

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

Item:	B-1
Minutes for:	10/18/17
City Adopted:	11/07/18
GSA Adopted:	11/07/18
MPFA Adopted:	11/20/19

SPECIAL MEETING OF THE MADERA CITY COUNCIL AS THE GROUNDWATER SUSTAINABILITY AGENCY

SPECIAL MEETING OF THE MADERA PUBLIC FINANCING AUTHORITY

CITY OF MADERA, CALIFORNIA

October 18, 2017
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/Chairperson Andrew J. Medellin
Mayor Pro Tem/Vice Chairperson Cece Foley Gallegos, District 1
Council/Board Member Jose Rodriguez, District 2
Council/Board Member Donald E. Holley, District 6
Council/Board Member Derek O. Robinson Sr., District 4
Council/Board Member William Oliver, District 3
Council/Board Member Charles F. Rigby, District 5

Others present were City Administrator David Tooley, 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 David Randall, Chief of Police Steve Frazier, Director of Human Resources Wendy Silva, Director of Parks and Community Services Mary Anne Seay, Grant Administrator Ivette Iraheta, Information Services Manager Mark Souders, Planning Manager Chris Boyle, Financial Services Manager Susan O'Haro and Accountant II Lyann Huang.

Mayor Medellin thanked Council and staff for wearing pink in support of Breast Cancer Awareness Month and awareness for all types of cancer.

INVOCATION: Pastor David Votaw, Harvest Community Church

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.

Elizabeth Wisener with the Community Action Partnership of Madera County distributed flyers for the upcoming Homeless Awareness Day. She also distributed a save the date flyer for the annual Homeless Point in Time Count scheduled January 23rd through the 25th.

Khalid Chaudhry, business owner in Madera, shared information on the Political Review publication reporting on the fiscal condition of the City. He also spoke regarding the cost of executive salaries, laying off people, the effect on services and suggested the City consolidate departments.

Mayor Medellin closed the public comment.

PRESENTATIONS Proclamation in Recognition of Ms. Loretta Castro's Long Time Service to the City of Madera Transit Advisory Board

Mayor Medellin presented Loretta Castro with a proclamation for her over 40 years of service on the Transit Advisory Board. Ms. Castro thanked everyone for the recognition.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR – REGULAR MEETING

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 ROBINSON, THE CONSENT CALENDAR, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

B-1 Minutes – 12/21/16

B-2 Information Only – Warrant Disbursement Report

B-3 Bi-Weekly Water Conservation Report for 9/25/17 – 10/08/17 (Report by Dave Randall)

B-4 Consideration of a Resolution Approving Improvement Deferral Agreement and Authorization of Lien for StorMax Real Estate Holdings, LLC, A California Limited Liability Company (Report by Keith Helmuth)

RES. NO. 17-159 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING IMPROVEMENT DEFERRAL AGREEMENT AND AUTHORIZATION OF LIEN FOR STORMAX REAL ESTATE HOLDINGS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-5 Consideration of a Resolution Approving a Sales Agreement for the Acquisition of Real Property at the Southeast Corner of East Yosemite Avenue and Tozer Street for Parcel A and Parcel B (Portions of APN 008-110-009) Accepting an Easement Deed and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Keith Helmuth)

RES. NO. 17-160 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA APPROVING A SALES AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY AT THE SOUTHEAST CORNER OF EAST YOSEMITE AVENUE AND TOZER

**STREET FOR PARCEL A AND PARCEL B (PORTIONS OF APN 008-110-009)
ACCEPTING AN EASEMENT DEED AND AUTHORIZING THE MAYOR TO
EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

- B-6 Consideration of a Resolution Ratifying a Revised Application for Transportation Development Act-Local Transportation Funds for Fiscal Year 2017/18 (Report by Keith Helmuth)

RES. NO. 17-161 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RATIFYING A REVISED APPLICATION FOR TRANSPORTATION DEVELOPMENT ACT FUNDS, LOCAL TRANSPORTATION FUNDS FOR FISCAL YEAR 2017/18

- B-7 Consideration of a Minute Order of the Council of the City of Madera, California Authorizing the Acceptance of a \$1000.00 Donation to the Madera Police Department (Report by Steve Frazier)
- B-8 Consideration of a Minute Order Rejecting the Claim Filed by Joseph Crown (Report by Wendy Silva)

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

- C-1 A. **Second Reading and Consideration of Adoption of an Ordinance Amending Certain Sections of Chapter 1 of Title II of the Madera Municipal Code Pertaining to Council Meeting Agendas**
- B. **Consideration of a Resolution Amending the City Council Meeting Agenda Policy** (Report by Sonia Alvarez)

City Clerk Sonia Alvarez presented the report.

The ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, FURTHER READING WAS WAIVED, AND ITEM C-1A, ORD. NO. 945 C.S. WAS ADOPTED BY A ROLL CALL VOTE OF 4-3. AYES: COUNCIL MEMBERS RODRIGUEZ, OLIVER, FOLEY GALLEGOS, ROBINSON. NOES: MAYOR MEDELLIN, COUNCIL MEMBERS HOLLEY, RIGBY.

ORD. 945 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING PORTIONS OF CHAPTER 1 OF TITLE II OF THE MADERA MUNICIPAL CODE PERTAINING TO COUNCIL MEETING AGENDAS

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, ITEM C-1B, RES. NO. 17-162, WAS ADOPTED BY A ROLL CALL VOTE OF 4-3. AYES: COUNCIL MEMBERS RODRIGUEZ, OLIVER, FOLEY GALLEGOS, ROBINSON. NOES: MAYOR MEDELLIN, COUNCIL MEMBERS HOLLEY, RIGBY.

RES. NO. 17-162 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING THE CITY COUNCIL MEETING AGENDA POLICY

- C-2 **Second Reading and Consideration of Adoption of an Ordinance Rezoning Approximately 1.4 Acres of Property Located at 733 and 743 Linden Street from the PD-1500 (Planned Development) Zone District to the PD-2000 (Planned Development) Zone District. (APNs: 006-360-013 and 014) (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 ITEM C-2, ORD. NO. 946 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

ORD. 946 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 1.4 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF LINDEN STREET (733 AND 743 LINDEN STREET), APPROXIMATELY 650 FEET NORTH OF THE INTERSECTION OF LINDEN STREET AND SUNSET AVENUE, FROM THE PD-1500 (PLANNED DEVELOPMENT) ZONE DISTRICT TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT

C-3 Second Reading and Consideration of Adoption of an Ordinance Prezoning Approximately 40 Acres of Land Located at the Southeast Corner of Tozer Street (Road 28) and Sunrise Avenue (Avenue 14½) to the PF (Public Facilities) Zone District (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 ITEM C-3, ORD. NO. 947 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

ORD 947 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP PREZONING APPROXIMATELY FORTY ACRES LOCATED AT THE SOUTHEAST CORNER OF TOZER STREET AND SUNRISE AVENUE TO THE PF (PUBLIC FACILITY) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT "A"

C-4 Consideration of a Resolution of the Ground Water Sustainability Agency Approving a Memorandum of Understanding with Respect to the Preparation of a Groundwater Sustainability Plan within the Madera Subbasin and Authorizing the Mayor to Execute the Memorandum of Understanding on Behalf of the City (GSA - Report by Dave Merchen)

Community Development Director David Merchen presented the report. Mr. Merchen advised that of the seven Groundwater Sustainability Agencies, the New Stone Water District will stand on their own. The remaining will work on a plan under the memorandum of understanding but ultimately the two plans will need to mesh together.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, GSA RES. NO. 17-01, WAS ADOPTED BY A ROLL CALL VOTE OF 6-1. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS HOLLEY, OLIVER, RIGBY, FOLEY GALLEGOS, ROBINSON. NOES: COUNCIL MEMBER RODRIGUEZ.

GSA RES. NO. 17-01 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AS THE CITY OF MADERA GROUNDWATER SUSTAINABILITY AGENCY ADOPTING THE MEMORANDUM OF UNDERSTANDING WITH RESPECT TO THE

**PREPARATION OF A GROUNDWATER SUSTAINABILITY PLAN WITHIN THE
MADERA SUBBASIN**

- C-5 A. Consideration of a Resolution of the City Council of the City of Madera
 Approving the Debt Management Policy (City)**
- B. Consideration of a Resolution of the Madera Public Financing Authority
 Approving the Debt Management Policy (MPFA) (Report by Tim Przybyla)**

Director of Financial Services Tim Przybyla presented the report.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-5A, RES. NO. 17-163 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

**RES. NO. 17-163 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
 APPROVING THE DEBT MANAGEMENT POLICY**

ON MOTION BY AUTHORITY MEMBER RIGBY, AND SECONDED BY AUTHORITY MEMBER OLIVER, ITEM C-5B, MPFA RES. NO. 17-03, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

**MPFA RES. NO. 17-03 RESOLUTION OF THE BOARD OF DIRECTORS OF THE MADERA PUBLIC
 FINANCING AUTHORITY APPROVING THE DEBT MANAGEMENT POLICY**

D. WRITTEN COMMUNICATIONS

- D-1 Mid Valley Disposal Quarterly and Informational Report Regarding Solid Waste
 (Annette Kwock)**

Annette Kwock with Mid Valley Disposal presented their first and second quarter reports which included an overview on commercial site visits, load checks, interaction and participation in the community, City clean up report, tonnage reports, frequently asked questions, upcoming events, and progress on implementing recycling services for businesses per CalRecycle's AB 341.

