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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 15, 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: 824 4914 8626#. 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:**

1. Certificate of Recognition - Thomas Jefferson Middle School 8<sup>th</sup> Grade Baseball 2022 CVAL Champions
2. Certificate of Recognition - Thomas Jefferson Middle School 7<sup>th</sup> Grade Softball 2022 CVAL Champions
3. Proclamation Recognizing Juneteenth Day
4. Proclamation Recognizing June as Pride Month
5. Neighborhood Farmers Market at Madera Community Hospital
6. Comcast – Improving Broadband

**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 – 11/03/21**

**Recommendation:** Approve the City Council Minutes of November 3, 2021

**B-2 Informational Report on Register of Audited Demands for May 21, 2022 to June 3, 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 Olive Avenue Widening and Reconstruction Gateway Drive to Knox Street, Phase 2 Utility Undergrounding Project**

**Recommendation:** Adopt a Resolution Increasing the Allowable Project Contingencies from 10 to 25 percent for the Olive Avenue Widening and Reconstruction - Gateway Drive to Knox Street Phase 2, Utility Undergrounding City Project No. R-000010 (Report by Keith Helmuth)

**B-5 Applications for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2022/23**

**Recommendation:** Adopt a Resolution Approving the Applications for TDA – LTF and STA Funds for FY 2022/23 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

**B-6 Project List for Fiscal Year (FY) 2022/23 Funded by Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) – Local Streets and Roads Funding Program**

**Recommendation:** Adopt a Resolution Approving the City Project List for FY 2022/23 Funded by the SB 1 RMRA Account of the Local Streets and Roads Funding Program (Report by Keith Helmuth)

**B-7 Adoption of the 2022-2025 City of Madera Title VI Program Update Regarding Policies and Procedures to Assure Nondiscrimination in Public Transit Services**

**Recommendation:** Adopt a Resolution Adopting the 2022-2025 City of Madera Title VI Program Update (Report by Kingsley Okereke)

**B-8 Revisions to Airport Advisory Commission (AAC) Rules of Procedure**

**Recommendation:** Adopt a Resolution Approving Revised Airport Advisory Commission (AAC) Rules of Procedure (Report by Daniel Foss)

**B-9 Adoption of an Ordinance Relating to the Police Department's Use of Military Equipment Per Assembly Bill 481 (AB 481)**

**Recommendation:** Waive Full Reading and Adopt an Ordinance Adding Chapter 16 to Title III of the Madera Municipal Code (MMC) relating to the use of Military Equipment (Report by Dino Lawson)

**B-10 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 that was not included in the report to Council at the June 1, 2022 Council meeting**

**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)

**B-11 Remote City Council Meetings Under Brown Act Requirements (Assembly Bill 361)**

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

**B-12 Initiating Proceedings for Annexation of Pecan Square Subdivision (Tract No. 20-S-02) into City of Madera Landscape Maintenance District Zone of Benefit 8**

**Recommendation:** Adopt a Resolution Initiating Proceedings Pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Property into City of Madera Landscape Maintenance District Zone of Benefit 8, to Review the Improvements and Assessments for Fiscal year 2023/24, and Setting a Public Hearing (Report by Keith Helmuth)

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing on the Community Development Block Grant (CDBG) 2022-2023 Action Plan Funding Allocation**

**Recommendation:** Conduct the Public Hearing to Approve Tentative Allocations for the use of CDBG 2022-2023 Action Plan Funds in the Amount of \$982,010 (Report by Kingsley Okereke)

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

**D-1 Amendment No. 3 to Professional Services Agreement with Provost & Pritchard Consulting Group**

**Recommendation:** Adopt a Resolution Approving Amendment No. 3 to Agreement for Professional Planning Services with Provost & Pritchard Consulting Group, Designating Source of Funds for Amendment No. 3, and Approving Amendment to the General Fund Budget for a Budget Line-Item Increase of \$100,000 (Report by Gary Conte)

**D-2 Continuing Resolution In Lieu of timely FY 2022-2023 Budget Adoption and Authorization of 60 days Extension to Prepare and Present the Fiscal Year 2022-23 Budget**

**Recommendation:** Adopt a Resolution to Continue Expenditures and Revenues in Accordance with the Fiscal Year 2021-22 City Budget in Lieu of Fiscal Year 2022-23 Budget Adoption (Continuing Resolution), and Authorization of 60 days extension to Prepare and Present the Fiscal Year 2022-23 Budget (Report by Kingsley Okereke)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Mid-Valley Disposal Contract Update**

**Recommendation:** Informational Report (Report by Arnaldo 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 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-2 Conference with Legal Counsel – Existing Litigation (Pursuant to Government Code Section 54956.9(d)(1))**

**Name of Case:** Golden State Environmental Justice Alliance v. City of Madera (real party in interested Origo Cold Madera, LLC), Madera County Superior Court Case No. MCV087157

**ADJOURNMENT**

**UPCOMING MEETING DATES:**

- Wednesday, July 6, 2022
- Wednesday, July 20, 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 15, 2022, near the front entrances of City Hall and on the City’s website [www.madera.gov](http://www.madera.gov) at 7:15 p.m. on June 9, 2022.



Alicia Gonzales, City Clerk