

Item:	B-1
Minutes for:	08/01/18
Adopted:	08/15/18

**Minutes of a Regular Meeting of the
Madera City Council
And
Special Meeting of the Madera City Council as the
Groundwater Sustainability Agency
City of Madera, California**

**August 1, 2018
6:00 p.m.**

**Council Chambers
City Hall**

CALL TO ORDER – The joint 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, Director of Financial Services Tim Przybyla, City Engineer Keith Helmuth, Public Works Operations Director John Scarborough, Chief of Police Dino Lawson, Director of Human Resources Wendy Silva, Director of Parks and Community Services Mary Anne Seay, Grant Administrator Ivette Iraheta, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Commander Gino Chiaramonte, Neighborhood Outreach Assistant Christina Herrera and Battalion Chief Jim Forga.

INVOCATION: Pastor Roger 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, residing in Madera, California asked the Council to start voting their conscience tonight and not follow the Mayor because residents are watching. He spoke on various topics including outrageous salaries, fees and costs, and new city manager.

Alan Gilmore, Program Manager with the Madera County Department of Public Health, spoke regarding their partnership with the City. Joining Mr. Gilmore were new staff with the Public Health Department: Maria Rosie Barragan, Health Education Coordinator for the Tobacco Control Program; and Community Health and Wellness Assistants Veronica Farwell, Graciela Valdez, and Jasmine Gallegos.

Michelle Garcia requested item E-2 heard first on the agenda.

Emmanuel Gomez, residing in Madera, California, stated that this year the City hit a black cloud that has caused rift in the community but the reason he is staying here is because it is a tight knit community. He encouraged the Council to take the bull by the horns when these things come up and squash it.

David (last name not given), residing in Madera, California, stated today is Earth Overshoot Day, the date when humanities demand on nature exceeds what earth can regenerate in that year. He gave examples of the effects including deforestation, biodiversity loss, food and water shortages.

Johanna Torres, residing in Madera, California, asked the Council to consider moving the controversial item to the beginning of the agenda.

April Molina, residing in Madera, California, acknowledged the folks including herself that are here every single week. She stated she is a huge supporter of the Second Amendment. She reminded everyone how blessed they are to have City leadership that cares what the community thinks.

PRESENTATIONS Proclamation Recognizing National Night Out (NNO) 2018 and Update on Upcoming NNO Event (Christina Herrera)

Neighborhood Outreach Assistant Christina Herrera spoke regarding the 6th Annual National Night Out scheduled August 7, 2018. The Kick-Off event for their neighborhood leaders and past sponsors is scheduled August 6, 2018 at Rotary Park Pavilion. She distributed the neighborhood visits schedule to the Council.

INTRODUCTIONS There are no introductions.

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 Foley Gallegos pulled item B-7 for discussion.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM B-7, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

- B-1 Minutes – 8/16/17, 7/18/18
- B-2 Warrant Disbursement Report 7/10/18 – 7/23/18 (Report by Tim Przybyla)
- B-3 Informational Report on Personnel Activity (Report by Wendy Silva)
- B-4 Consideration of a Resolution of the Madera City Council Approving an Agreement with the Madera Unified School District for the Provision of Law Enforcement Services and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Brian Esteves)

RES. NO. 18-144 RESOLUTION OF THE MADERA CITY COUNCIL APPROVING AN AGREEMENT WITH THE MADERA UNIFIED SCHOOL DISTRICT FOR THE

**PROVISION OF LAW ENFORCEMENT SERVICES AND AUTHORIZING THE
MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

- B-5 Consideration of a Resolution Approving Agreement for Outside of City Water and Sewer Service for Property Located at 13859 Road 28 (Tozer Street), 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 Helmuth)

RES. NO. 18-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH THE MADERA COUNTY BOARD OF EDUCATION, FOR OUTSIDE OF CITY WATER AND SEWER SERVICE FOR 13859 ROAD 28 (TOZER 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

- B-6 Consideration of a Resolution Approving an Agreement for Services of Independent Contractor and Authorizing the City Administrator and/or his/her Designee to Execute the Agreement and any Related Documents with the Local Government Commission Related to the CivicSpark Program (Report by Ivette Iraheta)

