MINUTES OF A REGULAR MEETING
OF THE MADERA CITY COUNCIL
CITY OF MADERA, CALIFORNIA

July 18, 2018
6:00 p.m.

CALL TO ORDER – The meeting was called to order at 6:00 p.m.

ROLL CALL:
Present: Mayor Andrew J. Medellin
Mayor Pro Tem Jose Rodriguez, District 2
Council Member Cece Foley Gallegos, District 1
Council Member William Oliver, District 3
Council Member Derek O. Robinson Sr., District 4
Council Member Charles F. Rigby, District 5
Council Member Donald E. Holley, District 6

Others present were City Administrator Steve Frazier, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Community Development David Merchen, City Engineer Keith Helmuth, Public Works Operations Director John Scarbrough, Chief of Police Dino Lawson, Director of Human Resources Wendy Silva, Grant Administrator Ivette Iraheta, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Planning Manager Chris Boyle, Financial Services Manager Susan O’Haro, Parks Business Manager Mark Etheridge, Commander Gino Chiaramonte, Assistant Engineer Jose Sandoval, Engineering Administrative Analyst Jimmy Monreal, Assistant Engineer Victor Aldama, Engineering Project Manager Frank Holguin, and Division Fire Chief Matt Watson.

INVOCATION: Pastor Lance Leach, Valley West Christian Center

PLEDGE OF ALLEGIANCE: Mayor Medellin led in the 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.

Khalid Chaudhry expressed concerns on various topics related to city operations.

Gino Chiaramonte, Police Department Commander, spoke regarding the success of Kids Camp held last week. He thanked the Parks and Fire Departments and Pistoressi Ambulance for their assistance.

Luisa Saavedra and Coach Lupe Rodriguez asked for donations to help send the Madera American All Stars 12 and up boys team to Redding for the State Championship. They are also holding fundraisers.
PRESENTATIONS
Presentation by First 5 Regarding the Preschool Mobile Vision Project (Diane Sandoval)

Chinayera Black-Hardaman, Executive Director for First 5 introduced the item and Diane Sandoval, Special Projects Manager for First 5 gave the presentation on their Mobile Vision Project at local preschools. They also invited the Council to attend their next Mobile Vision Project event in September.

INTRODUCTIONS
There are no introductions.

A. WORKSHOP

A-1 City of Madera Pavement Management System (Presentation by Jose Sandoval)

City Engineer Keith Helmuth presented the report. Assistant Engineer Jose Sandoval was also present to answer questions.

Discussion included an interest in seeing an analysis showing effect if SB1 funding goes away versus not, and a list of first projects and/or streets.

B. CONSENT CALENDAR

Items on the consent calendar are adopted with a single motion and vote of the council. Items pulled from the consent calendar for further discussion are adopted under separate action.

No items were pulled from the consent calendar.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

B-1 Minutes – 7/19/17, 8/02/17, 7/05/18


B-3 Consideration of a Resolution Calling for the Holding of a General Municipal Election to be Held in the City of Madera on November 6, 2018 for Council Districts 1, 3, and 5; Requesting Consolidation with the Statewide General Election and that the Madera County Elections Official Conduct the Election (Report by Sonia Alvarez)

RES. NO. 18-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS OF THE CITY OF MADERA FOR COUNCIL DISTRICTS 1, 3, AND 5 TO BE HELD IN THE CITY OF MADERA ON NOVEMBER 6, 2018 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; REQUESTING CONSOLIDATION THEREOF WITH THE STATEWIDE ELECTION TO BE HELD ON THE SAME DATE; AND REQUESTING THAT THE MADERA COUNTY BOARD OF SUPERVISORS AUTHORIZE THE MADERA COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY OF MADERA RELATING TO THE CONDUCT OF THE GENERAL MUNICIPAL ELECTION

B-4 Consideration of a Resolution Approving the Master Agreement between the Madera County Transportation Commission (MCTC) and the City of Madera for the Fiscal Year 2017-18 Allocation of Regional Surface Transportation Program Exchange Funding (Report by Keith Helmuth)
RES. NO. 18-130  RESOLUTION APPROVING THE MASTER AGREEMENT BETWEEN THE MADERA COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MADERA FOR THE FISCAL YEAR 2017-18 ALLOCATION OF REGIONAL SURFACE TRANSPORTATION PROGRAM EXCHANGE FUNDING

