



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

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

December 19, 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 Steve Montes, District 3
Council Member Cece Gallegos, District 1
Council Member Jose Rodriguez, District 2
Council Member Derek O. Robinson Sr., District 4
Council Member Elect Santos Garcia, District 5

Absent: Council Member Donald E. Holley, District 6

Others present were City Manager Arnoldo Rodriguez, 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, Chief Building Official Steve Woodworth, Director of Parks and Community Services Mary Anne Seay, Acting Planning Manager Chris Boyle, Assistant Fire Chief Matt Watson, Police Commander Gino Chiaramonte, Human Resources Administrative Analyst Eugene Hayes, Grant Administrator Ivette Iraheta, Information Services Manager Mark Souders, Engineering Project Coordinator Ellen Bitter, Financial Services Administrative Analyst Eric Battles, Engineering Administrative Analyst Jimmy Monreal, and Engineering Project Manager Frank Holguin.

INVOCATION: Council Member Derek O. Robinson Sr.

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.

Vincent Paul Enriquez discussed concerns with Dolphin Taxi not abiding by the new taxi cab ordinance. He has been in contact with Code Enforcement and they have not been able to take her vehicle away. She is a danger. He needs something to be done about this.

Epicaño Dominguez discussed concerns with the significant increase in water rate. Mayor asked for Mr. Dominguez to hold comment until item is called on the agenda (Item C-6). Comment was translated by Grant Administrator Ivette Iraheta.

Zelda Piedra also discussed concerns with the significant increase in water rate. Mayor asked for Ms. Piedra to hold comment until item is called on the agenda (Item C-6). Comment was translated by Grant Administrator Ivette Iraheta.

No other comments were offered.

PRESENTATIONS

1. Student Presentation / Recognition on Homelessness – Mayor Medellin

Mayor Andrew Medellin presented a Recognition Certificate to Edward Serrato. He is an eighth-grade student with Thomas Jefferson Middle School.

Ms. Rodriguez (Edward's History teacher) and Edward Serrato presented ideas for addressing homelessness.

2. Recognition of Partnership Award Received from Mid Valley Disposal (Annette Kwock)

Annette Kwock with Mid Valley Disposal presented Community Partnership Award to the City of Madera.

INTRODUCTIONS

1. Police Officers Jared Maciel, Jeff Eichman, Robert Mahoney

Madera Police Chief Dino Lawson introduced new Police Officers Jared Maciel and Jeff Eichman. Officer Robert Mahoney was not present.

2. Dispatcher Brianna Corona

Madera Police Chief Dino Lawson introduced new Dispatcher Brianna Corona.

City Clerk Sonia Alvarez made a late distribution announcement regarding item C-6.

A. WORKSHOP

A-1 Status Report on Water Storage Tank & Transmission Pipeline Project (Presentation by Ellen Bitter)

City Manager Arnaldo Rodriguez, Engineering Project Coordinator Ellen Bitter, and consultant Tony Akel 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-5 was pulled by Council Member Rodriguez for discussion.

Resolution for Item B-4 was inadvertently excluded from the agenda packet as presented. Item will be brought back to future meeting for approval.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

B-1 Minutes – 01/03/18, 01/17/18

B-2 Warrant Disbursement Report 11/27/18 – 12/10/18 (Report by Tim Przybyla)

B-3 Consideration of a Resolution Approving Improvement Deferral Agreement and Authorization of Lien for Arturo Mejia and Micaela A. Mejia (Report by Keith Helmuth)

RES. NO. 18-239 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING IMPROVEMENT DEFERRAL AGREEMENT AND AUTHORIZATION OF LIEN FOR ARTURO MEJIA AND MICAELA A. MEJIA, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-4 Consideration of a Resolution Rescinding Resolution No. 18-81 and Approving the Amended Applications for Transportation Development Act - Local Transportation Funds for FY 2018/19 with FY 2017/18 Carryover Balances of \$3,286,818.01, and the FY 2018/19 State Transit Assistance Funds and Authorizing the City Engineer to Execute and Submit the Amended Applications to the Madera County Transportation Commission (Report by Keith Helmuth)

Resolution for Item B-4 was inadvertently excluded from the agenda packet as presented. Item will be brought back to future meeting.

