



Item:	B-1
Minutes for:	12/05/18
Adopted:	11/06/19

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

**December 5, 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/Council Member Elect Cece Gallegos, District 1  
Council Member William Oliver, District 3  
Council Member Elect Steve Montes, District 3  
Council Member Derek O. Robinson Sr., District 4  
Council Member Elect Santos Garcia, District 5  
Council Member Donald E. Holley, District 6

**Absent:** Council Member Charles F. Rigby, District 5

Others present were City Attorney Brent Richardson, City Clerk Sonia Alvarez, City Manager Arnoldo Rodriguez, Director of Community Development David Merchen, Public Works Operations Director John Scarborough, Chief of Police Dino Lawson, Chief Building Official Steve Woodworth, Director of Parks and Community Services Mary Anne Seay, and Fire Battalion Chief James Forga.

**INVOCATION:** Council Member Donald Holley

**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.

Pam Tyler spoke on behalf of tenants of 329 South I Street. They are displaced due to a tenant accidentally running vehicle into a structure. There is no electricity at the building and she felt that Madera Management Company is not doing enough. She thanked Chief Lawson because he placed some of the families in a hotel for three nights.

Alexis is a tenant at 329 South I Street and she also discussed concerns and hardships due to the lack of electricity in her home. She urged Council to help by making Madera Management Company move quickly resolve this issue.

Mayor Medellin responded that he could not speak on behalf of Madera Management Company however he has personally spoken to PG&E and they are ready as soon as the new electrical box is installed. Our Building Department is checking on the contractor daily to ensure that the work is being done. With his understanding, power may be restored by this Friday. We here at City Hall are aware of this problem and are doing everything we can.

Leroy Gee with California Rural Legal Assistance in Madera also discussed concerns of tenants of 329 South I Street. He spoke of tenants suffering from health problems during this displacement. He also urged City Council to pass stronger ordinances to make management and landlords responsible and put up tenants who are displaced through no fault of their own in housing or other accommodations.

Eddie Block thanked outgoing council members for doing a great job. While they did not do everything he wanted them to do, they were always there for him.

April Molina also thanked outgoing council members and welcomed new members. She appreciates everything the outgoing members did. Also, she and her husband are praying for the new members.

No other comments were offered.

**PRESENTATIONS**           None.

**INTRODUCTIONS**        Arnoldo Rodriguez, City Manager

**A.     WORKSHOP**

There are no items for this section.

**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.*

Mayor Medellin announced that Item B-8 was pulled to be brought back at a future meeting.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER GALLEGOS, THE CONSENT CALENDAR WITH EXCEPTION OF ITEM B-8 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, GALLEGOS, ROBINSON, OLIVER, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER RIGBY. ABSTAIN: NONE.**

- B-1 Minutes – 12/06/17, 12/13/17, 12/20/17, 09/18/18
- B-2
  - A. Warrant Disbursement Report 10/30/18 – 11/12/18
  - B. Warrant Disbursement Report 11/1/18 – 11/26/18 (Report by Tim Przybyla)
- B-3 Water Conservation Report for 10/22/18 – 11/18/18 (Report by John Scarborough)
- B-4 Informational Report on Personnel Activity (Report by Wendy Silva)
- B-5 Consideration of a Minute Order Accepting the Sunrise Rotary Sports Complex Soccer Field Lighting, City Project No. PK 13-2018, CDBG Project No. B10MC060053-10218020-7030 and Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by Keith Helmuth)
- B-6 Consideration of a Minute Order Accepting the Reclamite Application on Various City Streets, City Project No. R-74 and Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by Keith Helmuth)
- B-7 Consideration of a Minute Order Accepting the Chip Seal Application on Various City Streets, City Project No. R-75 and Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by Keith Helmuth)

Item B-8 was pulled to be brought back at a future meeting.

