



Item:	B-1
Minutes for:	07/05/18
City Adopted:	07/18/18
MPFA Adopted:	_____

**MINUTES OF A REGULAR MEETING
OF THE MADERA CITY COUNCIL,**

**SPECIAL MEETING OF THE MADERA PUBLIC
FINANCING AUTHORITY, AND**

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

CITY OF MADERA, CALIFORNIA

**Thursday, July 5, 2018
6:00 p.m.**

**Council Chambers
City Hall**

CALL TO ORDER – The joint meeting was called to order at 6:00 p.m.

ROLL CALL:

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

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, and Division Fire Chief Matt Watson.

INVOCATION: Hannah Cunnings, Believers Church of Madera

Ms. Cunnings, representing Teach One to Lead One, gave the invocation.

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/Authority on items which are within the subject matter jurisdiction of the Council/Authority. 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/Chairperson 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/Authority 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/Authority does not respond to public comment at this time.

Mayor/Chairperson Medellin opened public comment.

Katie Sierra and Kathleen Sierra, residing in Madera, California, shared concerns regarding the lack of animal control and that it is not adequately staffed. They shared that Katie was recently bitten by a dog while at her mom Kathleen's house.

Eddie Block, residing in Madera, California, invited everyone to attend the Elks Lodge Casino Night scheduled August 3, 2018 and he has tickets. He also invited all to the VA (Veteran's Affairs) Hospital this Saturday where the Elk's will be serving a tri tip lunch to the Veterans. He also shared concerns regarding illegal fireworks.

Mayor/Chairperson Medellin closed public comment.

A. WORKSHOP

1. Presentation on Madera County Library Improvements (Patrick Fitzgerald, County Librarian)

Maria Miranda with County Administration General Services Division and County Librarian Patrick Fitzgerald provided an overview of the improvements coming to the main library due in part to the City's annual contribution to library operations.

2. Recognize Charles Rigby - Housing Authority Chairperson of the Year Awarded by the Pacific Southwest Regional Council of NAHRO (National Association of Housing and Redevelopment Officials)

Housing Authority Chairperson Will Oliver recognized Housing Authority Commissioner Charles Rigby as the 2017 recipient of the Chairperson of the Year awarded by the Pacific Southwest Regional Council of NAHRO for his efforts in the Transitional Homeless Housing Program at Pomona Ranch. Housing Authority Executive Director Linda Shaw was also present.

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/Authority Member Oliver requested item B-4 pulled for discussion.

Mayor Pro Tem/Authority Member Rodriguez requested items B-9 and B-10 pulled for discussion.

Council/Authority Member Foley Gallegos requested item B-11 pulled for discussion.

ON MOTION BY COUNCIL/AUTHORITY MEMBER RIGBY, AND SECONDED BY COUNCIL/AUTHORITY MEMBER FOLEY GALLEGOS, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEMS B-4, B-9, B-10 AND B-11, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

- B-1 Minutes – 07/05/17, 06/20/18
- B-2 Warrant Disbursement Report 6/12/18 – 6/25/18 (Report by Tim Przybyla)
- B-3 Water Conservation Report for May 21st through June 17th (Report by John Scarborough)
- B-4 Consideration of a Resolution Approving the Award of Contract for Reclamite Application on Various City Streets, City Project No. R-74, in the Amount of \$192,191.56 to Telfer Pavement Technologies, Inc., Authorizing Construction Contingencies of Up to 10%, Construction Inspections and Construction Management Up to 8% as Approved by the City

Engineer and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth) *[Item pulled for discussion.]*

- B-5 Consideration of a Minute Order Accepting the 2017 Water Meter Project, City Project No. W 17-01, Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by Keith Helmuth)
- B-6 Informational Report on Personnel Activity (Report by Wendy Silva)
- B-7 Consideration of a Resolution Approving the Submission of a Grant Application to the California Department of Transportation Active Transportation Program and Authorizing the City Administrator, or Designee, to Execute All Required Grant Documents (Report by Ivette Iraheta)

RES. NO. 18-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION PROGRAM AND AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ALL REQUIRED GRANT DOCUMENTS

- B-8 Consideration of a Resolution of the Board of Directors of the Madera Public Financing Authority Electing Officers (MPFA - Report by Brent Richardson)

MPFA RES. NO. 18-02 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MADERA PUBLIC FINANCING AUTHORITY ELECTING OFFICERS

- B-9 Consideration of a Resolution of the City Council of the City of Madera Approving Documents Necessary for Participating in the Voluntary Closing Agreement Program (VCAP) with the IRS Relative to the Madera Public Financing Authority 1993 Variable Rate Demand Bonds and Authorizing the Mayor to Execute the Documents on Behalf of the City of Madera (City - Report by Brent Richardson) *[Item pulled for discussion.]*
- B-10 Consideration of a Resolution of the Board of Directors of the Madera Public Financing Authority Approving Documents Necessary for Participating in the Voluntary Closing Agreement Program (VCAP) with the IRS Relative to the Madera Public Financing Authority 1993 Variable Rate Demand Bonds and Authorizing the Chairperson to Execute the Documents on Behalf of the Authority (MPFA - Report by Brent Richardson) *[Item pulled for discussion.]*
- B-11 Consideration of a Resolution Approving an Agreement with the Kings View Skills4Success Program to Provide Paid Work Experience for Madera Youth through the Career Education and Exploration Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City and Authorizing the Impacted Department Director to Execute Individual Worksite Agreements for Program Participants (Report by Mary Anne Seay) *[Item pulled for discussion.]*