B-5  Consideration of a Resolution to Execute Easement Deed for Dedication of Easement for Madera Irrigation District’s Main Canal and Pipeline through City-Owned Parcel APN 009-331-024 (Report by Keith Helmuth)

RES. NO. 18-131  RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA TO EXECUTE AN EASEMENT DEED TO DEDICATE AN EASEMENT FOR MADERA IRRIGATION DISTRICT’S MAIN CANAL AND PIPELINE THROUGH CITY-OWNED PARCEL APN 009-331-024

B-6  Consideration of a Resolution Approving an Agreement with the Fresno-Madera Area Agency on Aging (FMAAA) for Fiscal Year 2018-19 for Site Management and Authorizing the Mayor to Execute the Agreement on Behalf of the City; and

Consideration of a Resolution Approving an Agreement with the Fresno-Madera Area Agency on Aging (FMAAA) for Fiscal Year 2018-19 for the Transportation Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay)

RES. NO. 18-132  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE FRESNO-MADERA AREA AGENCY ON AGING (FMAAA) FOR FISCAL YEAR 2018-19 FOR SITE MANAGEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

RES. NO. 18-133  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE FRESNO-MADERA AREA AGENCY ON AGING (FMAAA) FOR FISCAL YEAR 2018-19 FOR THE TRANSPORTATION PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

B-7  Consideration of a Resolution Approving the Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the HOME Investment Partnerships Program; and if Selected, the Execution of a Standard Agreement, any Amendments Thereto, and of any Related Documents Necessary to Participate in the HOME Investment Partnerships Program (Report by Ivette Iraheta)

RES. NO. 18-134  A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, HEREBY AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM, AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT; AND AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM
B-8  Consideration of a Resolution Approving an Agreement for Special Services Between the City of Madera and the Law Firm of Liebert Cassidy Whitmore for Continued Participation in the Central Valley Employment Relations Consortium; Ratifying Participation in the Agreement as of July 5, 2018, and Authorizing the Mayor to Execute the Agreement (Report by Wendy Silva)

RES. NO. 18-135  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR SPECIAL SERVICES BETWEEN THE CITY OF MADERA AND THE LAW FIRM OF LIEBERT CASSIDY WHITMORE FOR CONTINUED PARTICIPATION IN THE CENTRAL VALLEY EMPLOYMENT RELATIONS CONSORTIUM, RATIFYING PARTICIPATION IN THE AGREEMENT AS OF JULY 1, 2018, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-9  Consideration of a Resolution Approving Escrow Agreement for Security in Lieu of Retention with Cushman Contracting Corporation for Waste Water Treatment Plant Rehabilitation, Project 18-02, the Mayor is Authorized to Execute Agreement on Behalf of City in Addition to Authorizing the City Engineer to Execute Associated Project Documents on Behalf of the City (Report by Keith Helmut)

RES. NO. 18-136  A RESOLUTION APPROVING ESCROW AGREEMENT FOR SECURITY IN LIEU OF RETENTION WITH CUSHMAN CONTRACTING CORPORATION FOR WASTE WATER TREATMENT PLANT REHABILITATION, PROJECT 18-02 THE MAYOR IS AUTHORIZED TO EXECUTE AGREEMENT ON BEHALF OF CITY, IN ADDITION TO AUTHORIZING THE CITY ENGINEER TO EXECUTE ASSOCIATED PROJECT DOCUMENTS ON BEHALF OF THE CITY

B-10  Consideration of a Resolution Accepting Ten Easement Deeds, in Conjunction with the Madera Health and Human Services Project Located at the South East Corner of Tozer Street and Avenue 14 1/2, and Authorizing the City Clerk to Execute and Cause to be Recorded the Deeds and Certificates of Acceptance (Report by Keith Helmut)

RES. NO. 18-137  A RESOLUTION ACCEPTING TEN EASEMENT DEEDS, IN CONJUNCTION WITH THE MADERA HEALTH AND HUMAN SERVICES PROJECT LOCATED AT THE SOUTH EAST CORNER OF TOZER STREET AND AVENUE 14 1/2, AND AUTHORIZING THE CITY CLERK TO EXECUTE AND CAUSE TO BE RECORDED THE DEEDS AND CERTIFICATES OF ACCEPTANCE

