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Regular Meeting of the Madera City Council

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, October 4, 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: 837 7675 6202#. 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 Sam Neely, Mt. Zion Missionary Baptist Church

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 October 9, 2023, as Indigenous People’s Day
 2. Proclamation Recognizing Breast Cancer Awareness Month
 3. Proclamation Recognizing Disability Awareness Month
 4. Proclamation Recognizing Domestic Violence Awareness Month
 5. Children & Youth in Transition Program - Rosa M. Galindo, MUSD Program Manager

INTRODUCTIONS: None

A. WORKSHOP:

A-1 Measure T Update

Recommendation: This workshop is submitted for informational purposes only and there is no action requested from the City Council (Council) (Report by Kendall Flint, DKS Associates)

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 – September 6, 2023

Recommendation: Approve the City Council Minutes of September 6, 2023 (Report by Alicia Gonzales)

B-2 Informational Report on Register of Audited Demands

Recommendation: Review Register of Audited Demands Report for August 26, 2023 to September 22, 2023 (Report by Michael Lima)

B-3 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-4 Informational Report on Personnel Activity

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

B-5 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-6 Request to Waive City Fees for Madera High School’s Homecoming Parade

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, and Engineering Fees and Services Relating to the Madera High

School Homecoming Parade in the Amount of \$2,136 (Report by Gino Chiaramonte)

B-7 Request to Waive City Fees for Madera Downtown Christmas Parade

Recommendation: Adopt a Resolution Waiving the Fees to Cover the Costs of Police, Public Works, and Parks Services for the Downtown Christmas Parade in the Amount of \$2,855 (Report by Gino Chiaramonte)

B-8 Improvement Agreement Amendment No. 1 for the Varbella Estates II Subdivision (Tract No. 20-S-01) Allowing Reimbursement for Reconstruction of a Private Driveway

Recommendation: Adopt a Resolution Approving Amendment No. 1 to the Improvement Agreement Authorizing Reimbursement for Reconstruction of a Private Driveway to be Constructed by Subdivider (Report by Keith Helmuth)

B-9 Groundwater Monitoring Wells at the Wastewater Treatment Plant, Project No. WWTP 20-01

Recommendation: Adopt a Minute Order Approving:

1. Acceptance of the Construction of Monitoring Wells at the Wastewater Treatment Plant, Project No. WWTP 20-01; and
2. The Recording of the Notice of Completion; and
3. The Release of Retention 35 Days After Recording the Notice of Completion (Report by Keith Helmuth)

B-10 Master Agreement Between the Madera County Transportation Commission and the City for Fiscal Year 2022/2023 Allocation of the Regional Surface Transportation Program (RSTP) Exchange Funding

Recommendation: Adopt a Resolution Approving the Master Agreement between the Madera County Transportation Commission (MCTC) and the City for the Fiscal Year (FY) 2022/2023 allocation of RSTP Exchange Funding (RSTP) Exchange Funding (Report by Keith Helmuth)

B-11 Change Order on Piggyback Purchase Agreement for Paint Striping Truck

Recommendation: Adopt a Resolution Approving a Change Order to the Sourcewell Paint Striper Piggyback Resolution No. 23-50 Approved by Council on April 19, 2023, for Minor Changes to the Paint Gun Carriage Configuration, Additional Bead Gun, and Air Ride Seats for the Operators (Report by Mike Lima)

B-12 Second Reading and Adoption of an Ordinance to Rezone 0.3 Acres at 405 Vineyard Avenue (REZ 2023-02)

Recommendation: Waive Full Reading and Adopt an Ordinance of the City of Madera Amending the Official City of Madera Zoning Map Rezoning Approximately 0.3 Acres located at 405 Vineyard Avenue (APN 008-071-001) from a R2 (One unit for each 3,000 square feet of site area) Zone District to a R1 (One unit for each 6,000 square feet of site area) Zone District, by Title Only (Report by Will Tackett)

B-13 Change Order on Consultant Services Agreement with O'Dell Engineering for Design Services for James Taubert Park

Recommendation: Adopt a Resolution approving a change order to the O'Dell Engineering Consultant Services Agreement of \$9,000, bringing the agreement to \$247,013 (Report by Joseph Hebert)

