

Item:	B-1
Minutes for:	05/16/18
Adopted:	10/16/19

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

May 16, 2018
6:00 p.m.

Council Chambers
City Hall

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, arrived during Closed Session at 9:48 pm.
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

Absent: None.

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, Division Fire Chief Matt Watson, Director of Human Resources Wendy Silva, Director of Parks and Community Services Mary Anne Seay, Grant Administrator Ivette Iraheta, Information Services Manager Mark Souders, Grants Program Manager Jorge Rojas, and Assistant Engineer Victor Aldama.

INVOCATION: Pastor Eddie Gallegos, Good News Fellowship

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.

Luis Ceja spoke on behalf of students of Virginia Lee Rose Elementary and Martin Luther King Middle School about Item C-1. He discussed concerns with student safety during after school hours. Many children are injured or killed when they dart out in front of cars. There needs to be places that are safe for walking. Funding of our proposal will allow for the installation of blinking lights to ensure safe passage for students, bicyclists and pedestrians during heavy road traffic. He requested that council support their community effort to promote awareness to help protect the children from a traffic fatality.

Khalid Chaudry discussed concerns with deficit on golf course, salary raises, item G-3, Council Member Rigby's award, and Pomona Ranch.

No other comments were offered.

PRESENTATIONS

Presentation by California Health Collaborative on Maternal Behavioral Health (Alexandra Addo-Boateng, Program Manager)

Alexandra Addo-Boateng and Rocio with California Collaborative Health presented report.

INTRODUCTIONS None.

A. WORKSHOP

A-1 Request for Direction on Next Steps with the Youth Leadership Institute for the Purpose of Elevating Youth Voice through Meaningful Civic Engagement (Report by Mary Anne Seay and Presentation by Yammilette Rodriguez, Senior Director YLI)

Yammilette Rodriguez with Youth Leadership Institute presented report.

A-2 Presentation of the Preliminary City of Madera Internal Services and Special Revenue Fund Budgets for Fiscal Year 2018/2019 (Report by Tim Przybyla)

Director of Financial Services Tim Przybyla presented report.

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.

Item B-3 was pulled by Council Member Rigby for discussion.

Item B-15 was pulled by Council Member Oliver for discussion.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS B-3 AND B-15 WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

- B-1 Minutes – There are no minutes for consideration.
- B-2 Warrant Disbursement Report 4/24/18 – 5/7/18 (Report by Tim Przybyla)
- B-3 Consideration of a Resolution Approving a Contract with Devastating Pyrotechnics, LLC for Operation of the 2018, 4th of July Fireworks Show and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Mary Anne Seay)

After discussion Council moved to table item B-3 to be brought back at a future meeting.

- B-4 Consideration of a Resolution Approving a Business Associate Agreement between the City of Madera and the City's Broker of Record for Health and Welfare Benefits, Der Manuel Insurance Group/HUB International Inc., Fresno, in Compliance with the Health Insurance Portability and Accountability Act (HIPAA) and Health Information Technology Economic and Clinical Health Act (HITECH) and Authorizing the City Administrator to Sign the Agreement (Report by Wendy Silva)

RES. NO. 18-69 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A BUSINESS ASSOCIATE AGREEMENT WITH DER MANOUEL INSURANCE GROUP/HUB INTERNATIONAL INC., FRESNO AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE AGREEMENT

- B-5 Consideration of a Resolution Approving the Award of Contract for Sunrise Rotary Sports Complex Soccer Field Lighting City Project No. PK 13-2018, CDBG Project No. B10MC060053-10218020-7030 in the Amount of \$97,832 to Cable Links Construction Group, Inc., Authorizing Construction Contingencies of Up to 10% and Construction Inspection and Management Contingencies of Up to 15% as Approved by the City Engineer, and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)

RES. NO. 18-70 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AWARD OF CONTRACT FOR SUNRISE ROTARY SPORTS COMPLEX SOCCER FIELD LIGHTING, CITY PROJECT NO. PK13-2018, CDBG PROJECT NO B10MC060053-10218020-7030 IN THE AMOUNT OF \$97,832.00 TO CABLE LINKS CONSTRUCTION GROUP, INC. AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10% AND CONSTRUCTION INSPECTION AND MANAGEMENT COSTS OF UP TO 15% AS APPROVED BY THE CITY ENGINEER, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

- B-6 Consideration of a Minute Order Rejecting a Claim Filed by Ashley Williams (Report by Wendy Silva)
- B-7 Consideration of a Minute Order Rejecting a Claim Filed by Hector L. Mendez (Report by Wendy Silva)
- B-8 Consideration of a Minute Order Rejecting a Claim Filed by Cynthia Childlaw Diaz (Report by Wendy Silva)
- B-9 Consideration of a Minute Order Rejecting a Claim Filed by Susan Green (Report by Wendy Silva)

