



## REGULAR MEETING OF THE MADERA CITY COUNCIL

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

### NOTICE AND AGENDA

Wednesday, September 21, 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: 867 0113 5155#. 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 Roger Leach, Valley West Christian Center

**PLEDGE OF ALLEGIANCE:** Boy Scout Troop 116

#### **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 - Ryan McWherter, Madera County Food Bank
2. San Joaquin River Western Reaches Access Activation Plan (WRAAP)

**INTRODUCTIONS:** None

**A. WORKSHOP:**

**1. \$1 Million Request from Madera Community Hospital**

**Recommendation:** Receive information from Madera Community Hospital on its request for \$1 million in funding from the City and provide direction, if desired

**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 – 05/04/22**

**Recommendation:** Approve the City Council Minutes of May 4, 2022 (Report by Alicia Gonzales)

**B-2 Informational Report on Register of Audited Demands for August 6, 2022 to August 26, 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 Informational Report on Contract City Attorney Services and Litigation Expenditures**

**Recommendation:** No Action Required (Report by Arnaldo Rodriguez)

**B-5 Informational Report on Emergency Repairs for Water Well No. 33**

**Recommendation:** No Action Required (Report by Jamie Hickman)

**B-6 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-7 Acceptance of a Grant Award from the State of California Office of Traffic Safety Selective Traffic Enforcement Program (STEP)**

**Recommendation:**

- 1) Adopt a Resolution Accepting the Grant Award in the amount of \$105,000 on behalf of the City and designating the City Manager as the Authorizing Official to act on the City's behalf and execute all necessary documents; and
- 2) Adopt a Resolution Amending the City's 2022/23 Budget to reflect revenues and Expenditures Related to the Grant (Report by Dino Lawson)

**B-8 City's Participation in the Old Timer's Day Parade and Downtown Christmas Parade**

**Recommendation:** Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, and Parks Services Relating to the Old Timers' Day Parade and Downtown Christmas Parade in the amount of \$5,986 (Report by Dino Lawson)

**B-9 Master Agreement Between the Madera County Transportation Commission and the City for Fiscal Year 2021/2022 Allocation of the Regional Surface Transportation Program (RSTP) Exchange Funding**

**Recommendation:** Adopt a Resolution Approving the Master Agreement between the Madera County Transportation Commission (MCTC) and the City for the Fiscal Year (FY) 2021/2022 allocation of RSTP Exchange Funding (RSTP) Exchange Funding

**B-10 Sidewalk Improvements on Lilly Street and Vineyard Avenue**

**Recommendation: Approve a Minute Order Approving:**

- 1) Acceptance of the Construction of Sidewalk Improvements Lilly Street – Vineyard Avenue, CDBG Project No. B19MC060053, City Project No. R-85
- 2) The Recording of Notice of Completion; and
- 3) The release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

**B-11 2020-21 SB-1 Road Maintenance and Rehabilitation Account (RMRA) Seals and Overlay, City Project No. R-78**

**Recommendation: Approve a Minute Order Approving:**

- 1) Acceptance of 2020-21 SB-1 Road Maintenance and Rehabilitation Account (RMRA) Seals and Overlay, City Project No. R-78.
- 2) The Recording of Notice of Completion.
- 3) The release of retention 35 days after recording of the Notice of Completion (Report by Keith Helmuth)

**B-12 Appointment to the Housing Assistance Loan Review Committee**

**Recommendation:** Adopt a Resolution Approving the Appointment of Johanna Torres to the Housing Assistance Loan Review Committee (Report by Kingsley Okereke)

**B-13 Agreement with Backowski Law Group to provide Specialized Real Estate Legal Services**

**Recommendation:** Adopt a Resolution Approving use of Backowski Law Group for Specialized Real Estate Legal Services (Report by Kingsley Okereke)

**B-14 Empower 457 Deferred Compensation Plan & Trust Regulatory Amendment to comply with the Coronavirus Aid, Relief, and Economic Security Act (CARES)**

**Recommendation:** Adopt a resolution approving the Amendment for CARES Act to the Empower Retirement City of Madera 457 Deferred Compensation Plan & Trust and authorizing the City Manager to execute necessary documents electronically through DocuSign (Report by Wendy Silva)

