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## Regular Meeting of the Madera City Council

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

**CORRECTED**

**NOTICE AND AGENDA**

Wednesday, May 17, 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: 899 3525 5118 #. 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:** Pastor Roger Leach, Valley West Christian Center

### **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) Recognition of MadTown Robotics Team 1323 – World Champions
  - 2) Proclamation Recognizing Educator of the Year - Blanca Bishop

**INTRODUCTIONS:** None

**A. WORKSHOP:**

**A-1 Capital Improvement Program (CIP) – Streets, Active Transportation and Storm Drainage for Fiscal Year (FY) 2023/24 to FY 2027/28**

**Recommendation:** Consider the information presented and provide input and direction on the 5-year CIP for streets, active transportation (including multi-modal projects), and storm drainage projects (Report by Keith Helmuth)

**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 – April 5, 2023**

**Recommendation:** Approve the City Council Minutes of April 5, 2023 (Report by Alicia Gonzales)

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

**Recommendation:** Review Register of Audited Demands Report for April 22, 2023 to May 5, 2023 (Report by Michael Lima)

**B-3 Informational Report on Personnel Activity**

**Recommendation:** No Action Required. (Report by Wendy Silva)

**B-4 Acceptance of Payment from City's Own Insurance Pool for Water Damage to the Frank Bergon Senior Center**

**Recommendation:** Adopt a Minute Order Accepting an Insurance Payment from the City's Own Insurance Pool for Water Damage Repairs to the Frank Bergon Senior Center in the amount of \$39,824.31 (Report by Wendy Silva)

**B-5 Outside City Limits Water Connection for 16385 North D Street (APN 038-082-002)**

**Recommendation:** Adopt a Resolution Approving an Agreement between the City and Carol D. Moore, Carl Armentrout, and Terry Armentrout for connection to the City's Water System (Report by Keith Helmuth)

**B-6 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 Arnolando Rodriguez)

**B-7 Piggyback Purchase Agreements for Transit and Fleet Division-related Purchases**

**Recommendation:** Adopt Resolutions Approving Piggyback Purchase Agreements as follows:

- 1) Approving Sourcewell Piggyback Agreements for the Purchases from:
  - a. Mohawk Lifts of four post lifts for mechanic shop for \$153,000
  - b. Schwarze Industries, Inc. of a street sweeper for \$381,000
  - c. 72 Hour LLC dba National Auto Fleet Group for a Police pickup for \$36,000
  - d. Kubota Tractor Corporation through Pioneer Tractor for \$91,000; and
  - e. ALTEC Industries of Aerial Truck for \$142,000
- 2) The State of California piggyback agreement for the purchases from:
  - a. Downtown Ford of Sacramento of three Ford utility trucks for \$230,000
  - b. Cappel Management dba Freeway Toyota of one Police sedan for \$36,000
  - c. Folsom Lake Ford of three patrol vehicles for \$165,000, and
  - d. Cappel Management dba Freeway Toyota of two pickups for Sewer and Water Maintenance for \$60,000
- 3) The Los Angeles County Sheriff's Office piggyback agreement for the purchase from RCA Investments of three motorcycles for \$93,000 (Report by Michael Lima)

**B-8 Award of Three-Year Contract, with the Option of Two One-Year Extensions, with the PUN Group for Professional Auditing Services**

**Recommendation:** Adopt a Resolution Approving a Three-year Contract with the PUN Group for Professional Auditing Services in the amount of \$168,763, with Two Optional One-year Extensions (Report by Michael Lima)

**B-9 Accepting a Portion of the Improvements for Iveywood Subdivision**

**Recommendation:** Adopt a Resolution:

- 1) Accepting a Portion of the Improvements for Iveywood I Subdivision; and
- 2) Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements (Report by Keith Helmuth)

**B-10 Amendment to Agreement with Stantec Architectural, Inc. for Design Services in the amount of \$15,000 for the Design of an Entrance Canopy at the Madera Transit Center (MTC)**

**Recommendation:** Adopt a Resolution:

- 1) Approving Amendment No. 2 to the Agreement for Professional Architectural and Engineering Services for a New Entrance Canopy at the Madera Transit Center for \$15,000; and
- 2) Approving the Extension of the Contract Term through June 30, 2024 (Report by Michael Lima)

**B-11 Second Reading and Adoption of an Ordinance to Rezone Property Located on 308 N. C Street (REZ 2023-01)**

**Recommendation:** The Planning Commission and staff recommend the City Council hold a public hearing, make the necessary findings, and take actions as follows:

- 1) Waive full reading and adopt an Ordinance adopting a Finding of Exemption under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) and rezoning the approximately 0.17 acres of property located at 308 N. C Street (APN: 007-081-014) from the C1 (Light Commercial) zone district to the R1 (Residential, one unit for each 6,000 square feet) zone district (Report by Will Tackett)

