



Item:	B-1
Minutes for:	03/07/18
Adopted:	03/06/19

**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**

**March 7, 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
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 (Arrived at 6:04 p.m.)

Others present were City Administrator Steve Frazier, City Attorney Brent Richardson, City Clerk Sonia Alvarez, 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, Planning Manager Chris Boyle, Division Fire Chief Matt Watson, Commander Gino Chiaramonte, and Lieutenant Brian Esteves.

INVOCATION: Pastor Fred Thurman, New Life Assembly

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.

Suzette Martinez, Karina Leon, Fatima Gomez and Alejandro Nunez representing the Madera Coalition and Madera Youth Leaders invited the Council to attend their first art show scheduled April 6, 2018.

Khalid Chaudhry, business owner in Madera, California, asked that salaries be reset based on the income levels here.

PRESENTATIONS

1. Recognition of Visiting Delegation - Jhang Chamber of Commerce and Industry

Debi Bray, President and CEO of the Madera Chamber of Commerce, introduced members of the visiting delegation from their Sister Chamber, the Jhang Chamber of Commerce and Industry and the Madera Chamber of Commerce Board Members present. Mayor Medellin presented certificates to the delegation.

INTRODUCTIONS There are no introductions.

Late Distribution Announcement – The City Clerk made a late distribution announcement regarding item E-3.

A. WORKSHOP

- A-1 Report on Measure K (Presentation by Brian Esteves)

Lieutenant Esteves provided an update on use of Measure K dollars to date including promotions and new hires, equipment and vehicle purchases, and computer software and hardware.

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 HOLLEY, 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 – 5/17/17
- B-2 Warrant Disbursement Report 2/13/18 – 2/26/18 (Report by Tim Przybyla)
- B-3 Bi-Weekly Water Conservation Report for 1/22/18 – 2/25/18 (Report by John Scarborough)
- B-4 Consideration of a Resolution Approving an Agreement with Kleinfelder Inc. for Professional On-Demand Services for Quality Assurance and Materials Testing Services for Water Main Installations at Various Locations, City Project No. W 16-03 (Report by Keith Helmuth)

RES. NO. 18-25 A RESOLUTION APPROVING AN AGREEMENT WITH KLEINFELDER INC. FOR PROFESSIONAL ON-DEMAND SERVICES FOR QUALITY ASSURANCE AND MATERIALS TESTING SERVICES FOR WATER MAIN INSTALLATIONS AT VARIOUS LOCATIONS, CITY PROJECT NO. W 16-03

B-5 Consideration of a Resolution Approving a Three-Year Agreement for Services with Laurin Associates, A Division of Raney Planning and Management, to Conduct Annual Home Long-Term Monitoring for the Arborpoint and Madera Family Apartments and Authorizing the Necessary Budget Adjustments (Report by Ivette Iraheta)

RES. NO. 18-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A THREE-YEAR AGREEMENT FOR SERVICES WITH LAURIN ASSOCIATES, A DIVISION OF RANEY PLANNING AND MANAGEMENT, TO CONDUCT ANNUAL HOME LONG-TERM MONITORING FOR THE ARBORPOINT AND MADERA FAMILY APARTMENTS AND AUTHORIZING NECESSARY BUDGET ADJUSTMENTS

B-6 Consideration of a Resolution Approving an Amendment to the Lease Agreement with Greyhound Lines Inc. for the Lease of Property at the Madera Intermodal Facility and Authorizing the Mayor to Execute the Amendment on Behalf of the City of Madera (Report by Ivette Iraheta)

RES. NO. 18-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE FINAL AMENDMENT TO THE LEASE AGREEMENT WITH GREYHOUND LINES, INC. FOR LEASE OF PROPERTY AT MADERA INTERMODAL FACILITY AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY OF MADERA

B-7 Informational Report on Civil Service Activity (Report by Wendy Silva) *[Item pulled for discussion.]*

Direction was given for staff to research whether reason for employees leaving the City can be included in the report. Item B-7 is an informational only report and no action is required.

Mayor Medellin moved item D-1 up for discussion.