**B-15 Agreement for ResoluteGuard Cyber Risk Management Program**

**Recommendation:** Adopt a resolution approving the ResoluteGuard Services Agreement and authorizing the Director of Human Resources to execute necessary documents electronically through DocuSign (Report by Wendy Silva)

**C. PUBLIC HEARINGS:**

**C-1 Madera Municipal Code (MMC) Ordinance Text Amendment relating to Wireless Facilities on Private Property and a Small Wireless Facilities in the Public Rights-of-Way Policy**

**Recommendation:** Conduct a public hearing and introduce for first reading by title only and waive the full reading of:

1. A Regulatory Ordinance Adding Chapter 9 to Title X of the Madera Municipal Code Relating to Wireless Facilities on Private Property
2. Adoption of City Council Resolution adopting a Small Wireless Facilities Policy in the Public Rights-of-Way
3. Adoption of a Categorical Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act. (Report by Gary Conte)

**C-2 Public Hearing regarding the Program Year 2021-2022 Community Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) and Financial Summary**

**Recommendation:** Conduct the public hearing, invite public input, and adopt a Resolution approving the 2021-2022 the City's CAPER and financial summary (Report by Kingsley Okereke)

**C-3 2020 Urban Water Management Plan Update and Water Shortage Contingency Plan**

**Recommendation:** Conduct a public hearing and adopt Resolutions approving:

1. The Urban Water Management Plan 2020 Update
2. Water Shortage Contingency Plan

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

**D-1 Initiation of Proceedings for the Annexation of Vineyard Estates Phase III, Tract S1-S-02 & S1-S-03/TSM 2020-04 Subdivision into Community Facilities District 2005-1**

**Recommendation:**

That Council adopt Resolutions:

1. Adopting a Boundary Map Showing the Territory Proposed for Annexation to Community Facilities District No. 2005-1; and,
2. Declaring Its Intention To Annex Territory (Tract S1-S-02 & S1-S-03/TSM 2020-04 Subdivision) to Community Facilities District No. 2005-1 (Public Services), to Authorize the Levy Of Special Taxes Therein, and Setting Public Hearing (Annexation No. 13) (Report by Gary Conte)

**D-2 DICK'S Sporting Goods Foundation Grant Award**

**Recommendation:** Adopt a Resolution Approving the DICK'S Sporting Goods Foundation Grant Award Agreement in the amount of \$25,000 as part of the Sports Matter Program (Report by Joseph Hebert)

**D-3 Madera Metro Transit Plan and Service Design Guidelines**

**Recommendation:** Adopt a Resolution Approving the Final Report of the Madera Metro Transit Plan (MTP) and the City's Transit System Service Design Guidelines (Report by Kingsley Okereke)

**D-4 Fare Adjustments for Madera Metro and Dial-A-Ride**

**Recommendation:** Adopt a Resolution Approving a Modified Fare Structure for the Fixed Route Transit System and Limited Dial-A-Ride Transit System and Rescinding Resolution No. 20-58 (Report by Kingsley Okereke)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Request for Direction in Naming of Olive Avenue/Knox Street Park Site**

**Recommendation:** Request for direction regarding the naming of the new park at Olive Avenue and Knox Street (Report by Joseph Hebert)

**E-2 Lions Town & Country Park Improvement Projects Update**

**Recommendation:** No Action Required (Report by Joseph Hebert)

**E-3 Professional Recruitment Services to Conduct Director of Financial Services Recruitment**

**Recommendation:** Staff recommends Council approve a Minute Order authorizing staff to seek proposals from professional recruiting firms to assist the City in filling the currently vacant Director of Financial Services position (Report by Wendy Silva)

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

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

**G. CLOSED SESSION:**

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

**Agency Designated Representatives:** Arnaldo Rodriguez and Wendy Silva

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

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

**ADJOURNMENT:**

**UPCOMING MEETING DATES:**

- Wednesday, October 5, 2022
- Wednesday, October 19, 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](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 September 21, 2022, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 5:00 p.m. p.m. on September 16, 2022.



Alicia Gonzales, City Clerk