/20/2022	FINANCE	HR/RISK MGT	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 7.52
34145	09/20/2022	FINANCE	HR/RISK MGT	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 27.08
34145	09/20/2022	FINANCE	HR/RISK MGT	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 11.70
34145	09/20/2022	FINANCE	PLANNING	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 12.53
34145	09/20/2022	FINANCE	PLANNING	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 45.20
34145	09/20/2022	FINANCE	PLANNING	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 19.52
34145	09/20/2022	FINANCE	STREETS	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 24.58
34145	09/20/2022	FINANCE	STREETS	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 45.00
34145	09/20/2022	FINANCE	SEWER OPS	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 17.19
34145	09/20/2022	FINANCE	SEWER OPS	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 31.48
34145	09/20/2022	FINANCE	SOLID WASTE	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 19.69
34145	09/20/2022	FINANCE	SOLID WASTE	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 36.00
34145	09/20/2022	FINANCE	SR CITIZEN COMM	AT&T		08/22 CALNET 3 SVS 9391026395	\$ 26.48
34145	09/20/2022	FINANCE	SR CITIZEN COMM	AT&T		08/22 CALNET 3 SVS 9391026389	\$ 26.48
34145	09/20/2022	FINANCE	UB - GARBAGE	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 4.91
34145	09/20/2022	FINANCE	UB - GARBAGE	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 6.69
34145	09/20/2022	FINANCE	UB - GARBAGE	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 29.37
34145	09/20/2022	FINANCE	UB - GARBAGE	AT&T		08/22 CALNET 3 SVS 9391031577	\$ 12.69
34145	09/20/2022	FINANCE	UB - GARBAGE	AT&T		08/22 CALNET 3 SVS 9391026394	\$ 8.99
34145	09/20/2022	FINANCE	UB - SEWER	AT&T		08/22 CALNET 3 SVS 9391031564	\$ 4.91
34145	09/20/2022	FINANCE	UB - SEWER	AT&T		08/22 CALNET 3 SVS 9391031559	\$ 6.68
34145	09/20/2022	FINANCE	UB - SEWER	AT&T		08/22 CALNET 3 SVS 9391026390	\$ 29.39

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34145	09/20/2022	FINANCE	UB - SEWER	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 12.69
34145	09/20/2022	FINANCE	UB - SEWER	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 8.99
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391026392	\$ 53.99
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391031564	\$ 9.84
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 13.37
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 58.89
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 25.44
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 18.02
34145	09/20/2022	FINANCE	UB - WATER	AT&T	08/22 CALNET 3 SVS 9391026393	\$ 81.42
34145	09/20/2022	FINANCE	WATER OPS	AT&T	08/22 CALNET 3 SVS 9391031564	\$ 22.10
34145	09/20/2022	FINANCE	WATER OPS	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 40.48
34145	09/20/2022	FINANCE	WATER QUALITY	AT&T	08/22 CALNET 3 SVS 9391031564	\$ 9.82
34145	09/20/2022	FINANCE	WATER QUALITY	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 18.02
34145	09/20/2022	FINANCE	WWTP	AT&T	08/22 CALNET 3 SVS 9391031564	\$ 14.74
34145	09/20/2022	FINANCE	WWTP	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 26.98
34145	09/20/2022	FINANCE	CITY MANAGER	AT&T	08/22 CALNET 3 SVS 9391031559	\$ 10.02
34145	09/20/2022	FINANCE	CITY MANAGER	AT&T	08/22 CALNET 3 SVS 9391026390	\$ 18.06
34145	09/20/2022	FINANCE	CITY MANAGER	AT&T	08/22 CALNET 3 SVS 9391031577	\$ 7.80
34145	09/20/2022	FINANCE	PURCHASING	AT&T	08/22 CALNET 3 SVS 9391031564	\$ 14.74
34145	09/20/2022	FINANCE	PURCHASING	AT&T	08/22 CALNET 3 SVS 9391026394	\$ 26.98
34145	09/20/2022	FINANCE	PAYROLL CLEARING	AT&T	08/22 CALNET 3 SVS 9391026413	\$ 26.38
34145	09/20/2022	FINANCE	PD OPS	AT&T	08/22 CALNET 3 SVS9391026411	\$ 178.28
34145	09/20/2022	FINANCE	PD OPS	AT&T	08/22 CALNET 3 SVS 9391031579	\$ 260.01
34145	09/20/2022	FINANCE	PD OPS	AT&T	08/22 CALNET 3 SVS 9391031561	\$ 167.08
34145	09/20/2022	PD OPS	PD OPS	AT&T	08/22 CALNET 3 SVS 9391031566	\$ 167.08
34145	09/20/2022	PD OPS	PD OPS	AT&T	08/22 CALNET 3 SVS 9391031578	\$ 177.09
34146	09/20/2022	PD OPS	PD OPS	AT&T	LEA TRACKING NUMBERS - 22M-06792	\$ 125.00
34147	09/20/2022	FINANCE	PD OPS	AT&T	08/22 FIRSTNET SVS 287300735068	\$ 40.24
34147	09/20/2022	FINANCE	PD OPS	AT&T	08/22 FIRSTNET SVS 287302965625	\$ 5,083.51
34148	09/20/2022	GRANTS	CDBG PUBLIC SVC	BIG BROTHERS BIG SISTERS	CDBG 21/22 - Q3 22 INVOICE	\$ 1,451.52
34149	09/20/2022	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	08/22 BLOOD ALCOHOL ANALYSIS	\$ 1,190.00
34149	09/20/2022	PD OPS	PD OPS	CA DEPARTMENT OF JUSTICE	MISCELLANEOUS SERVICES 08/22	\$ 486.00
34150	09/20/2022	PD OPS	PD OPS	CALIFORNIA FORENSIC INSTITUTE	PRE-EMPLOYMENT EXAM	\$ 1,800.00
34151	09/20/2022	FINANCE	PD OPS	COMCAST	09/22 SVS 8155500320092096	\$ 156.02
34152	09/20/2022	GRANTS	CDBG PUBLIC SVC	COMMUNITY ACTION PRTRNSHP OF MADERA	CDBG 21-22 HOUSING 01/22-06/22	\$ 1,181.59
34153	09/20/2022	PD OPS	CODE ENF	CORELOGIC INFORMATION SOLUTIONS INC	REALQUEST SERVICES 08/22	\$ 175.00
34154	09/20/2022	ENGINEERING	ENGINEERING	DIAMOND COMMUNICATIONS	UPDATED SECURITY CODES - ENG	\$ 30.00

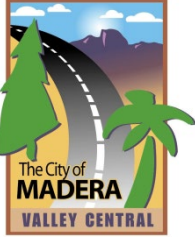
CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34154	09/20/2022	GRANTS	TRANSIT CENTER	DIAMOND COMMUNICATIONS	FIRE ALARM MONITORING - TRANSIT	\$ 80.00
34154	09/20/2022	PARKS	COMM & REC	DIAMOND COMMUNICATIONS	FIRE ALARM INSPECTION - JWYC	\$ 784.50
34155	09/20/2022	GRANTS	INTERMODAL BLDG	GUARDIAN WESTERN SWEEPING INC.	08/22 POWER SWEEPING	\$ 358.28
34155	09/20/2022	GRANTS	PARKING DIST OPS	GUARDIAN WESTERN SWEEPING INC.	08/22 POWER SWEEPING	\$ 358.28
34156	09/20/2022	PD OPS	PD OPS	LEHR AUTO ELECTRIC	WATCHGUARD BODY CAM DOCKS	\$ 2,024.28
34157	09/20/2022	FINANCE	WATER CONSERV	CITY OF MADERA	TOILET REPLACEMENT REBATE - 9918940	\$ 200.00
34157	09/20/2022	FINANCE	WATER CONSERV	CITY OF MADERA	TOILET REPLACEMENT REBATE - 9919593	\$ 100.00
34157	09/20/2022	FINANCE	WATER CONSERV	CITY OF MADERA	DISHWASHER REBATE - 3107003	\$ 200.00
34157	09/20/2022	FINANCE	WATER CONSERV	CITY OF MADERA	CLOTHES WASHER REBATE - 9904036	\$ 200.00
34157	09/20/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	09/22 UTILITY SERVICE - 3040441-5002760	\$ 422.71
34157	09/20/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	09/22 UTILITY SERVICE - 3040421-500276	\$ 55.34
34157	09/20/2022	GRANTS	INTERMODAL BLDG	CITY OF MADERA	09/22 UTILITY SERVICE - 3040431-500276	\$ 101.89
34158	09/20/2022	GRANTS	CDBG PUBLIC SVC	MADERA COUNTY E D C	CDBG CV SEPT 2022	\$ 5,000.00
34159	09/20/2022	GRANTS	CDBG ADMIN	MADERA TRIBUNE	PUBLIC HEARING NOTICE	\$ 273.00
34159	09/20/2022	GRANTS	CDBG ADMIN	MADERA TRIBUNE	PUBLIC HEARING - CDBG 22-23	\$ 336.00
34159	09/20/2022	HR	HR/RISK MGT	MADERA TRIBUNE	RECRUITMENT AD - PD AUX SERVICES	\$ 76.00
34159	09/20/2022	HR	HR/RISK MGT	MADERA TRIBUNE	RECRUITMENT AD - ADMIN ANALYST	\$ 72.20
34159	09/20/2022	HR	HR/RISK MGT	MADERA TRIBUNE	RECRUITMENT AD - PARKS WORKER I	\$ 60.80
34159	09/20/2022	PLANNING	PLANNING	MADERA TRIBUNE	PUBLIC HEARING - PC NOTICE	\$ 643.50
34160	09/20/2022	GRANTS	TRANS - FIXED	MADERA UNIFIED SCHOOL DISTRICT	CNG FUEL USAGE - AUG 2022	\$ 864.81
34160	09/20/2022	GRANTS	TRANS - DAR	MADERA UNIFIED SCHOOL DISTRICT	CNG FUEL USAGE - AUG 2022	\$ 864.81
34161	09/20/2022	PD OPS	PD OPS	MADERA UNIFORM & ACCESSORIES	UNIFORM ACCESSORIES	\$ 4,600.63
34162	09/20/2022	PD OPS	PD OPS	MOTOROLA SOLUTIONS INC.	RADIO UPGRADES - PD	\$ 649.50
34163	09/20/2022	FINANCE	CFD 2006-1 KB HOME	WILLDAN FINANCIAL SERVICES	CFD 2006-1 REMINDER LETTERS FY 21/22	\$ 62.32
34164	09/20/2022	PD OPS	PD OPS	NATIONAL TRAINING CONCEPTS	TUITION FOR OFFICER	\$ 95.00
34165	09/20/2022	FINANCE	AIRPORT OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 100.66
34165	09/20/2022	FINANCE	CENTRAL ADMIN	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 53.38
34165	09/20/2022	FINANCE	COMM & REC	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 2,739.81
34165	09/20/2022	FINANCE	COMM & REC	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 1,522.88
34165	09/20/2022	FINANCE	DRAINAGE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 365.07
34165	09/20/2022	FINANCE	DRAINAGE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 998.80
34165	09/20/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	08/22 SERVICE 1598348280-1	\$ 59.00
34165	09/20/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	08/22 SERVICE 5225647713-5	\$ 14.30
34165	09/20/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 1,916.54
34165	09/20/2022	FINANCE	FACILITIES MAINT	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 28,186.60
34165	09/20/2022	FINANCE	FIRE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 76.16
34165	09/20/2022	FINANCE	FIRE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 1,803.23

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34165	09/20/2022	FINANCE	INTERMODAL BLDG	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 1,401.20
34165	09/20/2022	FINANCE	PARKING DIST OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 177.57
34165	09/20/2022	FINANCE	PARKING DIST OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 176.06
34165	09/20/2022	FINANCE	PARKS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 145.89
34165	09/20/2022	FINANCE	PARKS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 1,960.73
34165	09/20/2022	FINANCE	RECREATION	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 36.28
34165	09/20/2022	FINANCE	SEWER OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 32.46
34165	09/20/2022	FINANCE	SEWER OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 2,821.02
34165	09/20/2022	FINANCE	SOLID WASTE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 11.45
34165	09/20/2022	FINANCE	SOLID WASTE	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 314.68
34165	09/20/2022	FINANCE	SR CITIZEN COMM	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 8.66
34165	09/20/2022	FINANCE	SR CITIZEN COMM	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 53.59
34165	09/20/2022	FINANCE	WATER OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 70,777.39
34165	09/20/2022	FINANCE	WATER OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 179,345.41
34165	09/20/2022	FINANCE	WWTP	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 727,541.09
34165	09/20/2022	FINANCE	ZONE 24	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 75.33
34165	09/20/2022	FINANCE	ZONE 24	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 11.61
34165	09/20/2022	FINANCE	ZONE 26	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 10.51
34165	09/20/2022	FINANCE	ZONE 31A	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 21.31
34165	09/20/2022	FINANCE	ZONE 31A	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 26.78
34165	09/20/2022	FINANCE	ZONE 20B	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 22.93
34165	09/20/2022	FINANCE	ZONE 27B	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 11.64
34165	09/20/2022	FINANCE	ZONE 2	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 56.82
34165	09/20/2022	FINANCE	ZONE 3	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 43.11
34165	09/20/2022	FINANCE	ZONE 31B	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 26.78
34165	09/20/2022	FINANCE	ZONE 4	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 12.04
34165	09/20/2022	FINANCE	ZONE 6A	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 69.54
34165	09/20/2022	FINANCE	ZONE 29C	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 11.88
34165	09/20/2022	FINANCE	ZONE 8	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 71.84
34165	09/20/2022	FINANCE	ZONE 16	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 24.36
34165	09/20/2022	FINANCE	ZONE 13	PACIFIC GAS & ELECTRIC	08/22 SERVICE 3533032414-2	\$ 139.82
34165	09/20/2022	FINANCE	PD OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 1715785853-5	\$ 1,546.88
34165	09/20/2022	FINANCE	PD OPS	PACIFIC GAS & ELECTRIC	08/22 SERVICE 9920095153-3	\$ 6,181.84
34166	09/20/2022	ENGINEERING	WATER CAPITAL	QUAD-KNOPF ENGINEERING	PROFESSIONAL ENGINEERING SERVICES	\$ 21,255.83
34167	09/20/2022	ENGINEERING	CDBG PUB IMPR	SEAL RITE PAVING	PROJECT R-85 ON LILLY ST & VINEYARD AVE	\$ 45,580.24
34167	09/20/2022	ENGINEERING	MEAS T -LTP SUPP	SEAL RITE PAVING	PROJECT R-85 ON LILLY ST & VINEYARD AVE	\$ 46,313.88
34168	09/20/2022	IS	COMPUTER MAINT	SOUTHERN COMPUTER WAREHOUSE	VIDEO MONITORS	\$ 125.00

CHECK	PAY DATE	DEPARTMENT	PAID FROM ORG	ISSUED TO	DESCRIPTION	AMOUNT
34169	09/20/2022	GRANTS	TRANSIT CENTER	TECH. MASTER PEST MANAGEMENT	SQUIRREL CONTROL - TRANSIT	\$ 150.00
34170	09/20/2022	PD OPS	PD OPS	TRANSUNION RISK & ALTERNATIVE DATA SOL.	DATABASE ACCESS 08/22	\$ 203.60
34171	09/20/2022	GRANTS	TRANSIT CENTER	VILLA GARDENING SERVICE INC	08/22 LAWN SERVICE - TRANSIT	\$ 500.00
34172	09/20/2022	ENGINEERING	ENGINEERING	YAMABE & HORN ENGINEERING	PROFESSIONAL ENGINEERING SERVICES	\$ 1,190.00
34173	09/20/2022	PD OPS	PD OPS	ZEE MEDICAL SERVICE CO.	MEDICAL SUPPLIES	\$ 110.99
34174	09/20/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 3,000.00
34175	09/20/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 3,000.00
34176	09/20/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 2,610.00
34177	09/20/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 1,071.00
34178	09/20/2022	PW ADMIN	WATER CONSERV	OTP- REBATES	TURF REPLACEMENT REBATE	\$ 1,150.00
34179	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9922131	\$ 229.38
34180	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9914415	\$ 124.16
34181	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9926445	\$ 112.27
34182	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9914935	\$ 29.11
34183	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB 10000493	\$ 42,973.98
34184	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB 10000494	\$ 18,960.46
34185	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9907434	\$ 273.77
34186	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9906629	\$ 366.03
34187	09/20/2022	UB - WATER	WATER FUND	AR REFUNDS	UB TERM REFUND 9923935	\$ 38.27
34188	09/20/2022	FINANCE	WATER UTILITY	OTP- UB REFUNDS	UB TERM REFUND 5671031	\$ 17.59
34189	09/21/2022	PD OPS	CODE ENF	SILAS VARELA	ADVANCE 2022 CNOA CONFERENCE	\$ 277.50
132	09/12/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	SECTION 125 PARTICIPANT FEE - AUGUST 2022	\$ 100.00
133	09/12/2022	FINANCE	PAYROLL TRUST	N.P.C.-ORCHARD TRUST COMPANY	EE DEFERRED COMP CONTRIBUTIONS	\$ 2,641.78
134	09/15/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 09/13/2022	\$ 233.71
135	09/15/2022	FINANCE	PAYROLL TRUST	NAVIA BENEFIT SOLUTIONS INC	FSA SECTION 125 DISBURSEMENT 09/12/2022	\$ 405.55

BANK #1 - UNION BANK GENERAL ACCOUNT TOTAL

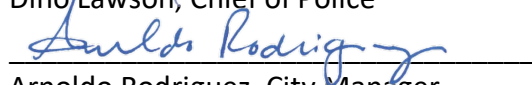
\$ 1,705,558.73



REPORT TO CITY COUNCIL

Approved by:


Dino Lawson, Chief of Police


Arnaldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-3

SUBJECT:

Request to Waive City Fees Relating to Madera High School's Homecoming Parade

RECOMMENDATION:

Adopt the Resolution Waiving the Fees to Cover the Costs of Police and Public Works Services Relating to the Madera High School Homecoming Parade in the Amount of \$2,124

SUMMARY:

Madera High School (MHS) will be holding its Homecoming Parade on October 21, 2022 and have requested the City waive fees relating to the deployment of Police and Public Works services. Historically, the City Council (Council) has recognized this function as a community event and has covered such costs associated with traffic control and clean-up.

DISCUSSION:

MHS has formally requested the City waive all fees associated with Police and Public Works services relating to the parade. Services include:

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

Each Department is equipped with personnel prepared to provide these services at the direction of Council.

MHS will be required to obtain the required encroachment permits for the use of City streets as part of the parade route. As is City policy, insurance binders (Special Events Insurance) to transfer liability and property damage claims from the City to parade sponsors are to be provided.

FINANCIAL IMPACT:

The cost of providing City services is projected per the following:

- Police Department: traffic and crowd control is estimated at \$1,378 for five officers on overtime
- Public Works: \$645
- Engineering: \$101

It is noted that these figures represent the utilization of Police personnel who will be brought in on overtime given the constraints of our current staffing level. Additionally, the \$101 Engineering fee represents the cost of a special event permit to be waived. The total amount being petitioned for Council relief is \$2,124.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Strategy 317: "Develop and encourage festival, gatherings, and events..."

Strategy 313: "Provide year-round programs fostering community pride..."

ALTERNATIVES:

Council may elect to deny the request to waive fees or may request additional information.

ATTACHMENTS:

1. Resolution Waiving the Fees to Cover the Costs of Police and Public Works Services Relating to the Madera High School Homecoming Parade
2. Request Letter Authored by Madera High School

RESOLUTION NO. 22-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA WAIVING
THE FEES TO COVER THE COSTS OF POLICE AND PUBLIC WORKS SERVICES
RELATING TO THE MADERA HIGH SCHOOL HOMECOMING PARADE IN THE
AMOUNT OF \$2,124.00**

WHEREAS, on October 5, 2022, the City Council of the City of Madera considered a request by Madera High School to waive the fees to cover costs relating to the Homecoming Parade; and

WHEREAS, Madera High School has planned and organized this annual community event providing citizens of Madera and neighboring areas a place to celebrate; and

WHEREAS, the City fees for Police and Public Work fees are \$2,124; and

WHEREAS, the City Council finds it is in the best interest of the City to approve the waiver of fees; and

WHEREAS, this request provides a public benefit to the community.

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 public purpose and is in the best interest and welfare of the City and its residents.
3. The City Council does hereby waive the City fees requested by Madera High School in the amount of \$2,124 associated with the Homecoming Parade.
4. This resolution is effective immediately upon adoption.

* * * * *



September 8, 2022

Mayor Santos Garcia and Members of the City Council,

Please consider this letter as our formal request to be placed on the agenda for your next meeting. The item for consideration is our annual Madera High School Homecoming Parade on Friday, October 21, 2022. Our parade has been a Madera tradition for the last three decades that we wish to continue for the community.

Approximately 800 high school students and 200 elementary students will take part in the parade, which includes the band, choir, cheer, football teams, class/club floats, and alumni. Furthermore, we invite elementary and junior high feeder schools to bring students to watch the parade. Last parade we had over 800 students in attendance from our feeder programs.

