

Regular Meeting of the Madera City Council

205 W. 4th Street, Madera, California 93637

AMENDED NOTICE AND AGENDA

Wednesday, April 5, 2023
6:00 p.m.

Council Chambers
City Hall

The Madera City Council meetings are 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: 879 0131 0546#. 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: Councilmember Anita Evans

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: 1. Rafael Magallan, Chief Building Official

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 – February 1, 2023, and February 8, 2023

Recommendation: Approve the City Council Minutes of February 1, 2023, and February 8, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for March 4, 2023 – March 24, 2023 (Report by Anthony Forestiere)

B-3 Second Reading and Adoption of an Ordinance Updating Prima Facie Speed Limits on Designated City Streets

Recommendation: Waive the Full Reading and Adopt an Ordinance Amending Section 3-5.08 of Chapter 5 of Title 3 of the Madera Municipal Code to Update Prima Facie Speed Limits on City Streets (Report by Keith Helmuth)

B-4 Designation of Applicant’s Agents for Federal Disaster Assistance and Grant Assistance

Recommendation: Adopt a Resolution Designating the City Manager, Director of Financial Services, Director of Human Resources, and Administrative Analyst (Human Resources) to act as Applicant’s Agents on behalf of the City of Madera with the California Governor’s Office of Emergency Services for a period of three years from the date of approval (Report by Wendy Silva)

B-5 Consideration of a Request by Filogonio Santiago and Isabel Perez for Connection to the City’s Water System

Recommendation: Adopt a Resolution Approving an Agreement for Outside City Limits Water Connection for 26475 and 26479 Ellis Street (APN 038-070-010) (Report by Keith Helmuth)

B-6 Letter of Support for Valley Children’s Hospital

Recommendation: As the Letter of Support was provided at the time of request, this report is for informational purposes only; therefore, no action is being requested of Council (Report by Arnolando Rodriguez)

B-7 California Department of Resources Recycling and Recovery (CalRecycle) Tire Amnesty Grant Application

Recommendation: Adopt a Resolution Authorizing the submittal of grant applications to CalRecycle for the Local Government Waste Tire Amnesty Grant Program for a period of five years (Report by Dino Lawson)

C. PUBLIC HEARINGS:

C-1 Public Hearing on the Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan Funding Allocation

Recommendation: Conduct the Public Hearing and, by Motion, Approve Tentative Allocations for the CDBG 2023/24 Action Plan in the amount of \$981,730 plus the reallocation of \$242,761.46 to Capital Projects/Public Improvements (Report by Anthony Forestiere)

C-2 Initiation of Proceedings for the Annexation of the 22-S-02/TSM 2017-02 Subdivision into Community Facilities District No. 2005-1

Recommendation: Adopt a Resolution Declaring Its Intention to Annex Territory (22-S-02/TSM 2017-02 Subdivision) to Community Facilities District (CFD) No. 2005-1 (Public Services), to Authorize the Levy of Special Tax Therein, and Setting Public Hearing (Annexation 14) (Report by Will Tackett)

C-3 Repeal of Outdated Section 10-3.419 of the Madera Municipal Code, Telecommunications Towers, Antennas and Structures (OTA 2022-02)

Recommendation: Conduct a Public Hearing, Waive Full Reading, and Introduce Regulatory Ordinance (i) Repealing Section 10-3.419 of Title X, Chapter 3 of the Madera Municipal Code Relating to Telecommunications Towers, Antennas and Structures and (ii) Finding the Ordinance is not a Project Subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378, and alternatively, exempt from CEQA under CEQA Guidelines 15061(b)(3)(Common Sense) (Report by Will Tackett)

C-4 The Arc Fresno/Madera Counties Project General Plan Amendment (GPA 2022-03), Prezone, (REZ 2022-02), Annexation (ANX 2022-03), and Negative Declaration (ENV 2022-03)

Recommendation Conduct a public hearing and then consider the following:

1. Adoption of a Resolution adopting ENV 2022-03 (Negative Declaration) and approving GPA 2022-03 for The Arc Fresno/Madera Counties Project; and
2. Waive full reading and introduce an Ordinance of the City Council approving REZ 2022-02 amending the official City of Madera Zoning Map to prezone the approximately 242 acres "Arc Annexation Area" generally bound by Martin Avenue on the north, North D Street on the East, Adell and Ellis Streets on the south, and the existing United States Bureau of Reclamation Canal and Road 26 (Report by Will Tackett)

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

D-1 Submittal of a Grant Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for the purchase of a new Type 1 Fire Engine

Recommendation: Adopt a Resolution Approving the Fire Department to Apply for a Grant to Purchase a new Type 1 Fire Engine (Report by Justin Macomb)

D-2 Amendment to City Manager At-Will Employment Agreement

Recommendation: This report has been prepared at the direction of the City Council (Council); therefore, there is no staff recommendation provided. Council is asked to consider and determine whether to adopt the Resolution approving a Fourth Amendment to the City Manager At-Will Employment Agreement (Report by Wendy Silva)

D-3 Approval of Additional National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS

Recommendation:

1. Approve Settlement Agreements and Participation Forms for the City’s participation in the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.
2. Approve the California State-Subdivision Agreements Regarding Distribution and Use of Settlement Funds relating to the National Opioid Settlement Agreements with Teva, Allergan, Walmart, Walgreens, and CVS.
3. Adopt a Resolution approving and authorizing the City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements with Teva, Allergan, Walmart, Walgreens, and CVS, including signing necessary documents and transmittal thereof as necessary, as it pertains to these and all future settlements (as necessary and applicable) through the National Opioid Settlements process.

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 (Report by Will Tackett)

E-2 Rental Housing Inspection Program Update

Recommendation: This report is submitted for informational purposes only, and no action is requested from the City Council (Report by Dino Lawson)

E-3 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #5

Recommendation: This report is submitted for informational purposes only, and no action is requested from the City Council (Report by Keith Helmuth)

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: None


ADJOURNMENT:

UPCOMING MEETING DATES:

- Wednesday, April 19, 2023
- Wednesday, May 3, 2023

- The meeting room is accessible to the physically disabled. Requests for accommodations for persons with disabilities such as signing services, assistive listening devices, or alternative format agendas and reports needed to assist participation in this public meeting may be made by calling the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov . Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be made as soon as practicable as additional time may be required for the City to arrange or provide the requested accommodation. Requests may also be delivered/mailed to: City of Madera, Attn: City Clerk, 205 W. 4th Street, Madera, CA 93637. At least seventy-two (72) hours' notice prior to the meeting is requested but not required. When making a request, please provide sufficient detail that the City may evaluate the nature of the request and available accommodations to support meeting participation. Please also provide appropriate contact information should the City need to engage in an interactive discussion regarding the requested accommodation.
 - The services of a translator can be made available. Please contact the City Clerk's Office at (559) 661-5405 or emailing cityclerkinfo@madera.gov to request translation services for this meeting. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service. Requests should be submitted in advance of the meeting to allow the City sufficient time to provide or arrange for the requested services. At least seventy-two (72) hours' notice prior to the meeting is requested but not required.
 - 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 .
 - 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 April 5, 2023, near the front entrances of City Hall and on the City's website www.madera.gov at 5:00 p.m. on March 31, 2023.



Alicia Gonzales, City Clerk