D-1 Presentation by Madera County on Vote Centers and Request for Fee Waiver on Use of City Facilities (Rebecca Martinez, Madera County)

Rebecca Martinez and Justine White with the Madera County Elections office presented an overview of the Voters Choice Act.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM D-1, THE REQUEST FOR FEE WAIVER ON USE OF CITY FACILITIES (Millview and/or Pan Am) AS A POLLING CENTER WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

Mayor Medellin moved item D-2 up for discussion.

D-2 *Request for Letter in Support of the Madera Community College Center Independent Status (Dr. Sandra Caldwell)*

Dr. Sandra Caldwell, President of Reedley College presented the request for a letter of support.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM D-2, THE REQUEST FOR A LETTER IN SUPPORT OF THE MADERA COMMUNITY COLLEGE CENTER INDEPENDENT STATUS WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

E-2 *Request for Council to Adopt a Resolution Authorizing the Mayor to Sign a Letter of Support on Behalf of the City for the Madera County Workforce Investment Corporation, Inc. 2018 Wells Fargo and USCM Community Wins Grant Program Application and for the City to Become a Partner in the Project (Report by Ivette Iraheta)*

The report was presented by the Grant Administrator Ivette Iraheta. Also present were Elaine Craig, Executive Director for the Madera County Workforce Investment Corporation and Matthew Grundy with Habitat for Humanity.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM E-2, RES. NO. 18-35, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-35 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 MADERA COUNTY WORKFORCE INVESTMENT CORPORATION, INC. 2018 WELLS FARGO AND USCM COMMUNITY WINS GRANT PROGRAM APPLICATION AND FOR THE CITY TO BECOME A PARTNER IN THE PROJECT

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

C-1 Consideration of a Resolution Amending the Development Impact Fee Program to Specify that Public Agency and Government Buildings Shall be Excluded from any Requirement to Pay City Development Impact Fees and to Specify that Privately Owned Buildings which are Used Primarily for Public Charter School Purposes Shall be Required to Pay Only those Development Impact Fees Related to the City's Water, Sewer, and Storm Drainage Systems (Report by Brent Richardson)

Council Member Rigby declared a conflict of interest on item C-1 due to a business relationship with the person who proposed the City's consideration of this item. Council Member Rigby exited the Council Chambers.

The report was presented by the City Attorney Brent Richardson.

ON MOTION BY COUNCIL MEMBER ROBINSON, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM C-1, RES. NO. 18-28, WAS UNANIMOUSLY ADOPTED BY A VOTE OF 6-0. ABSTENTION: COUNCIL MEMBER RIGBY.

RES. NO. 18-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING THE DEVELOPMENT IMPACT FEE PROGRAM TO SPECIFY THAT PUBLIC AGENCY AND GOVERNMENT BUILDINGS SHALL BE EXCLUDED FROM ANY REQUIREMENT TO PAY CITY DEVELOPMENT IMPACT FEES AND TO SPECIFY THAT PRIVATELY OWNED BUILDINGS WHICH ARE USED PRIMARILY FOR PUBLIC CHARTER SCHOOL PURPOSES SHALL BE REQUIRED TO PAY ONLY THOSE DEVELOPMENT IMPACT FEES RELATED TO THE CITY'S WATER, SEWER, AND STORM DRAINAGE SYSTEMS

Council Member Rigby returned to the Council Chambers.

- C-2 Public Hearing and Consideration of Introduction of an Ordinance Adding Title X, Chapter 2, Section 1300 et seq. to the Madera Municipal Code Pertaining to Acquisition of Park Lands as Provided by the Quimby Act (Report by Chris Boyle)

The report was presented by the Planning Manager Chris Boyle.

Public hearing opened.

City resident Ron Manfredi spoke in favor of the ordinance.

Planning Commissioner Ken Hutchings stated the Planning Commission was in favor of the ordinance at their last meeting.

Public hearing closed.

Council direction was given for staff to incorporate suggested amendments into ordinance as part of second reading: specific definition regarding fair market value methodology and specific agreed upon methodology process if developer objects to fair market value.

