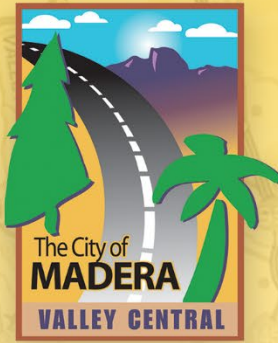


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## Regular Meeting of the Madera City Council

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

### NOTICE AND AGENDA

Wednesday, November 15, 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: 811 6624 2263#. 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:** Pam Grewal, Madera Sikh Temple

**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. Madera City Fire and Madera City Council Recognition from Heroico Cuerpo Bomberos Rurales Del Rio Colorado A.C.
  2. Proclamation Recognizing Small Business Saturday – Six Star Madera Tire & Services Inc.
  3. Proclamation Recognizing Small Business Saturday – Rocio’s Bridal & XV

**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 – November 1, 2023**

**Recommendation:** Approve the City Council Minutes of November 1, 2023 (Report by Alicia Gonzales)

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

**Recommendation:** Review Register of Audited Demands Report October 21, 2023 to November 3, 2023 (Report by Michael Lima)

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

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

**B-4 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 Arnoldo Rodriguez)

**B-5 Letter of Support for Madera County Transportation Commission**

**Recommendation:** Consider a Minute Order Approving a Letter of Support for Madera County Transportation Commission for the inclusion of specified projects into the 2024 Interregional Transportation Improvement Program (Report by Arnoldo Rodriguez)

**B-6 Extend Declaration Proclaiming the Existence of a Local Emergency – January 2023 Winter Storms**

**Recommendation:** Adopt a Resolution Extending 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-7 Approval to Procure Telecommunications Services through California Network and Telecommunications (CALNET) Program NextGen contract**

**Recommendation:** Adopt a Resolution Approving the City of Madera’s Participation in the CALNET NextGen Contract to Procure Telecommunications Services and

Authorizing the City Manager to Execute Necessary Documents to Participate in the Program (Report by Wendy Silva)

**B-8 Ordinance Updating Certain Fines Detailed in the Madera Municipal Code**

Adopt an Ordinance of the City Council of the City of Madera Amending Sections 1-9.06(A) and (B), 3-2.08, 5-3.31, and 5-4.06 (I) of the Madera Municipal Code to Update Various Fines (Report by Michael Lima)

**B-9 Rejection of Bids Received for the Request for Proposals # 20223-09 for Intelligent Transportation System Conversion Services**

**Recommendation:** Adopt a Resolution Rejection of All Four Proposals Received for RFP No. 20223-09 (Report by Michael Lima)

**B-10 City-wide Piggyback Purchase Agreement for Temporary Staffing Services**

**Recommendation:** Adopt a Resolution Approving City-wide use of Maricopa County's Piggyback Agreement for the Procurement of Temporary Staffing Services with ACRO Service Corporation's Contract 16111 for Fiscal Year 2023/24 (Report by Michael Lima)

**B-11 Pacific Gas & Electric (PG&E) Better Together Giving Program Contribution**

**Recommendation:**

1. Adopt a Resolution Accepting Pacific Gas & Electric Company's Better Together Giving Program charitable donation of \$3,000.
2. Adopt a Resolution Amending the City's Fiscal Year 2023/24 Budget approving a related expenditure line item relating to the appropriation of PG&E's \$3,000 charitable donation amount. (Report by Joseph Hebert)

**B-12 Acceptance of Playground Equipment and Park Amenities Installation at McNally Park**

**Recommendation:** Staff recommends that the City Council Approve Minute Order Approving:

1. Acceptance of the Playground and Park Amenities Installation at McNally Park located at 825 A Street, Madera, CA 93638; and
2. The Recording of Notice of Completion; and
3. The release of retention 35 days after the recording of the Notice of Completion (Report by Joseph Hebert)

**B-13 Facility Rental Fee Waiver Request by the Madera County Master Gardeners**

**Recommendation:** Adopt a Resolution waiving the rental fees of the Frank Bergon Senior Center related to the Madera County Master Gardeners request for utilization on January 27, 2024, in the amount of \$545 (Report by Joseph Hebert)