We understand that an event of this magnitude will incur many costs for all parties involved. However, we kindly ask the City of Madera for their continued support with this event by waiving the permit, police, and public works fees that are associated with the MHS Homecoming parade. As in prior practice, we will notify residents and businesses of the parade route and road closures. Subsequently, we respectfully ask to continue the agreement that was made in 2006 whereas the City of Madera help pay a sum of at least \$1500 toward the cost of the rental and safety barricades unless otherwise noted, appropriated and approved by our city officials.

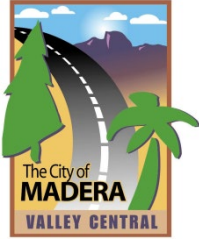
The Coyote family is looking forward to another spirited community event! Thank you for your consideration of this matter.

Respectfully,

Isaac A. Lopez
Director of Student Activities
675-4444 ext.1380
isaaclopez@maderausd.org

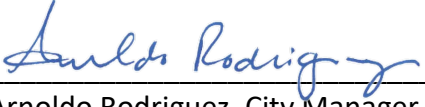
Robyn Cosgrove, Principal

200 South "L" Street, Madera, CA 93637 • (559)675-4444 • Fax (559)675-4531 • robyncosgrove@maderausd.org



REPORT TO CITY COUNCIL

Approved by:


Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-4

SUBJECT:

Letter of Support for Amond World and the pursuit of California Competes Tax Credit

RECOMMENDATION:

Approve a Minute Order Approving a Letter of Support for Amond World and the California Competes Tax Credit

DISCUSSION:

Staff received a request from SPAN Construction on behalf of their client, Amond World, for a Letter of Support to pursue the California Competes Tax Credit. The intention of this Staff Report is to present details of their request along with information about the California Competes Program for consideration by Council.

The California Competes Program is administered by the Governor's Office of Business and Economic Development (GO-Biz) for businesses that plan to build locations and/or stay and develop in the State of California. The program offers two incentives to businesses: a California Competes Tax Credit (CCTC), which applies a non-refundable credit against income tax due to the Franchise Tax Board and the California Competes Grant Program (CCGP) which provides grant funding to businesses that do not qualify for the CCTC.

These incentives are available statewide to all industries and while there are no geographical or sector-specific restrictions, the purpose of the California Competes Tax Credit and Grant is to attract and retain high-value employers in California in industries with high economic multipliers aimed at providing competitive wages and benefit. GO-Biz is required by statute to consider the extent to which the grant/credit will influence applicants' ability and willingness to create new, full-time jobs that might not otherwise be created in the state by taxpayers or other economic factors. CCTC and CCGP agreements will be negotiated by GO-Biz and approved by the "California Competes Tax Credit Committee," consisting of the State Treasurer, the Director of the Department of Finance, the Director of GO-Biz, and one appointee each by the Speaker of the Assembly and Senate Committee on Rules.

The tentative amount of credits that can be allocated is \$180 million per fiscal year (FY) beginning in FY 2018/19 through FY 2027/28 with the minimum credit request threshold of \$20,000. Additionally, no more than 20 percent (approx. \$61 million) may go to any one applicant per fiscal year. The tentative amount of available grant funding is \$120 million per fiscal year with a minimum grant request being \$5 million. No more than 30 percent (\$36 million) may go to any one applicant per fiscal year. In total, \$304,727,233 of funding is available to applicants through these programs for FY 2022/23.

The CCTC is obtainable by businesses of any size that meet at least one of the following criteria:

- Will create at least 500 new full-time jobs in California
- Will make at least \$10 million of capital investments in facility construction and/or renovation
- Will create the jobs or make the investments in an area of High Unemployment and/or Poverty as defined in the California Competes Tax Credit regulations

Awards are based on 12 factors:

- Number of jobs created or retained
- Compensation paid to employees
- Amount of investment
- Duration of proposed project and commitment to remain in this state
- Extent of unemployment or poverty in business area
- Extent the benefit to the state exceeds the amount of the tax credit or grant
- Incentives available in other states
- Opportunity for future growth and expansion
- Other incentives available in California
- Overall economic impact
- Strategic importance to the state, region, or locality
- Training opportunities offered to employees

Amond World is developing a state-of-the-art refrigerated cold storage facility in the Madera Airport Industrial Park. The company intends to increase profitability for local farmers, extend almond shelf life by up to two years, and simplify hold costs and logistics. Span Construction is developing two 250,000 sf buildings with the first to be completed by the end of 2022 and is expected to bring hundreds of jobs to the area. Amond World is seeking the City's support in applying for the California Competes Tax Credit program to help bring competitive salaries, desirable benefits and long-term job sustainability.

FINANCIAL IMPACT:

The signing of the Letter of Support has no direct impact to the City or County.

ALTERNATIVES:

Council may elect to decline the submittal of the support letter.

ATTACHMENTS:

Letter of Support



October 5, 2022

California Competes Tax Credit Committee
Governor's Office of Business and Economic Development
1325 J Street, 18th Floor
Sacramento, CA 95814

Dear California Competes Tax Credit Committee,

I am writing this letter in support of the application for the California Competes tax credit by Origo Cold Industrial Holdco LLC ("Origo"). As California's economy and population grows, it is *critical* that we invest in cold storage warehouse and crop infrastructure.

Cold storage supports the economic health of farmers by supporting their ability to sell their produce over longer periods. Cold storage supports food health by reducing the requirement to treat crops with pesticides and other chemicals.

The proposed Madera cold storage facility is located at the start of the food supply chain, in central California, where 65% of the nuts and fruit in the U.S. are grown. Origo supports local farmers by allowing them to store their crop near where it is harvested, which reduces transportation cost, and minimizes crop loss. This is an important advancement to sustainability of the agriculture industry in central California.

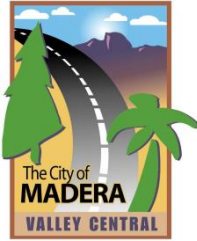
This project and related investment projects are expected to bring *significant immediate benefit to the City of Madera* and the surrounding area and long-term benefit to the economy and food supply within California. Other jobs in the local area will be created by the increased capacity of storage for California farmers and corresponding ability to increase supply.

This tax credit is *important and necessary* to ensure that Origo is able to implement the Madera project to the benefit of central California farmers and local economy.

In closing, I urge you to favorably review the application for California Competes Tax Credit by Origo Cold Industrial Holdco LLC.

Sincerely,

Santos Garcia, Mayor
City of Madera



REPORT TO CITY COUNCIL

Approved by:

Wendy Silva
Wendy Silva, Director of Human Resources

Arnoldo Rodriguez
Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-5

SUBJECT:

Appointment to the Civil Service Commission

RECOMMENDATION:

Adopt a resolution appointing Dennis Smith to the Civil Service Commission

SUMMARY:

The City of Madera Municipal Code provides that the Civil Service Commission (Commission) is comprised of seven (7) members. Each member of the City Council makes a nomination to be considered for appointment by the Mayor and the Mayor has one direct appointment. Appointments are subject to approval of the City Council by resolution. At this time, Mayor Garcia desires to appoint Dennis Smith to the Civil Service Commission. Mayor Garcia's previous appointee, Summer Gonzalez, has resigned from the Commission due to scheduling conflicts.

DISCUSSION:

The Commission is established in Chapter 2 of the City's Municipal Code. The Commission reviews recruitments and certifies the list of eligible candidates for full time employment with the City. The Commission also is the hearing body for appeals related to employment practices, including employee discipline, application of the City's Personnel Rules, and hiring practices. Pursuant to Municipal Code Section 2-2.303, the Commission is a seven (7) member body. Nominations of individuals to serve as Commissioners may be made by all members of the City Council. The Mayor then makes appointments from those nominated. The Mayor also makes a direct appointment. The Mayor's appointments must be approved by the City Council as a whole, with the resolution of appointment approved by at least four (4) 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>
Dennis Smith	Direct appointment by Mayor Garcia	At-large Mayor
Nick Salinas	Councilwoman Gallegos	District 1
Celeste Voyles, Chairperson	Councilmember Rodriguez	District 2
Saim Mohammad	Councilmember Montes	District 3
Julius Washington	Mayor Pro Tem Evans	District 4
Shawn Griffin, Vice Chairperson	Councilwoman Mejia (appointment made by prior Council)	District 5
Muhammad Latif	Councilmember Villegas	District 6

At this time, the Mayor is seeking approval from the City Council of his direct appointment. Per the Municipal Code, appointments will be for a term matching the nominating Council person, or until a replacement is appointed. 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.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

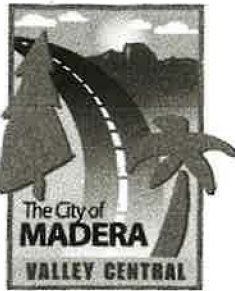
The information contained herein is not addressed by the Vision Madera 2025 plan, nor is the information in conflict with that plan.

ALTERNATIVES:

Council may direct staff to seek additional applications to serve on the Commission.

ATTACHMENTS:

1. Volunteer application for Dennis Smith
2. Resolution



CITY OF MADERA
COMMISSION, BOARD, AND COMMITTEE

SEP 28 2022

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:

- | | |
|--|--|
| ☐ 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.

SMITH DENNIS K.
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:

62 Years _____ Months

Have you ever been convicted of a felony?

Yes _____ No ☒

Educational background:

MADERA HIGH

FRESNO CITY COLLEGE

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

MADERA Kiwanis Club - PAST PRESIDENT
MADERA NOON ROTARY

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

CITY of MADERA ADA Advisory Council
Community Action Partnership of MADERA COUNTY BOARD member
MADERA CHAMBER of Commerce BOARD of Directors

I am interested in serving for the following reasons:

GIVING BACK to OUR COMMUNITY

References (optional):

MADERIA Mayor Santos Garcia

Date

9-28-22

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

Resolution No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPOINTING DENNIS SMITH TO THE CITY OF MADERA CIVIL SERVICE
COMMISSION**

WHEREAS, the City of Madera has established a Civil Service 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

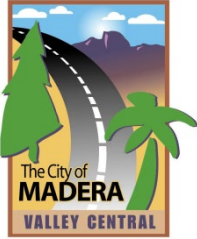
WHEREAS, Mayor Garcia has appointed Summer Gonzales as his direct appointment to the Commission for a term concluding December 2024 or as otherwise provided in the Madera Municipal Code; and

WHEREAS, Dennis Smith 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. Dennis Smith's appointment to the Civil Service Commission for a term ending December 2024, unless otherwise indicated by the Madera Municipal Code, is approved.
3. This resolution is effective immediately upon adoption.

* * * * *



REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, P.E., Department Director

Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-6

SUBJECT:

Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement at 1389 Taylor Lane (APN 006-580-006)

RECOMMENDATION:

Adopt a resolution approving a Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement (PUE) at Property Owner's Risk (Covenant)

SUMMARY:

Mr. Alejandro Jimenez, the owner of a home at 1389 Taylor Lane, has submitted a request to build a swimming pool in the back yard of his home that also includes a PUE. The City does not have authority to allow or approve of construction within PUEs that are not for exclusive use of the City.

DISCUSSION:

Prior to property owners securing permits for construction of pools or other permanent structures, the City reviews the proposal for any concerns that may exist with that construction including required setbacks from property line or other structure. In addition, the City verifies existing easements to ensure the property owner and the City are not subject to a demand to remove facilities and liability associated therewith constructed under a permit approved by the City. In simple terms, an easement is a nonpossessory right to use another person's property without possessing it. Nearly all properties have easements, including but not limited to electrical lines, natural gas, cable television, phone, and on occasion sewer, water, and/or drainage. Easements are outlined in title reports and are recorded against the property.

In this situation, a pool has been proposed that extends five (5) feet into an easement originally granted to San Joaquin Light and Power Corporation for Electric Transmission Line, on October 3, 1919. While the line was never constructed, the easement continues to exist and an electrical line may be added in the future.

Under the terms of the Covenant, the property owner is responsible for contacting the utility to ensure the easement will not be used in the future prior to constructing the pool or preferably to seek removal of the easement. If the owner is not successful in removing the easement the City will not be held liable on the basis of the Covenant for any damages the owner may accrue.

FINANCIAL IMPACT:

Approval of this Covenant Agreement imposes no impact or expense to City's General Fund.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

This action is not directly addressed in the Vision Madera 2025 Plan

ALTERNATIVES:

If Council does not accept the approval of this Covenant Agreement, a permit to construct a pool will not be issued.

ATTACHMENTS:

1. Resolution
 - a. Exhibit A – Covenant Agreement

Attachment 1

Resolution

RESOLUTION NO. 22-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA APPROVING COVENANT AGREEMENT TO ALLOW A LIMITED
ENCROACHMENT INTO A PUBLIC UTILITY EASEMENT AT PROPERTY
OWNER'S RISK**

WHEREAS, Alejandro Jimenez is the Owner in fee title of that certain improved real property commonly known as 1389 Taylor Lane (Property) in the City of Madera, County of Madera (APN 006-580-006-000)

WHEREAS, Owner propose to construct a pool in the backyard of the Property, and have applied to the City for a building permit to construct the same.

WHEREAS, the proposed pool as designed will encroach into a public utility easement (PUE)

WHEREAS, no utilities are currently using the PUE, but could do so at some future date.

WHEREAS, To accommodate Owners' proposal, the City, as for itself and no other Utility, desires to agree to allow for a limited, temporary, encroachment by Owners into the PUE at the Owner exclusive cost and risk, and subject to Owners obtaining appropriate approvals from the other Utilities (such as a recorded covenant or agreement) and future use by the Utilities.

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. That certain Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement at Property Owner(s)' Risk, attached hereto as Exhibit A, is hereby approved.
3. This resolution is effective immediately upon adoption.

* * * * *

Exhibit A

Covenant Agreement

**RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:**

City of Madera - City Clerk
205 W. 4th Street
Madera, CA 93637

APN. Xxx-xxx-xxx-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**COVENANT AGREEMENT TO ALLOW A LIMITED
ENCROACHMENT INTO A PUBLIC UTILITY EASEMENT
AT PROPERTY OWNER(S)' RISK**

This Covenant Agreement to Allow a Limited Encroachment into a Public Utility Easement at Property Owner(s)' Risk ("Agreement") is made and entered into this ____ day of _____, 2022 by (insert owner names) ("Owners") and the City of Madera ("City") for the purpose of allowing a limited encroachment into a public utilities easement.

RECITALS:

- A. Owners own in fee title that certain improved real property commonly known as (insert address) in the City of Madera, County of Madera (APN. Xxx-xxx-xxx-000) and legally described on Exhibit A attached hereto and incorporated herein by reference ("Property").
- B. Owners propose to construct a pool in the backyard of the Property, and have applied to the City for a building permit to construct the same. As designed the proposed pool will encroach into the into a public utility easement (PUE), as depicted in the map attached as Exhibit B.
- C. The PUE was previously dedicated and accepted by the City, and public utility easements are commonly used by utilities such as the City, Pacific Gas and Electric Company, Comcast, AT&T, and other authorized providers (collectively "Utilities" or singularly "Utility").
- D. The Utilities are not currently using the PUE, but could do so at some future date. To accommodate Owners' proposal, the City, as for itself and no other Utility, desires to agree to allow for a limited, temporary, encroachment by Owners into the PUE at the Owners' exclusive cost and risk, and subject to Owners obtaining appropriate approvals from the other Utilities (such as a recorded covenant or agreement) and future use by the Utilities.

AGREEMENT:

NOW, THEREFORE, the Parties agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are incorporated herein by reference.
2. **Effective Date; Duration.** This Agreement shall be effective upon delivery to the City of a copy executed by Owner ("**Effective Date**") which the City shall cause to be recorded in the Official Records of Madera County. This Agreement shall remain in full force and effect in perpetuity.
3. **Owner's Representations and Warranties.** Owner represents and warrants to the Utilities and City that, as of the Effective Date, Owner is the fee owner of the Property, and has authority to execute this Agreement which shall be binding on the Property upon recordation in the official records of Madera County ("**Official Records**").
4. **Covenants, Restrictions and Obligations.** The Parties agree as follows:
 - (a) At Owner's sole cost and expense and in accordance with all applicable City requirements, Owners are granted a temporary encroachment into the PUE, as to the City's right of use only, for the limited purposes of constructing, maintaining, and using a swimming pool and associated structures strictly in accordance with the permits and the plans as approved by the City.
 - (b) Owners shall not modify the pool nor construct or cause to be constructed any additional structures on the Property without first applying for and obtaining a permit from the City, at Owner's sole cost and expense. Upon approval, any additional permitted structure shall be subject to this Agreement, including, but not limited to, the covenants in this Section 4.
 - (c) Owners specifically acknowledge that the granting of a limited encroachment in the PUE under this Agreement is only approval to do so from the City. Owner acknowledges that Owners will need to obtain the appropriate approval or consent of all other Utilities for encroachment into the PUE. The City encourages the recording of any such agreement or consent.
 - (d) Owners agree that use of the PUE by the Utilities is paramount to the limited and temporary encroachment by Owners. Owners further agree that any encroachment into the PUE is solely at Owners' risk, and Owners expressly

acknowledge and agree that any Utilities, including the City, may disturb, remove, damage, or reconfigure the pool at any time to make use of the PUE or otherwise exercise their rights to the PUE, with or without notice. Further, any of the Utilities, including the City, may require Owners to remove the pool, including any associated structures, from the PUE at any time. Owners are solely responsible for any cost of removal, damages, reconfigurations, or any other disturbance of the pool by any Utilities, and under no circumstances shall Utilities be responsible to Owners for any damages or other relief, which are expressly waived by Owners. If Owners fail to promptly pay, any Utility may file and record a lien against the Property for the costs thereof, including attorney's fees. Owners agree any Utility may pursue any other remedy under the law to enforce this Agreement.

- (e) At all times, Owners shall comply with all ordinances, regulations and standards applicable to the Property.
- (f) Owners agree to indemnify and to hold the City harmless against any and all claims, demands, losses, liabilities, causes of action, obligations and claims of any kind for damages, lawsuits, costs, attorney's fees and expenses of every kind and nature whatsoever, filed against the City with respect to i) the City's approval of this Agreement; ii) the design, construction, approval, or use of the pool or associated structures; and iii) related to the use of the PUE by Owners (collectively "Indemnified Obligations"). Owners will promptly pay any judgment rendered against the City, its officers, agents or employees for any such claims or liabilities and Owners agree to save and hold the City, its officers, agents and employees harmless therefrom. If the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Owners for such damages or other claims arising out of the Indemnified Obligations, Owners agree to promptly reimburse the City, its officers, agents or employees, any and all costs and expenses incurred by the City, its officers, agents or employees in such action or proceeding, including, but not limited to, legal costs and attorneys' fees. Any and all amounts due under this Section 4 shall be promptly paid to the City or its officers, agents or employees within ten (10) days of written demand is delivered to Owner. If any amounts are not paid when due, said amounts shall thereafter bear interest at the rate of ten percent (10%) per annum (but not in excess of the maximum rate permitted by law) until paid in full.

5. Runs with the Land. This Agreement shall run with the land binding the Property and all future owners, tenants, and occupants of the Property.

6. Amendment or Modification. This Agreement may not be amended or modified except (i) in writing executed by the then current owner(s) of the Property and the City, and (ii) recorded in the Official Records.

7. Miscellaneous.

7.1. Notices. Any notices, demands, or communications under this Agreement shall be in writing, and may be given either by (i) personal services, (ii) overnight delivery, or (iii) mailing via United States mail, certified mail, postage prepaid, return service requested, addressed as set forth on the signature page of this Agreement or such other address as may be furnished in writing by a party, and such notice or communication shall, if properly addressed, be deemed to have been given as of the date so delivered, or three (3) business days after deposit into the United States mail. The addresses of the Parties are as follows:

CITY
Office of the City Engineer
428 E. Yosemite Avenue
Madera, CA 93638

OWNERS
(Alejandro Jimenez)
(1389 Taylor Ln.)
Madera, CA 93637

7.2. Severability. If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.

7.3. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California and any legal action shall be brought in a court of competent jurisdiction in Madera County.

7.4. Attorney's Fees. In the event of any litigation or other legal proceeding arising from this Agreement, the prevailing party will be entitled to recover, in addition to any other relief awarded or granted, its reasonable costs and expenses, including attorney's fees, incurred in the proceeding.

7.5. Final Agreement. This Agreement contains the entire understanding and agreement with respect to the subject matter of this Agreement and all prior

or contemporaneous documents, communications, understandings, representations, and statements shall be of no force or effect.

7.6. Construction. This Agreement shall be construed according to its fair meaning as if prepared by all parties to this Agreement. Headings used in this Agreement are provided for convenience only and shall not be used to construe meaning or intent.

7.7. No Waiver. The failure to enforce any term, covenant, or condition of this Agreement shall not be construed as a waiver of the right to enforce this, or any other, term, covenant, or condition of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed as of the date first above written.

OWNERS:

CITY OF MADERA

*By: (Alejandro Jimenez)

By: _____

Title: _____

Date: _____, 2022

* Signature must be notarized.