RES. NO. 18-146 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR AND AUTHORIZING THE CITY ADMINISTRATOR AND/OR HIS/HER DESIGNEE TO EXECUTE THE AGREEMENT AND ANY RELATED DOCUMENTS WITH THE LOCAL GOVERNMENT COMMISSION RELATED TO THE CIVICSPARK PROGRAM

- B-7 Consideration of a Resolution Approving Request for Outside of City Water Service for Up to Eleven Properties Located on Avenue 14, Approving Covenants to Annex, Authorizing the Mayor to Execute the Agreements and Covenants on Behalf of the City and Directing Staff to Record the Agreements and Covenants (Report by Keith Helmuth) *[Item pulled for discussion.]*

- B-8 Consideration of a Resolution Approving the Award of Contract for 2017-18 City ST. 3R and ADA Project City Project No. R-65 State Project No. LPPSB1-5157(112) to Emmett's Excavation Inc., Authorizing Construction Contingencies of Up to 10% as Approved by the City Engineer, Construction Management and Inspection Costs Up to 10% and Authorizing the Mayor to Execute the Contract on Behalf of the City; and

Consideration of a Resolution Approving Funding Amendments to the City of Madera Fiscal Year 2017/18 Capital Projects Budget for 2017-18 City ST. 3R and ADA Project City Project No. R-65 State Project No. LPPSB1-5157(112) (Report by Keith Helmuth)

RES. NO. 18-148 A RESOLUTION APPROVING THE AWARD OF CONTRACT FOR 2017-18 CITY ST. 3R AND ADA PROJECT, CITY PROJECT NO. R-65, STATE PROJECT NO. LPPSB1-5157(112) TO EMMETT'S EXCAVATION INC., AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10% AS APPROVED BY THE CITY ENGINEER, CONSTRUCTION MANAGEMENT AND INSPECTION COSTS UP TO 10% AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

RES. NO. 18-149 A RESOLUTION APPROVING FUNDING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2017/18 CAPITAL PROJECTS BUDGET FOR 2017-18

**CITY ST. 3R AND ADA PROJECT CITY PROJECT NO. R-65 STATE PROJECT
NO. LPPSB1-5157(112)**

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

B-7 *Consideration of a Resolution Approving Request for Outside of City Water Service for Up to Eleven Properties Located on Avenue 14, Approving Covenants to Annex, Authorizing the Mayor to Execute the Agreements and Covenants on Behalf of the City and Directing Staff to Record the Agreements and Covenants (Report by Keith Helmuth)*

City Engineer Keith Helmuth provided an overview of the item and addressed Council Member Foley Gallegos' questions/comments.

ON MOTION BY COUNCIL MEMBER FOLEY GALLEGOS, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM B-7, RES. NO. 18-147, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENTS WITH ELEVEN PROPERTY OWNERS FOR OUTSIDE OF CITY WATER SERVICE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS ON BEHALF OF THE CITY

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

C-1 Consideration of a Resolution Approving the Third Amendment to the Agreement with Mid Valley Disposal for Solid Waste and Recycling Services and Authorizing the Mayor to Sign the Amendment on Behalf of the City (Report by John Scarborough)

Public Works Director John Scarborough presented the report.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM C-1, RES. NO. 18-150, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-150 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE THIRD AMENDMENT TO THE AGREEMENT WITH MID VALLEY DISPOSAL FOR SOLID WASTE AND RECYCLING SERVICES AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT ON BEHALF OF THE CITY

ITEM E-2 MOVED UP FOR DISCUSSION

E-2 Informational Report Presenting the Koff & Associates Final Total Compensation Study for Executive and Management Classifications and the Report from Mr. Ron Manfredi on Executive and Management Compensation and Benefits (Report by Wendy Silva)

Consultant Ron Manfredi presented the report.

Mayor Medellin invited members of the public to comment.

Mike Pistoresi, residing in Madera, California, questioned the use of Fresno in the study.

