

## **Regular Meeting of the Madera City Council**

### **Special Meeting of the Madera City Council as the Groundwater Sustainability Agency; and**

### **Special Meeting of the Madera City Council as the Successor Agency to the Former Madera Redevelopment Agency 205 W. 4<sup>th</sup> Street, Madera, California 93637**

#### **JOINT MEETING NOTICE AND AGENDA**

**Wednesday, February 6, 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  
Council Member 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:** April Molina, Love Madera

**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****Olive Avenue Water Main Repair – Public Works Staff Recognition**

Brandon Garcia, Water System Worker I  
Joey Tyler, Water System Worker I  
Jon Vasquez, Maintenance Worker I  
Josh Ruiz, Facilities Maintenance Technician  
Juan Montemayor, Maintenance Worker II  
Linda Aguilera, Purchasing Assistant

Lynn Hollier, Water System Lead Worker  
Martin Mendoza, Water System Worker I  
Mike Valdivia, Facilities Maintenance Technician  
Oscar Garcia, Water System Worker III  
Oscar Solis, Water System Worker III

**INTRODUCTIONS**

None.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

- B-1 Minutes – 2/07/18, 2/21/18
- B-2 Register of Audited Demands 1/05/19-1/25/19 (Report by Tim Przybyla)
- B-3 Water Conservation Report for 12/17/18 – 1/20/19 (Report by John Scarborough)
- B-4 Consideration of a Resolution Approving an Agreement with Provost & Pritchard Consulting Group in the Amount of \$20,800 for Professional Engineering Services for Water Main Replacement from Gateway Drive to Riverside Drive Under Fresno River and Consultation on Nearby Water Mains and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)
- B-5 Consideration of a Resolution Approving a \$2,600 Contract with Nichols Consulting for the Preparation and Filing of the State Mandated Cost Claims for the Period from Execution of Contract until June 30, 2019 and Authorizing the Mayor to Sign the Contract on Behalf of the City (Report by Tim Przybyla)
- B-6 Consideration of a Minute Order Accepting the E. Yosemite Avenue (SR 145) & Elm Street Traffic Signal Installation, City Project No. TS 17-02, CDBG Project No. B17MC060053 (Rebid) and Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by Keith Helmuth)
- B-7 Informational Report on Personnel Activity (Report by Wendy Silva)

- B-8 Consideration of a Resolution Approving First Amendment to Letter of Understanding Dated May 17, 2018 with the Union Pacific Railroad Company for the Purchase of Four Parcels of Real Property and One Easement for the Olive Avenue Reconstruction Project and Authorizing the Mayor to Execute the Amendment, Acceptance of Release and Quitclaim of Easement, Acceptance of Quitclaim Deeds for Five Parcels of Real Property, Authorizing the City Clerk to Certify and Record the Quitclaim Easement and Quitclaim Deeds and Approving Assignment and Assumption Agreement, Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)
  
- B-9 Consideration of a Resolution Approving the Award of Contract for Pedestrian Facilities Around Schools and Commercial Areas, City Project No. R-62, Federal Project No. CML 5157 (108), in the Amount of \$183,502.00 to Witbro Inc. dba Seal Rite Paving, Authorizing Construction Contingencies of up to 15%, Construction Inspection and Management Costs of up to 15% and Third Party Testing, Surveying, Biological or Consulting Services of up to 5% as Approved by the City Engineer and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)
  
- B-10 Informational Report on Procurement of Emergency Services by Madera Pumps, Inc. in the Amount of \$23,666.71 at City of Madera Well #20 (Report by John Scarborough)
  
- B-11 Consideration of a Resolution Appointing Felipe Grimaldo Jimenez to the City of Madera Airport Advisory Commission (Report by John Scarborough)
  
- B-12 Consideration of a Resolution Appointing Donald Horal to the Board of Trustees of the Madera County Mosquito and Vector Control District (Report by Sonia Alvarez)
  
- B-13 Consideration of a Resolution Appointing Dennis Smith to the City of Madera Americans with Disabilities Act Advisory Council (Report by Wendy Silva)
  
- B-14 Consideration of a Resolution Approving Agreement with Mark Thomas and Company, Inc. in the Amount of \$219,349 for Professional Engineering Design Services for Multi Modal Transportation Plan for the State Route (SR) 145 as Downtown Main Street Project (Trans-09) for the City of Madera, and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)
  