**B-12 Second Reading and Adoption of an Ordinance for the Arc Fresno/Madera Counties Project Prezone (REZ 2022-02) for Purposes of Facilitating Annexation to the City of Madera in Accordance with Annexation Application ANX 2022-03.**

- Recommendation:**
- 1) Waive full reading and adopt an Ordinance of the City Council approving REZ 2022-02 amending the official City of Madera Zoning Map to prezone the approximately 242 acre “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 on the west; and
  - 2) Adopt a Resolution of the City Council initiating an application to the Madera Local Agency Formation Commission (LAFCo) for a change of organization of territory in accordance with Annexation ANX 2022-03 (Report by Will Tackett)

**C. PUBLIC HEARINGS:**

**C-1 Public Hearing Regarding Proposed Annexation No. 14 to Community Facilities District No. 2005-1 (CVI Subdivision) and Related Actions**

- Recommendation:**
- 1) Hold the Public Hearing; and
  - 2) Adopt a Resolution of the City Council (Council) of the City of Madera Authorizing Annexation (Annexation No. 14) of Territory (22-S-02/TSM 2017-02 Subdivision) to Community Facilities District No. 2005-1 (Public Services); Authorizing the Levy of Special Taxes; and Submitting the Levy of Tax to the Qualified Electors; and
  - 3) Conduct the Election of the Qualified Electors of Annexation No. 14; and
  - 4) Adopt a Resolution Making Certain Findings, Declaring and Certifying the Results of an Election, and Adding the Territory Identified as Annexation No. 14 to CFD 2005-1 (Public Services) Annexation No. 14 (Report by Will Tackett)

**C-2 Public hearing to approve the Community Development Block Grant (CDBG) 2023/24 Annual Action Plan final funding allocations and sub-recipient agreements**

**Recommendation:** Conduct a public hearing to receive final public input on the 2023/24 Annual Action Plan and adopt Resolutions:

- 1) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$176,346) with City of Madera 23-24 CDBG Administration; and
- 2) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$20,000) with Community Action Partnership of Madera County; and
- 3) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$26,032) with Madera Coalition for Community Justice; and
- 4) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$5,527) with Project Run Madera; and
- 5) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$35,000) with Madera Rescue Mission; and
- 6) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$15,700) with O.L.I.V.E. Charitable Organization; and
- 7) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$10,000) with Community Action Partnership of Madera County; and
- 8) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$25,000) with Madera County Association of Realtors; and
- 9) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$30,000) with City of Madera, Parks & Community Services Department; and
- 10) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for services (\$617,500) with City of Madera Engineering Department; and
- 11) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$215,000) with City of Madera, Parks & Community Services Department; and
- 12) Adopt a Resolution Approving a 2023/24 CDBG Subrecipient Agreement for Services (\$148,386) with City of Madera, Parks & Community Services Department (Report by Michael Lima)

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

- D-1**
- 1) **Engineer's Report For City Wide Landscape And Lighting Assessment District Zones Of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 For Fiscal Year (FY) 2023/24**
  - 2) **Resolution of Intention to Levy and Collect Annual Assessments for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B,**

**10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 for FY 2023/24 and Setting Date for Public Hearing**

- Recommendation:**
- 1) Adopt a Minute Order Approving the Engineer’s Report as Filed or with Modifications as Identified by the City Council (Council) During this Meeting; and
  - 2) Adopt a Resolution of Intention to Levy and Collect Proposed Annual Assessments for all City-Wide Landscape and Lighting District Zones of Benefit Referenced in the Engineer’s Report for FY 2023/2024 or as may be Amended and set June 7, 2023, as the Public Hearing date to Consider the Proposed FY 2023/2024 Assessments for City Wide Landscape and Lighting District Zones of Benefit (Report by Keith Helmuth)

**D-2 Agreement with RRM Design Group for Architectural and Engineering (A/E) Design Services on the Intermodal Transit Center**

**Recommendation:** Adopt a Resolution approving an agreement with RRM Design Group to provide engineering and architectural services for the Madera Intermodal Transit Center renovation (Report by Michael Lima)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Yosemite Avenue Landscaping and Project Update**

**Recommendation:** This report is submitted for City Council (Council) as an update of the Caltrans State Route 145 Yosemite Avenue (Project) and consideration and direction relative to various items for the Project (Report by Keith Helmuth)

**E-2 Set date(s) for City Attorney interviews**

**Recommendation:** Request for direction regarding date(s) for interviewing City Attorney candidates (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 Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d) (1)**

**Name of Case:** Madera v. Lopez

**ADJOURNMENT:**

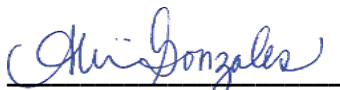
**UPCOMING MEETING DATES:**

- Wednesday, June 7, 2023
- Wednesday, June 21, 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 May 17, 2023, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 9:15 p.m. on May 11, 2023.



Alicia Gonzales, City Clerk