

**SPECIAL MEETING
OF THE MADERA CITY COUNCIL
And**

**SPECIAL MEETING OF THE MADERA CITY COUNCIL AS THE
SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA
REDEVELOPMENT AGENCY**

205 W. 4th Street, Madera, California 93637

JOINT MEETING NOTICE AND AGENDA

Wednesday, January 30, 2019
6:00 p.m.

Council Chambers
City Hall

CALL TO ORDER

ROLL CALL: Mayor Andrew J. Medellin
Mayor Pro Tem Steve Montes, District 3
Council Member Cece Gallegos, District 1
Mayor Pro Tem Jose Rodriguez, District 2
Council Member Derek O. Robinson Sr., District 4
Council Member Santos Garcia, District 5
Council Member Donald E. Holley, District 6

INVOCATION: Council Member Holley

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENT:

The first fifteen 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 to identify themselves and state the subject of their comment. 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.

PRESENTATIONS None.

INTRODUCTIONS None.

A. WORKSHOP

- A-1 Workshop – Discussion on Homeless Emergency Aid Program (HEAP) and Community Emergency Solutions and Housing (CESH) Funding Availability for the County of Madera (Presentation by Elizabeth Wisener, Community Action Partnership of Madera County)

B. CONSENT CALENDAR

There are no items for this section.

C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS

- C-1 Consideration of a Resolution Authorizing Application for the Affordable Housing and Sustainable Communities Program and Authorizing the City Manager to Execute All Program Documents on Behalf of the City; and

Consideration of a Resolution Setting Development Impact Fees for the Downtown Veterans and Family Housing Project at \$257,472 and Authorizing the City Engineer to Reimburse the Project Developer for the Actual Cost of Off-site Improvements Not to Exceed \$90,000 (Report by David Merchen)

- C-2 Consideration of a Resolution of the Successor Housing Agency to the Former Madera Redevelopment Agency, Approving Second Amendment to Grant Agreement with Madera Opportunities for Resident Enrichment and Services, Inc. (MORES), A California Nonprofit Benefit Corporation for the Provision of Funds for the Construction of Affordable 28 Veteran/Single Person Housing Units and 20 Affordable Family Housing Project Units Located at 121, 125, 200 & 204 North "C" Street and Authorizing the Mayor to Execute Agreement on Behalf of the Agency and Directing Staff to Record the Agreement (Successor Housing Agency - Report by Bob Wilson)

- C-3 Consideration of a Resolution Approving Amendments to Employment Agreements with the Director of Community Development, City Engineer, Director of Parks and Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources (Report by Arnoldo Rodriguez)

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

There are no items for this section.

F. COUNCIL REPORTS

G. CLOSED SESSION

- G-1 Closed Session Announcement – City Attorney

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

(A) Agency Designated Representatives: Arnaldo Rodriguez

Unrepresented Positions:

Planning Manager, Director of Community Development, Police Chief, Grant Administrator, City Engineer, Information Services Manager, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, Public Works Operations Director and Director of Human Resources

(B) Agency Designated Representatives: Andy Medellin, Jose Rodriguez, Donald Holley

Unrepresented Positions: City Attorney, City Clerk, City Manager

G-3 Conference with Legal Counsel – Existing Litigation. Subdivision (d)(1) of Government Code §54956.9

One case: MCA 1803, LLC, et al. v. City of Madera MCV073252

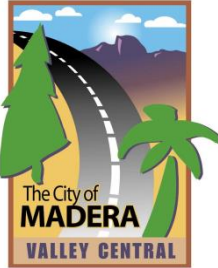
G-4 Closed Session Report – City Attorney

ADJOURNMENT – Next regular meeting February 6, 2019

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- 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 writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at the City of Madera Office of the City Clerk, 205 W. 4th Street, Madera, California 93637 during normal business hours.
 - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy-two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
 - 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, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above joint meeting agenda for the special meeting of the Madera City Council and the special meeting of the Madera City Council as the Successor Housing Agency to the Former Madera Redevelopment Agency for January 30, 2019, near the front entrances of City Hall at 5:00 p.m. on January 24, 2019.


Sonia Alvarez, City Clerk



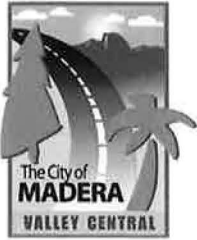
Madera City Council Agenda 01/30/2019

Agenda Item A-1

Workshop

**Discussion on Homeless Emergency Aid Program (HEAP) and Community
Emergency Solutions and Housing (CESH) Funding Availability for the County
of Madera (Presentation by Elizabeth Wisener, Community Action
Partnership of Madera County)**

There is no written report for this item.



REPORT TO CITY COUNCIL

Approved by:

A handwritten signature in black ink, appearing to be "Arnoldo Rodriguez", written over a horizontal line.

Department Director

A handwritten signature in black ink, appearing to be "Arnoldo Rodriguez", written over a horizontal line.