Exhibit A
Property Description

The land referred to is situated in the County of Madera, City of Madera, State of California, and is described as follows:

Lot 131 of Cottonwood Estates Phase 4 Subdivision No. 05-5-12, according to the Map thereof Recorded in Book 54, Pages 126 and 127 of Maps, Madera County Records.

EXCEPTING THEREFROM all oil, gas and other hydrocarbon substances and minerals of any kind or character, in, on or thereunder, as reserved of Deeds of Record.

APN: 006-580-006-000

Exhibit B **Depiction of Public Utility Easement (Including Encroachment)**

City of Madera

TAYLOR LANE

Indicate North Direction:

Scale: 1" = 20'

<u>Alexandro Jimenez</u> Owner	<u>Signature Pools + Spa</u> Contractor / Owner Builder	<u>559-825-6910</u> Phone #
<u>1389 Taylor Lane</u> Site Address	<u>006-580-006</u> APN	<u>131</u> Lot #
<u>Cottonwood Estates PH II</u> Name of Subdivision	<u>58.89' x 100.08'</u> Lot Dimensions	<u> </u> Block #

New Construction: Living Area Garage Carport Covered Porch Patio

City Standard Plan #: SPN Yes / No Windows Facing Rear Yes / No Block Fence → Length in Feet → Height in Feet

Pools and Accessory Buildings:

Pool Setbacks: Rear Lot Line to Pool <u> </u> ft	Side Lot Line to Pool <u> </u> ft	Pool Value \$ <u> </u>
Bldg Setbacks: Rear Lot Line to Bldg <u> </u> ft	Side Lot Line to Bldg <u> </u> ft	To Main Bldg <u> </u> ft
		To Main Bldg <u> </u> ft

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 _____

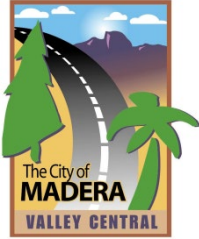
On _____, 2022 before me, _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person 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.

Signature

SEAL



REPORT TO CITY COUNCIL

Approved by:



Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-7

SUBJECT:

Letter of Support for the Affiliation of Madera Community Hospital, Trinity Health and Saint Agnes Medical Center

RECOMMENDATION:

Approve a Minute Order Approving a Letter of Support the Affiliation of Madera Community Hospital, Trinity Health and Saint Agnes Medical Center.

DISCUSSION:

Council may recall, during the Public Comment portion of the August 3, 2022 Council meeting, Madera Community Hospital (MCH) discussed ongoing financial challenges faced as a result of COVID-19 pandemic. MCH has stated that the Hospital has accrued nearly \$17 million dollars in losses resulting from the pandemic and was seeking assistance from the City for \$1 million in American Rescue Plan Act (ARPA) funding. It should be noted that the City received approximately \$23 million in ARPA funds, which was previously allocated in its entirety to the City's sewer and water systems in order to help mitigate rate increases. Council approved to agendize the matter in the form of a workshop in a future meeting to receive further information regarding the Hospital's deficit and detailed financial information that supports the organization's need for financial assistance. More recently at the September 21, 2022 Council meeting, Council instructed staff to prepare a letter expressing the City's support for the hospital affiliation.

BACKGROUND:

The Council held a workshop on September 21, 2022 where Madera Community Hospital staff presented an update on the state of hospital, including:

- MCH has entered into an affiliation agreement with Saint Agnes and Trinity Health in order to seek a path to financial security and to preserve ongoing healthcare services to the community.
- The sudden onset and duration of the pandemic was un precedented for the medical community. The Hospital's normal the operating budget was being funneled into

supporting public health responses to COVID-19, vaccinations, medical care, intensive care expansion, testing, contract tracing, isolations and capital investments.

- MCH is the only full-service hospital that serves the needs of Madera residents
- \$1 million in ARPA requested from the City for the replacement of an air handler (\$3.2 million project) to promote better air filtration and reduce the spread of airborne pathogens.
- Madera Community Hospital is the largest private employer in Madera with over 800 employees on staff.
- Non-profit organization that receives no taxpayer assessments and main income source stems from insurer reimbursements, largely from governmental programs such as Medi-Cal or Medicare who receive reduced rates.
- MCH has accrued over \$17 million in losses and is in danger of reducing services or closing, which would have a detrimental impact to the community of Madera and surrounding hospitals that do not have the capacity to accommodate an influx of patients.
- Contributors to the deficit include increased physician and nursing salaries, costly medications/treatments, reduced reimbursements and shouldering the cost of intensive care services
- MCH would appreciate alternative forms of support, particularly a letter to the State Attorney General expressing the City's support for their affiliation agreement with Trinity Health.

It is duly noted that prior to the Workshop, the City, in conjunction with Madera Community Hospital and Madera County met with Senator Anna Caballero, State Assemblyman Frank Bigelow, Congressman Jim Costa and the Department of Justice to discuss other protentional avenues for funding. Following this discussion, State Assemblyman Frank Bigelow and Senator Anna Caballero announced that \$5 million in state funding was secured to support MCH in recovering from their deficit and to ensure services continue without interruption or closure until its merge with Trinity Health Corporation and Saint Agnes Medical Center.

As the City's ARPA funds have been allocated, Council directed Staff to prepare a Letter of Support to the affiliation between MCH, Trinity Health and Saint Agnes Medical Center.

FINANCIAL IMPACT:

The signing of the Letter of Support has no direct financial impact to the City or County.

ALTERNATIVES:

Council may elect to decline the submittal of the support letter.

ATTACHMENTS:

1. Letter of Support



October 5, 2022

The Honorable Neli Palma
Supervising Deputy Attorney General
Healthcare Rights and Access, California Department of Justice
Office of the Attorney General
1300 I Street
Sacramento, CA 95814

The Honorable Emilio Varanini
Supervising Deputy Attorney General
Healthcare Rights and Access, California Department of Justice
Office of the Attorney General
455 Golden Gate Ave, 11th Floor
San Francisco, CA 94102

Dear Supervising Deputy Attorney Generals Palma and Varanini,

The City of Madera respectfully expresses its support for the affiliation between Madera Community Hospital, Saint Agnes Medical Center and Trinity Health Corporation. Madera Community Hospital (Hospital) operates a full-service, non-profit general acute care hospital that houses 106 beds and is the only adult hospital Madera County, with the next proximal hospital located over twenty miles away.

Madera Community Hospital is a vital healthcare resource for the residents of Madera and plays a major role in the social and economic vitality of our city. It is the largest private employer in Madera, with over 800 individuals on staff and is a significant economic contributor to our City. Madera is located in a rural area of the Central Valley and serves a disadvantaged population. Eighty percent of the Hospital's revenue is received from government programs like Medi-Care and Medicare, who benefit from reduced payer rates, and without adequate funding opportunities or private payer reimbursements, the Hospital has had difficulty in recruiting physicians and nurses, updating equipment and implementing technology to best its serve patients.

In addition, COVID-19 has resulted in detrimental impact Madera Community Hospital, which has experienced significant operating losses equating to several millions of dollars during the last

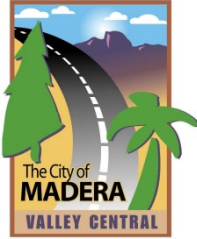
two years. Specifically, inflated labor costs, nursing shortages, costly medications/treatments, reduced reimbursements and shouldering the cost of intensive care services and treatments during the pandemic have contributed to financial hardships faced by the Hospital.

As a nation, we have seen an increasing number of rural hospitals face bankruptcy or closure due to financial pressure. Madera Community Hospital plays an indispensable role for the residents of Madera and surrounding communities as the major source of inpatient and outpatient services, emergency care and surgical care. A closure or reduction in services would be a disastrous blow to not only the residents of Madera, but the neighboring hospitals who would be forced to absorb the healthcare needs of our 60,000 and growing community. Therefore, the City supports the Hospital's decision to seek a path to financial security and to preserve community healthcare for the County of Madera by affiliating with Trinity Health and Saint Agnes Medical Center.

On behalf of the City of Madera, I urge you to favorably review the Affiliation Agreement set forth by these organizations.

Sincerely,

Santos Garcia, Mayor
City of Madera



REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, Department Director

Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: B-8

SUBJECT:

Consideration of a request by Nadeem Ahmad and Shahzada Farooq for connection to the City's water system

RECOMMENDATION:

Adopt a resolution Approving Agreement for Outside City Limits Water Connection for 16255 North D Street

SUMMARY:

The City has a policy wherein properties located outside the City Limits and adjacent to the City water and sewer systems, may under certain conditions, apply for and receive City utility services.

DISCUSSION:

The property owners, Nadeem Ahmad and Shahzada Farooq, have an existing single-family residence on a TBD acre single parcel located on the east side of D Street, between Adell and Ellis Streets. The owners have requested that they be allowed to connect to the existing 14-inch City water main on D Street and has declared her request as an urgent matter as the property has a well that is failing. While the parcel contains a single family home, staff has included a condition that should the parcel be subdivided or intensified, it shall be annexed into the City.

The Local Agency Formation Commission (LAFCO) has approved the connection to City water service outside the current City limits.

FINANCIAL IMPACT:

Approving this request for outside city limits water connection imposes no additional expense to the City or the General Fund. Property owner has also paid a fee for Council approval and will bear all construction costs.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The installation of an outside City Limits water connection to the site is not specifically addressed in the vision or action plans.

ALTERNATIVES:

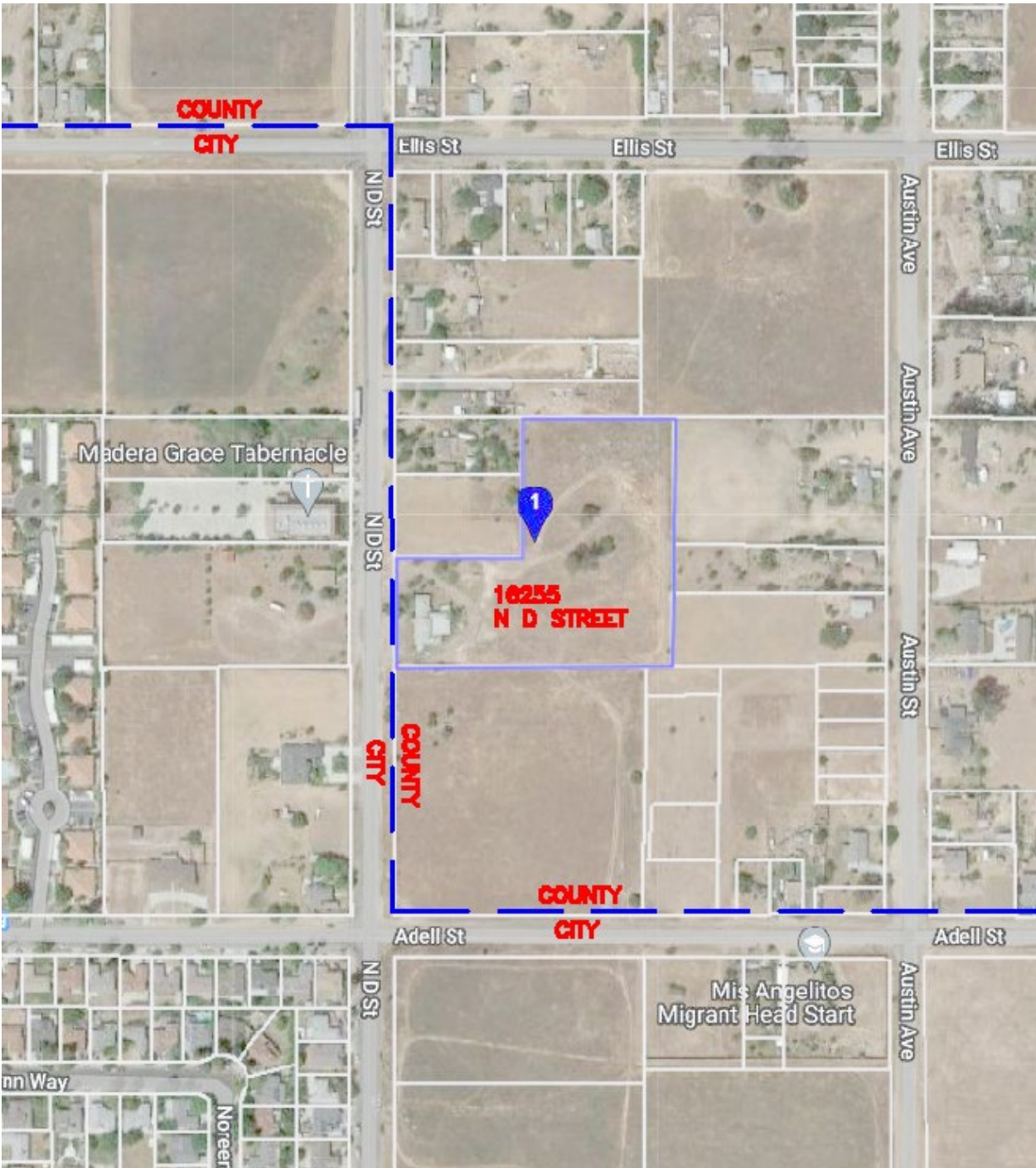
If Council does not approve the Agreement for Outside City Limits Water Connection, the residents may face hardships and will have to seek other alternatives.

ATTACHMENTS:

1. Location Map
2. Resolution
Exhibit A – Agreement

Attachment 1
Location Map

16255 N D Street, Madera Ca



Attachment 2
Resolution

RESOLUTION NO. 22-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA, APPROVING AGREEMENT FOR OUTSIDE CITY LIMITS WATER
CONNECTION FOR 16255 NORTH D STREET**

WHEREAS, Owners desire to connect the property located at 16255 North D Street to the City water system; and

WHEREAS, the property is located in the unincorporated territory of the County of Madera; and

WHEREAS, the City Council is willing to authorize said connections to the City's water and sewer systems, at owner's expense, subject to certain conditions.

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 Council approves the Agreement for Outside City Limits Water Connection for 16255 North D Street which is attached to this resolution as Exhibit A and incorporated by reference.
3. Staff is hereby directed to record the Agreement.
4. This resolution is effective immediately upon adoption.

* * * * *

Exhibit A
Agreement

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF MADERA
205 W. 4TH STREET
MADERA, CA 93637

Presented for Recordation by the City of Madera
Fee Waived Per Sections 27383 & 27388.1(a)(2)(D) of the Government Code.....No Fee Due _0_

Address: 16255 North D Street, Madera, California
APN: 038-090-009

**AGREEMENT FOR OUTSIDE CITY LIMITS
WATER CONNECTION FOR 16255 NORTH D STREET**

This AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION FOR 16255 North D Street ("Agreement"), is made and entered into this ____ day of _____, 2022, by and between the CITY OF MADERA, a municipal corporation of the State of California, hereinafter called "CITY", and NADEEM AHMAD AND SHAHZADA FAROOQ, hereinafter called "OWNER".

RECITALS

A. OWNER is the record owner of that certain real property located at 16255 North D Street, in the County of Madera, California and more particularly described below.

B. The Property consists of 4.21 acres, more or less, located on the east side of D Street, between Ellis and Adell Streets, known as 16255 North D Street, in the unincorporated territory of Madera County (the "Subject Property").

C. OWNER desires a water connection to serve one dwelling on the Subject Property.

D. CITY is willing to authorize said water connection subject to conditions as set forth in this Agreement.

AGREEMENT

In consideration of the recitals above, which are incorporated herein, and the mutual promises contained herein, the Parties agree as follows:

1. Authority to Connect to City Water. CITY hereby authorizes OWNER to connect to the 14-inch water main on D Street to serve one dwelling on the Subject Property located at 16255 North D Street, which property is more particularly described as follows:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 149 AND THE WEST 53.50 FEET OF LOT 150 IN SECTION 12, TOWNSHIP 11 SOUTH, RANGE 17 EAST, M.D.B.&M., ACCORDING TO MAP ENTITLED, "MILLER AND LUX'S SUBDIVISION OF LANDS, AT MADERA, FRESNO COUNTY CAL.", FILED AND RECORDED IN THE OFFICE OF THE COUNTY OF MADERA STATE OF CALIFORNIA, FEBRUARY 2, 1895, IN BOOK 1 OF MAPS, AT PAGE 11, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 149 OF SAID SUBDIVISION, SAID CORNER BEING IN THE CENTER OF AN 80 FOOT COUNTY ROAD, SAID CORNER BEING IN THE CENTER OF AN 80 FOOT COUNTY ROAD, THENCE SOUTH 89° 47' EAST A DISTANCE OF 559.99 FEET TO A POINT ON THE NORTH LINE OF LOT 150, THENCE SOUTH 0°13' WEST 466.69 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 150, THENCE NORTH 89°47' WEST ALONG THE SOUTH LINE OF SAID LOTS 150 AND 149, A DISTANCE OF 559.99 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 149, THENCE NORTH 0°13' EAST ALONG THE WEST LINE OF LOT 149, A DISTANCE OF 466.69 FEET TO THE POINT OF COMMENCEMENT.

EXCEPTING THAT PORTION DESCRIBED AS FOLLOWS, TO WIT: COMMENCING AT THE NORTHWEST CORNER OF LOT 149 OF SAID SUBDIVISION, SAID CORNER BEING IN THE CENTER OF AN 80 FOOT COUNTY ROAD, THENCE SOUTH 89°47' EAST A DISTANCE OF 280 FEET TO A POINT; THENCE SOUTH 0°13' WEST A DISTANCE OF 261 FEET TO A POINT; THENCE NORTH 89°47' WEST A DISTANCE OF 280 FEET TO A POINT; THENCE NORTH 0°13' EAST ALONG THE WEST LINE OF LOT 149, A DISTANCE OF 261 FEET TO THE POINT OF COMMENCEMENT.

APN: 038-090-009

2. Payment of Fees. Prior to any such water connection, APPLICANT shall pay to CITY water impact fees which total \$845.00. Impact fees are based on one single family residence on a single parcel. Any additional development on the Subject Property will be subject to additional CITY impact fees. OWNERS shall also pay to CITY connection, permit, inspection or other fees as required, and 50% of the cost to install the 8-inch component of the 14-inch water main located in D Street, in the amount of \$2,838.52. On and after connection of OWNERS' property to the CITY water system, OWNER shall pay to CITY the monthly water service charges as determined by the Director of Finance.

3. Municipal Service Application and Service Rates. In addition to this Agreement, OWNER agrees to complete a Municipal Service Application to apply for water and agree to pay the water rates applicable to City residents which will be billed in accordance with City billing of City residents. As a new water service connection, OWNER is required to install a water meter and a reduced pressure back flow prevention device at property line in accordance with CITY Standard Specifications and destroy any existing wells in accordance with the Madera County and California Department of Health Standards.

4. Discontinuance of Utilities. The parties acknowledge that one result of the utility billing method of payment is to allow City to use the non-judicial remedy of discontinuing all utility services in the event of a default by OWNER in the performance of its duties and obligations pursuant to the Agreement.

5. No Assignment; Agreement Runs with the Land. The rights and obligations of the

parties shall not be assigned or transferred to others without the prior written consent of the other party. This Agreement shall be binding upon and insure to the benefit of the parties' successors or assigns. The burdens and benefits of this Agreement shall run with the land identified in Exhibit A attached hereto. This Agreement shall be executed in recordable form.

6. Notices. All notices to be given under this Agreement shall be in writing and either:

(a) Sent by certified mail, return receipt requested, in which case notice shall be deemed delivered three (3) business days after deposit, postage prepaid in the United States Mail,

(b) Sent by a nationally recognized overnight courier, in which case notice shall be deemed delivered one (1) business day after deposit with this courier, or

(c) By telecopy or similar means, if a copy of the notice is also sent by United States Certified Mail, in which case notice shall be deemed delivered on transmittal by telecopier or other similar means provided that a transmission report is generated by reflecting the accurate transmission of the notices, as follows:

TO OWNER: NADEEM AHMAD AND SHAHZADA FAROOQ
1501 E. Yosemite Ave
Madera, CA 93638

TO CITY: CITY OF MADERA
Attn: City Manager
205 W. 4th Street
Madera, CA 93637

These addresses may be changed by written notice to the other party, provided that no notice of a change of address shall be effective until actual receipt by the parties of the notice. Copies of notices are for informational purposes only, and a failure to give or receive copies of any notice shall not be deemed a failure to give notice.



7. Limitation on Use of City Water. OWNER agrees that the water provided by the CITY shall be used only for domestic water service to the Subject Property. Any future water connection for property development purposes is subject to CITY approval.

8. LAFCo Approval. The Subject Property is located outside the corporate limits of the City of Madera but within the City's Sphere of Influence. Due to this, the CITY must obtain authorization from the Madera Local Agency Formation Commission (LAFCo) to extend and/or connect utility services to the subject property. LAFCo authorization requires the submittal of an application for review. The CITY has prepared and submitted the required application, and LAFCo has authorized the extension and/or connection of utility services to the Subject Property.

9. Annexation. In accordance with Government Code Section 56133 (b) and LAFCo's approval of the application to extend and/or connect utility services to the Subject Property, OWNER agrees not to protest the future annexation of the subject property into the City of Madera, if such annexation is not subject to conditions, excluding the facts pertaining to the annexation itself or the extension of water or sanitary sewer service, which might materially prejudice those holding interest in the Subject Property.