- B-8 Informational Report on Procurement of Emergency Services by Madera Pumps, Inc. at City of Madera Well 20 (Report by John Scarborough)
- B-9 Consideration of a Resolution of the City Council, of the City of Madera, California, Approving a Subordination Agreement for Irma Morales for a CalHOME Owner-Occupied Residential Rehabilitation Program Loan and Authorizing the City Manager to Sign the Subordination Agreement on Behalf of the City of Madera (Report by Ivette Iraheta)

**RES. NO. 18-229      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A SUBORDINATION AGREEMENT FOR IRMA MORALES FOR A CALHOME OWNER-OCCUPIED RESIDENTIAL REHABILITATION PROGRAM LOAN AND AUTHORIZING THE CITY MANAGER TO SIGN THE SUBORDINATION AGREEMENT ON BEHALF OF THE CITY OF MADERA**

- B-10 Consideration of a Resolution Approving Establishing Budget Amendments to Account for Program Income in the HOME and CalHOME Assistance Programs (Report by Ivette Iraheta)

**RES. NO. 18-230      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING ESTABLISHING BUDGET AMENDMENTS TO ACCOUNT FOR PROGRAM INCOME IN THE HOME AND CALHOME HOUSING ASSISTANCE PROGRAMS**

B-11 Consideration of a Resolution Approving the Final Map for the Melanie Meadows Subdivision Phase I, Approving Subdivision Agreement, Authorizing Staff to Record Final Map and Subdivision Agreement, Accepting Dedication of Lands for Public Use and Authorizing the Mayor to Execute the Agreement on Behalf of the City; and

**RES. NO. 18-231 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE FINAL MAP FOR THE MELANIE MEADOWS SUBDIVISION PHASE I, APPROVING SUBDIVISION AGREEMENT, AUTHORIZING STAFF TO RECORD FINAL MAP AND SUBDIVISION AGREEMENT, ACCEPTING DEDICATION OF LANDS FOR PUBLIC USE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

Consideration of a Resolution Approving Annexation of the Melanie Meadows Subdivision Phase I into Zone of Benefit 21D; Confirming the Diagram and Assessments for City Wide Landscape and Lighting Assessment District Zone of Benefit 21D for Fiscal Year 2019/2020; Authorizing the Mayor to Execute the Covenant on Behalf of the City and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

**RES. NO. 18-232 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING ANNEXATION OF THE MELANIE MEADOWS SUBDIVISION PHASE I INTO ZONE OF BENEFIT 21 D; CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 21 D FOR FISCAL YEAR 2019/2020; AUTHORIZING THE MAYOR TO EXECUTE THE COVENANT ON BEHALF OF THE CITY AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR**

B-12 Consideration of a Resolution Approving a Memorandum of Understanding (MOU) Between City and State Center Community College Center District (District) for Madera Community College Center Max Expansion - Fixed Route 3 and Authorizing the Mayor to Execute the MOU on Behalf of the City (Report by Ivette Iraheta)

**RES. NO. 18-233 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN CITY AND STATE CENTER COMMUNITY COLLEGE CENTER DISTRICT (DISTRICT) FOR MADERA COMMUNITY COLLEGE CENTER MAX EXPANSION - FIXED ROUTE 3 AND AUTHORIZING THE MAYOR TO EXECUTE THE MOU ON BEHALF OF THE CITY**

B-13 Consideration of a Resolution Approving Business Subdivision Agreement for Trench and USS with Pacific Bell Telephone Company dba AT&T California for the Fire Station No. 58 Project (Report by Keith Helmuth)

**RES. NO. 18-234 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A BUSINESS SUBDIVISION AGREEMENT FOR TRENCH AND USS WITH PACIFIC BELL TELEPHONE COMPANY DBA AT&T CALIFORNIA FOR THE FIRE STATION NO. 58 PROJECT**

- B-14 Consideration of a Minute Order Acceptance of the Construction of 2017-18 City ST. 3R and ADA Project City Project No. R-65 State Project No. LPPSB1L-5157(112) (Report by Keith Helmuth)
- B-15 Consideration of a Resolution Appointing Ramon Lopez-Maciel to the City of Madera Planning Commission (Report by Chris Boyle)

**RES. NO. 18-235            RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA  
APPOINTING RAMON LOPEZ-MACIEL TO THE CITY OF MADERA PLANNING  
COMMISSION**

- B-16 Consideration of Resolution Approving a Request from the Madera Downtown Association to Utilize Parking District Funds for Crow Abatement Purposes and Authorizing and Approving Amendments to the City of Madera Fiscal Year 2018/2019 Budget (Report by Tim Przybyla)

**RES. NO. 18-236            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
APPROVING A REQUEST FROM THE MADERA DOWNTOWN ASSOCIATION TO  
UTILIZE PARKING DISTRICT FUNDS FOR CROW ABATEMENT PURPOSES AND  
AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL  
YEAR 2018/2019 BUDGET**

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

- C-1 Second Reading and Consideration of Adoption of an Ordinance Rezoning Approximately 0.69 Acres of Land Located at the Southeast Corner of the Intersection of Linden Street and West Park Drive from the R1 (Low Density Residential) Zone District to the PD 4500 (Planned Development) Zone District (APN: 006-360-016) (Report by Chris Boyle)

Director of Community Development David Merchen presented report.