The introduction of the ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, FURTHER READING WAS WAIVED, AND ITEM C-2, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

INTRO. ORD.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADDING SECTION 1300 TO CHAPTER 2 OF TITLE X OF THE MADERA MUNICIPAL CODE IN ORDER TO ESTABLISH A METHOD FOR COORDINATED ACQUISITION AND DEVELOPMENT OF CITY PARK FACILITIES

- C-3 Consideration of a Resolution Approving a Limited Term At-Will Employment Agreement for Steve Frazier as the City Administrator and Authorizing the Mayor to Execute the Agreement (Report by Wendy Silva)

The report was presented by the Director of Human Resources Wendy Silva.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-3, RES. NO. 18-29, WAS ADOPTED UNANIMOUSLY BY A ROLL CALL VOTE OF 4-3. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS OLIVER, RIGBY, HOLLEY. NOES: COUNCIL MEMBERS GALLEGOS, RODRIGUEZ, ROBINSON.

RES. NO. 18-29 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A LIMITED TERM AT WILL EMPLOYMENT AGREEMENT FOR THE CITY ADMINISTRATOR AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

C-4 Consideration of a Resolution Approving Amendment No. 1 to the Agreement with waterTalent, LLC for Temporary Staffing Services, and Authorizing the Mayor to Sign the Amendment on Behalf of the City (Report by John Scarborough)

The report was presented by the Public Works Operations Director John Scarborough.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, RES. NO. 18-30 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH WATERTALENT, LLC, FOR TEMPORARY STAFFING SERVICES, AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT ON BEHALF OF THE CITY

C-5 Consideration of a Resolution Approving a Grant Agreement with Madera Unified School District for a Water Conservation Pilot Program to Install Advanced Central Capable Smart Irrigation Controllers and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by John Scarborough)

The report was presented by the Public Works Operations Director John Scarborough.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, ITEM C-5, RES. NO. 18-31, WAS ADOPTED BY A VOTE OF 7-0.

RES. NO. 18-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A GRANT SERVICES AGREEMENT WITH MADERA UNIFIED SCHOOL DISTRICT FOR A WATER CONSERVATION PILOT PROGRAM TO INSTALL ADVANCED CENTRAL CAPABLE SMART IRRIGATION CONTROLLERS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

C-6 A) Review of Consultant Response to Request for Proposals to Perform a Management Employee Compensation Study from Sole Responder, Koff & Associates and Direction to Staff on Next Steps

- B) Consideration of a Resolution Approving an Agreement with Koff & Associates to Perform a Management Employee Compensation Study and Authorizing the Mayor to Execute the Agreement
- C) Consideration of a Resolution Authorizing and Approving an Amendment to the City of Madera Fiscal Year 2017/18 Budget (Report by Wendy Silva)

The report was presented by the Director of Human Resources Wendy Silva. Also present was consultant Ron Manfredi.

ON MOTION BY COUNCIL MEMBER FOLEY GALLEGOS, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-6B, RES. NO. 18-32, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-32 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH KOFF & ASSOCIATES FOR A TOTAL COMPENSATION STUDY FOR MANAGEMENT CLASSIFICATIONS OF THE CITY OF MADERA AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

ON MOTION BY COUNCIL MEMBER FOLEY GALLEGOS, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-6C, RES. NO. 18-33, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-33 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING AND APPROVING AN AMENDMENT TO THE CITY OF MADERA FISCAL YEAR 2017/2018 BUDGET

D. WRITTEN COMMUNICATIONS

- D-1 Presentation by Madera County on Vote Centers and Request for Fee Waiver on Use of City Facilities (Rebecca Martinez, Madera County)

Items D-1, D-2, and E-2 were heard earlier in the meeting immediately following the consent calendar.

- D-2 Request for Letter in Support of the Madera Community College Center Independent Status (Dr. Sandra Caldwell)

Items D-1, D-2, and E-2 were heard earlier in the meeting immediately following the consent calendar.

