



Item:	B-1
Minutes for:	11/06/19
Adopted:	12/18/19

**MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL AND  
SPECIAL MEETING OF THE MADERA CITY COUNCIL AS THE GROUNDWATER SUSTAINABILITY AGENCY**

**November 6, 2019  
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 Steve Montes, District 3  
Council Member Cece Foley 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

**Absent:** None.

Others present were City Manager Arnoldo Rodriguez, City Attorney Hilda Montoy Cantu, City Clerk Alicia Gonzales, City Engineer Keith Helmuth, Chief of Police Dino Lawson, Chief Building Official Steve Woodworth, Fire Battalion Chief Anthony Garcia, Parks Director John Scarborough, Human Resources Director Wendy Silva, Police Commander Gino Chiaramonte, Finance Accountant Don Theisen, and Assistant Planner Jesus Orozco.

**INVOCATION:** Pastor Sammie Neely, Mt. Zion Church

**PLEDGE OF ALLEGIANCE:** Mayor Medellin

**APPROVAL OF AGENDA**

Mayor Medellin asked if Council Member Garcia can give his report for Council Member Reports (Section F) before the Presentation Section.

**ON MOTION BY COUNCIL MEMBER GARCIA AND SECONDED BY COUNCIL MEMBER GALLEGOS, THE AGENDA WAS APPROVED WITH CHANGE BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**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, but are not required, 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 Chaudry expressed his support of City workers during contract negotiations.

Claudia Garza discussed concerns regarding evictions to Laguna Knolls tenants and presented a draft ordinance to the City Council.

Ron Montoya also discussed concerns with evictions to Laguna Knolls tenants, Community Facility District (CFD), and requested support of term limits to Madera County Board of Supervisors.

Desiree (no last name given) requested that the City Council help the tenants at Laguna Knolls.

Debbie Garza also requested that the City Council help the tenants at Laguna Knolls.

Ubaldo Garcia discussed affordable housing in Madera and City should look into electrical vehicles for its fleet.

Sandra Ramon also requested that the City Council help the tenants at Laguna Knolls.

Beatriz (no last name given) requested that the City Council help the tenants at Laguna Knolls.

Gloria (no last name given) represents New Harvest Hope Ministries also requested everyone come together and help the Laguna Knolls tenants.

Richard Torres also represents New Harvest Hope Ministries offered their services to help the displaced tenants of Laguna Knolls.

Madilyn Harris with Leadership Council for Justice and Accountability stated she has been in touch with the Laguna Knolls tenants and urged the City Council to adopt an ordinance to put a moratorium on evictions and rent increases leading up to January 2020.

No other comments given.

**WRITTEN COMMUNICATIONS:**

1. Memo from Dr. Retana regarding policy for non-towing when registered owner arrives to drive vehicle back to point of origin

Mayor announced that the item removed at the request of Dr. Retana.

**F. COUNCIL REPORTS**

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items., and (iv) to take action on matters initiated under this section of the agenda. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.

Council Member Garcia requested that an ordinance to put a moratorium on evictions is agendized at the next City Council meeting.

After discussion, City Council provided direction to City Manager Arnoldo Rodriguez to present an ordinance adopting a moratorium on evictions at the next City Council meeting.

**PRESENTATIONS:**

1. Employee Recognition Presented to Lester Jorgensen, Director of Special Transportation Projects for 28 Years of Service

City Engineer Keith Helmuth presented report and Mayor Medellin presented a Mayor's Certificate to Les Jorgensen.

2. Proclamation Recognizing Guru Nanak 550th Gurpurb, or Birth Anniversary

Naindeep Singh with the Jakara Movement presented report and Mayor Medellin provided proclamation.

**INTRODUCTIONS:** None.

- A. **WORKSHOP:** None.

- B. **CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Council may request an item be removed from the Consent Calendar and it will be considered separately.

**ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

B-1 Minutes – 10/23/18s, 11/07/18, 11/14/18s, 12/05/18, 12/19/18

B-2 Informational Report on Register Audited Demands (Report by Don Theisen)

B-3 Informational Report on Personnel Activity (Report by Wendy Silva)

- B-4 Consideration of a Minute Order Authorizing the Mayor to Sign a Letter in Opposition of the Deletion of the SR 99 Widening Project from Avenue 7 to Avenue 12 from the Draft 2020 Interregional Transportation Improvement Program (ITIP) (Report by Keith Helmuth)
- B-5 Consideration of a Minute Order Adding Correct Exhibit A to Resolution 19-162 Regarding Approval of Funding Amendment Resolution Appropriating \$263,000 to the City of Madera (City) Fiscal Year (FY) 2019/20 Capital Projects Budget for the Construction of SB-1 Road Maintenance and Rehabilitation Account (RMRA) 2018-19 Seals and Overlays, City Project No. R-76 (Report by Keith Helmuth)
- B-6 Consideration of a Resolution Approving Agreement with J.W. Myers, Inc., a California Corporation included in the James W. Myers and Karen S. Myers Family Trust of 1992 for the Relocation of the Propane Tank, Service Island, and Fencing in the Amount of \$48,235 Required for the Olive Avenue Widening and Reconstruction Project and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)

**RES. NO. 19-184 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH J.W. MYERS, INC., A CALIFORNIA CORPORATION INCLUDED IN THE JAMES W. MYERS AND KAREN S. MYERS FAMILY TRUST OF 1992, FOR THE RELOCATION OF THE PROPANE TANK, SERVICE ISLAND, AND FENCING IN THE AMOUNT OF \$48,235 REQUIRED FOR THE OLIVE AVENUE WIDENING AND RECONSTRUCTION PROJECT AND AUTHORIZING MAYOR TO EXECUTE AGREEMENT**

- B-7 Consideration of a Resolution Approving Submittal of a Grant Application for Round 1 Integrated Regional Water Management (IRWM) Implementation Funding Through the State of California Department of Water Resources (DWR) in the Amount of Approximately \$779,653 (Report by Keith Helmuth)

**RES. NO. 19-185 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A GRANT APPLICATION FOR ROUND 1 INTEGRATED REGIONAL WATER MANAGEMENT IMPLEMENTATION FUNDING THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES IN THE AMOUNT OF APPROXIMATELY \$779,653 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPLICATION**

**C. PUBLIC HEARINGS**

- C-1 Public Hearing relating to approval of Energy Services Agreement with ENGIE SERVICES US, INC.

Conduct Public Hearing and Consider Approval of Resolution of the City Council of the City of Madera making findings required under Government Code Section 4217.10-18 and approving agreement for energy conservation services with ENGIE Services US, Inc., authorizing execution and related actions, and making CEQA exemption findings (Report by Arnoldo Rodriguez)

Mayor Medellin opened public hearing at 7:09 p.m.

City Manager Arnolando Rodriguez and consultant Ashu Jain with ENGIE Services presented report.

There were no public comments and public hearing was closed at 7:45 p.m.

**ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-1, RES NO. 19-186, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**RES. NO. 19-186      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA MAKING FINDINGS REQUIRED UNDER GOVERNMENT CODE SECTION 4217.10-18 AND APPROVING AGREEMENT FOR ENERGY CONSERVATION SERVICES WITH ENGIE SERVICES US, INC. AND AUTHORIZING EXECUTION AND RELATED ACTIONS, INCLUDING FINDING THAT THE PROJECT IS EXEMPT PURSUANT TO SECTIONS 15301 AND 15303 OF THE CEQA GUIDELINES**

**C-2      Public Hearing relating to Rezoning of Two Parcels**

Conduct public hearing and Consider Introduction of an Ordinance Rezoning Two Parcels Encompassing Approximately 0.29 Acres Located Approximated 200 Feet West of the Intersection of Sonora and Rush Streets (120 Wilson Ave. and 117 W. Rush St.) from the R3 (High Density) Zone District to the PD-1500 (Planned Development) Zone District and Approval of Negative Declaration (Report by Chris Boyle)

Mayor Medellin opened public hearing at 7:47 p.m.

City Manager Arnolando Rodriguez and Assistant Planner Jesus Orozco presented report.

Ubaldo Garcia discussed his concerns regarding project.

There were no other comments from the public and the public hearing was closed at 7:56 p.m.

The ordinance title was read by title by City Clerk Alicia Gonzales.

**ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-2, INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**INTRO ORD.      AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.29 ACRES OF PROPERTY LOCATED APPROXIMATED 200 FEET WEST OF THE INTERSECTION OF SONORA AND RUSH STREETS (120 WILSON AVE. AND 117 W. RUSH ST.) FROM THE R3 (HIGH DENSITY) TO THE PD-1500 (PLANNED DEVELOPMENT) ZONE DISTRICT (APN: 003-093-006 AND 008).**

**D.      PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:**

- D-1 Update on the Status of the Groundwater Sustainability Plan (GSP): Receive Update and Public Comments and Provide Council Input (Report by Keith Helmuth)

City Engineer Keith Helmuth presented report.

- D-2 Second Reading and Consideration of Adoption of an Ordinance Rezoning Six Parcels Encompassing Approximately 1.5 Acres Located on the Southwest Corner of the Intersection of West 7th and South G Streets from the R3 (High Density) to the PF (Public Facilities) Zone District (Report by Chris Boyle)

Assistant Planner Jesus Orozco presented report.

The ordinance title was read by title by City Clerk Alicia Gonzales.

**ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER GARCIA, ITEM D-2, ORD. 965 C.S., WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**ORD. 965 C.S.                    AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP REZONING SIX PARCELS ENCOMPASSING APPROXIMATELY 1.5 ACRES LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST 7TH STREET AND SOUTH G STREET FROM THE R3 (HIGH DENSITY) ZONE DISTRICT TO THE PF (PUBLIC FACILITY) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT "A"**

- D-3 Consideration of a Request by the Madera Opportunities for Resident Enrichment and Services (MORES) to Allow Prepayment of the Special Tax Associated with Community Facilities District 2005-01 for the Downtown Madera Veterans and Family Housing Project (DMVFHP) (Report by Chris Boyle)

Assistant Planner Jesus Orozco presented report.

**ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM D-3, REQUEST BY MADERA OPPORTUNITIES FOR RESIDENT ENRICHMENT AND SERVICES (MORES) WAS APPROVED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

**E.        ADMINISTRATIVE REPORTS:** None.

**F.        COUNCIL REPORTS**

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Council Member Garcia's report was moved after Public Comment section.

Council Member Holley reported that he and Council Member Garcia they attended a birthday party of a Madera citizen who just turned 100 years old. He is scheduled to attend another one in December and thanked the City for honoring people that make it to that age. On a sad note, he has lost a few family members within the last couple of months.

Council Member Rodriguez reported he was not able to attend the USC Price Forum for Leaders in the Community and the Intergovernmental Workshop due to illness. Mayor Pro-Tem Montes responded that in the Intergovernmental Workshop they discussed financing options, special districts, and looking at tools to spark economic development.

Mayor Pro-Tem Montes stated he would like to invite Build It Green (BIG) to discuss affordable housing on a future agenda. Council consensus was made for the City Manager Arnoldo Rodriguez to add this item to a future agenda.

Mayor Medellin stated that he felt the Intergovernmental Workshop was very informative.

Mayor Medellin also reported he also checked out a lot of events throughout the City on Halloween.

Council Member Holley stated that he would like to move the Regular Housing Authority Meeting to a night they have a Regular City Council Meeting, instead of having a meeting on the second Wednesday.

No other reports were given.

**G. CLOSED SESSION:**

**G-1 Closed Session Announcement – City Attorney**

Council adjourned to Closed Session at 8:25 p.m.

**G-2 Liability Claim pursuant to Government Code §54956.95  
Agency Claimed Against: City of Madera**

**Claimants:**

1. Allstate ASO Luz Villagomez
2. Lalezary Law Firm ASO Luz E. Villagomez
3. Lalezary Law Firm ASO Luz Villagomez
4. Lalezary Law Firm ASO Armando Villagomez
5. Lalezary Law Firm ASO Juan Pablo Villagomez
6. Evergreen Lawn Care and Maintenance, Inc. – Agreement and Maintenance Services

**G-3 Closed Session Report – City Attorney**

Council returned from closed session at 9:07 p.m. with all members present.



City Attorney Hilda Montoy Cantu reported that item G-2 claimants 1. – 5. items related to Villagomez family were denied unanimously by City Council with a vote of 7/0.

City Attorney Hilda Montoy Cantu reported that item G-2 claimant 6. item related to Evergreen Lawn Care and Maintenance, Inc. was denied unanimously by City Council with a vote of 7/0.

**ADJOURNMENT** – The meeting was adjourned at 9:09 p.m. Next regular meeting November 20, 2019

**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