B-10 Consideration of a Resolution Appointing Donald Horal, Richard Broadhead, Richard Gould, and Issa Zacharia to the City of Madera Airport Advisory Commission (Report by John Scarborough)

RES. NO. 18-71 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING DONALD HORAL, RICHARD BROADHEAD, RICHARD GOULD, AND ISSA ZACHARIA TO THE CITY OF MADERA AIRPORT ADVISORY COMMISSION

B-11 Consideration of a Resolution Approving Amendment No. 2 to the Agreement for Services for the 2017/2018 Community Development Block Grant East Yosemite Avenue and Elm Street Traffic Signal Project (Report by Ivette Iraheta)

RES. NO. 18-72 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES FOR THE 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT EAST YOSEMITE AVENUE AND ELM STREET TRAFFIC SIGNAL PROJECT

B-12 Consideration of a Resolution Approving a Lease Agreement Between the City of Madera and the Community Action Partnership of Madera County, Inc. for Occupation and Use of Facilities at the Millview Community Center, and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay)

RES. NO. 18-73 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF MADERA AND THE COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY, INC. FOR OCCUPATION AND USE OF FACILITIES AT THE MILLVIEW COMMUNITY CENTER, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

B-13 Consideration of a Resolution Approving an Agreement with Del Rio Advisors LLC for Professional Services on a Limited Scope Related to Potential Financing of a Fire Station and Authorizing the Mayor to Execute the Agreement (Report by Tim Przybyla)

RES. NO. 18-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH DEL RIO ADVISORS, LLC FOR PROFESSIONAL SERVICES ON A LIMITED SCOPE RELATED TO POTENTIAL FINANCING OF A FIRE STATION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-14 Consideration of a Resolution Authorizing the Mayor to Sign a Support Letter for Habitat for Humanity's National Board Approval of Service Expansion into Madera (Report by Ivette Iraheta)

RES. NO. 18-75 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN A SUPPORT LETTER FOR HABITAT FOR HUMANITY'S NATIONAL BOARD APPROVAL OF THEIR SERVICE EXP ANSI ON INTO MADERA

- B-15 Consideration of a Resolution Approving a Pedestrian Underpass Crossing Agreement between the Union Pacific Railroad Company and the City of Madera for the Fresno River Trail and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)

After discussion Council moved to approve item B-15.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM B-15, RES. NO. 18-76, WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

RES. NO. 18-76 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A PEDESTRIAN UNDERPASS CROSSING AGREEMENT BETWEEN THE UNION PACIFIC RAILROAD COMPANY AND THE CITY OF MADERA FOR THE FRESNO RIVER TRAIL AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

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

- C-1 Public Hearing to Consider the Community Development Block Grant Advisory Committee Recommendations for the 2018/2019 Action Plan and Request for Council to Make Tentative Allocations (Report by Ivette Iraheta)

Grant Administrator Ivette Iraheta presented report.

Administration Allocations

Local Administration: \$147,463; Madera Rescue Mission: \$10,000; and Fresno/Madera Continuum of Care: \$16,950.

Public Services Allocations:

Youth Leadership Institute: \$10,000; Madera Rescue Mission: \$10,000; Madera Coalition for Community Justice: \$10,000; Doors to Hope: \$6,678; Pequeños Empresarios: \$6,678; and City of Madera Parks & Community Senior Services: \$87,454.

Capital Projects/Public Improvements Allocations

Parks ADA Improvements Phase II: \$97,966; Madera Engineering Dept. Virginia Lee Rose Pedestrian Improvements: \$32,000; Madera Engineering Dept. HAWK Signal at Stadium Rd.: \$317,889; Madera Housing Authority – Temporary Housing for Homeless Families at Pomona Ranch Housing Center: \$185,000; and Public Works Millview Community Center New Roof: \$130,000.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING ALLOCATIONS WAS APPROVED.

- C-2 Consideration of a Resolution Approving Health, Dental, Vision and Life/Long Term Disability Insurance Providers for Fiscal Year 2018-19 and Authorizing the City Administrator to Execute any Agreements or Related Documents (Report by Wendy Silva)

Director of Human Resources Wendy Silva presented report.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-2, RES. NO. 18-77 WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

RES. NO. 18-77 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING HEALTH, DENTAL, VISION AND LIFE/LONG TERM DISABILITY INSURANCE PROVIDERS FOR FISCAL YEAR 2018-19 AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ANY AGREEMENTS OR RELATED DOCUMENTS

C-3 Consideration of a Resolution Approving an At-Will Employment Agreement with Dino Lawson for Chief of Police and Authorizing the City Administrator to Execute the Agreement (Report by Wendy Silva)

Director of Human Resources Wendy Silva presented report.