E. ADMINISTRATIVE REPORTS

- E-1 Presentation of the Mid-Year Operational Budget Report and Consideration of a Resolution Authorizing and Approving Amendments to the City of Madera Fiscal Year 2017/2018 Budget (Report by Tim Przybyla)

The report was presented by the Director of Financial Services Tim Przybyla.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER FOLEY GALLEGOS, ITEM E-1, RES.NO. 18-34, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,
AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA
FISCAL YEAR 2017/2018 BUDGET**

- E-2 Request for Council to Adopt a Resolution Authorizing the Mayor to Sign a Letter of Support on Behalf of the City for the Madera County Workforce Investment Corporation, Inc. 2018 Wells Fargo and USCM Community Wins Grant Program Application and for the City to Become a Partner in the Project (Report by Ivette Iraheta)

Items D-1, D-2, and E-2 were heard earlier in the meeting immediately following the consent calendar.

- E-3 Update on City of Madera Groundwater Sustainability Agency Activities, Appointment of Council Members and Technical Experts to the Madera Subbasin Coordination Committee, and Review and Comment on Proposed Coordination Committee Charter (GSA - Report by Keith Helmuth)

The report was presented by the City Engineer Keith Helmuth.

COUNCIL MEMBER RIGBY MADE A MOTION TO APPOINT THE COMMUNITY DEVELOPMENT DIRECTOR DAVID MERCHEN AS THE TECHNICAL EXPERT AND CITY ENGINEER KEITH HELMUTH AS THE ALTERNATE TO THE MADERA SUBBASIN COORDINATION COMMITTEE. THE MOTION WAS SECONDED BY COUNCIL MEMBER HOLLEY AND PASSED UNANIMOUSLY BY A VOTE OF 7-0.

COUNCIL MEMBER HOLLEY MADE A MOTION TO APPOINT COUNCIL MEMBER ROBINSON AS THE PRIMARY REPRESENTATIVE AND COUNCIL MEMBER RODRIGUEZ AS THE ALTERNATE REPRESENTATIVE ON THE MADERA SUBBASIN COORDINATION COMMITTEE. THE MOTION WAS SECONDED BY COUNCIL MEMBER RODRIGUEZ AND PASSED UNANIMOUSLY BY A VOTE OF 7-0.

F. COUNCIL REPORTS

Council Member Robinson reported on his attendance at the Graffiti Abatement presentation at Berenda School.

Council Member Robinson reported on his attendance at the school districts "We Believe" event.

Council Member Foley Gallegos commended Officer Keiser for speaking at the Madera Votes Women's Conference. Council Member Foley Gallegos was also a speaker as well as others.

Council Member Foley Gallegos reported on her attendance at the Gen Next Wealth Ribbon cutting.

Council Member Rigby recognized Commander Chiamonte on being accepted into the FBI National Academy.

Council Member Holley reported on his attendance at the Police Academy ceremony.

Council Member Holley reported on his attendance at the Career Day for students at Martin Luther King Jr. Middle School.

Mayor Pro Tem Rodriguez reported on his meeting with Chief Lawson for an overview of what the department does.

Council Member Oliver thanked the Public Works Operations Director John Scarborough for working with the Police Department on shopping carts.

Council Member Oliver thanked Chief Lawson and Lieutenant Foss for working with an elderly constituent on an incident in her neighborhood and safety concerns.

Council Member Oliver thanked resident Eddie Block for being proactive on what goes on in downtown Madera.

Mayor Medellin commended staff on their efforts in various areas and their open door policy.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 10:26 p.m. to discuss the items as listed on the agenda. Council Members Holley and Robinson left at 10:26 p.m.

G-2 Conference with Legal Counsel – Pending Litigation pursuant to Government Code §54956.9(d)(1):

Heath Middleton WCAB No. ADJ10589860 & ADJ10589861 (2 cases)

G-3 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-4 Closed Session Report – City Attorney

The Council returned from closed session at 10:50 p.m. Absent: Council Members Holley and Robinson.

There was no reportable action for items G-2 and G-3.

ADJOURNMENT - The meeting was adjourned at 10:51 p.m. Next regular meeting 3/21/18.

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