Santos Garcia, residing in Madera, California, expressed concerns regarding management salaries and wondered if some of these monies can be used instead for things such as lighting and sidewalks.

Steven Montes, residing in Madera, California, stated he was around during the last study and the effect on the rank and file employees getting the short end of the stick.

April Molina, residing in Madera, California, stated she can't imagine running a whole city and that this needs to be looked at from both sides and be fair.

Eddie Block, residing in Madera, California, stated they should take the time and select the better candidate for city manager, and agreed with Mr. Manfredi's recommendations.

Johanna Torres, residing in Madera, California, stated the community deserves transparency not only for the city manager and salaries but also when the budget is being discussed.

Michelle Garcia, residing in Madera, California, stated this town has nothing and wondered why they are going to pay the city administrator almost \$200,000 noting that the City can't afford it.

Teresa Castillo, residing in Madera, California, stated she feels Madera has something but finds deplorable the crumbling infrastructure. She doesn't agree with increase in salaries when the City is failing.

Following further discussion by the Council, staff was directed to meet with Mr. Manfredi to negotiate a contract amendment for his services during closed session discussion of the city manager compensation.

RECESS: 9:59 p.m. – 10:08 p.m.

C-2 Public Hearing & Consideration of a Resolution Confirming the Assessments for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 and Authorizing the City Engineer to File the Diagram and Assessment with the Auditor of Madera County (Report by Keith Helmuth)

Administrative Analyst Jimmy Monreal presented the report.

Mayor Medellin opened the public hearing and there being no speakers, closed the public hearing.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-2, RES. NO. 18-151, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-151 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR BENEFIT ZONES 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 LANDSCAPE AND LIGHTING FOR FISCAL YEAR 2018/2019 AND AUTHORIZING THE CITY ENGINEER TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Request for Direction – Scheduling of Joint City Council / Planning Commission Workshop on the Zoning Ordinance Update (Report by Chris Boyle)

Community Development Director David Merchen presented the report.

Council concurrence was reached to schedule joint meeting on Tuesday, September 18, 2018 at 6:00 p.m.

E-2 Informational Report Presenting the Koff & Associates Final Total Compensation Study for Executive and Management Classifications and the Report from Mr. Ron Manfredi on Executive and Management Compensation and Benefits (Report by Wendy Silva)

Item E-2 was heard earlier in the meeting immediately following item C-1.

F. COUNCIL REPORTS

Council Member Rigby expressed an apology to the Public Works Operations Director John Scarborough and the Water Conservation team for a term he used at the last meeting that he is not proud of when alluding to a public comment.

Council Member Oliver thanked the Public Works Operations Director John Scarborough and his team for following up on a constituent complaint regarding a street light.

Council Member Oliver thanked the Parks and Community Services Director Mary Anne Seay and her team for the follow up on a constituent concern regarding a non-operating water play feature.

Council Member Oliver expressed his admiration and appreciation to staff in this room for keeping their head high during this time.

Mayor Medellin stated that although they are facing difficult times, the staff represents the City with utmost professionalism.

Council Member Holley reported that he, as well as Mayor Medellin, attended the Madera Ford Ribbon Cutting.

Council Member Holley stated he loves their Council and commended staff for an awesome job.

Mayor Medellin reminded everyone that National Night out is Tuesday and the kick-off is on Monday.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 10:20 p.m. to discuss item G-2 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 Closed Session Report – City Attorney

The Council returned from closed session at 10:50 p.m. with all members present.

There was no reportable action for item G-2.

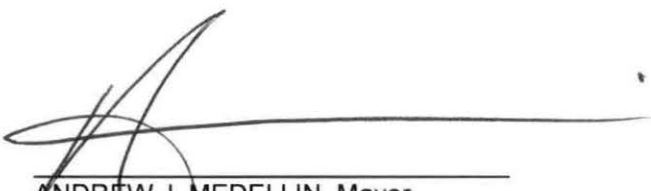
ADJOURNMENT - The joint meeting was adjourned at 10:51 p.m. Next regular meeting August 15, 2018

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