Arnoldo Rodriguez, City Manager

Council Meeting of: January 30, 2019

Agenda Number: C-1

SUBJECT: Consideration of a Resolution Authorizing Application for the Affordable Housing and Sustainable Communities Program and Authorizing the City Manager to Execute All Program Documents on Behalf of the City

and

Consideration of a Resolution Setting Development Impact Fees for the Downtown Veterans and Family Housing Project at \$257,472 and Authorizing the City Engineer to Reimburse the Project Developer for the Actual Cost of Off-site Improvements Not to Exceed \$90,000

RECOMMENDATION: Staff recommends that the City Council (Council) take the following actions in support of the Downtown Veterans and Family Housing Project ("the Project") and the associated application for funding through the Affordable Housing and Sustainable Communities (AHSC) Program:

1. Adopt a resolution authorizing the City to apply as a co-applicant for the AHSC Program and authoring the City Manager to execute all required program documents.
2. Adopt a resolution setting development impact fees for the Project at \$257,472 and authorizing developer reimbursements for off-site improvements not to exceed \$90,000.

SUMMARY:

Madera Opportunities for Resident Enrichment and Services, Inc (MORES) is proposing to develop a total of 48 affordable housing units at the intersection of North "C" Street and 5th Street in downtown Madera. MORES is preparing an application to fund the project through the AHSC Program. Projects successfully funded through this program must also include a set of transit, pedestrian, and bicycling improvements that are intended to support reduced reliance on personal automobiles. Adoption of a resolution authorizing the City to function as co-applicant for the AHSC grant is recommended to facilitate the implementation of these improvements.

A second resolution is also recommended to address City-related development costs associated with the Project. This resolution proposes to set the development impact fee amount that will be due for the Project at \$257,472. The resolution also authorizes reimbursement to MORES for a portion of the off-site public improvements and utilities it will be constructing in an amount not to exceed \$90,000. These actions help make the project financially viable and minimize the risk that City-related costs will increase before the building permits for the housing units are issued.

DISCUSSION:

The Project is a proposed 48-unit affordable housing development for extremely-low to low-income households earning between 30% and 60% of the area median income. The project is located in downtown Madera at the intersection of North "C" and 5th Streets. The housing development includes two three-story buildings with a unit mix of 18 studios, 10 one-bedrooms, 12 two-bedrooms, 8 three-bedrooms, and a manager's unit. The project will include seven units as supportive housing and utilize services from Madera County Behavioral Health.

Multi-Agency Collaboration and Support for the Project

City officials, together with representatives from the Successor Agency and Housing Authority, convened with multiple community partners in the summer of 2018 to begin discussions and planning for the development of a potential AHSC grant proposal. All parties agreed to pursue the funding source for an affordable veterans and family housing development project. Since the initiation of these work sessions, community support has increased and the number of partners participating in Project development and planning has grown.

Prior Action Regarding the Sale of City-owned Property

On October 10, 2018, the City and MORES entered into an Option Agreement and a Sales Agreement allowing MORES the exclusive right to purchase two City-owned parcels at 200 and 204 N. "C" Street. A total of 28 units are proposed on these properties. If AHSC grant funding is successfully obtained, MORES will exercise the option and purchase the property for \$90,000. If for any reason the housing units are not constructed, the agreements allow the City to buy the property back at the same price.

Sustainable Transportation Improvements and Transportation Related Amenities

In addition to the 48 affordable units, the overall project includes the construction of more than \$3.6 Million in sustainable transportation improvements (STIs) and transportation related amenities (TRAs). Successful applications for AHSC grant funding must include proportional amounts of funding to construct and install TRAs and STI's. For the Project, the STIs and TRAs include a series of transit, pedestrian and bicycling amenities as described in Attachment 3. The improvements recommended for funding are based on the eligibility criteria in the AHSC grant application. The list of improvements has been specifically designed to help make the overall project as competitive as possible.

When constructed, these improvements will encourage and support cycling and walking by making improvements to sidewalks, bicycle routes and connections to transit between the project site and key destinations in Madera. The City's transit operations will be directly improved, and ridership will be increased, through the addition of a new bus stop near the housing development and the completion of improvements at the existing intermodal facility on E Street. A variety of technical enhancements are also proposed to be installed in buses to improve rider experience. To effectively implement the STIs and TRAs, the City of Madera is proposed to serve as a co-applicant for the AHSC grant. The City will enter into a standard agreement with the State of California for the STI improvements. The City will receive the funding for these improvements and directly oversee their construction or installation.

City-Related Development Costs

The Project is subject to typical development requirements to construct public utility and infrastructure improvements and to pay development impact fees. Unlike most traditional multi-family projects, however, the project proposes to bring an investment of nearly \$12 Million into downtown Madera, including more than \$3.6 Million in direct public improvements. At the same time, the project is financially constrained by the amount of grant funding that is available for the housing development itself. To help improve the financial viability of the Project and reduce the potential for changes in city-related costs before the Project goes to construction, two actions are recommended.