10. Attorney's Fees. If either party commences an action against the other to enforce this Agreement, or because of the breach by either party of this Agreement, the prevailing party in this action shall be entitled to recover attorney fees and costs incurred in connection with the prosecution or defense of this action, including any appeal of the action, in addition to all other relief. Prevailing party within the meaning of this Section shall include, without limitation, a party who successfully brings an action against the other party for sums allegedly due or performance of covenants allegedly breached, or that party who obtains substantially the relief sought in the action.

11. Entire Agreement. This Agreement contains the entire agreement between the parties as to the subject matter hereof. This Agreement shall not be construed to relieve OWNER from properly maintaining improvements on OWNERS' property as required by any existing site plan or conditional use permit, to excuse compliance with any law or regulation of general application, or to address any developmental requirements that may be applied to any future development of OWNERS' property. Without limitation of the foregoing, OWNER acknowledges that the Development Impact Fees paid as provided herein are for the existing residence only, and any additional residences or other uses or additional improvements will require the payment of additional Development Impact Fees as may be applicable to such additional residences, uses or improvements.

No promise, representation, warranty, or covenant not included in this Agreement has been or is relied on by either party. Each party has relied upon his own examination of this Agreement, the counsel of his own advisors, and the warranties, representations, and covenants in the Agreement itself. The failure or refusal of either party to read the Agreement or other documents, or to obtain legal or other advice relevant to this transaction constitutes a waiver of any objection, contention, or claim that might have been based on such reading, inspection, or advice.

12. Time of the Essence. Time is of the essence for each condition, term, and provision in this Agreement.

13. Counterpart Signatures. This Agreement may be executed in one or more counterparts. Each shall be deemed an original and all taken together shall constitute one and the same instrument. The execution of this Agreement is deemed to have occurred, and this Agreement shall be enforceable and effective only on the complete execution of this Agreement by the parties.

14. Severance. If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement shall not be affected.

15. No Waiver. A waiver or breach of a covenant or provision in this Agreement shall not be deemed a waiver of any other covenant or provision in this Agreement, and no waiver shall be valid unless in writing and executed by the waiving party. An extension of time for performance of any obligation or act shall not be deemed an extension of the time for performance of any other obligation or act.

16. Headings. Headings at the beginning of each section and subsection are solely for the convenience of the parties and are not a part of and shall not be used to interpret this Agreement. The singular form shall include the plural and vice versa. This Agreement shall not be construed as if it had been prepared by one of the parties, but rather as if both parties have prepared it. Unless otherwise indicated, all references to sections are to this Agreement. All exhibits referred to in this Agreement are attached to it and incorporated to it by this reference.

17. Applicable Law. This Agreement shall be governed and construed in accordance with California law. This Agreement concerns real property located in Madera, California and each party agrees that a court of competent jurisdiction for the judicial district including Madera, California would be the most appropriate court for any litigation that might arise in connection with this Agreement.

18. Authority to Sign. Each party signing below certifies that he or she is authorized to execute this Agreement and thereby obligate the party on whose behalf such signature is made. The authority of each signer was, if necessary, granted by appropriate corporate action.

19. Amendments to Agreement. This Agreement may be modified or amended only by a writing duly authorized and executed by both parties. It may not be amended or modified by oral agreements or understanding between the parties. This Agreement and any modification or amendment thereto shall only be effective if authorized by the City Council of the City of Madera.

20. Limitation on Use of City Water. OWNER agrees that the water provided by the CITY shall be used only for domestic use and residential landscape irrigation use. No use of CITY water for agricultural irrigation or other use atypical of residential use shall be allowed.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year hereinabove first written.

CITY OF MADERA

By: _____
Keith B. Helmuth, City Engineer

By: _____
Santos Garcia, Mayor

OWNERS

By: _____
Nadeem Ahmad

By: _____
Shahzada Farooq

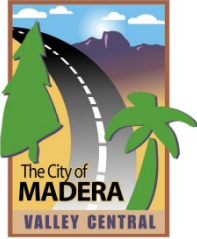
ATTEST:

By: _____
Alicia Gonzales, City Clerk

APPROVED AS TO LEGAL FORM:

By: _____
Hilda Cantú Montoy, City Attorney

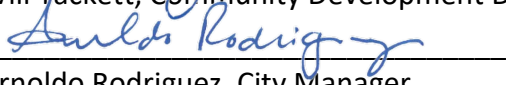
ATTACH NOTARY ACKNOWLEDGEMENT



REPORT TO CITY COUNCIL

Approved by:


Will Tackett, Community Development Director


Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: C-1

SUBJECT:

Public Hearing for Annexation No. 11 (Tract 20-S-02 Pecan Square Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions.

RECOMMENDATION:

First, that Council hold public hearing and adopt the following Resolutions:

1. A Resolution of the City Council (Council) of the City of Madera, California (City) Authorizing Annexation (Annexation No. 11) of Territory to Community Facilities District (CFD) No. 2005-1 and Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors.
2. A Resolution of the Council of the City Calling a Special Election and Submitting to the Voters of Annexation No. 11 of CFD No. 2005-1 the Proposition Regarding the Annual Levy of Special Taxes Within Annexation No. 11 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance Within the District.

Second, Council conduct a Special Election of the Qualified Electors of Annexation No. 11 of the City's CFD No. 2005-1 and Declaration and Certification of the Results Thereof.

Third, Council adopt a Resolution of the Council of the City Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 11 to CFD No. 2005-1.

SUMMARY:

At the Council's August 17, 2022 meeting, the Council approved a resolution adopting a boundary map depicting the territory proposed for annexation, and approved a resolution declaring the City's intention to annex the proposed territory into CFD No. 2005-1. At tonight's meeting, after the close of the public hearing and adoption of the above-referenced resolutions, if the landowner elects to annex at the special election, the City can proceed with the annexation by adopting a resolution of annexation.

DISCUSSION:

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

Pecan Square (Tract 20-S-02) Subdivision, is prepared to proceed with the annexation process into CFD No. 2005-1. The project includes the development of 112 single-family residential units located on 21.84 acres of land. The boundaries of the Project consist of the area within the original assessor's parcel number (APN) 012-480-005 and the updated APN 012-480-011 as depicted on Attachment 4. The APN is updated to allow the county to amend parcel numbers in instances where reconfiguration to the map book is required, voiding old parcel numbers and allowing space for new map pages.

Table 1: Project Overview			
Project Name	Owner	Units	Location
Pecan Square, Tract 20-S-02	D.R. Horton CA3 Inc.	112	W. Pecan Ave. & SR 145

As with all residential subdivisions, conditions of approval for the subdivision require annexation into CFD No. 2005-1 prior to recordation of the final subdivision map. This will comprise the 11th annexation (Attachment 5).

FINANCIAL IMPACT:

The 2022/23 Fiscal Year CFD 2005-1 assessment for single-family residential development is approximately \$524.41 per dwelling unit. Based on this figure, the estimated annual revenue that will be received by the City (Fund 76650) for all 112 units in Annexation No. 11 will be \$58,733.92. CFD No. 2005-1 includes an annual CPI adjustment, therefore this amount will grow

over time. The process for annexation is funded by the developer and no General Fund monies are used for this effort.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The proposed action is not specifically addressed as part of the plan, is not in conflict with the plan, but rather is sympathetic of the underlying principles of the Vision 2025 Plan.

ALTERNATIVES:

The City Council adopted Ordinance C.S. 792 on December 7, 2005, authorizing the levy of a Special Tax within CFD No. 2005-1 commencing in fiscal year 2006-07 and each year thereafter. The Council could, at its discretion, consider alternative methods for funding the necessary services that are demanded by residential development and supported by CFD No. 2005-1. Amendment of the ordinance would be required.

ATTACHMENTS:

1. Resolution of Annexation
 - Exhibit A – Rate and Method of Apportionment
 - Exhibit B – Ballot
2. Resolution Calling for Election
 - Exhibit A – Ballot
3. Resolution Results of Election
 - Exhibit A – Statement of Votes Cast
 - Exhibit B – Annexation Map
 - Exhibit C – List of Properties
4. Pecan Square, Tract 20-S-02/TSM 2019-03 Subdivision Map
5. CFD No. 2005-1 Map

ATTACHMENT 1

Resolution of Annexation

Including:

Exhibit A – Rate and Method of Apportionment

Exhibit B – Ballot

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY
(ANNEXATION NO. 11) TO COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PUBLIC SERVICES) AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND
SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS**

WHEREAS, this City Council ("Council"), on August 17, 2022, adopted Resolution No. 22-134, (hereafter referred to as the "Resolution of Intention") stating its intention to annex territory to City of Madera Community Facilities District No. 2005-1 (Public Services) (hereafter referred to as "CFD No. 2005-1"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (hereafter referred to as the "Act"); and

WHEREAS, a copy of the Resolution of Intention, which states the authorized services to be provided and financed by CFD No. 2005-1, and a description and map of the proposed boundaries of the territory to be annexed known as Pecan Square, Tract 20-S-02 Subdivision ("Annexation No. 11") to CFD No. 2005-1, is on file with the City Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein. Annexation No. 11 will consist of 112 single family residential units located on west of Highway 145 (Madera Avenue) and south of West Pecan Avenue; and

WHEREAS, on the 5th of October 2022, the Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to CFD No. 2005-1; and

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

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

WHEREAS, a boundary map for Annexation No. 11 to CFD No. 2005-1 has been filed with the County Recorder of the County of Madera, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

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

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

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

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

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

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

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

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

SECTION 5. It is the intention of this legislative body that, except where funds are otherwise available, a special tax sufficient to pay for said services to be provided in CFD No. 2005-1 and the territory proposed to be annexed as part of Annexation No. 11, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 11, will be levied annually within the boundaries of Annexation No. 11 from and after the annexation of such property to CFD No. 2005-1. The special taxes shall be those as originally authorized through the formation of CFD No. 2005-1 and adopted by Ordinance of this legislative body, and no changes or modifications are proposed in the special taxes from those as originally set forth and made applicable to CFD No. 2005-1.

For particulars as to the rate and method of apportionment of the proposed special tax (the "RMA"), reference is made to the attached and incorporated Exhibit "A," which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within the Annexation No. 11 to clearly estimate the maximum annual amount that said person will have to pay on said special tax.

SECTION 6. The provisions of the Resolution of Intention of the City each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.

(a) Pursuant to the provisions of the Act, the proposition of the levy of the special tax within Annexation No. 11 shall be submitted to the voters within Annexation No. 11 at a special election called therefor as hereinafter provided. This Council hereby finds that fewer than 12 persons have been registered to vote within Annexation No. 11 for each of the 90 days preceding the close of the hearing heretofore conducted and concluded by this Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Council finds that for purposes of these proceedings the qualified electors are the landowners within Annexation No. 11 and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in Annexation No. 11.

(b) Pursuant to Section 53326 of the Act, the election shall be conducted by mail ballot under section 1340 of the California Elections Code. The Council called a special election to consider the measures described and incorporated as Exhibit "A," which election will be conducted on October 5, 2022 (hereafter referred to as "Election Day"). The City Clerk is the election official to conduct the election and provided each landowner in the territory to be annexed to CFD No. 2005-1, a ballot in the form of Exhibit "B", which form is hereby approved. The City Clerk has

accepted the ballots of the qualified electors received prior to 6:00 p.m. on Election Day, whether received by mail or by personal delivery.

(c) This Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters, that the voters have waived such requirement and the date for the election hereinabove specified is established accordingly.

SECTION 7. This resolution is effective immediately.

EXHIBIT A TO RESOLUTION OF ANNEXATION
CITY OF MADERA
COMMUNITY FACILITIES DISTRICT 2005-1 (PUBLIC SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

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

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

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

in the then-current April update. The annual CPI used shall be as determined by the United States Department of Labor, Bureau of Labor Statistics, and may be obtained through the California Division of Labor Statistics and Research (www.dir.ca.gov/dlsr). If the foregoing index is not available, the District Administrator shall select a reasonably comparable index.

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

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

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

“City” means the City of Madera.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"State" means the State of California.

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

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

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

B ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year using the definitions above, all Taxable Property within the District shall be classified as Developed Property, Entitled Property, or Undeveloped Property. Developed Property shall be further classified as Developed Single-Family Residence or Developed Multi-Family Residence. Commencing with the Base Year and for each subsequent Fiscal

Year, all Taxable Property shall be subject to Special Taxes pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. DEVELOPED PROPERTY

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

Land Use Class	Description	Maximum Special Tax Per Unit¹
1	Developed Single-Family Residence	\$311 per unit
2	Developed Multi-Family Residence	\$285 per unit
¹ Maximum Special Tax includes Administrative Expenses		

2. ENTITLED PROPERTY

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

Land Use Class	Description	Maximum Special Tax Per Unit¹
3	Entitled Property	\$166 per lot
¹ Maximum Special Tax includes Administrative Expenses		

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

3. UNDEVELOPED PROPERTY

No Special Tax shall be levied on Undeveloped Property.

4. TAX-EXEMPT PROPERTY

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

5. MULTIPLE LAND USE CLASSES

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

D. METHOD OF APPORTIONMENT OF SPECIAL TAXES

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

E. APPEALS

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

F. EXEMPTIONS

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

G. MANNER OF COLLECTION

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

H. TERM OF SPECIAL TAX

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

EXHIBIT B TO RESOLUTION OF ANNEXATION

**City of Madera
Community Facilities District No. 2005-1, (Public Services), Annexation No. 11**

OFFICIAL BALLOT

SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed envelope to the office of the City Clerk of the City of Madera no later than 6:00 o'clock p.m. on Wednesday, October 5, 2022 either by mail or in person. The City Clerk's office is located at City Hall, 205 W Fourth Street, Madera, California, 93637.

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

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

BALLOT MEASURE: Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022, where said Maximum Special Tax Rate for Fiscal Year 2022-2023 is \$524.41 per Single-Family Residential Unit, \$480.56 per Multi-Family Residential Unit and \$279.91 per lot for Entitled Property and is subject to an Annual Tax Escalation Factor of the annual percentage change of the All Urban Consumers Price Index (CPI) or 3%?

YES:

☐

NO:

☐

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

Acres Owned Within Territory Annexed:

Number of Votes:

Property Owner:

Property Owner/ Authorized Representative Signature: _____

ATTACHMENT 2
Resolution Calling for Election

Including:
Exhibit A – Ballot

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF
ANNEXATION NO. 11 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO.
2005-1 (PUBLIC SERVICES) THE PROPOSITION REGARDING THE ANNUAL LEVY OF
SPECIAL TAXES WITHIN ANNEXATION NO. 11 TO FINANCE POLICE PROTECTION
SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK
MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND
MAINTENANCE WITHIN THE DISTRICT**

WHEREAS, pursuant to Section 53325.1 of the California Government Code the City Council (the "City Council") of the City of Madera (hereafter referred to as the "City") has adopted the resolution authorizing the annexation of territory known as Pecan Square, Tract 20-S-02 Subdivision (hereafter referred to as "Annexation No. 11") to City of Madera Community Facilities District No. 2005-1, County of Madera, State of California (hereafter referred to as "CFD No. 2005-1"). Annexation No. 11 will consist of 112 single family residential units located west of Highway 145 (Madera Avenue) and south of West Pecan Avenue; and

WHEREAS, by that resolution, the City Council called a special election on the propositions to be submitted to the voters of the territory proposed to be annexed to CFD No. 2005-1 with respect to the levy of special taxes therein for the financing of police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within CFD No. 2005-1; and

WHEREAS, pursuant to Section 53326 of the California Government Code, it is necessary that the City Council submit to the voters of Annexation No. 11 the annual levy of special taxes on taxable property within Annexation No. 11; and

WHEREAS, the Community Development Director has advised the City Council that the property owners of the subject parcels have reported to the City staff that all of the subject parcels are uninhabited with no voters registered at the subject parcel. City Staff has personally visited the sites and found that there are no occupied dwellings on the subject parcels. Staff has advised the City Council that the annexation area qualifies as uninhabited as there are less than 12 persons registered to vote within Annexation No. 11;

NOW, THEREFORE, BE IT RESOLVED, determined and ordered by the City Council for the City of Madera Community Facilities District No. 2005-1, Annexation No. 11 as follows:

SECTION 1. The City Council finds that: (i) the foregoing recitals are true and correct; (ii) 12 persons have not been registered to vote within the territory to be annexed to CFD No. 2005-1 for each of the 90 days preceding the close of the public hearing on October 5, 2022 (iii) pursuant to Section 53326 of the California Government Code, as a result of the findings set forth

in clause (ii) above, the vote in the special election called by this resolution shall be by the landowners of the territory to be annexed to CFD No. 2005-1, whose property would be subject to the special taxes if they were levied at the time of the election, and each landowner shall have one vote for each acre, or portion thereof, which he or she owns within Annexation No. 11 which would be subject to the proposed special taxes if they were levied at the time of the election; (iv) the owners of all of the land in Annexation No. 11 by written consent (a) waived the time limits set forth in Section 53326 of the California Government Code for holding the election called by this resolution and the election on the propositions, (b) consented to the holding of the election on October 5, 2022, (c) waived notice and mailed notice of the time and date of the election, (d) waived an impartial analysis by the City Attorney of the ballot propositions pursuant to Section 9280 of the California Elections Code and arguments and rebuttals pursuant to Sections 9281 to 9287, inclusive, and 9295 of that Code, and mailing of a statement pursuant to Section 9401 of that Code, and (e) waived a synopsis of the measures to be included in the official ballot for said elections pursuant to Section 12111 of that Code; and (v) the City Clerk (hereafter referred to as the "City Clerk") has consented to the holding of the election on October 5, 2022.

SECTION 2. The City Council hereby calls and schedules a special election for October 5, 2022, on the proposition of the annual levy of special taxes on taxable property within Annexation No. 11 to CFD No. 2005-1 to finance police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within Annexation No. 11 to CFD No. 2005-1.

SECTION 3. The proposition to be submitted to the voters of Annexation No. 11 at such special election shall be as follows:

Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022.

SECTION 4. Except as otherwise provided in Section 6 hereof, the special election shall be conducted by the City Clerk in accordance with the provisions of the California Elections Code governing mail ballot elections of cities, and in particular the provisions of Division 4 (commencing with Section 4000), of that Code, insofar as they may be applicable.

SECTION 5. The procedures to be followed in conducting the special election on the proposition with respect to the levy of special taxes on taxable property within Annexation No. 11 to CFD No. 2005-1 to pay for police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within the District:

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

(b) Pursuant to applicable sections of the California Elections Code governing the conduct of mail ballot elections of cities, and in particular Division 4 (commencing with Section 4000) of that Code with respect to election conducted by mail, the City Clerk, or designated official shall mail or deliver to each qualified elector an official ballot in the appropriate form attached hereto as Exhibit "A," and shall also mail or deliver to all such qualified electors a ballot pamphlet and instructions to voter, a return identification envelope addressed to the City Clerk for the return of voted official ballots.

(c) The official ballot to be mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes to which the landowner-voter is entitled based on its land ownership on the propositions set forth in the official ballot as marked thereon in the voting square opposite each such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within Annexation No. 11 to CFD No. 2005-1.

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

(e) The information to voter form to be delivered by the City Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the City Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 6:00 p.m. on the 5th day of October 2022; provided that if all qualified electors have voted, the elections shall be closed with the concurrence of the City Clerk.

(f) Upon receipt of the return identification envelopes, which are returned prior to the voting deadline on the date of the elections, the City Clerk shall canvass the votes cast in the election, and shall file a statement with the City Council as to the results of such canvass and the election on each proposition set forth in the official ballot.

SECTION 6. This resolution is effective immediately.

EXHIBIT A TO RESOLUTION CALLING FOR ELECTION

**City of Madera
Community Facilities District No. 2005-1, (Public Services), Annexation No. 11**

OFFICIAL BALLOT

SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed envelope to the office of the City Clerk of the City of Madera no later than 6:00 o'clock p.m. on Wednesday, October 5, 2022 either by mail or in person. The City Clerk's office is located at City Hall, 205 W Fourth Street, Madera, California, 93637.

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

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

BALLOT MEASURE: Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022, where said Maximum Special Tax Rate for Fiscal Year 2022-2023 is \$524.41 per Single-Family Residential Unit, \$480.56 per Multi-Family Residential Unit and \$279.91 per lot for Entitled Property and is subject to an Annual Tax Escalation Factor of the annual percentage change of the All Urban Consumers Price Index (CPI) or 3%?

