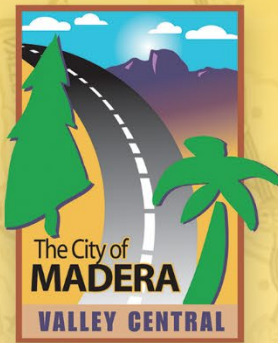


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## REGULAR MEETING OF THE MADERA CITY COUNCIL

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

### NOTICE AND AGENDA

Wednesday, April 19, 2023  
6:00 p.m.

Council Chambers  
City Hall

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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](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: 869 3519 7956#. 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 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:**
1. Proclamation Recognizing April as National Community College Month
  2. Proclamation Recognizing April 23 – April 29, 2023 as Crime Victims’ Rights Week
  3. Proclamation Recognizing April as Volunteer Month

**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 – February 15, 2023, March 1, 2023, and March 20, 2023**

**Recommendation:** Approve the City Council Minutes of February 15, 2023, March 1, 2023, and March 20, 2023 (Report by Alicia Gonzales)

**B-2 **Informational Report on Register of Audited Demands****

**Recommendation:** Review Register of Audited Demands Report for March 25, 2023 to April 7, 2023 (Report by Anthony Forestiere)

**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 (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 the City Council (Council) (Report by Arnaldo Rodriguez)

**B-5 **Local State of Emergency Related to the Closure of Madera Community Hospital****

**Recommendation:** Adopt a Resolution Continuing to Support Madera County’s Proclamation of a Local Emergency due to the Closure of Madera Community Hospital for 30 days (Report by Arnaldo Rodriguez)

**B-6 **Letter of Support for Assembly Bill 412 as Introduced by Assemblywoman Esmeralda Soria****

**Recommendation:** This report is submitted for informational purposes only, and no action is requested from City Council (Council) at this time (Report by Arnaldo Rodriguez)

**B-7 **Facility Use Agreements with Madera Unified School District****

**Recommendation:** Adopt a Resolution Authorizing the City Manager to Execute No-fee Facility Use Agreements for City’s Use of Madera Unified School District Facilities (Report by Wendy Silva)

**B-8 **Adoption of Updated City of Madera Full Time Salary Schedule****

**Recommendation:** Adopt a Resolution Approving the Revised City of Madera Full Time Salary Schedule Reflecting a Two Percent Cost-of-Living Adjustment for the City Manager Job Classification (Report by Wendy Silva)

**B-9 Second Reading and Adoption of an Ordinance Repealing Outdated Section 10-3.419 of the Madera Municipal Code, Telecommunications, Towers, Antennas and Structures (OTA 2022-02)**

**Recommendation:** Waive the Full Reading and Adopt a 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 Section 15061(b)(3) (Common Sense) (Report by Will Tackett)

**B-10 California Automated Permit Processing (CalAPP) Program Grant Application**

**Recommendation:** Adopt a Resolution Authorizing Submission of the Grant Application to the California Energy Commission (Report by Will Tackett)

**C. PUBLIC HEARINGS:**

**C-1 Adoption of the 2022 California Building, Plumbing, Mechanical, Electrical, Fire, Residential, Energy, and Green Building Standards Codes.**

**Recommendation:** Conduct a Public Hearing, Waive Full Reading, and Introduce an Ordinance of the City Council of the City of Madera Adopting the 2022 California Building, Plumbing, Mechanical, Electrical, Fire, Residential, Energy, and Green Building Standards Codes, including Appendix P of the California Building Code and Appendix Z of the California Residential Code, by Repealing Chapter 1 of Title IX, and Adding Chapter 1 of Title IX of the Madera Municipal Code Ordinance, with the Associated CEQA Findings (Report by Will Tackett)

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

**D-1 McNally Park Amenities and Play Equipment Purchases**

**Recommendation:** Adopt a Resolution Approving a Cooperative Purchase Agreement with Superior International Industries for McNally Park Amenities and Play Equipment in the Amount of \$213,123.18 (Report by Joseph Hebert)

**D-2 Request to Waive Rental Fees for Rotary Park for the Farmers Market between June 1, 2023 – September 14, 2023**

**Recommendation:** Adopt a Resolution Waiving the Rental Fees of Rotary Park Relating to the Farmers Market 2023 Summer Season in the Amount of \$2,040 for 16 Events (Report by Joseph Hebert)

**D-3 Rescind Resolution No. 23-05 with a Revision to Amend and Reapportion \$788,703 of the Remaining PTMISEA Grant Funds to the Required Correction Action Plan (CAP) for Eligible Capital Projects within the City Transit and Fleet Maintenance Section**

**Recommendation:** Adopt a Resolution:

- 1) Approving the Amendment to Rescind Resolution No 23-05: and

- 2) Approving the Submission of a CAP to the Department of Transportation (DOT) to Reappropriate \$788,703 of the Remaining \$868,703 PTMISEA Funds for other Eligible Capital Projects Within the City Transit and Fleet Maintenance Section; and
- 3) Approving the Retention of \$80,000 for the Completion of Necessary Improvements to the Madera Transit Center (Report by Anthony Forestiere)

**D-4 Madera Transit Plan – Fixed Route System Revision**

**Recommendation:** Adopt a Resolution Approving the Revision of the City’s Transit (Madera Metro) Fixed Route System (Report by Anthony Forestiere)

**D-5 Declaration of Surplus Property and Approval of Piggyback Purchase Agreement for Paint Striping Truck**

**Recommendation:** Adopt a Resolution Declaring the City’s Paint Striper as Surplus and Authorizing its Use as a Trade-in for a New Unit, and Approving Piggybacking off of Sourcewell Contract No. 080521-EZL for a net cost of \$229,039 (Report by Jamie Hickman)

**D-6 Public Hearing relating to the formation of Underground Utility District No. 20 located at Yosemite Avenue and Elm Street**

**Recommendation:** Staff recommends that the City Council (Council):

- 1) Conduct the Public Hearing;
- 2) Find that Underground Utility District No. 20 is Exempt from CEQA Analysis under Class 2 Categorical Exemptions, California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15302.d; and
- 3) Adopt a Resolution Making Findings of Public Necessity, Health, Safety, and Welfare and Establishing Underground Utility District No. 20 in Designated Real Property between Yosemite Avenue and Elm Street (Report by Keith Helmuth)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Emergency Repairs to Avenue 13 Sewer Trunk Main at Granada Drive – Update #6**

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

**E-2 Informational Report Regarding Senate Bill 227**

**Recommendation:** This report is submitted for informational purposes only, and no action is requested from City Council (Council) at this time (Report by Arnoldo 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:** None

**ADJOURNMENT:**

**UPCOMING MEETING DATES:**

- Wednesday, May 3, 2023
- Wednesday, May 17, 2023

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- 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](mailto: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](mailto: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](mailto: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 19, 2023, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 8:00 p.m. on April 13, 2023.



Alicia Gonzales, City Clerk