B-5 Consideration of a Resolution Approving an Agreement with Stantec Consulting Services, Inc., Not to Exceed \$50,000, for Professional Engineering Consulting Services for the Update of the Waste Discharge Permit for the City of Madera Wastewater Treatment Plant and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by John Scarborough)

After discussion Council moved to approve item B-5.

RES. NO. 18-240 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. NOT TO EXCEED \$50,000 FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR THE UPDATE OF THE WASTE DISCHARGE PERMIT FOR THE CITY OF MADERA WASTEWATER TREATMENT PLANT AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY**

B-6 Consideration of a Resolution Approving Amendment #1 to the Fiscal Year 2018-19 Site Management Contract Between the City and the Fresno-Madera Area Agency On Aging (FMAAAA) and Authorizing the Mayor to Execute the Amendment to the Contract on Behalf of the City; and

RES. NO. 18-241 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT #1 TO THE FISCAL YEAR 2018-19 SITE MANAGEMENT CONTRACT BETWEEN THE CITY AND THE FRESNO-MADERA AREA AGENCY ON AGING (FMAAAA) AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE CONTRACT ON BEHALF OF THE CITY**

Consideration of a Resolution Amending the FY 2018-19 General Fund/Org 10206218 - Senior Citizen Community Service Program Budget to Recognize \$15,000 in Additional Revenue (Report by Mary Anne Seay)

RES. NO. 18-242 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2018-19 GENERAL FUND/ORG 10206218 - SENIOR CITIZEN COMMUNITY SERVICE PROGRAM BUDGET TO RECOGNIZE \$15,000 IN ADDITIONAL REVENUE**

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

C-1 Consideration of a Resolution Accepting \$50,000 in Grant Funding from Kaiser Foundation Hospitals (KFH) for the Madera Heal Zone IV Project, Approving the Grant Agreement with KFH and Authorizing the City Manager to Execute the Agreement and Related Documents on Behalf of the City; and

Consideration of a Resolution Amending the FY 2018 – 19 Parks and Community Services Budget to Recognize the Proceeds of the Grant and to Appropriate Funds to the Specified Accounts (Report by Mary Anne Seay)

Director of Parks and Community Services Mary Anne Seay presented report.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-1, RES. NO. 18-243 AND RES. NO 18-244 WAS APPROVED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

RES. NO. 18-243 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ACCEPTING \$50,000 IN GRANT FUNDING FROM KAISER FOUNDATION HOSPITALS (KFH) FOR THE MADERA HEAL ZONE IV PROJECT, APPROVING THE**

GRANT AGREEMENT WITH KFH, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS ON BEHALF OF THE CITY

RES. NO. 18-244 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FY 2018-19 PARKS AND COMMUNITY SERVICES BUDGET TO RECOGNIZE THE PROCEEDS OF A \$50,000 KAISER FOUNDATION HOSPITALS GRANT AND TO APPROPRIATE FUNDS TO SPECIFIED ACCOUNTS

Item C-6 was taken out of order and was discussed before Item C-2.

C-2 Consideration of:

- 1) A Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to City of Madera Community Facilities District No. 2005-01; and

Acting Planning Manager Chris Boyle presented report.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-2(1), RES. NO. 18-245 WAS APPROVED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

RES. NO. 18-245 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED FOR ANNEXATION TO CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01

- 2) A Resolution Declaring the City's Intention to Authorize the Annexation of Territory into City of Madera Community Facilities District No. 2005-01 (Report by Chris Boyle)

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-2(2), RES. NO. 18-246 WAS APPROVED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

RES. NO. 18-246 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (BELLAVA CONSTRUCTION LLC) TO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES) ANNEXATION NO. 5

C-3 Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 38.5 Acres Located Approximately 2,000 Feet West of the Southwest Corner of the Intersection of West Cleveland Avenue and North Westberry Boulevard from the PD-8000 (Planned Development) Zone District to the PD-6000 (Planned Development) Zone District (APNs: 006-380-027 and 028) (Report by Chris Boyle)

Acting Planning Manager Chris Boyle presented report.