- B-15 Consideration of Adoption of a Resolution Approving Agreement with Beyaz & Patel, Inc. in the Amount of \$84,487.81 for Professional Engineering Design Services and Authorizing Optional Services up to \$8,448 for the "D" Street Water Tower Evaluation for the City of Madera, and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)
  
- B-16 Consideration of a Resolution Appointing Eva Medina to the Community Development Block Grant Review and Advisory Committee (Report by Ivette Iraheta)
  
- B-17 Consideration of a Resolution Appointing Ryan Cerioni to the City of Madera Planning Commission (Report by Chris Boyle)



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

- C-1 Consideration of a Resolution Consenting to Assignment of Real Estate Option Agreement Between the City of Madera and Madera Opportunities for Resident Enrichment and Services, Inc. for the Property at 200 and 204 N. "C" Street to Pacific West Communities; and

Consideration of a Resolution Consenting to Assignment of the Agreement between the Successor Agency to the Former Madera Redevelopment Agency and Madera Opportunities for Resident Enrichment and Services, Inc. for Purchase and Sale of Real Property and Escrow Instructions for the Property at 121 and 125 N. "C" Street to Pacific West Communities (City and Successor Agency – Report by David Merchen)

- C-2 Consideration of a Resolution Accepting \$45,000 in Funding from the Community Action Partnership of Madera County for a Reroofing Project at Millview Community Center; and

Consideration of a Resolution Amending the FY 2018 – 19 Budget to Recognize and Appropriate Funds to a Specified Account (Report by Mary Anne Seay)

- C-3 Public Hearing and Consideration of:

(1) A Resolution Authorizing the Annexation of Territory to Community Facilities District (CFD) 2005-01, and Authorizing the Levy of a Special Tax and Submitting the Levy of Tax to the Qualified Electors.

(2) A Resolution Calling a Special Election and Submitting to the Voters of Annexation No. 5 of the City's CFD 2005-01 Propositions Regarding the Annual Levy of Special Taxes within Annexation No. 5 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance within the District, and the Establishment of an Appropriations Limit

Conduction of:

(3) A Special Election of the Qualified Electors of Annexation No. 5 of the City's CFD 2005-01 and Declaration and Certification of the Results Thereof.

Consideration of:

(4) A Resolution Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 5 to CFD 2005-01. (Report by Chris Boyle)

- C-4 Public Hearing and Consideration of Introduction of an Ordinance Rezoning Two Parcels Located in Proximity to the Intersection of Barnett Way and Gary Lane from PD-3000 (Planned Development) and PD-4500 (Planned Development) Zone Districts to the PD-1500 (Planned Development) Zone District; and

Consideration of Adoption of a Resolution Amending the General Plan Land Use Map for Two Parcels Located in Proximity to the Intersection of Barnett Way and Gary Lane, Changing the General Plan from the MD (Medium Density) to the HD (High Density) General Plan Land Use Designation (APNs: 012-270-001, 012-270-002) (Report by Chris Boyle)

- C-5 Consideration of a Resolution Approving A Change of the Name of the Community Development Block Grant Review and Advisory Committee; and

Request for Direction on the Role for this Committee During the 2019/2020 and Future CDBG Funding Allocation Cycles (Report by Ivette Iraheta)

**D. WRITTEN COMMUNICATIONS**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

- E-1 Discussion on Council Travel Budget (Report by Arnoldo Rodriguez)

**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: Arnoldo 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 - Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2)- 1 case

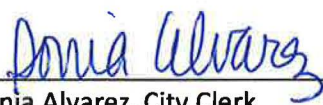
- G-4 Conference with Legal Counsel – Existing Litigation. Subdivision (d)(1) of Government Code §54956.9

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

**ADJOURNMENT** – Next regular meeting February 20, 2019

- 
- 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 1<sup>st</sup> and 3<sup>rd</sup> 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. 4<sup>th</sup> 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.
- 

I, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above joint meeting notice and agenda for the Regular Meeting of the Madera City Council, Special Meeting of the Madera City Council as the Groundwater Sustainability Agency, and Special Meeting of the Madera City Council as the Successor Agency to the Former Madera Redevelopment Agency for February 6, 2019, near the front entrances of City Hall at 6:00 p.m. on January 31, 2019.

  
\_\_\_\_\_  
Sonia Alvarez, City Clerk