B-14 Multiple Letters of Support Provided by the City of Madera

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)

C. PUBLIC HEARINGS:

C-1 Public Hearing Regarding the Program Year 2022/23 Community Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) and Financial Summary

Recommendation: Conduct a Public Hearing, Invite Public Input, and Adopt a Resolution Approving the City's 2022/23 CAPER and Financial Summary (Report by Mike Lima)

C-2 Public Hearing Regarding Annexation No. 1 (Madera Place Apartments) into Community Facilities District No. 2013-1 Under the Mello Roos Community Facilities Act of 1982 and Related Actions

Recommendation: That Council consider the following:

1. Hold the Public Hearing; and
2. Adopt a Resolution of the City Council (Council) of the City of Madera Authorizing Annexation of Territory (Annexation No. 1) to Community Facilities District No. 2013-1 (CFD 2013-1); authorizing the Levy of Special Tax; and Submitting the Levy of Tax to the Qualified Electors; and
3. Conduct the Election of the Qualified Electors of Annexation No. 1; and
4. Adopt a Resolution of the Council of the City of Madera Making Certain Findings, Declaring and Certifying the Results of an Election, and Adding the Territory Identified as Annexation No. 1 to CFD 2013-1 (Public Services) (Report by Will Tackett)

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

D-1 Modifications to the City of Madera Classification Plan and Adjustment of Salary Ranges for Certain Positions

Recommendation: Adopt Resolutions:

1. Modifying the City of Madera Classification Plan by replacing the existing Park Planning Manager classification with Parks Project Manager and replacing Information Services Manager with Director of Information Technology;
2. Approving a Side Letter Agreement with the Mid Management Employee Group regarding adjustment of salary ranges for represented professional civil engineer positions; and
3. Modifying and/or setting the assigned salary ranges for the classifications of Associate Civil Engineer, Senior Civil Engineer,

Deputy City Engineer, City Engineer, and Director of Information Technology, and adopting the City of Madera Full Time Salary Schedule (Report by Wendy Silva)

D-2 Consideration of Adoption of a Tax Sharing Agreement between the City of Madera and the County of Madera

Recommendation: Adopt a Resolution Approving a Tax Sharing Agreement (TSA) between the City of Madera and County of Madera, Authorizing the Mayor to execute the Agreement on behalf of the City and Authorizing the City Manager to make Non-material Revisions or Refinements in the Language of the Agreement, not including the Sales Tax and Property Tax Sharing Amounts or Percentages, as may be needed to finalize the Agreement and Secure County Approval (Report by Will Tackett)

D-3 Contract Award for the Renovation of the Cook Water Tower, City Project No. W-22 and W-34

Recommendation:

1. Adopt a Resolution approving the contract award for the Renovation of the Cook Water Tower, City Project No. W-22 and W-34 in the amount of \$2,920,732.00 to Unified Field Services Corporation and a contingency of 10 percent of the contract amount, and a CEQA Class 1 Categorical Exemption (Existing Facilities); and
2. Adopt a Resolution Approving Project Funding Amendments Appropriating \$604,078.00 to the Fiscal Year (FY) 2023/24 Capital Projects Budgets (Report by Keith Helmuth)

E. ADMINISTRATIVE REPORTS:

E-1 Riverview Park Playground Equipment Installation

Recommendation: Receive a summary report of the neighborhood meeting and provide direction on plans to install playground equipment at Riverview Park (Report by Joseph Hebert)

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 Conference with Legal Counsel - Existing Litigation pursuant to Government Code §54956.9(a)

One Case: Madera Police Officers' Association; Randall Williams; Thomas Burns vs. City of Madera (MCV 088246)

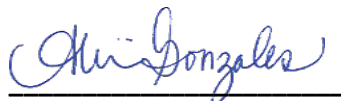
ADJOURNMENT:

UPCOMING MEETING DATES:

- Wednesday, October 18, 2023
- Wednesday, November 1, 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.
 - 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. 4th Street, Madera, CA 93637 and on the City website at 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 October 4, 2023, near the front entrances of City Hall and on the City's website www.madera.gov at 7:45 p.m. on September 28, 2023.



Alicia Gonzales, City Clerk