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

July 19, 2017
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 Cece Foley Gallegos, District 1
          Council Member Jose Rodriguez, District 2
          Council Member Donald E. Holley, District 6
          Council Member Derek O. Robinson Sr., District 4
          Council Member William Oliver, District 3

Absent: Council Member Charles F. Rigby, District 5

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Recording Secretary Claudia Mendoza, Director of Financial Services Tim Przybyla, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Chief of Police Steve Frazier, Director of Human Resources Wendy Silva, Grant Administrator Ivette Iraheta, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Planning Manager Chris Boyle, Neighborhood Preservation Supervisor Viola Rodriguez, Neighborhood Preservation Specialist Fabela Rodriguez, Parks Planning Manager John Scarborough, Parks Business Manager Mark Etheridge, and Commander Dino Lawson.

INVOCATION: Pastor Tim McGraw, Yosemite 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.

Mayor Medellin opened public comment:

Bobby Kahn, Executive Director for the Madera County Economic Development Commission, spoke regarding the PG&E Economic Development Incentive Rate. He requested that the Mayor send a letter of support and encouraged Council and staff representatives to attend related public hearings.

Mayor Medellin closed public comment.
Item C-1 was moved up on the agenda.


City Engineer Keith Helmuth presented the report.

Mayor Medellin opened the public hearing for anyone who is in favor of the annual assessments. No comments were made.

Mayor Medellin invited anyone against the annual assessment to come forward. No comments were made.

Mayor Medellin asked if anyone in the audience has ballots to turn in to the City Clerk. He added that once the hearing is closed, no other ballots will be accepted. No additional ballots were turned in.

Mayor Medellin closed public comment.

Mayor Medellin announced that they will recess this item while the ballots are counted.

A.  WORKSHOP

There are no items for this section.

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.

Council Member Oliver requested item B-5 pulled for discussion.

Mayor Pro Tem Foley Gallegos requested items B-4, B-7, and B-8 pulled for discussion.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEMS B-4, B-5, B-7 AND 3-8, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

B-1  Minutes – There are no minutes for consideration.

B-2  Information Only – Warrant Disbursement Report

B-3  Bi-Weekly Water Conservation Report for 6/26/17 – 7/9/17 (Report by Dave Randall)

B-4  Consideration of a Resolution Approving the Award of Contract for the 2017 Water Meter Installation Improvement Project, City Project No. W 17-01 in the Amount of $738,839 to West Valley Construction Company, Inc., Authorizing Construction Contingencies of Up to 10%, and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth) [Item pulled for discussion.]
B-5  Consideration of a Resolution to Approving a Professional Services Agreement with Colgan Consulting Corporation for the Preparation of an Update to the Development Impact Fee Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by David Merchen) [Item pulled for discussion.]

B-6  Consideration of a Resolution Approving a Contract with the Housing Authority of the City of Madera for the Provision of Supplemental Law Enforcement Services, and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Gino Chiaramonte)

RES. NO. 17-93  RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADARA, CALIFORNIA, APPROVING A CONTRACT WITH THE CITY OF MADARA HOUSING AUTHORITY FOR THE PROVISION OF SUPPLEMENTAL LAW ENFORCEMENT SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

B-7  Consideration of a Resolution Accepting Improvements for Capistrano XVI Subdivision, Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements, Approving the Final Map for Capistrano XVI Subdivision, Accepting the Dedication of Land for Public Use, and Authorizing Staff to Record the Final Map (Report by Keith Helmuth) [Item pulled for discussion.]

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 and Authorizing the Mayor to Execute the Agreement (Report by Wendy Silva) [Item pulled for discussion.]

B-9  Consideration of a Resolution Approving a One Year Extension of the Agreement for Management and Operation of Madera Transit Services with First Transit, Inc., and Authorizing the Mayor to Execute all Documents Necessary to Effectuate the Extension (Report by Ivette Iraheta)

RES. NO. 17-96  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADARA, CALIFORNIA, APPROVING A ONE YEAR EXTENSION OF THE AGREEMENT FOR MANAGEMENT AND OPERATION OF MADARA TRANSIT SERVICES WITH FIRST TRANSIT, INC. AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE EXTENSION

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

B-5  Consideration of a Resolution to Approving a Professional Services Agreement with Colgan Consulting Corporation for the Preparation of an Update to the Development Impact Fee Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by David Merchen)