E. ADMINISTRATIVE REPORTS

- E-1 City of Madera Transit Updates Following June 2017 Workshop (Report by Ivette Iraheta)**

Grant Administrator Ivette Iraheta presented the report. The report included information on the FY 2016/17 budget, ridership, public outreach, college route expansion, transit fares, new transit facility, technology, partnership with Madera Unified for CNG fueling, and training for dispatch and drivers.

Recess 7:35 p.m. to 7:41 p.m.

- E-2 Quarterly Budget Review and Expenditure Reduction Recommendations (Report by David Tooley)**

City Administrator David Tooley and the Director of Financial Services Tim Przybyla presented the report.

COUNCIL MEMBER RIGBY MADE A MOTION TO ADOPT STAFF RECOMMENDATIONS FOR BUDGET REDUCTIONS AS OUTLINED IN THE REPORT TO COUNCIL, EXCLUDING THE MECHANIC III POSITION IN FLEET AND FACILITIES MAINTENANCE POSITION; AND REDUCE COUNCIL'S CONFERENCE BUDGET BY 50% FOR REMAINDER OF THE FISCAL YEAR. THE MOTION WAS SECONDED BY COUNCIL MEMBER RODRIGUEZ AND THE MOTION FOR ITEM E-2 PASSED BY A

ROLL CALL VOTE OF 4-3. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, RIGBY, FOLEY GALLEGOS. NOES: COUNCIL MEMBERS HOLLEY, OLIVER, ROBINSON.

F. COUNCIL REPORTS

Council Member Rodriguez reported that he received a call from one of his constituents requesting a four way stop or traffic signal on Almond and Granada.

Council Member Rodriguez announced that the Madera Leo Club is holding a talent show tomorrow. He added that today is also his birthday.

Council Member Oliver reported on his attendance at the Fillmore Neighborhood Watch annual block party.

Council Member Oliver reported on his attendance at the Madera County Farm Bureau annual meeting held in Chowchilla.

Council Member Robinson reported on his attendance at the League of Cities General Membership meeting. The program was on immigration and sanctuary cities.

Council Member Rigby reported on the collection of PODS showing up throughout the City and related Code Enforcement follow up with Fed Ex.

Council Member Holley shared that he was a judge at the Madera High School Homecoming Parade.

Mayor Medellin thanked his colleagues for sharing their support by wearing pink.

Mayor Medellin commended the Grant Administrator Ivette Iraheta on the Downtown Caltrans Planning Grant.

Mayor Medellin reported that attendance at the first meetings for neighborhood watch is up. He also commended the Police Department on their participation.

Mayor Medellin reported that he participated with SIU (Special Investigations Unit) in reading to a first-grade class.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 9:33 p.m. to discuss items G-2 and G-3 as listed on the agenda.

G-2 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

G-3 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9 (d)(2) - 1 case

G-4 Closed Session Report – City Attorney

The Council returned from closed session at 10:01 p.m. with all members present.

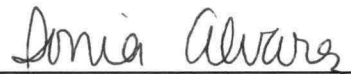
Item G-2 – No reportable action.

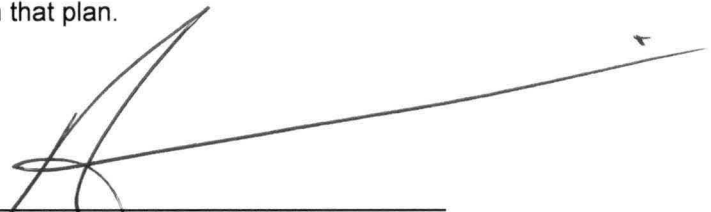
Item G-3 – The City Attorney announced that the Council unanimously voted to resolve the case for \$8,253 to satisfy the claim.

ADJOURNMENT - The meeting was adjourned at 10:03 p.m. Next regular meeting 10/04/17.

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