The ordinance was read by title by City Clerk Sonia Alvarez.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, FURTHER READING WAS WAIVED, AND ORD. NO. 957 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, GALLEGOS, ROBINSON, OLIVER, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER RIGBY. ABSTAIN: NONE.**

**ORD 957 C.S.            AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE  
OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.69  
ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF  
LINDEN STREET AND WEST PARK DRIVE FROM THE R1 (LOW DENSITY  
RESIDENTIAL) ZONE DISTRICT TO THE PD 4500 (PLANNED DEVELOPMENT) ZONE  
DISTRICT**

- C-2 Second Reading and Consideration of Adoption of an Ordinance Prezoning Approximately Twenty Acres Located on the West Side of Stadium Road South of its Intersection with Almond Avenue into the PD 6000 (Planned Development) Zone District (APN: 034-070-011) (Report by Chris Boyle)

Director of Community Development David Merchen stated item was pulled to be brought back at a future meeting.

**D. WRITTEN COMMUNICATIONS:**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

There are no items for this section.

**F. COUNCIL REPORTS**

Council Member Robinson reported he attended the Madera County Adult Probation's Fall 2018 Ceremony where eighteen people completed the program.

Council Member Robinson also reported he attended the League of Cities Strategic Goals for 2019 meeting. Some of 2019's goals include: additional funding and tools to address housing and homelessness challenges; disaster preparedness; promote sustainability of public pensions and retirement benefits; and address public safety concerns. Mayor Medellin asked Council Member Robinson if he could bring back additional information regarding funding for housing and homelessness? Council Member Robinson yes there is a lot of information.

Mayor Pro-Tem Rodriguez thanked audience because it is always nice to see the chamber full of new and old faces. He also thanked Council Member Oliver and Council Member Rigby for their contributions to the City.

Council Member Oliver reported that Riverside and Sierra Street held their first Neighborhood Watch Meeting last week and there was over thirty people in attendance. It was a very productive meeting.

Council Member Oliver also reported he participated in Pomona Ranch meeting and the Affordable Housing Sustainable Grant Fund meeting today.

Mayor Medellin also spoke about Neighborhood Watch and mentioned that we have over 100 neighborhoods participating. The community appreciates the fact that we are bringing City Hall to the streets. The partnerships between community policing and Madera Police Department has been successful. He thanked the Police Department for their involvement and being proactive. He also recognized and thanked Community Outreach Coordinator Christina Herrera for her efforts.

No other reports were offered.

**G. CLOSED SESSION**

There are no items for this section.

**COUNCIL REORGANIZATION**

1. Consideration of a Resolution Declaring the Results of General Municipal Election Held on November 6, 2018 (Report by Sonia Alvarez)

City Clerk Sonia Alvarez announced the Madera County Clerk has issued the official results for the election held on November 6, 2018 and read the results into the records.

District 1:	CeCe Gallegos	Votes: 2,134
	Steve Salter	Votes: 918
District 3:	Steve Montes	Votes: 725
	Will Oliver	Votes: 537
District 5:	Santos Garcia	Votes: 607
	Charles Rigby	Votes: 394

City Clerk Sonia Alvarez requested Council adopt resolution declaring CeCe Gallegos as the Council Member representing District 1, Steve Montes as Council Member representing District 3, and Santos Garcia as Council Member representing District 5 having passed with the majority of the votes received.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER OLIVER, REORGANIZATION ITEM 1, RES. NO. 18-237 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, GALLEGOS, ROBINSON, OLIVER, AND HOLLEY. NOES: NONE. ABSENT: COUNCIL MEMBER RIGBY. ABSTAIN: NONE.**

**RES. NO. 18-237            A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018**

2. Ceremonial Oath of Office - Following Oath Outgoing Members Step Down and New Council Members Take Seat at Dais

Council Member Elect for District 1 - Cece Gallegos  
Council Member Elect for District 3 - Steve Montes  
Council Member Elect for District 5 - Santos Garcia

City Clerk Sonia Alvarez called Council Member Elect CeCe Gallegos to the dais area where Jim Taubert administered the oath.

City Clerk Sonia Alvarez called Council Member Elect Steve Montes to the dais area where Victor Montes administered the oath.