YES:

☐

NO:

☐

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

Acres Owned Within Territory Annexed:

Number of Votes:

Property Owner:

Property Owner/ Authorized Representative Signature: _____

ATTACHMENT 3

Resolution of Election

Including:

Exhibit A – Statement of Votes Cast

Exhibit B – Annexation Map

Exhibit C – List of Properties

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL
ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 11
TO COMMUNITY FACILITIES DISTRICT NO. 2005-1**

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

WHEREAS, the City Council initiated proceedings to annex certain territory known as Pecan Square, Tract 20-S-02 Subdivision (hereafter referred to as "Annexation No. 11") to Community Facilities District No. 2005-1 (Public Services). Annexation No. 11 will consist of 112 single family residential units located on west of Highway 145 (Madera Avenue) and south of West Pecan Avenue; and

WHEREAS, at this time the unanimous consent to the annexation of Annexation No. 11 has been received from the property owner or owners of such territory; and

WHEREAS, less than twelve (12) registered voters have resided within the territory of Annexation No. 11 for each of the ninety (90) days preceding October 5, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 11 shall be the "landowners" of Annexation No. 11 as such term is defined in Government Code Section 53317(f) and each such landowner who is the owner of record, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that she or he owns within Annexation No. 11; and

WHEREAS, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the property within Annexation No. 11 to the qualified electors of Annexation No. 11 and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified electors of Annexation No. 11; and

WHEREAS, the City Clerk of the City of Madera has caused ballots to be distributed to the qualified electors of Annexation No. 11, has received and canvassed such ballots and made a report to the City Council regarding the results of such canvas, a copy of which is attached as Exhibit A hereto and incorporated herein by this reference; and

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

WHEREAS, a map showing the territory to be annexed and designated as Annexation No. 11 (hereafter referred to as the "Annexation Map"), a copy of which is attached as Exhibit B hereto and incorporated herein by this reference, and a list of Assessor Parcel Numbers and landowners, a copy of which is attached as Exhibit C hereto and incorporated herein by this reference, has been submitted to the City Council.

NOW, THEREFORE, BE IT RESOLVED, determined and ordered by the City Council for the City of Madera Community Facilities District No. 2005-1 (Public Services), Annexation No. 11 as follows:

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

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

(a) The unanimous consent to the annexation of Annexation No. 11 to CFD No. 2005-1 has been given by all of the owners within Annexation No. 11 and such consent shall be kept on file in the Office of the City Clerk.

(b) Less than twelve (12) registered voters have resided within the territory of Annexation No. 11 for each of the ninety (90) days preceding October 5, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 11 shall be the "landowners" of such Annexation No. 11 as such term is defined in Government Code Section 53317(f).

(c) The qualified electors of Annexation No. 11 have voted in favor of the levy of special taxes within Annexation No. 11 upon its annexation to CFD No. 2005-1.

SECTION 3. The boundaries and parcels of territory within Annexation No. 11 and on which special taxes will be levied in order to pay for the costs and expenses of authorized public services are shown on the Annexation Map as submitted to and hereby approved by this City Council.

SECTION 4. The City Council does hereby determine and declare that Annexation No. 11 is now added to and becomes a part of CFD No. 2005-1. The City Council, acting as the legislative body of CFD No. 2005-1, is hereby empowered to levy the authorized special tax within Annexation No. 11.

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

An Amendment No. 11 to the Amended Notice of Special Tax Lien shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

SECTION 6. This resolution is effective immediately.

* * * * *

EXHIBIT B TO RESOLUTION OF RESULTS OF ELECTION
Annexation Map

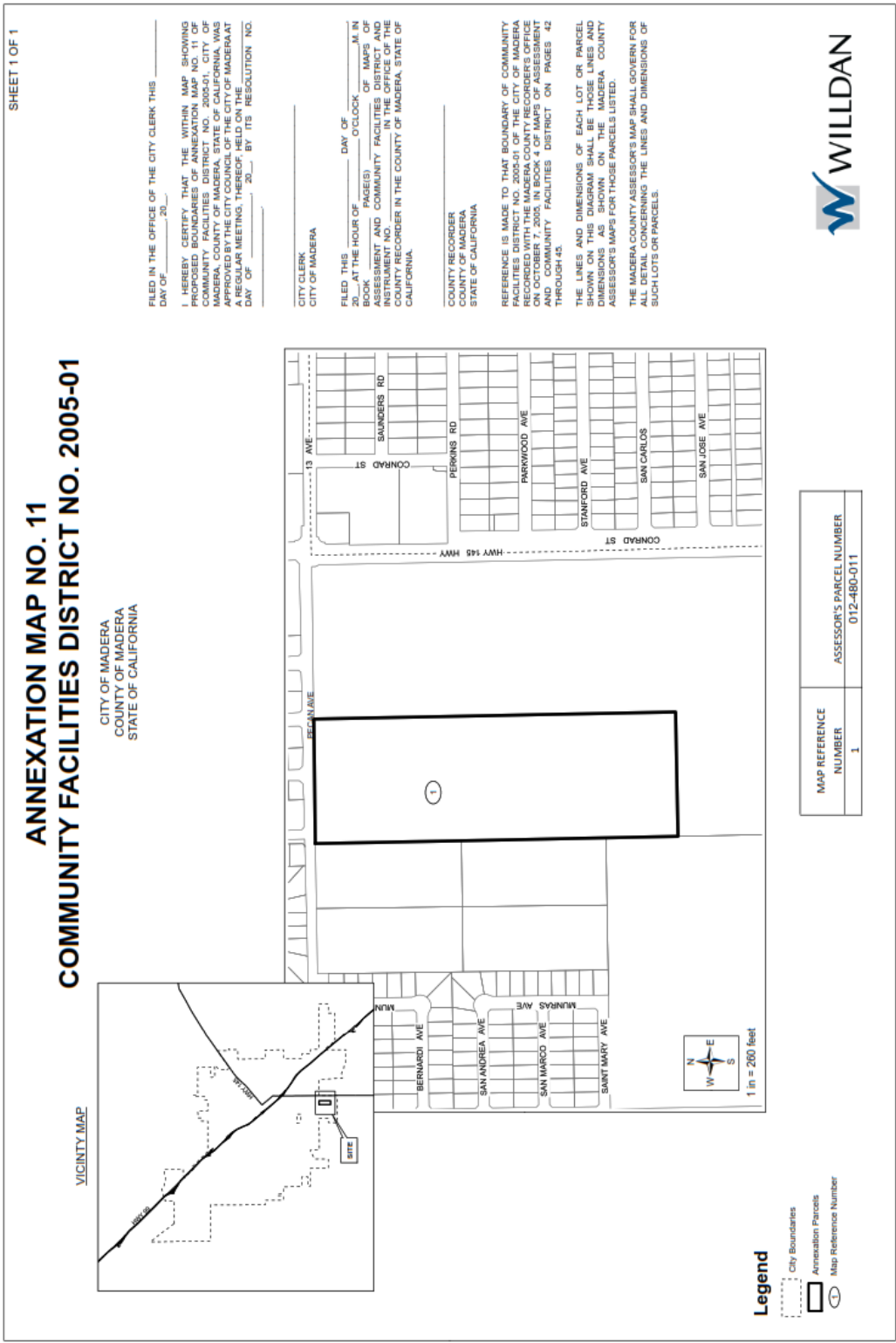


EXHIBIT C TO RESOLUTION OF ELECTION
List of Assessor Parcel Numbers and Landowners

APN

012-480-011-000

Landowner

D.R. Horton CA3 Inc

ATTACHMENT 4

Pecan Square, Tract 20-S-02/TSM 2019-03 Subdivision Map

PECAN SQUARE

JANUARY 2022

ALL DISTANCES SHOWN ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

ROUND AND ACCURATE SECTION CORNER AS NOTED
ROUND AND ACCURATE SECTION CORNER AS NOTED
ROUND 3/4" IRON PIPE BULGED 715.8397' F22 P1, CORNER 6"
ROUND 1" IRON PIPE BULGED 716.1537' F22 P1 UNLESS OTHERWISE NOTED.

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A
DEPT. 5 & PUBLIC STR. 277 ANN ARBOR MI 48106-0002

Δ
GOWTS & PUBLIC UTILITY BOARD
C. W. GOWTS—PRESIDENT
C. W. GOWTS—PRESIDENT

—107—
ANOTHER NOVELTIES FROM MOSCOW EXHIBITION

[illegible]

M.C.R. MADISON COUNTY RECORDS

[illegible]

STUDY 1071 COMMENTS

SECTIONAL (DOWN) LINE

[illegible]

Author	Year	Country	Sample Size	Study Design	Findings
Smith et al.	2015	USA	1,200	Longitudinal	Increased risk of depression in children of parents with mental illness.
Johnson et al.	2016	UK	800	Cross-sectional	Higher levels of anxiety in children of parents with anxiety disorders.
Lee et al.	2017	Canada	950	Case-control	Association between parental mental illness and child behavioral problems.
Chen et al.	2018	China	1,500	Longitudinal	Impact of parental mental health on child cognitive development.
Wong et al.	2019	Australia	700	Cohort	Parental mental illness linked to increased risk of child substance use.
Miller et al.	2020	Germany	1,100	Longitudinal	Parental mental health influences child social skills.
Patel et al.	2021	India	1,300	Cross-sectional	High prevalence of mental health issues in children of parents with mental illness.
Kim et al.	2022	South Korea	900	Longitudinal	Parental mental health affects child academic performance.
Nguyen et al.	2023	Vietnam	1,400	Cohort	Parental mental illness associated with child emotional problems.
Alvarez et al.	2024	Spain	1,600	Longitudinal	Parental mental health impacts child self-esteem.
Okada et al.	2025	Japan	1,700	Cross-sectional	Parental mental illness linked to child conduct disorders.

W. 2000 ZONE 60

REFERENCES

CONVEY TO BIBBY

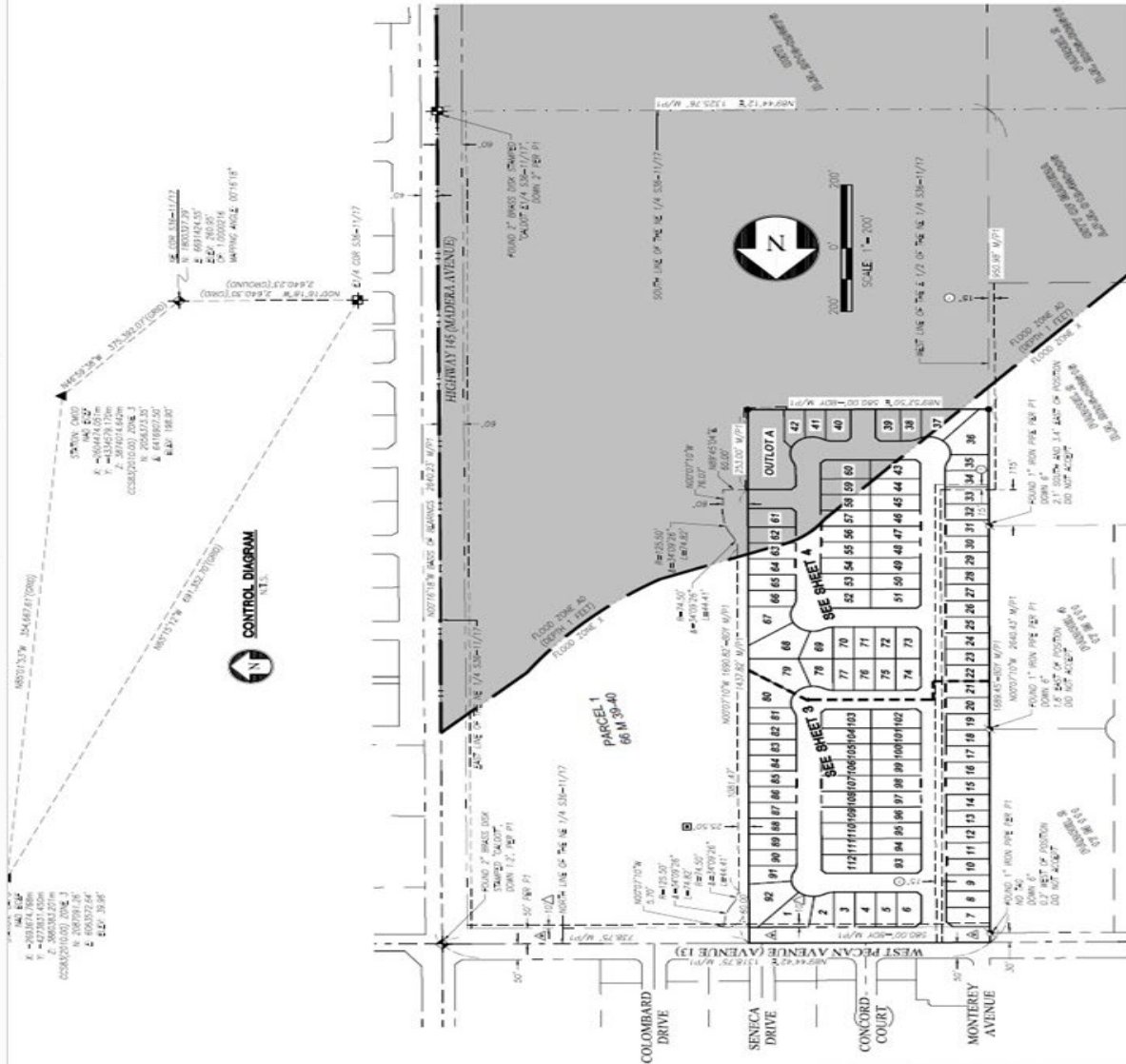
THE OFFICE OF RECORDS FOR THIS SURVEY IS CC56545(2010.00), ZONE 1, SPAN
LOCALLY BY THE EAST END OF THE NORTHWEST QUARTER OF SECTION 36-11/17
M.D.104M. BEARING NORTH 00°16'18" WEST AND IS BOUND UPON GPS OBSERVATIONS
FROM NOS STATIONS CASH AND DMOO, BOTH BEING PLACED ON CORNERS OF L.

UNLESS OTHERWISE STATED, ALL DISTANCES SHOWN HEREON ARE GROUND DATA. NO
OFTEN GROUND DATA, MULTIPLE GROUND DATA BY THE PROJECT SURVEYING CONSTRUCTION
FOLLOWING OF 1.0000216. 050018 WAS USED TO OBTAIN ELEVATION DATA. ELEVATION
TO SCALE 1:64,708.

**THE REAL PROPERTY DESCRIBED BELOW IS
DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:**

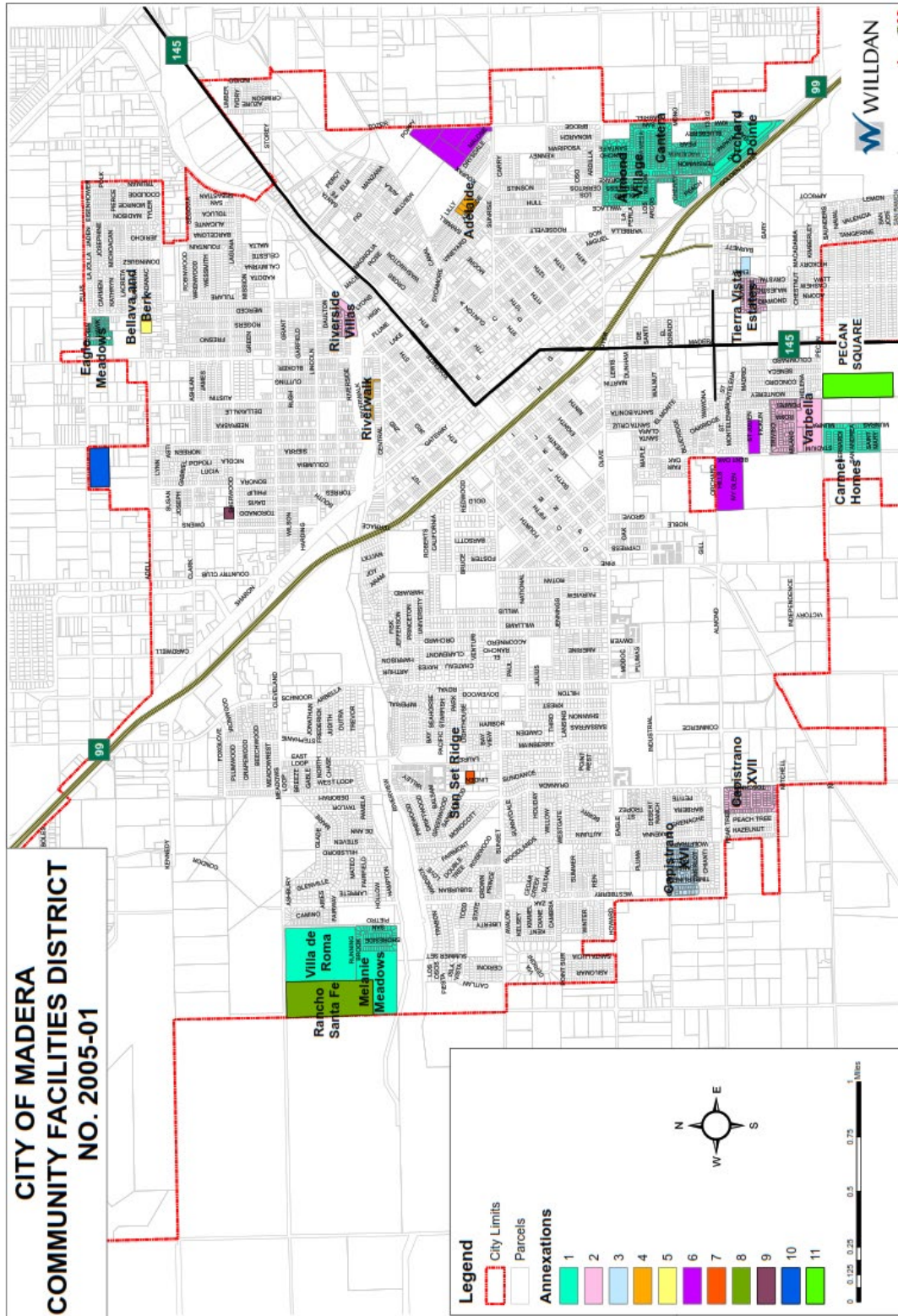
ALL PUBLIC UTILITY AGREEMENTS NOW OFFERED FOR BIDDING ARE TO THE CITY OF BALTIMORE FOR PUBLIC USE FOR ANY AND ALL MUNICIPAL PURPOSES INCLUDING SOWING.

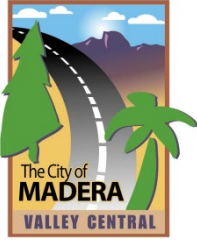
**THE REAL PROPERTY DESCRIBED BELOW IS
DEDICATED IN FEE FOR PUBLIC PURPOSES:**



ATTACHMENT 5
CFD No. 2005-1 Map

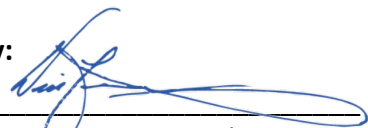
Attachment 5 – CFD No. 2005-1 Map



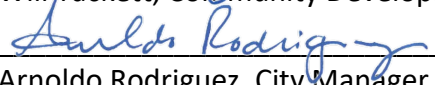


REPORT TO CITY COUNCIL

Approved by:



Will Tackett, Community Development Director



Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: C-2

SUBJECT:

Public Hearing for Annexation No. 12 (Tract 21-S-01 Crown Tozer Subdivision) into Community Facilities District No. 2005-1 (Public Services) and Related Actions

RECOMMENDATION:

First, that Council hold public hearing and adopt the following resolutions:

1. A Resolution of the City Council (Council) of the City of Madera, California (City) Authorizing Annexation of Territory (Annexation No. 12) to Community Facilities District (CFD) No. 2005-1 and Authorizing the Levy of Special Tax and Submitting the Levy of Tax to the Qualified Electors.
2. A Resolution of the Council of the City Calling a Special Election and Submitting to the Voters Of Annexation No. 12 of CFD No. 2005-1 the Proposition Regarding the Annual Levy of Special Taxes Within Annexation No. 12 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance Within the District.

Second, Council conduct a Special Election of the Qualified Electors of Annexation No. 12 of the City's CFD No. 2005-1 and Declaration and Certification of the Results Thereof.

Third, Council adopt a Resolution of the Council of the City Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 12 to CFD No. 2005-1.

SUMMARY:

At the Council's August 17, 2022 meeting, the Council approved a resolution adopting a boundary map depicting the territory proposed for annexation, and approved a resolution declaring the

City's intention to annex the proposed territory into CFD No. 2005-1. At tonight's meeting, after the close of the public hearing and adoption of the above-referenced resolutions, if the landowner elects to annex at the special election, the City can proceed with the annexation by adopting a resolution of annexation.

DISCUSSION:

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

Crown Tozer (Tract 21-S-01) Subdivision, is prepared to proceed with the annexation process into CFD No. 2005-1. The project includes the development of 63 single-family residential units located on 17.27 acres of land. The boundaries of the Project consist of the area within the original assessor's parcel number (APN) 008-180-009 as depicted on Attachment 4.

Table 1: Project Overview			
<i>Project Name</i>	<i>Owner</i>	<i>Units</i>	<i>Location</i>
Crown Tozer, Tract 21-S-01/TSM2020-01	Joseph Crown	63	Clinton & Tozer Streets

As with all residential subdivisions, conditions of approval for the subdivision require annexation into CFD No. 2005-1 prior to recordation of the final subdivision map. This will comprise the 12th annexation (Attachment 5).