B-11  Consideration of a Resolution Approving the Program Supplement Agreement No. R40 for the 2017-18 City ST. 3R and ADA Project, City Project Number R-65, State Project Number LPPSB1L 5157 (112) and Authorizing the City Engineer to Execute the Program Supplement Agreement No. R40 on Behalf of the City (Report by Keith Helmut)


B-12  Consideration of a Resolution Approving a Contract and Grant Easement to the City of Madera with the United States Department of the Interior, Bureau of Reclamation (Report by Keith Helmut)
RES. NO. 18-139
A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A CONTRACT AND GRANT OF EASEMENT TO THE CITY OF MADERA WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION

B-13 Consideration of a Resolution Establishing Appropriations Limit for Fiscal Year 2018-2019 (Report by Susan O’Haro)

RES. NO. 18-140

B-14 Consideration of a Resolution Approving Agreement for Outside of City Water Service for Property Located at 16640 N Lake St, Approving Covenant to Annex, Authorizing the Mayor to Execute the Agreement and Covenant on Behalf of the City and Directing Staff to Record the Agreement and Covenant (Report by Keith Helmh)th

RES. NO. 18-141
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH JOSEPH M. RAZO AND JOY R. RAZO FOR OUTSIDE OF CITY WATER SERVICE FOR 16640 N LAKE STREET, APPROVING THE COVENANT TO ANNEX, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT ON BEHALF OF THE CITY AND DIRECTING STAFF TO RECORD THE AGREEMENT AND COVENANT

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


Engineering Administrative Analyst Jimmy Monreal presented the report. The City Engineer was also available for questions.

Discussion included an interest in reviewing consolidation of zones brought up in prior years, Proposition 218 and setting public hearing date for August 1st for current year assessments.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-1A, A MINUTE ORDER APPROVING THE ENGINEER’S REPORT AND ITEM C-2B, RES. NO. 18-142, WERE ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.
RES. NO. 18-142  A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF
MADERA, CALIFORNIA, TO LEVY AND COLLECT ANNUAL ASSESSMENTS
FOR CITY WIDE LANDSCAPE AND LIGHTING DISTRICT ZONES OF BENEFIT
1, 2, 3, 4, 5-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I,
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 2018/2019 AND SETTING DATE FOR PUBLIC HEARING

C-2  Second Reading and Consideration of Adoption of an Ordinance Rezoning
Approximately 3.57 Acres Located Approximately 600 feet North of the Northeast
Corner of the Intersection of Adelaide Avenue and Sunrise Avenue from the R1 (Low
Density Residential) Zone District to the PD-6000 (Planned Development) Zone
District (APNs: 008-102-003, 007 & 008) (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

The ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY,
FURTHER READING WAS WAIVED, AND ORD. NO. 953 C.S. WAS ADOPTED UNANIMOUSLY BY A
VOTE OF 7-0.

ORD. 953 C.S.  AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA
AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE
APPROXIMATELY 3.57 ACRES OF PROPERTY (APN: 008-102-003, 008-102-
007 & 008-102-008), LOCATED APPROXIMATELY 600 FEET NORTH OF THE
NORTHEAST CORNER OF THE INTERSECTION OF SUNRISE AVENUE AND
ADELAIDE AVENUE, FROM THE R1 (LOW DENSITY RESIDENTIAL) ZONE
DISTRICT TO THE PD 6000 (PLANNED DEVELOPMENT) ZONE DISTRICT

D.  WRITTEN COMMUNICATIONS

There are no items for this section.

E.  ADMINISTRATIVE REPORTS

E-1  Consideration of Existing Outdoor Watering Regulations and Direction to Staff
Regarding Modifications (Report by John Scarborough)

Public Works Director John Scarborough presented the report. Financial Services Manager Susan O’Haro
was also present to answer questions.

Following discussion, Council directed staff to bring back an informational report showing a comparison on
consumption for years ‘15, ‘16, and ‘17, and information on fines levied for higher months. Direction was
also given to continue outreach.

E-2  Discussion and Direction on Economic Development Activities and Consideration
of a Resolution Approving Three Building and Development Incentives Offering Fee
Reductions on Permit and Processing Fees in the Community Development
Department and Amending the Master Fee Schedule to Incorporate the Incentive
Programs (Report by David Merchen)
Community Development Director David Merchen presented the report. The Director of the Economic Development Commission (EDC) Bobby Kahn was also present to answer questions.

