



REGULAR MEETING OF THE MADERA CITY COUNCIL AND SPECIAL MEETING OF MADERA CITY COUNCIL AS SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Wednesday, January 18, 2023
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: 827 0081 2027#. 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 Elsa Mejia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4
Councilmember Artemio Villegas, District 6

INVOCATION: Pastor Tim Echevarria, Remnant Church Madera

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: None

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 – 10/19/22

Recommendation: Approve the City Council Meeting Minutes of October 19, 2022

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for December 10, 2022 to January 6, 2023 (Report by Joy Canfield)

B-3 Informational Report on Personnel Activity

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

B-4 Informational Report on Contract City Attorney Services and Litigation Expenditures

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

B-5 Remote City Council Meetings Under Brown Act Requirements (AB 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)

B-6 Acceptance of Building Demolition Completion at 651 East 4th Street and 16557 Austin Street

Recommendation: Staff recommends that the City Council Approve Minute Order Approving:

- 1) Acceptance of the Demolition at 651 East 4th Street and 16557 Austin Street; and
- 2) The Recording of Notice of Completion; and
- 3) The Release of Retention 35 days after recording of the Notice of Completion (Report by Joseph Hebert)

B-7 Appointment of City Treasurer

Recommendation: Adopt a Resolution Appointing Arnolando Rodriguez, City Manager, to serve as the Interim City Treasurer until such time that the City hires a permanent Director of Financial Services (Report by Joy Canfield)

B-8 Access to The Superior Court of California, County of Madera Web-Based Portal

Recommendation: Adopt Resolution Approving an Agreement between The Superior Court of California, the County of Madera, and the City for access to the Justice Partner Portal (Report by Dino Lawson)

C. PUBLIC HEARINGS: None

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

D-1 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive

Recommendation: Adopt a Resolution making a finding of emergency relating to sewer failures on the sewer main at Avenue 13 and Granada Drive, affirming the emergency actions taken by the City Manager to make emergency repairs on the sanitary sewer main, and ratifying the award of emergency contracts without competitive bidding for the emergency repairs on the sewer main (Report by Keith Helmuth)

D-2 Actions Related to Successor Agency Annual Budget Reporting to the Department of Finance (Action on this item by the Successor Agency)

Recommendation:

- 1) Adopt a Resolution Adopting the Recognized Obligation Payment Schedule (ROPS) Representing Period of July 1, 2023 to June 30, 2024, for the City of Madera as the Successor Agency of the Former Redevelopment Agency; and
- 2) Adopt a Resolution Approving the Administrative Budget for the City of Madera as the Successor Agency of the Former Madera Redevelopment Agency of the City of Madera for the Period of July 1, 2023 – June 30, 2024 (Report by Joy Canfield)

D-3 Update on the Progress of the Madera Transit Plan and Request Approval to Extend Phase 2 of the Current Agreement with the Addition of Task 6 and Task 7

Recommendation: Adopt a Resolution Approving No. 1 to the Agreement with WSP USA of the to include additional Tasks 6 and 7 for \$78,945.99 (Report by Joy Canfield)

D-4 Amendment to Utilize the Remaining Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA) Funds for Eligible Capital Projects within the City Transit and Fleet Maintenance Section

Recommendation: Adopt a Resolution Approving the Submission of a Corrective Action Plan (CAP) to the Department of Transportation to Authorize the Use of the Remaining \$839,556 PTMISEA Funds for other Eligible Projects within the City Transit and Fleet Maintenance Section (Report by Joy Canfield)

D-5 Amendment to Existing Service Provider Agreement with O&E Transportation LLC relating to Litter Abatement in the Fresno River

Recommendation: Adopt a Resolution Approving the First Amendment to the Service Provider Agreement with O&E Transportation LLC for Additional Services at a Cost of \$180,025 and an Extension of term through June 30, 2023 (Report by Dino Lawson)

E. ADMINISTRATIVE REPORTS:

E-1 Informational Report on the City's Cannabis Program

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

E-2 Mayor's Appointments to Outside Boards

Recommendation: Approve a Minute Order Approving the Mayor's Appointments to Outside Boards, Commissions, and Committees (Report by Alicia Gonzales)

E-3 Support for local public health emergency declared upon closure of Madera Community Hospital (MCH)

Recommendation:

1. Receive informational update.
2. Adopt a resolution supporting Madera County's declaration of a local emergency due to the public health risk involved with the closure of MCH.
3. Determine whether to participate in Madera County's efforts to evaluate potential options. (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 agendaized and which meet other requirements for action.

G. CLOSED SESSION:

G-1 Public Employee Performance Evaluation - Pursuant to Government Code §54957(b)(1)

Title: City Manager

G-2 Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code §54956.9(a)

One Case: Madera Police Officers' Association; Randy Williams; Thomas Burns vs. City of Madera

ADJOURNMENT:

UPCOMING MEETING DATES:

- Wednesday, February 1, 2023
- Wednesday, February 15, 2023

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- **REASONABLE ACCOMMODATIONS POLICY:** The City will be considering adoption of a Reasonable Accommodations Policy at the February 1, 2023, meeting that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. In the meantime, if you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 559-661-5405 so such aids or services can be arranged. Requests may also be made by email to the City Clerk at cityclerkinfo@madera.gov either or may be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637.

Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation is suggested.

- 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.

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 January 18, 2023 near the front entrances of City Hall and on the City's website www.madera.gov at 4:45 p.m. on January 13, 2023.



Alicia Gonzales, City Clerk