FINANCIAL IMPACT:

The 2022/23 Fiscal Year CFD No. 2005-1 assessment for single-family residential development is approximately \$524.41 per dwelling unit. Based on this figure, the estimated annual revenue that will be received by the City (Fund 76650) for all 63 units in Annexation No. 12 will be \$33,037.91. CFD No. 2005-1 includes an annual CPI adjustment, this amount will grow over time. The process for annexation is funded by the developer and no General Fund monies are used for this effort.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The proposed action is not specifically addressed as part of the plan, is not in conflict with the plan, but rather is sympathetic of the underlying principles of the Vision 2025 Plan.

ALTERNATIVES:

The City Council adopted Ordinance C.S. 792 on December 7, 2005, authorizing the levy of a Special Tax within CFD No. 2005-1 commencing in fiscal year 2006-07 and each year thereafter. The Council could, at its discretion, consider alternative methods for funding the necessary services that are demanded by residential development and supported by CFD No. 2005-1. Amendment of the ordinance would be required.

ATTACHMENTS:

1. Resolution of Annexation
 - Exhibit A – Rate and Method of Apportionment
 - Exhibit B – Ballot
2. Resolution Calling for Election
 - Exhibit A – Ballot
3. Resolution of Results of Election
 - Exhibit A – Statement of Votes Cast
 - Exhibit B – Annexation Map
 - Exhibit C – List of Properties
4. Crown Tozer, Tract 21-S-01/TSM2020-01 Subdivision Map
5. CFD No. 2005-1 Map

ATTACHMENT 1

Resolution of Annexation

Including:

Exhibit A – Rate and Method of Apportionment

Exhibit B – Ballot

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY
(ANNEXATION NO. 12) TO COMMUNITY FACILITIES DISTRICT NO. 2005-1
(PUBLIC SERVICES) AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND
SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS**

WHEREAS, this City Council ("Council"), on August 17, 2022, adopted Resolution No. 22-136, (hereafter referred to as the "Resolution of Intention") stating its intention to annex territory to City of Madera Community Facilities District No. 2005-1 (Public Services) (hereafter referred to as "CFD No. 2005-1"), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (hereafter referred to as the "Act"); and

WHEREAS, a copy of the Resolution of Intention, which states the authorized services to be provided and financed by CFD No. 2005-1, and a description and map of the proposed boundaries of the territory to be annexed known as Crown Tozer, Tract 21-S-01 Subdivision ("Annexation No. 12") to CFD No. 2005-1, is on file with the City Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein. Annexation No. 12 will consist of 63 single family residential units located south of Clinton Street and east Tozer Street; and

WHEREAS, on the 5th of October 2022, the Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to CFD No. 2005-1; and

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

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

WHEREAS, a boundary map for Annexation No. 12 to CFD No. 2005-1 has been filed with the County Recorder of the County of Madera, which map shows the territory to be annexed in these proceedings, and a copy thereof is on file with the City Clerk.

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

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

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

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

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

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

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

Storm drainage system maintenance and operations of the City of Madera, including but not limited to, labor, material, administration, personnel,

equipment, and utilities necessary to maintain and operate the storm drainage system within the District.

SECTION 5. It is the intention of this legislative body that, except where funds are otherwise available, a special tax sufficient to pay for said services to be provided in CFD No. 2005-1 and the territory proposed to be annexed as part of Annexation No. 12, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 12, will be levied annually within the boundaries of Annexation No. 12 from and after the annexation of such property to CFD No. 2005-1. The special taxes shall be those as originally authorized through the formation of CFD No. 2005-1 and adopted by Ordinance of this legislative body, and no changes or modifications are proposed in the special taxes from those as originally set forth and made applicable to CFD No. 2005-1.

For particulars as to the rate and method of apportionment of the proposed special tax (the "RMA"), reference is made to the attached and incorporated Exhibit "A," which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within the Annexation No. 12 to clearly estimate the maximum annual amount that said person will have to pay on said special tax.

SECTION 6. The provisions of the Resolution of Intention of the City each as heretofore adopted by this Council are by this reference incorporated herein, as if fully set forth herein.

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

(b) Pursuant to Section 53326 of the Act, the election shall be conducted by mail ballot under section 1340 of the California Elections Code. The Council called a special election to consider the measures described and incorporated as Exhibit "A," which election will be conducted on October 5, 2022 (hereafter referred to as "Election Day"). The City Clerk is the election official to conduct the election and provided each landowner in the territory to be annexed to CFD No. 2005-1, a ballot in the form of Exhibit "B", which form is hereby approved. The City Clerk has accepted the ballots of the qualified electors received prior to 6:00 p.m. on Election Day, whether received by mail or by personal delivery.

(c) This Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days to elapse before said election is for the protection of voters, that the voters have waived such requirement and the date for the election hereinabove specified is established accordingly.

SECTION 7. This resolution is effective immediately.

EXHIBIT A TO RESOLUTION OF ANNEXATION
CITY OF MADERA
COMMUNITY FACILITIES DISTRICT 2005-1 (PUBLIC SERVICES)
RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

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

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

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

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

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

in the then-current April update. The annual CPI used shall be as determined by the United States Department of Labor, Bureau of Labor Statistics, and may be obtained through the California Division of Labor Statistics and Research (www.dir.ca.gov/dlsr). If the foregoing index is not available, the District Administrator shall select a reasonably comparable index.

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

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

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

“City” means the City of Madera.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"State" means the State of California.

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

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

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

B ASSIGNMENT TO LAND USE CATEGORIES

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

C. MAXIMUM SPECIAL TAX RATE

1. DEVELOPED PROPERTY

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

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

2. ENTITLED PROPERTY

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

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

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

3. UNDEVELOPED PROPERTY

No Special Tax shall be levied on Undeveloped Property.

4. TAX-EXEMPT PROPERTY

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

5. MULTIPLE LAND USE CLASSES

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

D. METHOD OF APPORTIONMENT OF SPECIAL TAXES

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

E. APPEALS

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

F. EXEMPTIONS

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

G. MANNER OF COLLECTION

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

H. TERM OF SPECIAL TAX

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

EXHIBIT B TO RESOLUTION OF ANNEXATION

**City of Madera
Community Facilities District No. 2005-1, (Public Services), Annexation No. 12**

OFFICIAL BALLOT

SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed envelope to the office of the City Clerk of the City of Madera no later than 6:00 o'clock p.m. on Wednesday, October 5, 2022 either by mail or in person. The City Clerk's office is located at City Hall, 205 W Fourth Street, Madera, California, 93637.

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

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

BALLOT MEASURE: Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022, where said Maximum Special Tax Rate for Fiscal Year 2022-2023 is \$524.41 per Single-Family Residential Unit, \$480.56 per Multi-Family Residential Unit and \$279.91 per lot for Entitled Property and is subject to an Annual Tax Escalation Factor of the annual percentage change of the All Urban Consumers Price Index (CPI) or 3%?

YES:

☐

NO:

☐

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

Acres Owned Within Territory Annexed:

Number of Votes:

Property Owner:

Property Owner/ Authorized Representative Signature: _____

ATTACHMENT 2
Resolution Calling for Election

Including:
Exhibit A – Ballot

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF
ANNEXATION NO. 12 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT
NO. 2005-1 (PUBLIC SERVICES) THE PROPOSITION REGARDING THE ANNUAL
LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 12 TO FINANCE POLICE
PROTECTION SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK
MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND
MAINTENANCE WITHIN THE DISTRICT**

WHEREAS, pursuant to Section 53325.1 of the California Government Code the City Council (the "City Council") of the City of Madera (hereafter referred to as the "City") has adopted the resolution authorizing the annexation of territory known as Crown Tozer, Tract 21-S-01 Subdivision (hereafter referred to as "Annexation No. 12") to City of Madera Community Facilities District No. 2005-1, County of Madera, State of California (hereafter referred to as "CFD No. 2005-1"). Annexation No. 12 will consist of 63 single family residential units located south of Clinton Street and east Tozer Street; and

WHEREAS, by that resolution, the City Council called a special election on the propositions to be submitted to the voters of the territory proposed to be annexed to CFD No. 2005-1 with respect to the levy of special taxes therein for the financing of police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within CFD No. 2005-1; and

WHEREAS, pursuant to Section 53326 of the California Government Code, it is necessary that the City Council submit to the voters of Annexation No. 12 the annual levy of special taxes on taxable property within Annexation No. 12; and

WHEREAS, the Community Development Director has advised the City Council that the property owners of the subject parcels have reported to the City staff that all of the subject parcels are uninhabited with no voters registered at the subject parcel. City Staff has personally visited the sites and found that there are no occupied dwellings on the subject parcels. Staff has advised the City Council that the annexation area qualifies as uninhabited as there are less than 12 persons registered to vote within Annexation No. 12;

NOW, THEREFORE, BE IT RESOLVED, determined and ordered by the City Council for the City of Madera Community Facilities District No. 2005-1, Annexation No. 12 as follows:

SECTION 1. The City Council finds that: (i) the foregoing recitals are true and correct; (ii) 12 persons have not been registered to vote within the territory to be annexed to CFD No. 2005-1 for each of the 90 days preceding the close of the public hearing on October 5, 2022 (iii) pursuant to Section 53326 of the California Government Code, as a result of the findings set forth in clause (ii) above, the vote in the special election called by this resolution shall be by the

landowners of the territory to be annexed to CFD No. 2005-1, whose property would be subject to the special taxes if they were levied at the time of the election, and each landowner shall have one vote for each acre, or portion thereof, which he or she owns within Annexation No. 12 which would be subject to the proposed special taxes if they were levied at the time of the election; (iv) the owners of all of the land in Annexation No. 12 by written consent (a) waived the time limits set forth in Section 53326 of the California Government Code for holding the election called by this resolution and the election on the propositions, (b) consented to the holding of the election on October 5, 2022, (c) waived notice and mailed notice of the time and date of the election, (d) waived an impartial analysis by the City Attorney of the ballot propositions pursuant to Section 9280 of the California Elections Code and arguments and rebuttals pursuant to Sections 9281 to 9287, inclusive, and 9295 of that Code, and mailing of a statement pursuant to Section 9401 of that Code, and (e) waived a synopsis of the measures to be included in the official ballot for said elections pursuant to Section 12111 of that Code; and (v) the City Clerk (hereafter referred to as the "City Clerk") has consented to the holding of the election on October 5, 2022.

SECTION 2. The City Council hereby calls and schedules a special election for October 5, 2022, on the proposition of the annual levy of special taxes on taxable property within Annexation No. 12 to CFD No. 2005-1 to finance police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within Annexation No. 12 to CFD No. 2005-1.

SECTION 3. The proposition to be submitted to the voters of Annexation No. 12 at such special election shall be as follows:

Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022.

SECTION 4. Except as otherwise provided in Section 6 hereof, the special election shall be conducted by the City Clerk in accordance with the provisions of the California Elections Code governing mail ballot elections of cities, and in particular the provisions of Division 4 (commencing with Section 4000), of that Code, insofar as they may be applicable.

SECTION 5. The procedures to be followed in conducting the special election on the proposition with respect to the levy of special taxes on taxable property within Annexation No. 12 to CFD No. 2005-1 to pay for police protection services, fire protection and suppression services, park maintenance, and storm drainage system operation and maintenance within the District:

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

(b) Pursuant to applicable sections of the California Elections Code governing the conduct of mail ballot elections of cities, and in particular Division 4 (commencing with Section 4000) of that Code with respect to election conducted by mail, the City Clerk, or designated official shall mail or deliver to each qualified elector an official ballot in the appropriate form attached hereto as Exhibit "A," and shall also mail or deliver to all such qualified electors a ballot pamphlet and instructions to voter, a return identification envelope addressed to the City Clerk for the return of voted official ballots.

(c) The official ballot to be mailed or delivered by the City Clerk to each landowner-voter shall have printed or typed thereon the name of the landowner-voter and the number of votes to be voted by the landowner-voter and shall have appended to it a certification to be signed by the person voting the official ballot which shall certify that the person signing the certification is the person who voted the official ballot, and if the landowner-voter is other than a natural person, that he or she is an officer of or other person affiliated with the landowner-voter entitled to vote such official ballot, that he or she has been authorized to vote such official ballot on behalf of the landowner-voter, that in voting such official ballot it was his or her intent, as well as the intent of the landowner-voter, to vote all votes to which the landowner-voter is entitled based on its land ownership on the propositions set forth in the official ballot as marked thereon in the voting square opposite each such proposition, and further certifying as to the acreage of the landowner-voter's land ownership within Annexation No. 12 to CFD No. 2005-1.

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

(e) The information to voter form to be delivered by the City Clerk to the landowner-voters shall inform them that the official ballots shall be returned to the City Clerk properly voted as provided thereon and with the certification appended thereto properly completed and signed in the sealed return identification envelope with the certification thereon completed and signed and all other information to be inserted thereon properly inserted by 6:00 p.m. on the 5th day of October 2022; provided that if all qualified electors have voted, the elections shall be closed with the concurrence of the City Clerk.

(f) Upon receipt of the return identification envelopes, which are returned prior to the voting deadline on the date of the elections, the City Clerk shall canvass the votes cast in the election, and shall file a statement with the City Council as to the results of such canvass and the election on each proposition set forth in the official ballot.

SECTION 6. This resolution is effective immediately.

EXHIBIT A TO RESOLUTION CALLING FOR ELECTION

**City of Madera
Community Facilities District No. 2005-1, (Public Services), Annexation No. 12**

OFFICIAL BALLOT

SPECIAL TAX ANNEXATION ELECTION

This ballot is for the special landowner election. You must return this ballot in the enclosed envelope to the office of the City Clerk of the City of Madera no later than 6:00 o'clock p.m. on Wednesday, October 5, 2022 either by mail or in person. The City Clerk's office is located at City Hall, 205 W Fourth Street, Madera, California, 93637.

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

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

BALLOT MEASURE: Shall the City of Madera, by and for its Community Facilities District No. 2005-1 (Public Services) (the "CFD"), be authorized to levy special taxes within the territory annexed to the CFD pursuant to and as described in the Resolution of Intention of the City of Madera adopted by its Council on August 17, 2022, where said Maximum Special Tax Rate for Fiscal Year 2022-2023 is \$524.41 per Single-Family Residential Unit, \$480.56 per Multi-Family Residential Unit and \$279.91 per lot for Entitled Property and is subject to an Annual Tax Escalation Factor of the annual percentage change of the All Urban Consumers Price Index (CPI) or 3%?

YES:

☐

NO:

☐

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

Acres Owned Within Territory Annexed:

Number of Votes:

Property Owner:

Property Owner/ Authorized Representative Signature: _____

ATTACHMENT 3

Resolution of Results of Election

Including:

Exhibit A – Statement of Votes Cast

Exhibit B – Annexation Map

Exhibit C – List of Properties

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL
ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 12
TO COMMUNITY FACILITIES DISTRICT NO. 2005-1**

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

WHEREAS, the City Council initiated proceedings to annex certain territory known as Crown Tozer, Tract 21-S-01 Subdivision (hereafter referred to as "Annexation No. 12") to Community Facilities District No. 2005-1 (Public Services). Annexation No. 12 will consist of 63 single family residential units located south of Clinton Street and east Tozer Street; and

WHEREAS, at this time the unanimous consent to the annexation of Annexation No. 12 has been received from the property owner or owners of such territory; and

WHEREAS, less than twelve (12) registered voters have resided within the territory of Annexation No. 12 for each of the ninety (90) days preceding October 5, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 12 shall be the "landowners" of Annexation No. 12 as such term is defined in Government Code Section 53317(f) and each such landowner who is the owner of record, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of land that she or he owns within Annexation No. 12; and

WHEREAS, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the property within Annexation No. 12 to the qualified electors of Annexation No. 12 and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified electors of Annexation No. 12; and

WHEREAS, the City Clerk of the City of Madera has caused ballots to be distributed to the qualified electors of Annexation No. 12, has received and canvassed such ballots and made a report to the City Council regarding the results of such canvas, a copy of which is attached as Exhibit A hereto and incorporated herein by this reference; and

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

WHEREAS, a map showing the territory to be annexed and designated as Annexation No. 12 (hereafter referred to as the "Annexation Map"), a copy of which is attached as Exhibit B hereto and incorporated herein by this reference, and a list of Assessor Parcel Numbers and landowners, a copy of which is attached as Exhibit C hereto and incorporated herein by this reference, has been submitted to the City Council.

NOW, THEREFORE, BE IT RESOLVED, determined and ordered by the City Council for the City of Madera Community Facilities District No. 2005-1 (Public Services), Annexation No. 12 as follows:

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

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

(a) The unanimous consent to the annexation of Annexation No. 12 to CFD No. 2005-1 has been given by all of the owners within Annexation No. 12 and such consent shall be kept on file in the Office of the City Clerk.

(b) Less than twelve (12) registered voters have resided within the territory of Annexation No. 12 for each of the ninety (90) days preceding October 5, 2022, therefore, pursuant to the Act the qualified electors of Annexation No. 12 shall be the "landowners" of such Annexation No. 12 as such term is defined in Government Code Section 53317(f).

(c) The qualified electors of Annexation No. 12 have voted in favor of the levy of special taxes within Annexation No. 12 upon its annexation to CFD No. 2005-1.

SECTION 3. The boundaries and parcels of territory within Annexation No. 12 and on which special taxes will be levied in order to pay for the costs and expenses of authorized public services are shown on the Annexation Map as submitted to and hereby approved by this City Council.

SECTION 4. The City Council does hereby determine and declare that Annexation No. 12 is now added to and becomes a part of CFD No. 2005-1. The City Council, acting as the legislative body of CFD No. 2005-1, is hereby empowered to levy the authorized special tax within Annexation No. 12.

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

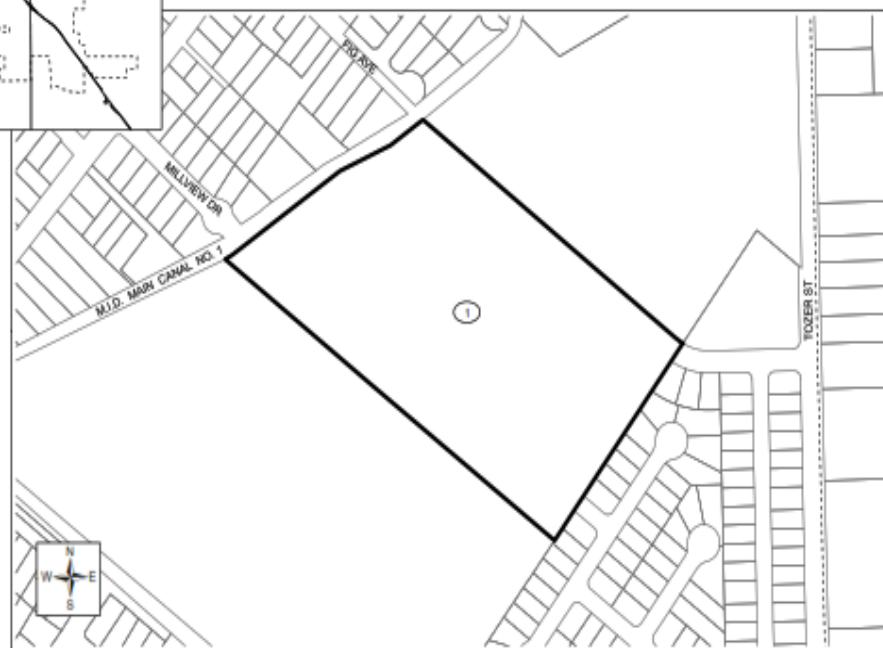
An Amendment No. 12 to the Amended Notice of Special Tax Lien shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

SECTION 6. This resolution is effective immediately.

ANNEXATION MAP NO. 12 COMMUNITY FACILITIES DISTRICT NO. 2005-01

CITY OF MADERA
COUNTY OF MADERA
STATE OF CALIFORNIA

VICINITY MAP



Legend

- City Boundaries
- Annexation Parcels
- Map Reference Number

1 in = 200 feet

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	005-180-009

FILED IN THE OFFICE OF THE CITY CLERK THIS _____
DAY OF _____, 20__.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING
PROPOSED BOUNDARIES OF ANNEXATION MAP NO. 12 OF
COMMUNITY FACILITIES DISTRICT NO. 2005-01, CITY OF
MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA, WAS
APPROVED BY THE CITY COUNCIL OF THE CITY OF MADERA AT
A REGULAR MEETING, THEREOF, HELD ON THE
DAY OF _____, 20__, BY ITS RESOLUTION NO. _____

CITY CLERK
CITY OF MADERA

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

COUNTY RECORDER
COUNTY OF MADERA
STATE OF CALIFORNIA

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

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

THE MADERA COUNTY ASSESSOR'S MAP SHALL GOVERN FOR
ALL DETAIL CONCERNING THE LINES AND DIMENSIONS OF
SUCH LOTS OR PARCELS.



