



## Regular Meeting of the Madera City Council

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

### NOTICE AND AGENDA

Wednesday, June 7, 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: 843 8005 5924#. 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 Joe Alicea, Awaken Church of God

#### **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 Madera FFA State Champion Meats Evaluation Team
  2. Recognition of Madera High Softball Team Central Section Division II Champions
  3. Proclamation Recognizing PRIDE Month

**INTRODUCTIONS:** Xochitl Villaseñor, Program Manager Grants

**A. WORKSHOP:**

**A-1 2023/24 Budget Workshop** (Report by Michael Lima)

**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 – 4/19/23, 05/03/23, 05/10/23**

**Recommendation:** Approve the City Council Minutes of April 19, 2023, May 3, 2023, and May 10, 2023 (Report by Alicia Gonzales)

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

**Recommendation:** Review Register of Audited Demands Report for May 6, 2023 to May 26, 2023 (Report by Michael Lima)

**B-3 Continuing Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms**

**Recommendation:** Adopt a Resolution Continuing the Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms in accordance with Madera Municipal Code Title III, Chapter 2 (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 Arnoldo Rodriguez)

**B-5 Maintenance of Drainage Improvements and Access Easement for Madera Industrial WHSE, LLC**

**Recommendation:** Adopt a Resolution Approving Statement of Covenants Affecting Land Development for the Maintenance of Drainage Improvements and Access Easement for Madera Industrial WHSE, LLC (Report by Keith Helmuth)

**B-6 Annual Review and Report on Madera Police Department Military Equipment Use**

**Recommendation:**

1. Receive and file the Police Department’s Annual Military Equipment Use Report from January 1, 2022 through December 31, 2022; and
2. Adopt a Minute Order affirming the City’s Military Equipment Use Ordinance 994 C.S. and related Madera Police Department Policy 709 (Report by Dino Lawson)

**B-7 Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2022/23 Grant Award Acceptance**

**Recommendation:** Adopt a Resolution Authorizing Accepting the JAG Award in the amount of \$26,660 for Fiscal Year 2022/23 for the Purchase of Surveillance Cameras (Report by Michael Lima)

**B-8 City of Madera 2023-2024 Community Development Block Grant (CDBG) Annual Action Plan**

**Recommendation:** Adopt a Resolution Approving the 2023-2024 Community Development Block Grant (CDBG) Annual Action Plan (Report by Michael Lima)

**B-9 Consultant Services Agreement with Madera Unified School District**

**Recommendation:** Adopt a Resolution Approving the Consultant Service Agreement with the Madera Unified School District (MUSD) for the Foster and Homeless/Families in Transition Enrichment Services Program not to exceed \$15,000 (Report by Joseph Hebert)

**B-10 Application for Transportation Development Act (TDA) – Local Transportation Funds (LTF) and State Transit Assistance (STA) Funds for Fiscal Year (FY) 2023/24**

**Recommendation:** Adopt a Resolution Approving the Applications for TDA – LTF and STA Funds for Fiscal Year (FY) 2023/24 and Authorizing the City Engineer to execute and submit the Applications to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

**C. PUBLIC HEARINGS:** None

**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, Setting June 21, 2023, As Date For Public Hearing, and Rescinding Resolution 23-86**

**Recommendation:** 1. Adopt a Minute Order Approving the Engineer’s Report as filed or with modifications as identified by the City Council during the meeting and rescinding the Minute Order of May 17, 2023, regarding same; 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, set June 21, 2023, as the public hearing date to consider the Proposed FY 2023/2024 Assessments for City Wide

Landscape and Lighting District Zones of Benefit, and rescinding Resolution No. 23-86 (Report by Keith Helmuth)

**D-2 Agreement with the California Department of Forestry and Fire Protection**

**Recommendation:** Adopt a Resolution Approving a New Schedule “A” Agreement with the California Department of Forestry and Fire Protection (CAL Fire) from July 1, 2023 to June 30, 2024 for Fire Service Operation (Report by Justin Macomb)

**D-3 Continuing Resolution In Lieu of Fiscal Year (FY) 2023-2024 Budget Adoption and Authorization of 60-day Extension to Prepare and Present the Fiscal Year 2023-24 Budget**

**Recommendation:** Adopt a Resolution to Continue Appropriations and Estimated Revenues in Accordance with the FY 2022-2023 budget in lieu of FY 2023-2024 Budget Adoption (Continuing Resolution), and Authorization of 60 days Extension to Prepare and Present the FY 2023-24 Budget (Report by Michael Lima)

**D-4 2023 Zero Emission Bus (ZEB) Rollout Plan for Madera Metro**

**Recommendation:** Adopt a Resolution Approving the 2023 Zero Emission Rollout Plan (Report by Michael Lima)

**D-5 Amendment to the Management and Operations Agreement and the related Lease Agreement for the Madera Transit Center between the City and MV Public Transportation, Inc.**

**Recommendation:** Adopt Resolutions:

1. Approving Amendment No. 5 to the Agreement for Management and Operation of Madera Transit Services extending the term of the Agreement through June 30, 2025 and increasing the total operating costs to \$2,177,201 for the first year of the extension and \$2,247,917 for the second year of the extension; and
2. Approving Amendment No. 3 to the Lease Agreement for the Madera Transit Center with MV Public Transportation, Inc. through June 30, 2025 to coincide with the Agreement for Management and Operation of Madera Transit Services (Report by Michael Lima)

**D-6 Second Amendment to Existing Service Provider Agreement with O&E Transportation LLC Relating to Litter Abatement in the Fresno River and Approval of a Budget Amendment**

**Recommendation:** Adopt Resolutions:

1. Approving the Second Amendment to the Service Provider Agreement with O&E Transportation LLC for additional services at a cost of \$60,000 and an extension of the term through September 30, 2023; and
2. Approving a Budget Amendment to the Fiscal Year 2022-23 Operating Budget in the amount of \$20,000 for Fresno River clean-up efforts (Report by Dino Lawson)

**E. ADMINISTRATIVE REPORTS: None**

**E-1 Madera County Mosquito & Vector Control District – Public Awareness**

**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 Trinidad Reyes, Mosquito & Vector Control District)

**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

**G-2 Conference with Labor Negotiators - Pursuant to Government Code §54957.6**

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

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

**ADJOURNMENT:**

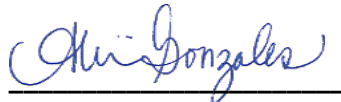
**UPCOMING MEETING DATES:**

- Wednesday, June 21, 2023
- Wednesday, July 19, 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.
  - Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's office located at 205 W. 4<sup>th</sup> Street, Madera, CA 93637 and on the City website at [www.madera.gov](http://www.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 June 7, 2023, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 7:30 p.m. on June 2, 2023.



Alicia Gonzales, City Clerk