Council consensus was reached to bring back an item to schedule a joint meeting with the Planning Commission to discuss Zoning and Development Standards. There was also discussion on whether the Incentive Programs have a sunset and monitoring the programs annually.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, ITEM E-2, RES. NO. 18-143 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE DOWNTOWN DEVELOPMENT INCENTIVE PROGRAM, THE VACANT AND AGING BUILDING IMPROVEMENT INCENTIVE PROGRAM, AND THE NON-PROFIT DEVELOPMENT INCENTIVE PROGRAM AND AMENDING THE MASTER FEE SCHEDULE TO INCORPORATE THE INCENTIVE PROGRAMS

F. COUNCIL REPORTS

Council Member Robinson reported that last week he and Council Member Holley attended the reception for the new Chief of Volunteer at the Department of Veteran Affairs hospital. They also discussed having travel from Madera to the hospital in Fresno.

Council Member Foley Gallegos shared that community member John Peters passed away and his services are schedule Monday morning. She also shared that services for fallen Firefighter Braden Varney are also scheduled on Monday. She thanked Chief Watson for their assistance at the Ferguson Fire.

Council Member Foley Gallegos thanked the Public Works staff for their prompt attention to the water break in Montecito Park.

At the request of Council Member Foley Gallegos, Commander Chiaramonte named some of the businesses that donated food for Kids Camp and thanked them.

Council Member Foley Gallegos stated they had another great Business Watch and thanked Chief of Police Lawson and Officer Juarez.

In response to Council Member Foley Gallegos, Community Development Director David Merchen advised that he would follow up with an update to Council on the Loves Travel Center.

Council Member Rigby commended the Police Department for doing a great job on Kids Camp.

Council Member Holley asked what they will be doing with the Redevelopment funds so they don’t go back to the state. City Attorney Brent Richardson stated they can probably bring back a discussion item at the Successor Agency meeting.

Council Member Holley reported that he and Mayor Medellin attended the Linda Mesa Neighborhood Watch meeting and the residents are interested having a park nearby. In response to Council Member Holley, the Planning Manager Chris Boyle replied that the construction at Knox and Tozer is a subdivision and a mini storage on the opposite side.

Mayor Pro Tem Rodriguez thanked Mayor Medellin and the City Clerk for preparing a certificate for Robert Kelley, for serving 50 years as a community member, as a Kiwanian and past CEO for the Madera Community Hospital.
Council Member Oliver thanked Mayor Pro Tem Rodriguez and Council Member Rigby who served with him on the ad hoc committee for the incentive programs.

Council Member Oliver reported that he attended the Super Hero Dance put on by Madera Special Needs Sports and Recreation this past weekend. They raised a lot of money to continue their program.

Mayor Medellin thanked the Public Works Director John Scarborough and staff for reacting quickly to a constituent concern regarding watering schedule.

Mayor Medellin reported that he and Council Member Rigby attended the MCTC meeting. Discussion included the submittal of the Build Grant for the widening of 99.

Mayor Medellin announced that National Night Out is scheduled August 7th. This year, instead of holding a kick off at Courthouse Park, they will hold an appreciation night the night before at Rotary Park for the captains that are participating and honor the donors from past years. He thanked Christina Herrera with Neighborhood Revitalization and her team for working very hard on this.

G. **CLOSED SESSION**

G-1 **Closed Session Announcement – City Attorney**

The Council adjourned to closed session at 9:38 p.m. to discuss items G-2, G-3, and G-4 as listed on the agenda.

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

Agency Designated Representatives: Steve Frazier & Wendy Silva

Employee Organizations:
- General Bargaining Unit
- Madera Police Officers’ Association
- Mid-Management Employee Group
- Law Enforcement Mid-Management Group
- Management Employees

Unrepresented Direct Reports:
- City Clerk, City Administrator, City Attorney, Executive Director of the Successor Agency to the Former Madera Redevelopment Agency

G-3 **Conference with Legal Counsel – Existing Litigation pursuant to Government Code §54956.9(d)(1): 2 cases:**

Marvin Ward WCAB No. ADJ10539100 & ADJ 10550003

G-4 **Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): 2 cases**

G-5 **Closed Session Report – City Attorney**

The Council returned from closed session at 10:25 p.m. with all members present.

There was no reportable action for items G-2, G-3 and G-4.

**ADJOURNMENT** - The meeting was adjourned at 10:26 p.m. Next regular meeting August 1, 2018
CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.

SONIA ALVAREZ, City Clerk

ANDREW J. MEDELLIN, Mayor