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

- B-4 *Consideration of a Resolution Approving the Award of Contract for Reclamite Application on Various City Streets, City Project No. R-74, in the Amount of \$192,191.56 to Telfer Pavement Technologies, Inc., Authorizing Construction Contingencies of Up to 10%, Construction Inspections and Construction Management Up to 8% as Approved by the City Engineer and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)*

City Engineer Keith Helmuth addressed Council Member Oliver's questions/comments regarding add alternates, bids received, and awards to local contractors.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM B-4, RES. NO. 18-122 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-122 A RESOLUTION APPROVING THE AWARD OF CONTRACT FOR RECLAMITE APPLICATION ON VARIOUS CITY STREETS, CITY PROJECT NO. R-74, IN THE AMOUNT OF \$192,191.56 TO TELFER PAVEMENT TECHNOLOGIES, INC., AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10%, CONSTRUCTION INSPECTIONS AND CONSTRUCTION MANAGEMENT UP TO 8% AS APPROVED BY THE CITY ENGINEER AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

B-9 Consideration of a Resolution of the City Council of the City of Madera Approving Documents Necessary for Participating in the Voluntary Closing Agreement Program (VCAP) with the IRS Relative to the Madera Public Financing Authority 1993 Variable Rate Demand Bonds and Authorizing the Mayor to Execute the Documents on Behalf of the City of Madera (City - Report by Brent Richardson)

B-10 Consideration of a Resolution of the Board of Directors of the Madera Public Financing Authority Approving Documents Necessary for Participating in the Voluntary Closing Agreement Program (VCAP) with the IRS Relative to the Madera Public Financing Authority 1993 Variable Rate Demand Bonds and Authorizing the Chairperson to Execute the Documents on Behalf of the Authority (MPFA - Report by Brent Richardson)

City Attorney Brent Richardson addressed Mayor Pro Tem/Authority Member Rodriguez's questions/comments relative to fees paid to IRS and firm for items B-9 and B-10.

ON MOTION BY COUNCIL/AUTHORITY MEMBER RIGBY, AND SECONDED BY COUNCIL/AUTHORITY MEMBER OLIVER, ITEMS B-9 AND B-10, RES. NO. 18-124 AND MPFA RES. NO. 18-03, WERE ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING DOCUMENTS NECESSARY FOR PARTICIPATING IN THE VOLUNTARY CLOSING AGREEMENT PROGRAM (VCAP) WITH THE IRS RELATIVE TO THE MADERA PUBLIC FINANCING AUTHORITY 1993 VARIABLE RATE DEMAND BONDS AND AUTHORIZING THE MAYOR TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY OF MADERA

MPFA RES. NO. 18-03 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MADERA PUBLIC FINANCING AUTHORITY APPROVING DOCUMENTS NECESSARY FOR PARTICIPATING IN THE VOLUNTARY CLOSING AGREEMENT PROGRAM (VCAP) WITH THE IRS RELATIVE TO THE MADERA PUBLIC FINANCING AUTHORITY 1993 VARIABLE RATE DEMAND BONDS AND AUTHORIZING THE CHAIRPERSON TO EXECUTE THE DOCUMENTS ON BEHALF OF THE AUTHORITY

B-11 Consideration of a Resolution Approving an Agreement with the Kings View Skills4Success Program to Provide Paid Work Experience for Madera Youth through the Career Education and Exploration Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City and Authorizing the Impacted Department Director to Execute Individual Worksite Agreements for Program Participants (Report by Mary Anne Seay)

At the request of Council Member Foley Gallegos, the Director of Parks and Community Services Mary Anne Seay provided an overview of the program for the benefit of the public.

ON MOTION BY COUNCIL MEMBER FOLEY GALLEGOS, AND SECONDED BY MAYOR PRO TEM RODRIGUEZ, ITEM B-11, RES. NO. 18-125 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH KINGS VIEW SKILLS4SUCCESS PROGRAM TO PROVIDE PAID WORK EXPERIENCE FOR MADERA YOUTH THROUGH THE CAREER EDUCATION AND EXPLORATION PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY AND AUTHORIZING THE IMPACTED DEPARTMENT DIRECTOR TO EXECUTE INDIVIDUAL WORKSITE AGREEMENTS FOR PROGRAM PARTICIPANTS

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

C-1 Public Hearing and Consideration of a Resolution Adopting the City of Madera Budget, Capital Improvement Program (CIP), Master Fee Schedule and Master Penalty Schedule for Fiscal Year 2018/2019 (Report by Tim Przybyla)

City Administrator Steve Frazier and Director of Financial Services Tim Przybyla presented the report, which included an overview of the proposed budget, discussion on approving the budget with the projected deficit, filling the positions previously frozen and the addition of a Senior Planner.