- **Development Impact Fees.** Staff recommends that development impact fees be set for the project at a total of \$257,472. This amount is based on the City's adopted fee program as of January 30, 2019. Any updates to the fee program that might be adopted by the City in the future would not be applied to the project. The recommended amount also reflects the removal of certain impact fees associated that used to construct collector and arterial street improvements. This adjustment is recommended because the street system in the downtown area is already established and the improvements for which street-related fees are typically collected will not be developed. The specific fees recommended to be applied and removed for the Project are shown in Attachment 4.
- **Reimbursement of Off-site Public Improvement Costs.** The housing project will need to construct a variety of public improvements, including sewer and water connections, storm water treatment, utility undergrounding, sidewalk improvements, street light installation, etc. The cost for these improvements has tentatively been estimated at \$750,000. In consideration of the \$3.6 Million in STI and TRA improvements that will be funded by the AHSC Program, staff recommends that the developer be reimbursed for off-site public improvements costs up to \$90,000. This is the amount that MORES will pay the City for the cost of the land.

FINANCIAL IMPACT:

The recommended actions support the application for funding for a total of approximately \$12 Million in grant funding, and a total investment of nearly \$25 Million in downtown Madera. Authorizing the reimbursement of up to \$90,000 to MORES for off-site utility construction will reduce revenues that would have otherwise been recognized in the general fund. The revenue was not anticipated in the budget and there will be no material impact if the reimbursement is made. Setting the development impact fee amount at the recommended rates will result in minor reductions in revenue in the fee categories where adjustments occur. These amounts total approximately \$67,000, and the change will not disrupt the funding for any existing or planned project.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

While not specifically identified in the Vision 2025 Action Plan, this recommended action supports Action 101.8: Promote & encourage development & redevelopment of low & moderate-cost housing as part of the Housing Element Update.

ALTERNATIVES:

The Council may choose not to authorize the City to serve as a co-applicant for the AHSC program. Such action would hinder the implementation of the STIs and TRAs and would likely limit or prohibit the successful award of grant funding.

The City Council may choose not to adjust development impact fees or adjust them in a different manner than outlined in Attachment 4. The Council may also choose to offer more-or-less reimbursement for public facilities or to provide another form of financial contribution to the project as it deems appropriate.

ATTACHMENTS:

1. Resolution authorizing City as Co-Applicant to AHSC Application
2. Resolution setting development impact fees and off-site reimbursements
3. Sustainable Transportation Improvements (STIs) and Transportation Related Amenities (TRAs) proposed for inclusion the AHSC Application.
4. Recommended Development Impact Fees for the Project

ATTACHMENT 1

RESOLUTION NO. 19-_____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA
AUTHORIZING APPLICATION FOR THE AFFORDABLE HOUSING AND
SUSTAINABLE COMMUNITIES PROGRAM AND AUTHORIZING THE CITY
MANAGER TO EXECUTE ALL PROGRAM DOCUMENTS ON BEHALF OF THE CITY**

WHEREAS, the State of California, the Strategic Growth Council (SGC), and the Department of Housing and Community Development (Department) have issued a Notice of Funding Availability dated October 31, 2018 (NOFA), under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

WHEREAS, the Madera Opportunities for Resident Enrichment and Services (MORES), with the City of Madera as Co-Applicant, desires to apply for AHSC Program funds and submit the Application Package released by the Department for the AHSC Program; and

WHEREAS, the SGC is authorized to approve funding allocations for the AHSC Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement. The Department is authorized to administer the approved funding allocations of the AHSC Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA hereby resolves, finds, determines and orders as follows:

1. The above recitals are true and correct.
2. City of Madera is hereby authorized and directed to apply, as a Co-Applicant, for and submit to the Department the AHSC Program Application as detailed in the NOFA dated October 31, 2018, for Round 4 in a total amount not to exceed \$12,000,000 of which approximately \$6,833,980 is requested as a loan for an Affordable Housing Development (AHD) ("AHSC Loan"), \$750,000 is requested for a grant for Housing-Related Infrastructure (HRI), \$2,845,000 is requested for Sustainable Transportation Infrastructure (STI), \$768,000 is requested for Transit-Related Amenities (TRA) and \$160,480 is requested for Program (PGM) activities ("AHSC Grant") as defined in the AHSC Program Guidelines adopted by SGC on October 29, 2018. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) in a total amount not to exceed \$12,000,000, and any and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds from the Department, and all amendments thereto (collectively, the "AHSC Documents").

3. City of Madera, as Co-Applicant, shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any-and-all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Co-Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.
4. The City Manager, or his designee, is authorized to execute in the name of City, as Co-Applicant, the AHSC Program Application Package and the AHSC Program Documents as required by the Department for participation in the AHSC Program.
5. This resolution is effective immediately upon adoption.