Exhibit C TO RESOLUTION OF ELECTION

List of Assessor Parcel Numbers and Landowners

APN

008-180-009-000

Landowner

Joseph Crown

ATTACHMENT 4

Crown Tozer, Tract 21-S-01/TSM 2020-01 Subdivision Map

TENTATIVE SUBDIVISION MAP
NO. 2020-01
CROWN TOZER SUBDIVISION
A SINGLE-FAMILY RESIDENTIAL SUBDIVISION
IN THE CITY OF MADERA,
MADERA COUNTY, CALIFORNIA

APN: A PORTION OF 008-180-007
GROSS AREA: 11.37 ACRES
NET AREA: 10.85 ACRES

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL 2:
PARCEL B OF LOT LINE ADJUSTMENT NO. 2020-02 PERFECTED BY GRANT DEED RECORDED
JUNE 12, 2020 AS DOCUMENT NO. 2020013216, OF OFFICIAL RECORDS, DESCRIBED AS
FOLLOWS:

PARCEL 4 OF PARCEL MAP 1073, ACCORDING TO THE MAP THEREOF RECORDED AUGUST 5, 1977 IN BOOK 23 OF MAPS AT PAGES 92 AND 93, MACERA COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO THE COUNTY OF MADERA IN DEED BOOK 1316 PAGE 636. MADERA COUNTY RECORDS.

BOOK 1310 PAGE 5035, SHERMAN COUNTY RECORDS

COMMENCING AT THE SOUTHWESTERLY CORNER OF PARCEL 4 OF PARCEL MAP 1073
RECORDED AUGUST 5, 1977 IN BOOK 23 OF MAPS AT PAGES 92 AND 93, MADRID COUNTY
PROCEEDING TO POINT 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116,

RECORDS; THENCE 38° 05' 30" EAST ALONG THE WESTERLY LINE OF SAID PARCEL 4, A DISTANCE OF 437.65 FEET TO THE MOST EASTERLY CORNER OF THAT PORTION CONVEYED TO THE MACERA UNIFIED SCHOOL DISTRICT, RECORDED JANUARY 7, 1991 DOCUMENT NO. 491 TO

THE TRUE POINT OF BEGINNING.

THENCE NORTH 51°49'57" WEST ALONG THE NORTHEASTERLY LINE OF THAT PORTION

MADEIRA PARKING LOT 491 WAS RECORDED IN THE UNINCORPORATED AREA OF THE DISTRICT, CONVEYED TO THE MADIRA UNIFIED SCHOOL DISTRICT, RECORDED JANUARY 7, 1991. DOCUMENT NO. 491 SHOWN ON RECORD OF SURVEY IN BOOK 37 OF MAPS AT PAGE 125, MADIRA COUNTY RECORDS, A DISTANCE OF 1,205.48 FEET TO THE INTERSECTION WITH THE

SECTION COUNTY RECORDS, A PARTIAL OF 260.70 FEET TO THE INTERSECTION WITH THE WESTERN LINE OF SAID 63.84 ACRE PARCEL; THENCE NORTH 62° 43' 45" EAST ALONG THE WESTERN LINE OF SAID 63.84 ACRE PARCEL; A DISTANCE OF 23.63 FEET; THENCE NORTH WESTERLY LINE OF SAID 63.84 ACRE PARCEL; A DISTANCE OF 23.63 FEET; THENCE NORTH 67° 13' 40" EAST ALONG THE WESTERN LINE OF SAID 63.84 ACRE PARCEL; A DISTANCE OF 40.3

57° 13' 49" EAST ALONG THE WESTERLY LINE OF SAID 63.84 PARCEL, A DISTANCE OF 423.3 FEET; THENCE NORTH 67° 19' 57" EAST ALONG THE WESTERLY LINE OF SAID 63.84 PARCEL, A DISTANCE OF 171.19 FEET; THENCE NORTH 56° 49' 44" EAST ALONG THE WESTERLY LINE

OF SAID 63.84 PARCEL, A DISTANCE OF 113.12 FEET; THENCE SOUTH 51° 54' 54" EAST A DISTANCE OF 978.10 FEET; TO A POINT ON A TANGENT CURVE, CONCAVED TO THE NORTHEAST HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE

NORTHERLY, HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $8^{\circ} 34' 03''$, AND ARC LENGTH 25.42 FEET; TO A POINT ON A LINE NON-TANGENT TO SAID CURVE, A RADIAL LINE FROM SAID POINT BEARS NORTH $29^{\circ} 11' 03''$ EAST; THENCE SOUTH $70^{\circ} 49' 00''$ WEST; ALONG THE EASTERLY LINE OF SAID ACRES.

31' 03" EAST; THENCE SOUTH 30°05'30" WEST, ALONG THE EASTERLY LINE OF S4D 63.04 ACRE PARCEL, A DISTANCE OF 662.73 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND/MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEED(S) OF RECORD.

APR 2008-180-007
RECORDS
APR 2008-180-007

PLANNING COMMISSION CERTIFICATE

MACERA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS TENTATIVE MAP WHICH IS IN AGREEMENT WITH THE ADOPTED GENERAL PLAN FOR THE CITY OF MAJURA.

By: SECRETARY, CITY OF MADISON PLANNING COMMISSION _____ DATE _____

CITY CLERK'S CERTIFICATE
ACQUAINTANCE, WILL OF SPENCER FURNISHING CORPORATION
BOSTON, MASSACHUSETTS
JANUARY 1900

CITY CLERK'S CERTIFICATE

I, _____, DO HEREBY CERTIFY THAT THE COUNCIL OF THE CITY OF
MADERA, BY RESOLUTION NO. _____, ADOPTED ON _____

_____, 2021, APPROVED THIS TENTATIVE MAP.

BY _____ CITY CLERK _____ DATE _____

CITY CLERK _____ DATE _____

REVISION	PREPARED BY:
01.06.21	

DATE: 07/20/2016	PREPARED BY: JOSE LEWIS, ROE NO. 8045
SUBMITTER:	

LAND DESIGN HOMES
LAND DESIGN HOMES INC.

OWNER
JOSEPH CROWN CONSTRUCTION
AND DEVELOPMENT, INC.,
5320 E. PINE AVE.,
4826 E. WALK AVE. FRESNO, CA 93727
"Building a World"

OWNER
JOSEPH CROWN
5320 E. PINE AVE.
FRESNO, CA 93727
TEL. (559) 538-3482

0320/ E. FINE AVE.
FRESNO, CA 93727

[illegible]

SITE ADDRESS

NORTHEAST CORNER OF TOWEN ST (ROAD 26)
AND
SUNRISE AVE (AVE 14 1/2)

IMPROVEMENTS TO BE INSTALLED

1. SHEETPILES - CITY OF MADERA
2. WATER - CITY OF MADERA
3. SEWER - CITY OF MADERA
4. CURB & GUTTER - CITY OF MADERA STANDARDS
5. SIDEWALK - CITY OF MADERA STANDARDS
6. STREET LIGHTS - CITY OF MADERA STANDARDS
7. GAS & ELECTRICITY - PACIFIC GAS & ELECTRIC
8. LANDSCAPING - ARDMORE
9. CASHISSION - COMCAST

PROPOSED SUBDIVISION

VACANT

SCALE IN FEET

50' LOCAL STREET SECTION

60' STREET SECTION

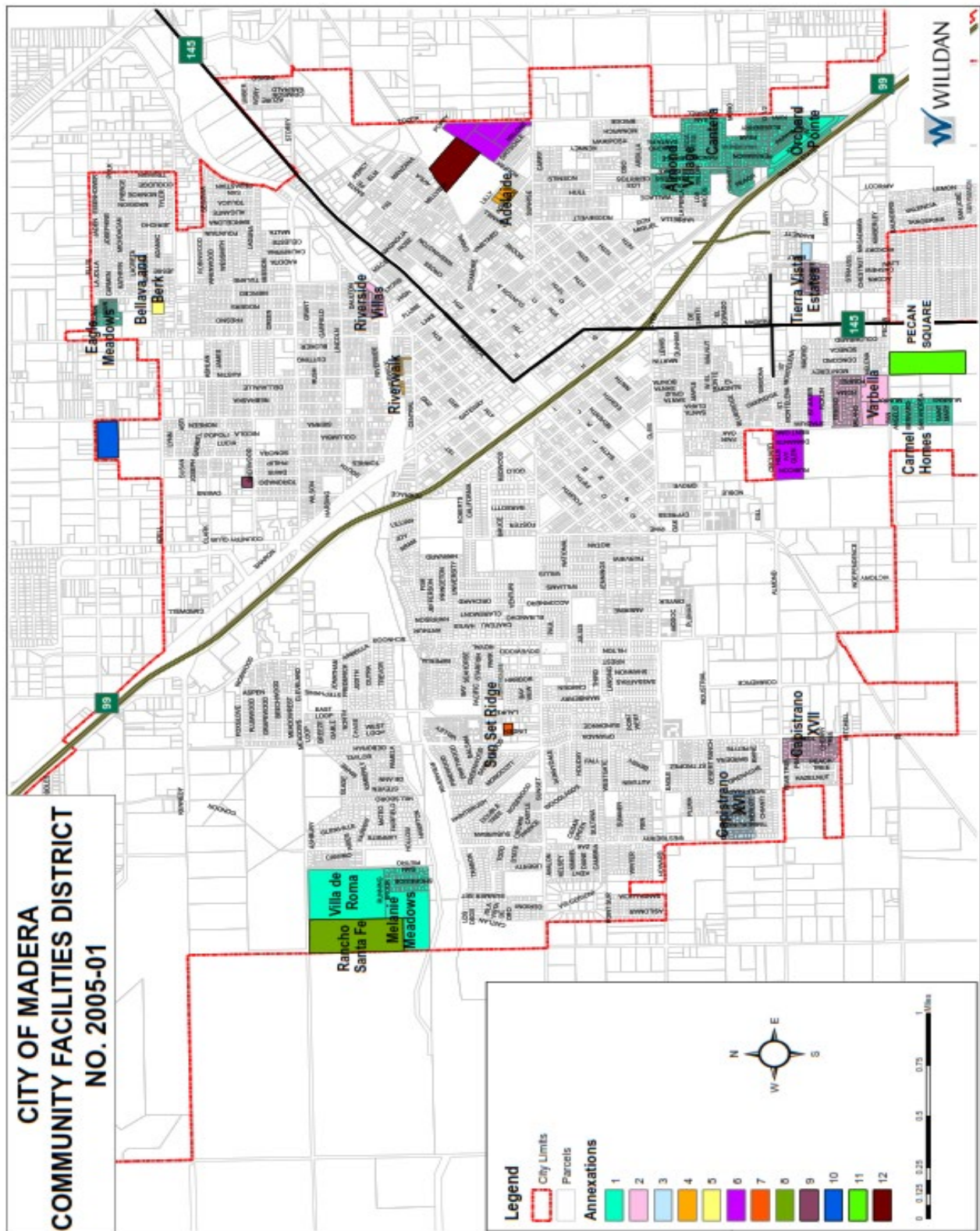
ORIGINAL AND
CURB & GUTTER

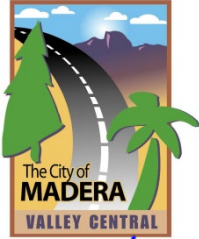
SEWAGE IF FUTURE
CONNECTION

CURB & GUTTER

ATTACHMENT 5
CFD No. 2005-1 Map

Attachment 5 – CFD No. 2005-1 Map





REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, City Engineer

Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: E-1

SUBJECT:

Identification of improvements for Inclusion in the Reconnecting Communities Pilot Program Grant for use on the Caltrans Downtown Madera CAPM (Capital Preventive Maintenance) and Council Direction Regarding Possible Use of Alternate Source of Funds Should it be Found Necessary

RECOMMENDATION:

Adopt a Minute Order Approving the City's Project List for the Reconnecting Communities Pilot Program Grant (Grant) Application and Provide Direction Regarding Possible Use of an Alternate Funding Source for the Same Grant should it be found to be necessary

SUMMARY:

In April 2020, the City Council (Council) adopted the State Route 145 Yosemite Avenue as Downtown Main Street Plan (Plan). This Plan was created to guide the development and redevelopment of the downtown district toward the vibrant, multi-cultural hub envisioned by Vision Madera 2025 and the City's General Plan. Caltrans has a project (Project) to improve State Route (SR) 145 for which they have indicated a willingness to construct some of the recommendations from the Plan. However, the original funding plan does not have sufficient funding to incorporate all of the Plan's recommendations into their project. In furtherance of this goal, Council approved a consultant services contract with Mark Thomas and Company (MT) for grant preparation on August 17, 2022. As part of this grant application, MT is assisting in identifying improvements to be included in the grant application and ultimately the Project.

As part of coordination with MT, it has been determined that one of the requirements of the Grant requires a minimum local, non-federal match that is not currently built into the Project at the level necessary to meet grant requirements. The size of the match is also dependent on the number and size of proposed amenities to be added to the Project. Caltrans has agreed to modify their funding plan subject to award of the Grant.

DISCUSSION:

At present, MT is preparing an application for the Grant. As part of this effort, they have identified a number of improvements included in the Plan that can be added to the Project. The following improvements from the Plan are proposed to be added to the Grant application and therefore the Project if the application is successful:

- Wider Sidewalks – from E to B and A to High
- Rectangular Flashing Beacons at A and B Streets
- Decorative Street Lighting
- Landscape and Irrigation – Including shade trees in certain sidewalks and medians
- Improved Drainage – to accommodate wider sidewalks
- High Visibility Crosswalks with Stamped Concrete at Intersections
- Hardscape Improvements
- Street furniture - Including benches, trash receptacles, and potentially banner stands

While staff is confident that each of the listed improvements would be considered beneficial to Council, staff however is seeking confirmation of the group of improvements and, in particular, the proposed widening of sidewalk, is acceptable. While most improvements can be considered without question, the widening of sidewalk should be considered relative to past Council discussion wherein it was recognized that there are no guarantees that future traffic demands will not exceed the capacity of the road diet portion of the project. Widening the sidewalks will involve a reduction of the street width from 73 feet to 68 feet, curb to curb, in some areas as depicted in Attachment 1. If the City considers reversing the road diet at some future time, the curb will either need to be moved back to its original location or left turn pockets at some intersections will not be able to be replaced. While the future success of the road diet can not be assured, it is staff's opinion that the City will take steps in the future to maintain the road diet rather than allow it to be removed. It should be noted that at the time this report was finalized, Caltrans had not indicated their ability to include sidewalk widening as part of their Project.

Initially, it was understood that the Grant represented an ideal opportunity to expand the scope of the Project. Therefore, MT was retained to prepare the Grant application. As staff, MT and Caltrans progressed in their understanding of the Project scope, grant requirements and how the Project was funded, it became apparent that Caltrans assignment of funds to the Project was insufficient to meet Grant requirements. As a result, all parties agreed that an adjustment of funding was necessary to meet the minimum requirement for State or local funds. Following discussions with Caltrans, they agreed to seek an adjustment to the funding plan that would satisfy Grant requirements. As of the time this report was finalized, it had been verified that Caltrans would modify their funding plan if the Grant was approved.

Given the importance of this grant, it is staff's opinion that an alternative funding source should be available should the funding plan approved by Caltrans be found deficient or unavailable for reasons that cannot be anticipated at this time. To that end, staff is seeking Council direction with regard to the possibility of applying one or more local sources such as Local Transportation

Funds (LTF), Measure T RTP/3R or Measure T Supplemental Street Maintenance. Based on Caltrans ability to adjust the funding, we do not at present anticipate Caltrans funding to be unavailable. If it were found to be unavailable, match funds on the order of \$1,000,000 might be required based on the current anticipated value of enhancements to the project. Presently, LTF appears to be the most flexible with approximately \$4,100,000 unprogrammed funds.

Project applications are due October 13, 2022. It is expected the City would know the results within several months. Upon successful notification, Caltrans would incorporate the improvements into the Project and modify the funding plan to allow it to adhere to the Grant requirements.

FINANCIAL IMPACT:

There is no fiscal impact to the City's General Fund. The City is obligated to provide a local funding match for each project that is successful. This funding will be provided from available transportation funding sources the City receives.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Strategy 121 – Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera

ALTERNATIVES:

The Council may elect to adjust the priority listing, remove any of the projects from the list to be submitted for funding, or choose not to approve submitting any applications.

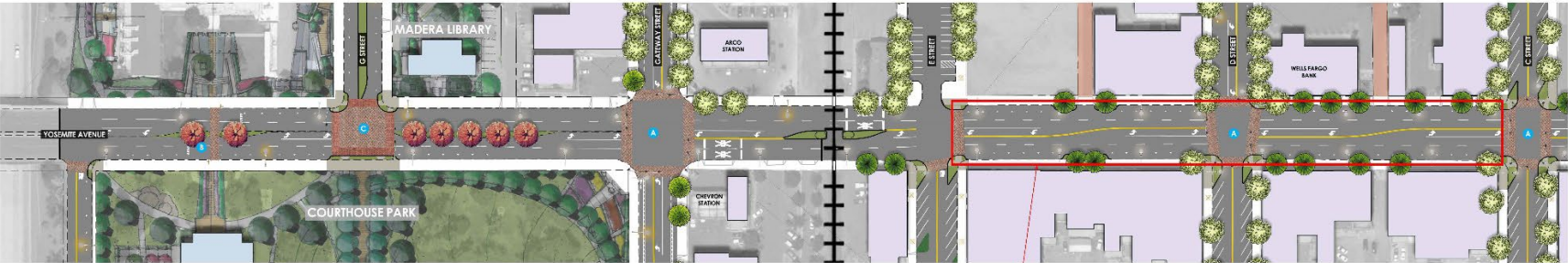
ATTACHMENTS:

1. Sidewalk Widening Limits

ATTACHMENT 1
Sidewalk Widening Limits



OPTION A



Reconstruct
Roadway Width
from 73' to 68'



OPTION A



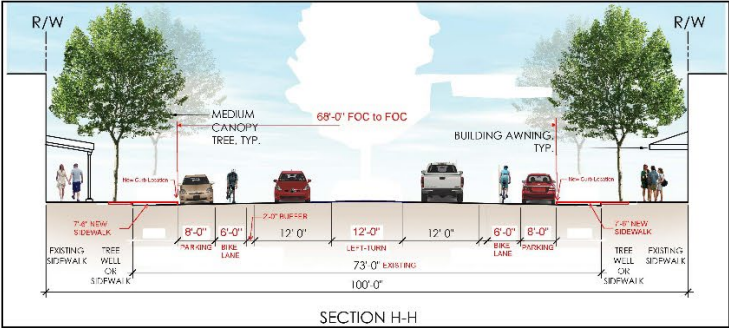
Reconstruct
Roadway Width
from 73' to 68'

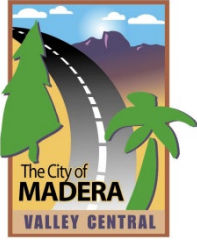
Maintain 68'
Roadway Width

Reconstruct
Roadway Width
from 73' to 68'

LEGEND

- | | | | |
|----------------------------|--|-------------------------------------|------------------------|
| COMMERCIAL BUILDINGS | TRAFFIC SIGNAL | STREET TREE WITH FALL COLOR | EXISTING STREET LIGHTS |
| GOVERNMENT OWNED BUILDINGS | RECTANGULAR RAPID FLASHING BEACON (RRFB) | STREET TREE WITH MEDIUM SIZE CANOPY | PROPOSED STREET LIGHTS |
| LANDSCAPE | HIGH INTENSITY ACTIVATED CROSSWALK BEACON (HAWK) | EXISTING TREE | |
| ALLEY ACTIVATION | | | |





REPORT TO CITY COUNCIL

Approved by:

Keith Helmuth, P.E., Department Director

Arnaldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: E-2

SUBJECT:

Discussion and Direction regarding Developer Request to Add a Rolled Curb Standard to the City of Madera Standard Plans and Specifications

RECOMMENDATION:

This report is submitted for Discussion and Direction regarding Developer Request to Add a Rolled Curb Standard to the 2005 City of Madera Standard Plans and Specifications (Standards)

SUMMARY:

The developer of a planned subdivision within the City of Madera has proposed that the conditions of approval originally approved by the City's Planning Commission be amended to allow for the installation of rolled curb on the internal local streets within the subdivision rather than standard vertical (barrier) curb. Rolled curb is not currently permitted on new construction anywhere in the City as current Standards approved by City Council on May 18, 2005 do not include a detail for rolled curb.

DISCUSSION:

Installation of rolled or wedge type curbs are not included as part of the current Standards. By virtue of their absence, construction of these types of improvements would not be permitted within public rights-of-way. While the City Engineer has authority to issue addendums as changes become necessary to the Standards as allowed by Resolution No. 05-130, inclusion of a new standard with meaningful changes in terms of operations and/or maintenance likely could not be construed as an envisioned necessity.

Rolled or wedge curbs, through their design, allow vehicles to easily mount or traverse them as opposed to the typical vertical curb and gutter found in the Standards, which require curb cuts and construction of a drive approach (driveway apron). This characteristic makes them an attractive feature for consideration by developers. Examples of each type of curb are provided in Attachment 1.