Rick Tellegan stated that he supports the recommendation of staff for the increase of traffic impact fees.

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

ON MOTION BY COUNCIL MEMBER ROBINSON, AND SECONDED BY COUNCIL MEMBER GALLEGOS, FURTHER READING WAS WAIVED AND ITEM C-3, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

INTRO. ORD. RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA ADOPTION OF AN ORDINANCE REZONING APPROXIMATELY 39.33 ACRES OF PROPERTY (APN: 006-380-027 AND 006-380-028), APPROXIMATELY 2,000 FEET WEST OF THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH WESTBERRY BOULEVARD AND WEST CLEVELAND AVENUE, FROM THE PD-8000 (PLANNED DEVELOPMENT) ZONE DISTRICT TO THE PD-6000 (PLANNED DEVELOPMENT) ZONE DISTRICT.

C-4 Consideration of a Resolution to Change the Name of the City's Transit Services from Madera Area Express to Madera Metro; and

Consideration of a Resolution to Approve a New Madera Transit Logo (Report by Ivette Iraheta)

Grant Administrator Ivette Iraheta and consultant Duran Hernandez with Jeffery Scott Agency presented report.

Resolution for Item C-4 was inadvertently excluded from the agenda packet as presented. Item will be brought back to future meeting for approval.

C-5 Second Reading and Consideration of Adoption of an Ordinance Prezoning Approximately 20 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)

Acting Planning Manager Chris Boyle and Director of Community Development David Merchen presented report.

Juan Luis Carranco with Land Design Consulting and they are helping Joseph Crown with this project. This is an important project and a great opportunity for the City of Madera.

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

ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER GALLEGOS, FURTHER READING WAS WAIVED, AND ORD. NO. 958 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

ORD 958 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO PREZONE APPROXIMATELY 19.95 ACRES OF PROPERTY (APN: 034-070-011), LOCATED ON THE WEST SIDE OF STADIUM ROAD (ROAD 26 ½), SOUTH OF ITS INTERSECTION WITH ALMOND AVENUE, TO THE PD 6000 (PLANNED DEVELOPMENT) ZONE DISTRICT

Item C-6 was taken out of order and was discussed before Item C-2.

C-6 Consideration of a Resolution Approving Adjustments to the Water Utility Rate to Reduce the Currently Set Increase (Report by Tim Przybyla)

Director of Financial Services Tim Przybyla presented report.

Epicaño Dominguez discussed concerns with the significant increase in water rate. Comment was translated by Grant Administrator Ivette Iraheta.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-6, RES. NO. 18-247 WAS APPROVED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

RES. NO. 18-247 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING ADJUSTMENTS TO THE WATER UTILITY RATE TO REDUCE THE CURRENTLY SET INCREASE FROM RESOLUTION 15-156

C-7 Consideration of a Resolution Approving an Amendment in the Amount of \$5,200 to the City Council (Council) Conference and Training Budget (Report by Sonia Alvarez)

City Clerk Sonia Alvarez presented report.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-7, RES. NO. 18-248 WAS APPROVED UNANIMOUSLY BY A VOTE OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

RES. NO. 18-248 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A BUDGET AMENDMENT IN THE AMOUNT OF \$5,200 TO THE CITY COUNCIL CONFERENCE AND TRAINING BUDGET

D. WRITTEN COMMUNICATIONS:

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Mayor's Appointments to Outside Boards (Mayor Medellin)