* * * * *

ATTACHMENT 2

RESOLUTION NO. 19-_____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA
SETTING DEVELOPMENT IMPACT FEES FOR THE DOWNTOWN VETERANS AND
FAMILY HOUSING PROJECT AT \$257,472 AND AUTHORIZING THE CITY
ENGINEER TO REIMBURSE THE PROJECT DEVELOPER FOR THE ACTUAL COST OF
OFF-SITE IMPROVEMENTS NOT TO EXCEED \$90,000**

WHEREAS, the State of California, the Strategic Growth Council (SGC), and the Department of Housing and Community Development (Department) have issued a Notice of Funding Availability dated October 31, 2018 (NOFA), under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

WHEREAS, the Madera Opportunities for Resident Enrichment and Services (MORES), with the City of Madera as Co-Applicant, desires to apply for AHSC Program funds and submit the Application Package released by the Department for the AHSC Program; and

WHEREAS, AHSC Program funds are proposed to develop the Downtown Veterans and Family Housing Project ("Project"), a 48-unit affordable housing development for extremely-low to low-income households earning between 30% and 60% of the area median income. The project is located in downtown Madera at the intersection of North "C" and 5th Streets; and

WHEREAS, the project includes the construction of more than \$3.6 Million in sustainable transportation improvements (STIs) and transportation related amenities (TRAs), comprised of a series of transit, pedestrian, bicycling and landscaping improvements; and

WHEREAS, when constructed, these improvements will encourage and support cycling and walking by making improvements to sidewalks, bicycle routes, landscaping and connections to transit between the project site and key destinations in Madera. The City's transit operations will be directly improved through the addition of a new bus stop near the housing development, and improvements to the existing intermodal facility on E Street. A variety of technical enhancements to buses will improve rider experience; and

WHEREAS, the total investment in downtown Madera that will occur through the Project is approximately \$24.7 Million, including the TRAs and STIs; and

WHEREAS, the project is financially constrained by the amount of grant funding that is available for the housing development itself; and

WHEREAS, because of the need for affordable housing in the community and in consideration of the investment the Project would bring to downtown Madera and the public benefit that would be created by this investment, the City desires to help improve the financial viability of the Project and reduce the potential for changes in city-related costs before the Project goes to construction.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA hereby resolves, finds, determines and orders as follows:

1. The above recitals are true and correct.
2. Development Impact Fees for the project shall be \$257,472, which is based on the fee program currently in effect. This amount shall be applied to the 48-unit affordable housing development regardless of any changes or updates made to the City of Madera Development Impact Fee Program. If the number of units changes, the Community Development Director is directed to adjust the fee amount due from the project a proportional amount.
3. The City Engineer is authorized to reimburse the project developer for the actual costs of constructing and installing off-site utilities and infrastructure not to exceed a total cost of \$90,000. Improvements eligible for reimbursement shall be those specified in the conditions of approval for the Project as approved by the Planning Commission.
4. This resolution is effective immediately upon adoption.

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ATTACHMENT 3

Proposed City of Madera Sustainable Transportation Improvements and Transportation Related Amenities

Project	Description	Estimated Cost
1. New Bus Stop and Shelter	Add 1 additional bus stop to Route 1 which will provide easy access for residents at the new housing developments.	\$25,000
2. Bike Racks	Installation of bike racks/lockers at approx. 6-8 locations at/near selected bus stops within the project's one-mile radius.	\$85,000
3. Enhancements at the Intermodal Facility	Installation of water fountain for water bottles, bike racks, and possibly public restrooms.	\$180,000
4. Technology Enhancements	Licensing and Installation of equipment including: automatic vehicle locator (AVL) systems for 19 buses; large flat panel LED display sign at Intermodal; 19 on-board multimedia information systems to provide updated transit information, schedules, and education.	\$280,000
5. Bus Stop Signs	Improve the visibility, aesthetics, and functionality of bus stop signs within project area.	\$23,000
6. E 5th Street Sidewalk Improvements Between Project Site and Intermodal Facility	<ul style="list-style-type: none"> a. Improve surfacing b. Improving shading along path 	<ul style="list-style-type: none"> \$40,000 \$50,000
7. Pedestrian / Parking Amenities at Proposed Site	Installation of curb bulb-outs and diagonal parking at the proposed site.	\$103,000
8. Bike Lane Improvements	Installation of bike-lanes connecting to key destinations.	\$150,000
9. Stop Sign Flashers	Installation of Stop-Sign-Flashers at South St & D St.	\$25,000
10. Safety Enhancements at Washington Elementary School	Installation of Rectangular Rapid Flashing Beacons, ADA Ramps, High Visibility Striping.	\$80,000
11. Sunrise Rotary Park Improvements	Landscape and Irrigation Improvements.	\$150,000
12. Sidewalk Improvements	<ul style="list-style-type: none"> A. Service-Grocery-La Esperanza B. Service-Grocery-Las Palmas Market C. Service-Public School-Martin Luther King D. Service-Public School-Gould Educational 	<ul style="list-style-type: none"> \$48,000 \$47,000 \$126,000 \$164,000