City Administrator David Tooley addressed Council Member Oliver's questions/comments.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM B-5, RES. NO. 17-92, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-92  RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADARA, CALIFORNIA, APPROVING AN AGREEMENT WITH COLGAN CONSULTING CORPORATION TO PREPARE AN UPDATE TO THE EXISTING CITY OF MADARA DEVELOPMENT IMPACT FEE PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF MADARA
B-4  Consideration of a Resolution Approving the Award of Contract for the 2017 Water Meter Installation Improvement Project, City Project No. W 17-01 in the Amount of $738,839 to West Valley Construction Company, Inc., Authorizing Construction Contingencies of Up to 10%, and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)

City Engineer Keith Helmuth addressed Mayor Pro Tem Foley Gallegos’ questions/comments.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM B-4, RES. NO. 17-91, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-91  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AWARD OF CONTRACT FOR WATER METER INSTALLATION IMPROVEMENT PROJECT CITY PROJECT NO. W 17-01 IN THE AMOUNT OF $738,839 TO WEST VALLEY CONSTRUCTION COMPANY, INC., AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10%, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

B-7  Consideration of a Resolution Accepting Improvements for Capistrano XVI Subdivision, Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements, Approving the Final Map for Capistrano XVI Subdivision, Accepting the Dedication of Land for Public Use, and Authorizing Staff to Record the Final Map (Report by Keith Helmuth)

City Engineer Keith Helmuth addressed Mayor Pro Tem Foley Gallegos’ questions/comments.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, ITEM B-7, RES. NO. 17-94, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-94  A RESOLUTION ACCEPTING IMPROVEMENTS FOR CAPISTRANO XVI SUBDIVISION, AUTHORIZING THE FILING OF THE NOTICE OF ACCEPTANCE FOR SAID SUBDIVISION IMPROVEMENTS, APPROVING THE FINAL MAP FOR CAPISTRANO XVI SUBDIVISION, ACCEPTING THE DEDICATION OF LAND FOR PUBLIC USE, AND AUTHORIZING STAFF TO RECORD THE FINAL MAP

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 and Authorizing the Mayor to Execute the Agreement (Report by Wendy Silva)

Director of Human Resources Wendy Silva addressed Mayor Pro Tem Foley Gallegos’ and Council Member Oliver’s questions/comments.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM B-8, RES. NO. 17-95, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-95  A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR SPECIAL SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR SPECIAL SERVICES BETWEEN THE CITY OF MADERA AND THE LAW FIRM OF LIEBERT CASSIDY WHITMORE
C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS


Item C-1 was partially heard earlier in the meeting immediately following public comment and continued after item C-3 concluded.

C-2 Public Hearing and Consideration of Introduction of an Ordinance Amending Section 5-5.13 of Chapter 5 of Title V of the Madera Municipal Code Pertaining to Watering Restrictions (Report by Dave Randall)

Public Works Operations Director Dave Randall presented the report.

Mayor Medellin opened the public hearing.

Linda Hatfield, residing in Madera, California wondered how Clovis and Fresno can water their medians and we can't. She also wondered about those who pay assessments to maintain medians.

Mayor Medellin closed the public hearing.

The introduction of an ordinance was read by title by the Recording Secretary.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, FURTHER READING WAS WAIVED, AND ITEM C-2, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

INTRO. ORD. INTRODUCTION OF AN ORDINANCE AMENDING SECTION 5-5.13 OF CHAPTER 5 OF TITLE V OF THE MADERA MUNICIPAL CODE PERTAINING TO WATERING RESTRICTIONS

C-3 Second Reading and Consideration of Adoption of an Ordinance Rezoning Property Located in Proximity to the Northwest Corner of West Yosemite Avenue and North K Street from the R1 (Low Density Residential) Zone District to the WY (West Yosemite Professional Office) Zone District (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

The ordinance was read by title by the Recording Secretary.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, FURTHER READING WAS WAIVED, AND ITEM C-3, ORD. NO. 943 C.S., WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

ORD. NO. 943 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 30,000 SQUARE FEET OF PROPERTY LOCATED AT 601 AND 609 WEST YOSEMITE AVENUE, AND 110 NORTH K STREET, IN PROXIMITY TO THE INTERSECTION OF WEST YOSEMITE AVENUE AND
NORTH K STREET FROM THE R1 (LOW DENSITY RESIDENTIAL) ZONE
DISTRICT TO THE WY (WEST YOSEMITE PROFESSIONAL OFFICE) ZONE
DISTRICT

Mayor Medellin called item C-1 back to order.