City Clerk Sonia Alvarez called Council Member Elect Santos Garcia to the dais area where Dillon Savory administered the oath.

Following oath Mayor Medellin announced outgoing council members step down and new council members take seat at dais.

3. Consideration of Selection of Mayor Pro Tem (Report by Sonia Alvarez)

Mayor Medellin stated by resolution 12-210 the Mayor Pro-Tem is nominated by someone who has not served as Mayor Pro-Tem yet. In this case we have two council members. We choose the one who received the most votes. That is Council Member Steve Montes.

**ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, REORGANIZATION ITEM 3, APPROVING SELECTING STEVE MONTES AS THE MAYOR PRO-TEM BY A VOTE OF 7-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.**

4. Presentation to Outgoing Council Members  
Council Member for District 3 – William Oliver  
Council Member for District 5 – Charles Rigby

Mayor Medellin presented a plaque to outgoing Council Member William Oliver and said it was an honor to work side by side with him. Mayor Medellin thanked him for his efforts and his service to the people of Madera.

Former Council Member William Oliver stated the evening he was sworn in as a Madera City Council Member was one of his proudest moments. He will leave the Council Chambers how he entered it, with his head held high, pride on they accomplished by working together, with a big heart for this city and our people, and optimistic for its future. He could not have done that without an amazing team. He congratulated new City Manager, he is very proud to take part of the process. He also congratulated the new Council Members and requested the community to get behind them because their successes will be our community successes. He thanked his City Council colleagues both past and present. He had great relationships with each of the members and enjoyed the spirited discussion and debates. He thanked staff and appreciated their professionalism, hard work, and they never failed to show their dedication to our City. He also thanked David Tooley, Jim Taubert and Steve Frazier for their leadership in Madera. He thanked and appreciated the partnerships with Madera residents and Neighborhood Watch leaders of District 3. There will be times where the work will be discouraging, but the greatest opportunities presents itself during those times. To look out beyond this chamber and see the goodness that exists in our City. That is the most valuable part about being on the City Council, it is getting out there and seeing before doing. Examples like Eddie Block, because of him we have a Business Watch. April Molina who revived Love Madera and organized folks which generated thousands of hours of volunteerism cleaning up our river, downtown and our parks. He believes that goodness is alive and well in Madera and hopes that they will lean on that goodness to draw inspiration especially when facing difficult decisions. He wishes this council well and is confident they will carry out its work with an open mind and most importantly with an eye towards its future. He also extended his support and thanks to the families of the new council members because he knows how much sacrifice it requires to support these men and women up there. He looks forward to returning to the position of community member. It is one he valued the most as a City Council Member. He thanked everyone for the opportunity to serve and partnerships. He wishes Madera and the community the best in the years to come.

5. Newly Elected Council Members Opportunity to Speak

Council Member CeCe Gallegos introduced and thanked her family that was in attendance. She thanked the citizens of Madera for giving her the opportunity to serve for four more years and will make them all



proud. She will do what it takes and give 110%. We will do more great things for Madera with our new City Manager.

Mayor Pro-Tem Steve Montes stated running for City Council was an eye opening and challenging experience. He has had a lot of support from many people. He thanked his wife, children, parents, and team for being supportive. He looks forward to working with the entire community to ensure that we have an inclusive and well-run government that works for all members of this beautiful city. He thanked District 3 residents for giving him the opportunity to work for the City of Madera.

Council Member Garcia stated that he grew up as a farm worker in Madera. He thanked everyone who helped him in the Madera City Council race. He thanked Dillon, his wife, children, Valley Forward, his labor family (Carpenters, Sheet Metal Workers, Iron Workers, Plumbers, and SEIU), Ruben Zarate, and members of Madera's business community. The highlight of his campaign is when Dolores Huerta supported his campaign. He promised to do his best to make Madera a better place for everyone. Thank you very much and sí se puede.

Mayor Medellin congratulated City Manager Arnoldo Rodriguez. Thanked Will Oliver for his kind words and serving our community. He also congratulated Council Member CeCe Gallegos, Mayor Pro-Tem Steve Montes and Council Member Santos Garcia.

**ADJOURNMENT** - The meeting was adjourned at 7:01 p.m. Next regular meeting December 19, 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.

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ALICIA GONZALES, City Clerk

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ANDREW J. MEDELLIN, Mayor

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Prepared by:  
CLAUDIA MENDOZA, Deputy City Clerk