	E. Service – Public School- John Adams Elementary School	\$1,035,000
	F. Service – Public School Millview Elementary School	\$55,000
	G. Service-Child Care-Madera Child Development Center	\$208,000
	H. Service-Civic Organization-Big Brothers Big Sisters	\$118,000
	I. Service-Community Center-Pan American Community Center	Same improv. as part A
	J. Service-Faith-Central Cristiano Familiar Consecha Del Valle	Same improv. as part G
	K. Service-Faith- Faith Tabernacle Church	\$40,000
	L. Service-Faith-First Southern Baptist Church	\$14,000
	M. Service-Faith-Grace Presbyterian Church	\$67,000
	N. Service-Faith-Madera United Methodist Church	Same Improv. as M
	O. Service-Faith-Seventh Adventist Church	Same Improv. as M
	P. Service-Faith-Victory Outreach Madera Church	\$100,000
	Q. Yosemite Ave from Vineyard Ave to Tozer St	\$400,000
		\$3,613,000

ATTACHMENT 4

DOWNTOWN VETERANS AND FAMILY HOUSING - RECOMMENDED DEVELOPMENT IMPACT FEES

Impact Fee Category	Existing Fee Schedule		Adjusted Fee
	Per Unit	48 Unit Total	
Administrative Impact Fee	\$56.67	\$2,720.14	\$2,720
Fire Department Impact Fees	\$247.38	\$11,874.46	\$11,874
General Government Impact Fees	\$168.92	\$8,108.11	\$8,108
Police Dept Impact Fee	\$398.87	\$19,145.61	\$19,146
Parks Dept Impact Fee	\$1,945.29	\$93,374.06	\$93,374
Public Works Impact Fee	\$99.17	\$4,760.25	\$4,760
Sewer Additional Obl. Impact Fee – Exist. Area	\$93.72	\$4,498.69	\$4,499
Storm Drain Impact Fee –Existing Service Area	\$545.99	\$26,207.51	\$26,208
Streets 16 Ft Arterial Street Median Island	\$237.58	\$11,403.67	\$0
Streets 24 Ft Collector Street Lane	\$428.29	\$20,557.99	\$0
Streets 12 Ft Arterial Street Lane	\$428.29	\$20,557.99	\$0
Transportation Facility Impact Fee – City Wide	\$584.13	\$28,038.37	\$28,038
Traffic Signals	\$144.94	\$6,957.28	\$0
Water Impact Fees – Pipes	\$151.48	\$7,271.15	\$0
Wastewater Treatment Plan Impact Fee	\$923.06	\$44,306.91	\$44,307
Water Impact Fees – Wells	\$300.78	\$14,437.67	\$14,438
Total Fees	\$6,754.58	\$324,219.86	\$257,472

REPORT TO THE SUCCESSOR HOUSING AGENCY BOARD

BOARD MEETING OF: January 30, 2019
AGENDA ITEM NUMBER: C2

APPROVED BY:



Executive Director

Subject: Consideration of Resolution Approving Second Amendment to Grant Agreement with Madera Opportunities for Resident Enrichment and Services, Inc. (MORES) for 20 Unit Affordable Family Housing Project and 28 Unit Veteran/Single Person Affordable Housing Project Located at 121, 125, 200 and 204 North "C" Street and Authorizing the Mayor to Execute the Agreement and Directing Staff to Record the Agreement

RECOMMENDATION:

Staff recommends the Successor Housing Agency Board adopt the resolution approving second amendment to the Grant Agreement with MORES for a 20 unit affordable housing project and 28 unit Veterans/single person affordable housing project located at 121, 125, 200 and 204 N. "C" Street.

SUMMARY:

The Successor Housing Agency Board will consider a resolution amending the grant agreement with MORES for a 20 unit low income affordable housing project and 28 unit veterans/single person low to moderate income affordable housing project in downtown Madera. This is the second amendment to the grant and will increase the amount by \$420,000, to a not to exceed total amount of \$946,000.

DISCUSSION:

The Successor Housing Agency approved a grant agreement with MORES on October 10, 2018 in the not to exceed amount of \$226,000. On January 9, 2019 the agreement was amended increasing the grant amount by \$300,000 to a not to exceed total amount of \$526,000. The section of the agreement related to the not to exceed amount per the January 9, 2019 1st amendment is outlined below:

Section 301. Grant Amount. The Agency shall grant to Grantee a sum of money in an amount not to exceed Five Hundred and Twenty Six Thousand Dollars (\$526,000), to assist the development of the Project ("Grant Funds"). Grant Funds shall be designated for site acquisition and improvements. These funds will only be provided to Grantee when Grantee can provide to Agency, evidence all other funding to complete the project is secured including buyer's/developer's successful application to the Affordable Housing Sustainable Communities "AHSC" grant in the form of a grant award, and building permits have been obtained. The Agency shall cause the Agreement to be recorded concurrent with the recordation at close of escrow for

property located at 121, 125, 200 & 204 N. "C" Street in the City of Madera, more specifically described in **Exhibit "B"**.

