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## REGULAR MEETING OF THE MADERA CITY COUNCIL

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

### NOTICE AND AGENDA

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

Council Chambers  
City Hall

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The Council Chambers will be open to the public. This meeting will also be available for public viewing and participation through Zoom. Members of the public may also observe the live streamed meeting on the City's website at [www.madera.gov/live](http://www.madera.gov/live). Members of the public may comment on agenda items at the meeting or remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 856 7169 2434#. Comments will also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov) or by regular mail at 205 W. 4th Street, Madera, CA 93637.

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

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

**INVOCATION:** Pastor Fred Thurman, New Life Assembly

**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:**

**INTRODUCTIONS:** None

**A. WORKSHOP:** None

**B. CONSENT CALENDAR:**

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

**B-1 Minutes – 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)

**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)

**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)

**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)

**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)

**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)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Fresno River Cleanup Update**

**Recommendation:** Informational Report (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 agendized and which meet other requirements for action.*

**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:** Arnolando Rodriguez, Daniel Foss, and Keith Helmuth

**Negotiating Parties:** Sordi and Sons Inc.

**Under Negotiation:** Price and Terms

**ADJOURNMENT:**

**UPCOMING MEETING DATES:**

- Wednesday, June 15, 2022
- Wednesday, July 6, 2022

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- Please silence or turn off cell phones and electronic devices while the meeting is in session.
  - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
  - A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (559) 661-5405 or by email at [cityclerkinfo@madera.gov](mailto:cityclerkinfo@madera.gov).
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's Office at (559) 661-5405.
  - Para asistencia en español sobre este aviso, por favor llame al (559) 661-5405.
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I, Alicia Gonzales, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the Regular Meeting of the Madera City Council for June 1, 2022, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 6:15 p.m. on May 26, 2022.

A handwritten signature in blue ink that reads "Alicia Gonzales". The signature is written in a cursive style and is positioned above a horizontal line.

Alicia Gonzales, City Clerk