Mayor Andrew Medellin presented report and made appointments to following committees:

Central California Women’s Facility (CCWF) Citizen’s Advisory Board

Primary: Council Member Santos Garcia
Alternate: Council Member Donald Holley

Madera County Local Child Care and Development Planning Council (LPC) Steering Committee

Primary: Council Member Derek Robinson
Alternate: Council Member Santos Garcia

Community Action Partnership of Madera Co. Inc. (CAPMC)

Primary: Council Member Jose Rodriguez
Alternate: Council Member Derek Robinson

Madera County Economic Development Commission (EDC)

Primary: Mayor Andrew Medellin
Alternate: Council Member Jose Rodriguez

Madera County Transportation Commission (MCTC)

Primary: Mayor Andrew Medellin
Primary: Council Member Jose Rodriguez
Alternate: Council Member Donald Holley

San Joaquin River Conservancy

Primary: Council Member Santos Garcia
Alternate: Mayor Pro-Tem Steve Montes

Local Agency Formation Commission (LAFCO)

Primary: Mayor Andrew Medellin
Alternate: Will be done through Madera County

San Joaquin Valley Air Pollution Control District Citizen Advisory Board (SJVAPCD)

Primary: Council Member Derek Robinson
Alternate: Council Member CeCe Gallegos

E-2 Consideration of Request for Appointments to the Madera County Arts Authority to Fill Vacancies (Report by Sonia Alvarez)

City Clerk Sonia Alvarez presented report.

After discussion Council moved to approve the following appointments to the Madera County Arts Authority:

Primary: Council Member CeCe Gallegos
1st Alternate: Council Member Jose Rodriguez
2nd Alternate: Council Member Steve Montes

ON MOTION BY MAYOR MEDELLIN, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM E-2, APPOINTMENTS TO MADERA COUNTY ARTS AUTHORITY WAS APPROVED UNANIMOUSLY BY A VOTE

OF 6-0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS, MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: COUNCIL MEMBER HOLLEY. ABSTAIN: NONE.

E-3 Cancellation Announcement Regarding the January 16, 2019 Meeting (City Clerk)

City Clerk Sonia Alvarez presented report and stated we will have a quorum and do not need to cancel January 16, 2019 meeting. No action taken.

F. COUNCIL REPORTS

Council Member Gallegos requested Council be emailed progress information regarding Freedom Industrial Park project.

Mayor Medellin stated that the Council really needs to have a discussion regarding Development Impact Fees. He requested that City Manager Arnoldo Rodriguez make that a priority.

Mayor Medellin wished everyone a Merry Christmas and thanked staff for their dedication.

No other reports were offered.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 9:55 p.m. to discuss the items as listed on the agenda.

G-2 Conference with Legal Counsel -Pending Litigation pursuant to Government Code §54956.9(d)(1) – 2 cases: Miguel Ramirez WCAB No. ADJ7786539 and Marilyn Hall-Zunino WCAB No. ADJ10188576

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 Conference with Labor Negotiators Pursuant to Government Code §54957.6

Agency Designated Representatives: Arnoldo Rodriguez

Unrepresented Positions:

Planning Manager, Director of Community Development, Police Chief, Grant Administrator, City Engineer, Information Services Manager, Director of Parks & Community Services, Chief Building Official, Director of Financial Services, Public Works Operations Director and Director of Human Resources

Direct Reports:

City Attorney, City Clerk

G-5 Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8

Property: 1 Parcel
City of Madera APN: 035-080-026
Agency Negotiators: Keith Helmuth
Negotiating Party: Jason Sanders
Under Negotiations: Price and Terms

G-6 Closed Session Report – City Attorney

The Council returned from closed session at 11:56 p.m. with all members present.

City Attorney reported there was no reportable action taken for items G-2, G-3, G-4, and G-5.

ADJOURNMENT - The meeting was adjourned at 11:59 p.m. Next regular meeting January 2, 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