Financing for the project is through a combination of local and state funding sources. MORES will be applying for approximately \$10.0 million in Cap and Trade. Due to changes in the project's sources and uses, it is necessary to provide additional funding at this time. MORES has requested a second amendment to the grant agreement increasing the grant an additional \$420,000 for construction cost associated with the 48 affordable units. Bringing the total not to exceed Successor Housing Agency grant amount to \$946,000. The funding amount from the Successor Housing Agency is commensurate with funding provided in past projects on a per unit basis. The project is a great addition to the Agency's low to moderate income affordable housing program and replacement housing obligation.

FINANCIAL IMPACT:

Funding for the project is available in the Successor Housing Agency Fund 4020. The \$946,000 committed by this grant and resolution shall be included in the Successor Housing Agency Fiscal Year 2019/20 budget.

BW

Attachments:

- Resolutions
- Agreement

RESOLUTION NO. SHA ____

RESOLUTION OF THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, APPROVING SECOND AMENDMENT TO GRANT AGREEMENT WITH MADERA OPPORTUNITIES FOR RESIDENT ENRICHMENT AND SERVICES, INC., A CALIFORNIA NONPROFIT BENEFIT CORPORATION FOR THE PROVISION OF FUNDS FOR THE CONSTRUCTION OF AFFORDABLE 20 FAMILY HOUSING PROJECT UNITS AND 28 VETERAN/SINGLE PERSON HOUSING UNITS LOCATED AT 121, 125, 200 & 204 NORTH "C" STREET AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT ON BEHALF OF THE AGENCY AND DIRECTING STAFF TO RECORD THE AGREEMENT

WHEREAS, The Successor Housing Agency to the Former Madera Redevelopment Agency (the "Agency") and Madera Opportunities for Resident Enrichment and Services, Inc. (the "Grantee") have entered into a grant agreement dated October 10, 2018, and amended on January 9, 2019 for use in increasing and improving housing affordable to low and moderate income households; and

WHEREAS, due to changes in the project's sources and uses of funding the Grantee has requested additional funding of \$420,000; and

WHEREAS, the Grantee proposes to use such funds for the development of not less than 20 unit family affordable housing project and 28 unit veteran/single person affordable housing project in the City of Madera for rental to low to moderate income households and that such multi-family units will remain so affordable for at least fifty five (55) years; and

WHEREAS, the Successor Housing Agency has prepared a Second Amendment to the Grant Agreement with Grantee (the "Agreement") and such amended Agreement is on file in the office of the Executive Director of the Successor Agency to the Former Madera Redevelopment Agency and referred to for more particulars.

NOW, THEREFORE THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

1. The recitals listed above are true and correct.
2. The Second Amendment to the Grant Agreement with Madera Opportunities for Resident Enrichment and Services, Inc., as described above is approved.

3. The Mayor of the City of Madera for the Successor Housing Agency to the Former Madera Redevelopment Agency is authorized to execute the Second Amendment to the Grant Agreement and any other documents necessary to effectuate the Agreement, on behalf of the Agency.
4. The Executive Director shall take the steps necessary to insure the recording of Grant Agreement.
5. This resolution is effective immediately upon adoption.

* * * * *

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
City of Madera Successor Housing Agency to the
Former Madera Redevelopment Agency
428 East Yosemite Avenue
Madera, CA 93638

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SECOND AMENDMENT TO GRANTEE AGREEMENT

(Dated October 10, 2018 and Amended January 9, 2019)

**BETWEEN THE SUCCESSOR HOUSING
AGENCY TO THE FORMER MADERA
REDEVELOPMENT AGENCY**

AND

**MADERA OPPORTUNITIES FOR
RESIDENT ENRICHMENT AND SERVICES,
INC., A CALIFORNIA NONPROFIT PUBLIC
BENEFIT CORPORATION**

**FOR AFFORDABLE 20 UNIT FAMILY
HOUSING PROJECT AND 28 UNIT
VETERAN/SINGLE PERSON HOUSING
PROJECT**

**SECOND AMENDMENT TO GRANT AGREEMENT BY AND BETWEEN THE
SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA
REDEVELOPMENT AGENCY AND MADERA OPPORTUNITIES FOR RESIDENT
ENRICHMENT AND SERVICES, INC.**

This Second Amendment to the previous agreement titled "Grantee Agreement Between the Successor Housing Agency to the Former Madera Redevelopment Agency and Madera Opportunities for Resident Enrichment and Services, Inc., A California Nonprofit Public Benefit Corporation for Affordable 20 Unit Family Housing Project and 28 Unit Veterans/Single Person Housing Project dated October 10, 2018, and amended January 9, 2019 is made and entered into this 30th day of January 2019, by and between the Successor Housing Agency of the Former Madera Redevelopment Agency, hereinafter called "Agency" and Madera Opportunities for Resident Enrichment and Services, Inc., hereinafter called "Grantee".