**B-14 Madera Elk's Lodge Hoop Shoot Event Fee Waiver Request**

**Recommendation:** Adopt a Resolution waiving the rental fees of the John Wells Youth Center related to the Madera Elk's Lodge Hoop Shoot request for utilization on December 2, 2023, in the amount of \$540 (Report by Joseph Hebert)

**B-15 Consider an Amendment to the Professional Services Agreement with Fire Safety Solutions**

**Recommendation:** Adopt a resolution of the Council of the City of Madera approving a First Amendment to the Professional Services Agreement with Fire Safety Solutions, INC. for Building and Fire Plan Review and Inspection Services (Report by Will Tackett)

**B-16 Traffic Signal Modification at the Intersections of Howard Road & Pine Street, Howard Road & Yosemite Avenue/Q Street, New Signal Installations at Intersections of Cleveland Avenue & Granada Drive and E South Street & N D Street**

**Recommendation:** Adopt a Resolution of the City Council of the City of Madera Rejecting all Bids Received for the City Projects TS-23, TS-24, and TS-32 (Traffic Signals) (Report by Keith Helmuth)

**C. PUBLIC HEARINGS: None**

**C-1 Consideration of the Mitigated Negative Declaration prepared for Environmental Assessment (EA) No. SCH 2023090606 for the Westberry Bridge Project, City Project B-02**

**Recommendation:** Adopt a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Westberry Bridge Project, City Project B-02 (EA No. SCH 2023090606) (Report by Keith Helmuth)

**C-2 Public Hearing No. 1 for Updating of City Councilmember District Boundaries for Annexed Property**

**Recommendation:**

1. Receive a report on the redistricting process and permissible criteria to be considered to redraw district boundaries; and
2. Conduct a Public Hearing to receive public input on district boundaries to account for property annexed to the City (Report by Alicia Gonzales)

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

**D-1 New Police Department Parking Lot, City Project PD-01**

**Recommendation:** Adopt a Resolution approving the contract award for the New Police Department Parking Lot, City Project PD-01 for \$ 518,700to Terra West Construction Inc. and a contingency of 10 percent of the contract amount, and a CEQA Class 1 Categorical Exemption (Existing Facilities) (Report by Keith Helmuth)

**D-2 Agreement for Vernon McCullough River Trail Restoration Project**

**Recommendation:** Adopt a Resolution awarding a contract under Invitation for Bids (IFB) No. 202324-07 to Witbro Inc. dba Seal Rite Paving and Grading for trail seal coating and repairs at the Vernon McCullough River Trail in the amount of \$190,116 (Report by Joseph Hebert)

**E. ADMINISTRATIVE REPORTS:**

**E-1 Consideration of Special Meeting dates and Phase IV City Council Interviews and Final Decision Procedures for Commercial Cannabis Business Permits in the City of Madera**

**Recommendation:** Receive a summary report and provide direction on the scheduling of Special Meeting(s) of the City Council, as well as the final procedures and steps to conduct the Phase IV City Council interviews to make final determinations pertaining to the award of Commercial Cannabis Business Permits in the City of Madera (Report by Will Tackett)

**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 Public Employee Performance Evaluation - Pursuant to Government Code Section §54957(b)(1)**

**Title:** City Clerk

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

**Agency Designated Representatives:** Mayor Santos Garcia

**Unrepresented Employee:** City Clerk

**G-3 Conference with Legal Counsel – Anticipated Litigation Deciding Whether to Initiate Litigation Pursuant to Government Code Section 54956.9(d)(4)**

(One Case)

**ADJOURNMENT:**

**UPCOMING MEETING DATES:**

- Wednesday, December 6, 2023
- Wednesday, December 20, 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 November 15, 2023, near the front entrances of City Hall and on the City's website [www.madera.gov](http://www.madera.gov) at 5:00 p.m. on November 9, 2023.



Alicia Gonzales, City Clerk