Mayor Medellin made the following announcement:

If approved, the proposed Chief of Police At-Will Employment Agreement would confirm Dino Lawson as the Chief of Police for the City of Madera. Compensation will be based on the City's adopted salary schedule at Range 554 Step E. Fringe benefits shall be the same as provided to other department head employees. The City's specific contribution to the health plan will be dependent upon the employee's enrollment level in said benefit. All applicable fringe benefits are captured in the At-Will Employment Agreement provided with this report. The proposed agreement also contains applicable openers should an adjustment to salary and/or fringe benefits be proposed by the City as a result of the Management Compensation Study being conducted by Koff & Associates.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-3, RES. NO. 18-78 WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

RES. NO. 18-78 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AT WILL EMPLOYMENT AGREEMENT WITH DINO LAWSON FOR CHIEF OF POLICE AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT

C-4 Consideration of a Resolution Approving Project Cooperation Agreement between the City of Madera and Madera Irrigation District and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Keith Helmuth)

City Engineer Keith Helmuth presented report.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-4, RES. NO. 18-79 WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

RES. NO. 18-79 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A PROJECT COOPERATION AGREEMENT BETWEEN THE CITY OF MADERA AND MADERA IRRIGATION DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

D. WRITTEN COMMUNICATIONS: None.

E. ADMINISTRATIVE REPORTS

E-1 Consideration of a Resolution Authorizing the Mayor to Sign a Letter of Support on Behalf of the City for the Staffing for Adequate Fire and Emergency Response Grant Application to the U.S. Department of Homeland Security Federal Emergency Management Agency (Report by Ivette Iraheta)

Grant Administrator Ivette Iraheta presented report.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM E-1, RES. NO. 18-80 WAS ADOPTED BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, RODRIGUEZ, OLIVER, ROBINSON, RIGBY, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER FOLEY GALLEGOS. ABSTAIN: NONE.

RES. NO. 18-80 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT ON BEHALF OF THE CITY FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY

F. COUNCIL REPORTS

Council Member Robinson reported he attended a Parks and Rec barbeque. There was an incident where an elderly individual fell ill and the ambulance was called.

Council Member Rigby thanked Chuck Doud with Madera Tribune regarding the article that was written over the weekend about him receiving Housing Commissioner of the Year by the Pacific Southwest Regional Council of the National Association of Housing and Redevelopment Agencies. He received a lot of complements and has received many positive responses. He appreciates all the well wishes.

Council Member Holley reported he attended the college commencement to all teachers and business owners throughout town. It shows that there is love in this city. At the dais with his colleagues, he feels he is part of a family whether they agree or disagree. He also wanted Council Member Gallegos to know they love and support her during this difficult time. It is always good to tell someone you love them today because you might not get that chance tomorrow.

Mayor Pro-Tem Rodriguez also thanked Chuck Doud with Madera Tribune. He congratulated Council Member Rigby and Chief of Police Dino Lawson.

Mayor Pro-Tem Rodriguez reported that he attended Madera Association of Realtors in Chowchilla today. This meeting is usually held at the Municipal Golf Course. In a video presentation, Chowchilla was selling

their city and it was impressive. He would like to make sure that we too step up our game and put Madera on the map with marketing.

Council Member Oliver provided update on Sonora Neighborhood Watch. Since their first Neighborhood Watch meeting there has been significant improvements. There are additional eyes and ears, solar street lighting among other things. The neighborhood leader Leticia Vargas knocks on doors bringing out her neighbors, prepares delicious food for them, and embodies what this program is all about. We are very proud to be there.

Council Member Oliver also reported that he is working with Madera Tribune, Madera Unified, Historical Society on organizing an event memorializing Senator Robert Kennedy's visit to Madera days before his assassination. He thanked Chuck Doud for his support.

No other reports were offered.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 9:48 p.m. to discuss the items as listed on the agenda.

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

Property: 1 Parcel
905 S. Gateway Dr. APN: 011-182-002
Agency Negotiators: David Merchen, Keith Helmuth, Les Jorgensen
Negotiating Parties: Stephen J. Allen
Under Negotiations: Price and Terms

G-3 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-4 Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to Government Code 554956.9(d)(2): 1 case

G-5 Closed Session Report – City Attorney

Council Member Foley Gallegos arrived at 9:48 p.m.

Council Member Holley left at 10:55 p.m.

The Council returned from closed session at 12:47 a.m. with Mayor Medellin, Council Members Rodriguez, Foley Gallegos, Oliver, Robinson and Rigby present.

City Attorney reported there was no reportable action taken for items G-2, G-3 and G-4.


ADJOURNMENT - The meeting was adjourned at 12:49 a.m. Next regular meeting June 6, 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.


ALICIA GONZALES, City Clerk


ANDREW J. MEDELLIN, Mayor


Prepared by:
CLAUDIA MENDOZA, Deputy City Clerk