WITNESSETH:

WHEREAS, The Successor Housing Agency to the Former Madera Redevelopment Agency and Madera Opportunities for Resident Enrichment and Services, Inc. entered into an agreement dated October 10, 2018, not to exceed \$226,000 for 20 unit affordable family housing project and 28 unit veteran/single person affordable housing project (the "Agreement"); and

WHEREAS, The Successor Housing Agency to the Former Madera Redevelopment Agency and Madera Opportunities for Resident Enrichment and Services, Inc. amended on January 9, 2019 the Agreement dated October 10, 2018, increasing the amount by \$300,000 to a total not to exceed \$526,000 (the "First Amendment"); and

WHEREAS, Agency and Grantee desire to modify said Agreement increasing the grant amount by \$420,000 and the total not to exceed amount to Nine Hundred and forty Six Thousand Dollars (\$946,000).

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. "Section 301 Grant Amount" is amended to read as follows:

Section 301. Grant Amount. The Agency shall grant to Grantee a sum of money in an amount not to exceed Nine Hundred and Forty Six Thousand Dollars (\$946,000), to assist the development of the Project ("Grant Funds"). Grant Funds shall be designated for site acquisition and improvements. These funds will only be provided to Grantee when Grantee can provide to Agency, evidence all other funding to complete the project is secured including buyer's/developer's successful application to

the Affordable Housing Sustainable Communities "AHSC" grant in the form of a grant award, and building permits have been obtained. The Agency shall cause the Agreement to be recorded concurrent with the recordation at close of escrow for property located at 121, 125, 200 & 204 N. "C" Street in the City of Madera, more specifically described in **Exhibit "B"**.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth herein and the signatories provide that they have authority to represent their respective parties in this matter.

AGENCY
City of Madera as the Successor
Housing Agency to the former Madera
Redevelopment Agency

GRANTEE
Madera Opportunities for Resident
Enrichment and Services, Inc.(MORES)

Dated: _____

Dated: _____

By: _____
Andrew J. Medellin, Mayor

By: _____
Herman Perez, Chief Executive Officer

Approved as to form:

Approved as to form:

Brent Richardson, General Counsel

Tom Lewis, Legal Counsel to MORES

Attest:

Claudia Mendoza, Recording Secretary

EXHIBIT "B"
Legal Description

FOR APN/PARCEL ID(S): 007-112-014-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE SOUTHEAST ONE-HALF OF LOT 2; AND LOT 3, ALL IN BLOCK 41 OF THE TOWN, NOW CITY OF MADERA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 3, PAGE 41 OF MAPS, FRESNO COUNTY RECORDS.

FOR APN/PARCEL ID(S): 007-112-015-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

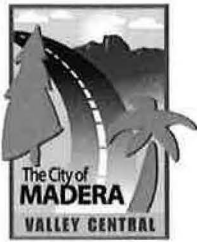
LOT 1 AND THE NORTHWESTERLY HALF OF LOT 2 IN BLOCK 41 OF THE TOWN, NOW CITY OF MADERA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOOK 3, PAGE 41 OF MAPS, FRESNO COUNTY RECORDS.

FOR APN/PARCEL ID(S): 007-082-004-000

ALL OF LOT NINE (9) AND A STRIP OF LAND FIVE (5) FEET IN WIDTH RUNNING ALONG THE EXTREME SOUTHERLY SIDE OF LOT TEN (10) IN BLOCK THIRTEEN (13) OF THE CITY OF MADERA, ACCORDING TO MAP ENTITLED, "MAP OF THE TOWN OF MADERA", FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, OCTOBER 7, 1876 IN VOL. 3 OF MAPS, AT PAGE 41.

FOR APN/PARCEL ID(S): 007-082-005-000

LOT EIGHT (8) IN BLOCK THIRTEEN (13), CITY OF MADERA, ACCORDING TO MAP ENTITLED, "MAP OF THE TOWN OF MADERA", FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, OCTOBER 17, 1876 IN VOL. 3 OF MAPS, AT PAGE 41.



REPORT TO CITY COUNCIL

Approved by:

Wendy Silva _____

Department Director

Arnoldo Rodriguez _____

Arnoldo Rodriguez, City Manager

Council Meeting of: January 30, 2019

Agenda Number: C-3

SUBJECT:

Consideration of a Resolution Approving Amendments to Employment Agreements with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources

RECOMMENDATION:

The City Manager recommends the City Council (Council) adopt the resolution amending employment agreements with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources and authorize the City Manager to sign the amendments.

Pursuant to Government Code § 54953 (c) (3), prior to taking action on this item, the Council must publicly announce a summary of the action being considered.

Announcement - *If approved, the proposed Employment Agreement Amendments for the listed positions will extend the term of the agreements by sixty (60) days for the purpose of ongoing contract negotiations.*

SUMMARY:

The proposed action will extend the existing employment agreements for the stated positions by sixty (60) calendar days due to ongoing negotiations.

DISCUSSION:

Employment agreements with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources were entered into in August 2015 for three (3) year terms. Due to a desire of the City Council to modify compensation and benefits for management employees, the term of the agreements was extended to February 6, 2019. The City's new City Manager began his appointment in December and has worked diligently with the City Council on a new compensation package for management employees, however these discussions are still ongoing. To facilitate the continued discussion, it is recommended the specified agreements be extended an additional sixty (60) days to allow Council and the City Manager to finalize the compensation package to be offered.