City Clerk Sonia Alvarez read the results of the ballot count.

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ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-1, RES. NO. 17-97, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-97


C-4 Public Hearing and Consideration of a Resolution of the City Council of the City of Madera Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties (Report by Fabela Rodriguez)

Neighborhood Preservation Specialist Fabela Rodriguez presented the report.

Mayor Medellin opened the public hearing. No comments were made and Mayor Medellin closed the public hearing.
ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, RES. NO. 17-98, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-98 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADELA CONFIRMING WEED ABATEMENT REPORT AND ORDERING COST OF ABATEMENT TO BE A SPECIAL ASSESSMENT

C-5 Public Hearing and Consideration of a Resolution Approving the Measure ‘T’ Annual Expenditure Plan for Fiscal Year 2017/18 and Authorizing the City Engineer to Submit the Plan to the Madera County Transportation Authority for Adoption (Report by Keith Helmuth)

City Engineer Keith Helmuth presented the report.

Mayor Medellin opened the public hearing. No comments were made and Mayor Medellin closed the public hearing.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM C-5, RES. NO. 17-99, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-1. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 17-99 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADELA, CALIFORNIA, APPROVING THE MEASURE 'T' ANNUAL EXPENDITURE PLAN FOR FISCAL YEAR 2017/18, AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PLAN TO THE MADERA COUNTY TRANSPORTATION AUTHORITY FOR ADOPTION

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Consideration of a Request to Designate a Voting Delegate and Alternate for the League of California Cities Annual Conference September 13-15, 2017, Sacramento (Report by Sonia Alvarez)

City Clerk Sonia Alvarez presented the report.

Council consensus was reached to designate Council Member Robinson as the voting delegate. Council Member Rigby will be designated as the alternate if he registers to attend.

E-2 Discussion and Direction on the Friends of Madera Animal Shelter Request for Funding (Report by Sonia Alvarez)

City Clerk Sonia Alvarez advised that Council requested that this item be brought back for discussion.

After Council discussion, Grant Administrator Ivette Iraheta stated she would seek additional information from HUD regarding CDBG funding eligibility for the Friends of the Madera Animal Shelter (FMAS). They will also offer grant writing support.

E-3 Request to Appoint Council Representatives to Attend the Madera Association of Realtors Symposium (Report by Sonia Alvarez)
City Clerk Scinia Alvarez presented the report.

Council Members Oliver and Rodriguez volunteered to attend the symposium.

F. COUNCIL REPORTS

Council Member Robinson reported that on the 15th he attended the South Merced mural unveiling at Sam’s Café.

Mayor Pro Tem Foley Gallegos reported that she attended the ADA meeting. They are working on getting some ADA requirements into the post office.

Mayor Pro Tem Foley Gallegos reported that she attended the Transit meeting. They talked about branding and ticket pricing. She asked staff to agendize recognition of the Transit Chair for 40 years of service.

Mayor Pro Tem Foley Gallegos stated she has been on Council for one year. She thanked her colleagues and staff for their support and guidance.

Council Member Holley reminded everyone about Movies in the Park on Fridays.

Council Member Holley reported that last Friday he attended the dedication ceremony for a new dining hall built at Shaver Lake for the Boy Scouts.

Council Member Oliver reported that yesterday, he, along with Mayor Pro Tem Foley Gallegos, attended the Jennings St. Neighborhood Watch meeting.

Mayor Medel in announced that Tuesday, August 1st is National Night Out (NNO) and a couple of days after that will be their first annual NNO Connect.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 7:17 p.m. to discuss item G-2. Absent: Council Member Rigby.

G-2 Conference with Real Property Negotiators - Pursuant to Government Code Section 54956.8

Property: 1 Parcel

City of Madera APN: 009-331-018
Agency Negotiators: David Tooley, David Marchen
Negotiating Parties: King Husein, Tim Mitchell, Julia Peña
Under Negotiations: Price and Terms

G-3 Closed Session Report – City Attorney

The Council returned from closed session at 7:23 p.m. with all members present. Absent: Council Member Rigby.

There was no reportable action for item G-2.

ADJOURNMENT - The meeting was adjourned at 7:24 p.m. Next regular meeting is August 2, 2017.
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