The use of rolled or wedge curbs provide a number of significant advantages to development of internal local streets within subdivisions and, in limited circumstances they may also be beneficial for use when

standard driveway designs are found to be impracticable. Advantages to developments, many of which were provided by the developer, include:

- Less expensive to install – When installing curb and gutter, long stretches of curb can be installed without the need to manually form separate driveways.
- Easier to accommodate ADA accessibility behind driveways.
- Ability to complete curb installation without risk and associated cost to move previously constructed driveways if those driveways do not align with the location required to service the future structure.
- Helps prevent water from weakening substructure by not utilizing saw cuts to remove old curb & gutter for installation of new driveways not envisioned during initial curb construction.
- May help prevent wheel and tire damage to vehicles parking at the curb.

Because rolled or wedge curb provide for the ability to traverse at any place a driveway is needed, it likewise also allows for the ability to mount or traverse at any other location. That flexibility results in a number of possible disadvantages or concerns:

- Damage to Curb or Sidewalk - Where sidewalk is contiguous to the curb, sidewalk is easily parked on. This represents a possible repair cost to either a future homeowner or the City at some time in the future.
- Accessibility – Mounting of curb can result in sidewalks being obstructed to wheelchair or pedestrian passage.
- Damage to Street Furniture – Streetlights, fire hydrants, valve boxes and other appurtenances have greater potential to be damaged as they are more easily accessible.
- Landscape Damage - May allow for driving into landscape areas.
- Vehicular Damage – Depending on curb type or design, owners of some low-profile cars may discover that their cars bottom out in driveways causing damage to the vehicle undercarriage, suspension, or drivetrain.
- Pedestrian Safety – Vertical, barrier curbs are generally recognized as a deterrent to leaving the travel way. Rolled or wedge curbs, by their design represent less of a deterrent. The level of concern is greater as speed increases. As such, subdivisions represent the low end of safety concern based on the lower speeds. Drive approaches and associated curb cuts also more clearly demarcate vehicular access points, which can draw pedestrian attention to locations where vehicular movements may be expected.
- Drainage – Rolled or wedge curbs are shorter than their standard curb counterpart. Standard curb heights are 6-inches from flowline to top of curb while the examples provided in Attachment 1 vary between 3.6-inches and 4.5-inches. Shorter curb heights result in less storm water runoff volume being retained in the street unless storm systems (pipe) are designed to compensate for this reduced street capacity.

As part of this staff report, staff contacted several other nearby agencies to gain an understand of their experiences with rolled or wedge curb. The result of this research is as follows:

City of Fresno

- Type of Curb Included in City Standards – Wedge
- Input Received:

- Accessibility – Drivers park their vehicles half in street and half on sidewalk – City's mitigation for this was to require base rock be placed under curb and sidewalk for locations where sidewalk is contiguous to curb in order to reduce potential damage to, and maintenance for, curb and/or sidewalk improvements.
- Street Furniture - Streetlights and fire hydrants are apparently struck in sufficient numbers that the City requires vertical curbs in front of street furniture to prevent vehicle strikes.
- Maintenance Costs – They have not identified higher costs separate from vehicle strikes.
- Notes - The standard was added by request from the development community

City of Visalia

The following information is included because it was volunteered by the contact for City of Fresno as he previously worked in Visalia.

- Type of Curb Included in City standards – Rolled
- Input Received:
 - Maintenance – A lot of old rolled curb was broken or damaged. The contact indicated this may have been because they were poorly constructed.

City of Clovis

- Type of Curb Included in City standards – None – Though, they allow wedge curb to be installed when requested. This evolved over time.
- Input Received:
 - Accessibility – Drivers are known to park on it. Base rock was mentioned as a standard for curb in the City but staff was not able to confirm through review of the standard curb detail.
 - Drainage – Flood Control District requires drop inlet spacing to be reduced due to shorter curb height
 - Street Furniture – Drivers are more apt to hit streetlights and other street furniture are hit more often.
 - Maintenance Costs
 - Spalling of the top of curb has been identified as a common issue. The City is reviewing methods to reinforce the structure. As such, there are costs associated with it though undefined.
 - Street Sweeping – Additional debris can be thrown onto sidewalk or yard.
 - Public Opinion – Its about 50/50 on the opinion of the public. There have been property owners that have requested permission to replace curb at driveways with normal drive approach. The City does not permit the change in driveway type.
- They require transition to vertical curb at drop inlets. Side yards are not permitted wedge curb as there are no driveways.

County of Madera

- Type of Curb Included in County standards – None
- Type of Curb Included in other form – Wedge - The standard was developed and used for the communities of Riverstone and Tesoro Viejo near SR 41.

- Input Received:
 - Areas of concern – None were noted.
- Notes
 - While the standard is not found on the County’s website, the contact indicated they can be used in other locations in the unincorporated County.
 - The biologist for Tesoro Viejo is cited as requiring them because Tiger Salamanders cannot traverse vertical curb (i.e., can interfere with movement of native wildlife species and/or migratory corridors).

In addition to contacting nearby agencies, staff contacted the City of Madera Police Department (PD) as they are responsible for enforcement activities within the public right-of-way.

City of Madera PD

- Input Received:
 - Areas of concern – The City does not currently allow either rolled or wedge curb. As such, they do not have explicit concerns, nor are they aware of any, for these types of curbs in residential areas
 - Ability to Enforce Violations Associated with Curb – The City does not currently have sufficient staff to enforce illegal parking.

It has been indicated that the ADA Advisory Council may wish to provide comments with regard to this request. As this item only seeks discussion and direction, additional input from this committee will be presented at the next Council meeting should Council wish to convene a second meeting to formally consider approving the addition of a new curb type to the Standards.

In summary, the review indicates the City can expect that a number of the cited disadvantages may occur as a result of installing rolled or wedge curb that are largely not observed or an issue at present.

Because the request for adding a rolled curb or wedge curb to the Standards is something that every agency likely is asked to consider at some point, it is no surprise that the question can be viewed from the perspective of added convenience to the development community over the apparent disadvantages to the public as feedback from other agencies seems to support. As such, staff has not provided a recommendation as to whether rolled or wedge curb should be permitted. Instead, staff has provided recommendations for what might be considered if such a curb standard is approved. Those recommendations include:

- Allow wedge curb rather than rolled curb – Wedge curb appears to be the common standard for the City of Fresno and Madera County. Additionally, it likely is less jarring and/or damaging for vehicles entering driveways.
- Include the requirement for base rock under curb and sidewalk when sidewalk is contiguous to the curb similar to City of Fresno.
- Require meters have traffic rated lids unless protected in some other manner
- Protect street furniture (lights and fire hydrants) – The only practical measure may be the use of existing vertical curb standard a reasonable distance to either side of the furniture – It should be understood that this recommendation, depending on the specific method of applying, may result in rolled or wedge curb not being cost effective compared to the current City standard.

- Protect pedestrians – The only practical measure may be the inclusion of a landscaped park strip to create additional separation or incremental barrier street trees between the curb and sidewalk.
- Enforcement – If practical at some point in future, the City should be prepared to enforce parking violations to mitigate ADA accessibility concerns. As noted above, it is not practical at this time.

FINANCIAL IMPACT:

This report has not attempted to quantify the magnitude of or the actual risk that damage may occur. As such, dollar values cannot be estimated in advance of a standard being implemented. If damages do occur, it is anticipated that homeowners would be responsible for curb and sidewalk damages. The City would be responsible for repairs to streetlights, fire hydrants and water meters. Implementation of one or more recommendations to mitigate possible damage may reduce or substantially eliminate costs associated with rolled or wedge curb.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Americans with Disabilities Act provisions have been discussed in this report. It is unclear if impacts will be realized that would in turn be contrary to Strategy 121.8 - Promote and encourage walking within the City.

Several other topics associated with the proposal are not directly addressed in the Vision Plan.

ALTERNATIVES:

Two possible alternatives include:

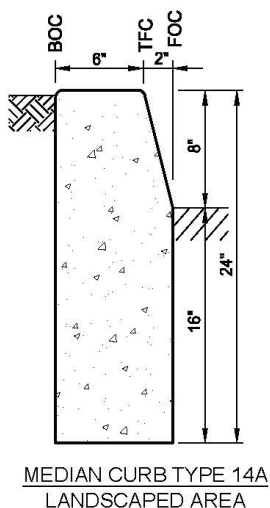
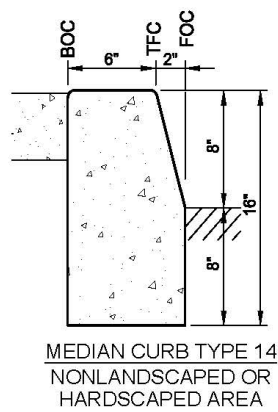
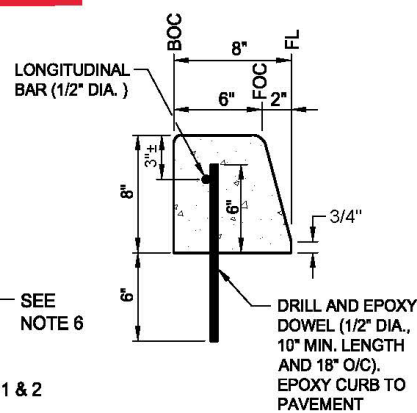
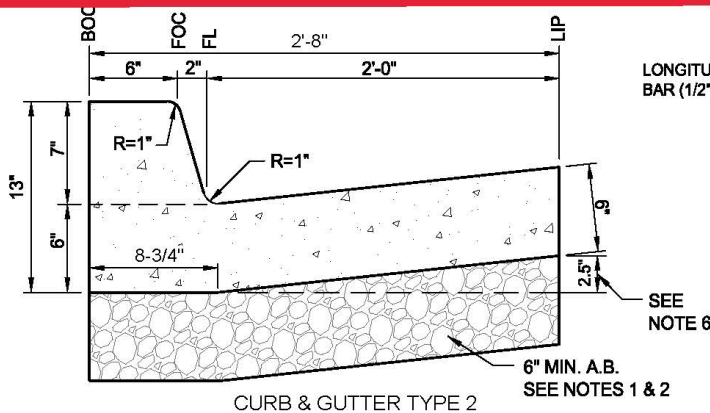
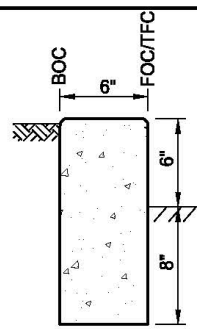
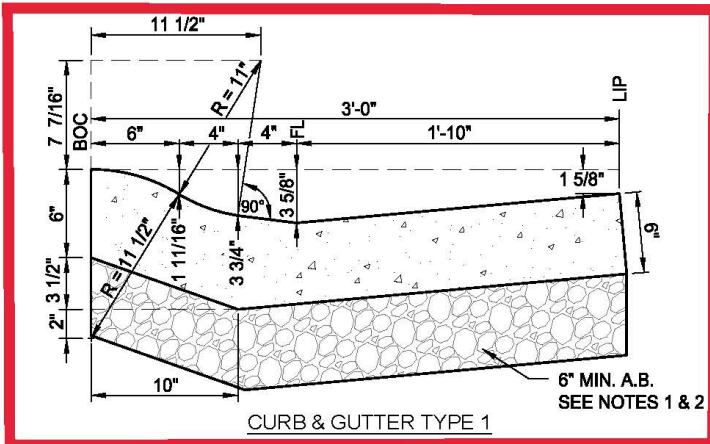
- Not adopt the resolution for the addition of a rolled curb standard - If Council does not approve the resolution, it would result in the inability to amend conditions of approval and allow for use of rolled curb within the City of Madera.
- Adopt the resolution for the addition of a rolled curb standard as a pilot program – The standard would be effective until a defined date. The program would then be reviewed by Council to determine if the standard will be maintained as permanent.

ATTACHMENTS:

1. Rolled and Wedge Curb Examples

Attachment 1

Rolled and Wedge Curb Examples



- NOTES:
1. 12" MIN. A.B. SHALL BE PLACED IF SUBGRADE IS EXPANSIVE CLAY (R-VALUE LESS THAN 12).
 2. TOP 6" OF SUBGRADE SHALL BE COMPACTED TO 95% MIN., UNLESS OTHERWISE APPROVED
 3. 1/2" RADIUS ON EXPOSED EDGES.
 4. ALL CONCRETE SHALL BE CLASS B.
 5. ALL CONSTRUCTION & MATERIALS IN CONFORMANCE WITH SECTION 24 OF STD. SPECIFICATIONS.
 6. ACROSS THE PEDESTRIAN ROUTE AT CURB RAMP LOCATIONS, THE GUTTER PAN SLOPE SHALL NOT EXCEED 1" OF RISE FOR EACH 2'-0" OF WIDTH.

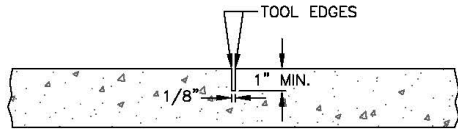
ABBREVIATIONS:
 FOC ... FACE OF CURB
 BOC ... BACK OF CURB
 FL FLOWLINE
 TFC TOP FACE OF CURB

CITY OF SACRAMENTO
 DEPARTMENT OF PUBLIC WORKS

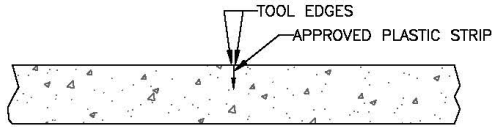
STANDARD CURB AND
 GUTTER DETAILS

REV.	DATE	DESCRIPTION
△		
△		
△		

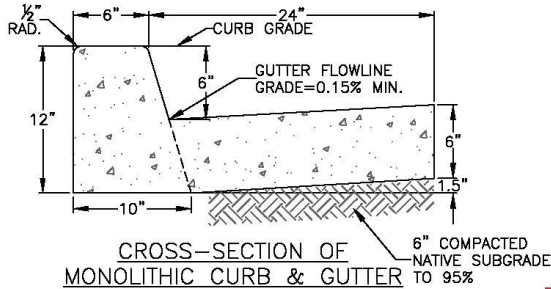
APPROVED BY: *Nadeel Kamal*
 DATE: APRIL 2020 DWG. NO. T - 11



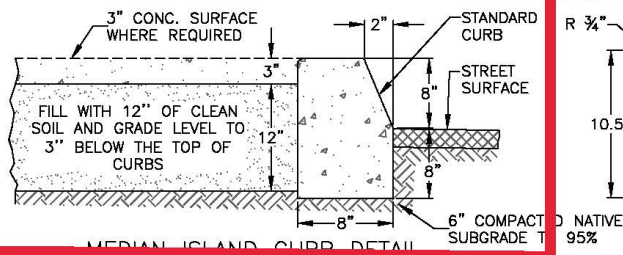
WEAKENED-PLANE JOINT DETAIL



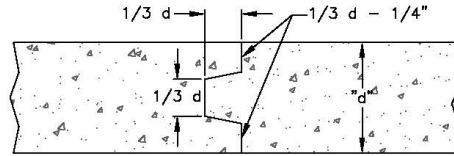
WEAKENED-PLANE JOINT DETAIL
ALTERNATE DESIGN



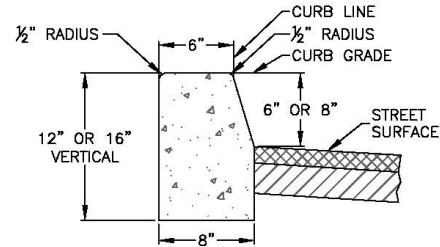
CROSS-SECTION OF
MONOLITHIC CURB & GUTTER



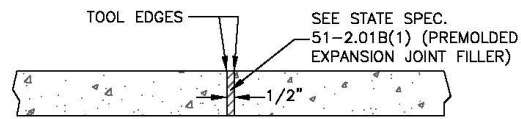
MEDIAN ISLAND CURB DETAIL



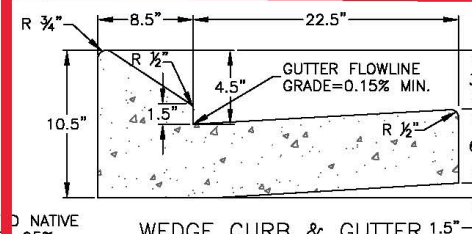
CONSTRUCTION JOINT DETAILS



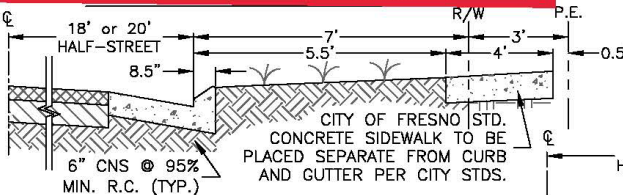
CROSS-SECTION OF CURB



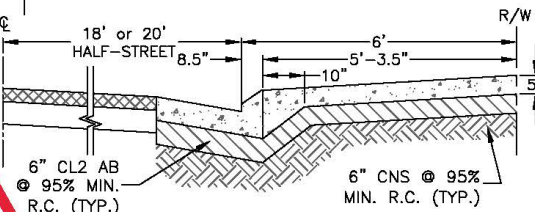
EXPANSION JOINT DETAIL



WEDGE CURB & GUTTER
DETAIL

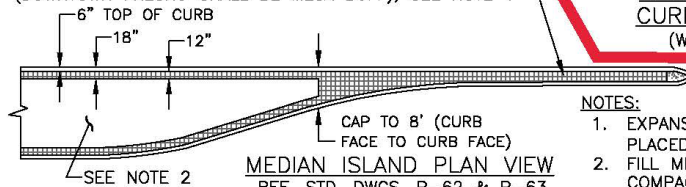


RESIDENTIAL STREET WITH
WEDGE CURBS



RESIDENTIAL STREET WITH WEDGE
CURBS AND ADJACENT SIDEWALKS
(WHEN APPROVED BY CITY ENGINEER)

MEDIAN ISLAND CAP AND 12" MAINTENANCE BAND SHALL BE 3" THICK CONCRETE STAMPED IN A 12" SLATE PATTERN & COLORED WITH DAVIS COLORS SAN DIEGO BUFF (DOWNTOWN FRESNO SHALL BE MESA BUFF); SEE NOTE 1



MEDIAN ISLAND PLAN VIEW
REF. STD. DWGS. P-62 & P-63

NOTES:

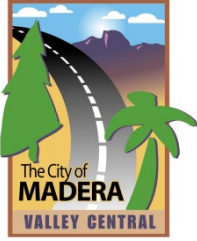
1. EXPANSION JOINTS (NOT SHOWN) SHALL BE PLACED EVERY 45' PER STD. DWG. P-5
2. FILL MEDIAN BEFORE PLACING BASE MATERIAL OR COMPACTING IN THE TRAVELED WAY

CONCRETE CONSTRUCTION
DETAILS

REF & REV
JUNE 2015
DEC. 2020 (A.7)

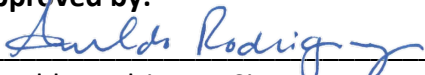
CITY OF FRESNO

P-9



REPORT TO CITY COUNCIL

Approved by:


Arnoldo Rodriguez, City Manager

Council Meeting of: October 5, 2022

Agenda Number: E-3

SUBJECT:

Update on Citywide Cannabis Process

RECOMMENDATION:

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

SUMMARY:

Per previous adopted ordinances, staff has been working on the implementation of the City's Cannabis Program. The following is an update of previous and future actions.

- The Council established a previous goal of awarding 6 standard or microbusiness cannabis business permits and 2 social equity cannabis business permits.
- City staff kicked off the process by holding 2 informational Zoom meetings and notified over 100 interested parties on a city listserv of the meeting.
- The application filing period opened on April 15, 2022 and the informational Zoom meetings were held on April 19 and April 21, 2022. Dozens of interested parties joined both meetings. The deadline to submit applications was June 20, 2022.

Phase I application process

Phase I of the process involved city staff issuing zoning verification letters and answering further questions by email or phone. The city received 26 standard and 2 social equity applications by the application deadline. HdL verified applications for completeness and the application guidelines gave applicants 5 days to "cure" incomplete applications. After the completeness review and the 5-day cure period, all 28 applications were deemed complete.

Phase II application process

All 28 applications were scored by HdL pursuant to evaluation criteria in the application procedures and guidelines. Applicants had to score 90 percent or higher to be able to continue

in the process. All but 1 of the 26 standard applications scored over 90 percent. Both social equity applicants scored over 90 percent. The Application Guidelines state that the City will advance a minimum of 10 of the highest scored applications to a Phase III meeting. The guidelines further state the city has the option of advancing more than 10 applicants to the Phase III meeting. All applicants were notified by email of their individual scores and staff has continued to be available to answer any questions or concerns.

Hearing Officer RFP and Appeal Fee City Council Resolution

Once the City determines the number of applicants that may advance to Phase III, those not invited to advance will be informed of their appeal rights. It is anticipated that at least some of the applicants not selected to advance will seek an appeal. In that regard, a Request for Proposal (RFP) seeking proposals from Law Firms to provide Appeal Hearing Officer services has been released. A contract award is scheduled to be made by November 16, 2022. Staff is researching the appropriate cost recovery to recommend an appeal fee to Council at a future meeting.

Phase III Meeting and Appeals Process

The City will invite selected applicants to the Phase III meeting which is a noticed hearing providing residents, businesses and community organizations an opportunity to provide comment or concerns. Those not invited will be informed of their appeal rights. Please let me know if you have any questions.

ALTERNATIVES:

This report is for informational purposes only.