Employment agreements with the Grants Administrator, Information Services Manager, and Chief of Police have terms expiring outside of this timeframe, so there is no need at this time to consider extensions to these employment agreements.

FINANCIAL IMPACT:

If adopted, the agreement extensions will continue the existing compensation packages for the stated positions. The adopted Fiscal Year 2018-19 budget includes funding for the existing agreement terms; no additional funding will be required.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Compensation and benefits for employees are not addressed in the Vision Madera 2025 Plan, nor is the requested action in conflict with any actions or goals contained in that plan.

ALTERNATIVES:

The Council may approve the amendments extending the agreement terms or may choose to not take action on the resolution. If the Council does not take action on the resolution, existing agreements will terminate February 6, 2019.

ATTACHMENTS:

1. Resolution approving agreement amendments with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources.
2. Agreement amendments with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources.

RESOLUTION No. _____

**A Resolution of the City Council of the City of Madera
Approving Amendments to Employment Agreements with the Director of
Community Development, City Engineer, Director of Parks & Community
Services, Chief Building Official, Director of Financial Services, and Director of
Human Resources and Authorizing the City Manager to Execute the
Amendments**

WHEREAS, the City of Madera wishes to establish reasonable rules, regulations and compensation for its staff within the financial limits of the organization; and

WHEREAS, Amendments have been prepared for the following At-Will Employment Agreements:

- Director of Community Development
- City Engineer
- Director of Parks & Community Services
- Chief Building Official
- Director of Financial Services
- Director of Human Resources

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Amendments to the At-Will Employment Agreements between the City and the individual currently employed with the City in each listed position, copies of which are on file with the City Clerk and referred to for more particulars, are approved.
3. The City Manager is authorized to execute the Amendments with the Director of Community Development, City Engineer, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, and Director of Human Resources.
4. This resolution is effective immediately upon adoption.

* * * * *

**FOURTH AMENDMENT TO THE
DIRECTOR OF COMMUNITY DEVELOPMENT
AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled DIRECTOR OF COMMUNITY DEVELOPMENT AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and David Merchen, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as Director of Community Development of Employer ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
David Merchen

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney

**FOURTH AMENDMENT TO THE
CITY ENGINEER AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled CITY ENGINEER AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Keith Helmuth, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as City Engineer of Employer ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
Keith Helmuth

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney

**FOURTH AMENDMENT TO THE
DIRECTOR OF PARKS & COMMUNITY SERVICES
AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled DIRECTOR OF PARKS & COMMUNITY SERVICES AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Mary Anne Seay, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as Director of Parks & Community Services ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
Mary Anne Seay

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney

**FOURTH AMENDMENT TO THE
CHIEF BUILDING OFFICIAL
AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled CHIEF BUILDING OFFICIAL AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Steven Woodworth, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as Chief Building Official ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
Steven Woodworth

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney

**FOURTH AMENDMENT TO THE
DIRECTOR OF FINANCIAL SERVICES
AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled DIRECTOR OF FINANCIAL SERVICES AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Tim Przybyla, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as Director of Financial Services ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
Tim Przybyla

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney

**FOURTH AMENDMENT TO THE
DIRECTOR OF HUMAN RESOURCES
AT-WILL EMPLOYMENT AGREEMENT**

This Amendment, entered into on the 30th day of January, 2019, amends the previous agreement entitled DIRECTOR OF HUMAN RESOURCES AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Wendy Silva, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016; June 7, 2017; and June 20, 2018; to contract with Employee to serve as Director of Human Resources ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 1. A. of the Agreement is amended to read as follows:

Section 1: TERM

- A. The term of this Agreement shall be 3 years commencing on August 5, 2015. The Employer will provide written notice to the Employee on or before May 5, 2018 of its intent to offer to extend, renew, or otherwise not renew this contract for an additional term. If the Employer chooses to extend the Agreement, the Employer will inform the Employee of the newly proposed term at the time of its offer to renew. The Employee must respond to an offer to extend or renew the Agreement within 45 days of the offered extension or renewal. Due to a desire to gather more information through the conducting of a compensation study by outside consultant Koff & Associates prior to the Employer making an offer to extend, renew, or otherwise not renew this contract, the parties agree that the term of the contract is extended until no later than February 6, 2019. Employer will provide notice to the Employee on or before November 6, 2018 of its intent to offer to extend, renew or otherwise not renew this contract for an additional term.

Due to ongoing contract negotiations, the term of the Agreement is extended by sixty (60) days to April 7, 2019.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

By: _____
Wendy Silva

By: _____
Arnoldo Rodriguez, City Manager

ATTEST

APPROVED AS TO LEGAL FORM

By: _____
Sonia Alvarez, City Clerk

By: _____
Brent Richardson, City Attorney