Mayor Medellin opened the public hearing. No comments were made and Mayor Medellin closed the public hearing.

DJ Becker, representing the Friends of the Madera Animal Shelter (FMAS), spoke later in the meeting after the public hearing had been closed regarding animal issues, public safety and related public education.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY MAYOR PRO TEM RODRIGUEZ, ITEM C-1, RES. NO. 18-126, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-126 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019 IN THE AMOUNT OF \$93,076,188, THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM, THE MASTER PENALTY SCHEDULE AND UPDATING THE MASTER FEE SCHEDULE

C-2 A Noticed Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 3.57 Acres Located Approximately 600 feet North of the Northeast Corner of the Intersection of Adelaide Avenue and Sunrise Avenue from the R1 (Low Density Residential) Zone District to the PD-6000 (Planned Development) Zone District (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

Mayor Medellin opened the public hearing. No comments were made and Mayor Medellin closed the public hearing.

The introduction of an 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, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

INTRO ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 3.57 ACRES OF PROPERTY (APN: 008-102-003, 008-102-007 AND 008-102-008), LOCATED APPROXIMATELY 600 FEET NORTH OF THE NORTHEAST CORNER OF THE INTERSECTION OF SUNRISE AVENUE AND ADELAIDE AVENUE, FROM THE R1 (LOW DENSITY RESIDENTIAL) ZONE DISTRICT TO THE PD 6000 (PLANNED DEVELOPMENT) ZONE DISTRICT

C-3 Consideration of a Resolution Setting the Monthly Health Benefit Allowance for the City Council of the City of Madera (Report by Wendy Silva)

Director of Human Resources Wendy Silva presented the report.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-3, RES. NO. 18-127, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-127 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SETTING THE MONTHLY HEALTH BENEFIT ALLOWANCE FOR THE CITY COUNCIL

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Request to Appoint a Council Ad-Hoc Committee to Work with Staff to Discuss and Evaluate Policies and Business Development Opportunities Related to the Cannabis Industry as Necessary (Report by Steve Frazier)

City Administrator Steve Frazier presented the report.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, THE MOTION TO APPOINT MAYOR MEDELLIN AND MAYOR PRO TEM RODRIGUEZ TO SERVE ON THE AD HOC COMMITTEE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

F. COUNCIL REPORTS

Council Member Robinson reported that he attended the Sustainable Groundwater Management meeting.

Council Member Robinson reported that he attended the Citizen Advisory Committee for Valley State Prison and the California Women's Facility. Discussion included an interest in participating in the Neighborhood Watch Program.

Council Member Foley Gallegos commended the Interim Public Works Director John Scarborough for working with the Mosquito Abatement Team on a collaborative program and thanked staff for repainting the shark's teeth at school crossing.

Council Member Foley Gallegos commended Chief of Police Lawson regarding the department efforts against illegal fireworks.

Council Member Foley Gallegos reported that Cold Stone had a great turnout at their grand opening.

Council Member Rigby also commended the Police Department for their efforts against illegal fireworks. He also thanked Parks staff for taking calls from the public regarding the cancelled fireworks show and offered praise for the awesome summer programs.

Council Member Holley stated he heard fireworks all night and commended the Police Department for their efforts as well.

Council Member Holley reported that he's lost two of his key principals and two vice-principals in his district.

Council Member Holley commented that as Council people they need to watch their actions because they never know who is watching them.

Mayor Pro Tem Rodriguez reported that he was on a plane on the 4th and was able to see some of the fireworks shows. He also commended the Police Department on their efforts with the fireworks.

Council Member Oliver thanked staff on the development of the budget.

Council Member Oliver thanked the Parks and Community Services Director Mary Anne Seay and the City Engineer Keith Helmuth for providing updates on his constituent calls.

Council Member Oliver invited everyone to attend the Madera Special Needs Sports Program Super Hero Dance scheduled July 14th at the John Wells Youth Center.

Mayor Medellin reported that he, as well as Council Member Foley Gallegos, attended the Business Watch meeting at Lowes. He thanked Office Juarez for getting that off the ground.

Mayor Medellin reminded Council that the Intergovernmental meeting will be held around September and the City is hosting. He also reported that the Steering Committee met last week and they discussed homelessness, economic development for the County and transportation along the 99 corridor.

Mayor Medellin also thanked the Police Department for their efforts on the 4th of July. He also credits Measure K which makes it possible for those additional officers.

Mayor Medellin acknowledged the stories run by Channel 30 on the Police 4th of July enforcement and the City's Business Incentive Program. He thanked Council Members Rigby and Oliver, and Mayor Pro Tem Rodriguez for their part in the program.

Mayor Medellin thanked the Parks and Community Services Director and her staff for the follow up on landscape median concerns from the public and their work on the medians.

Mayor Medellin recognized Joseph Carrello for his work in developing the City's videos.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 8:23 p.m. to discuss items G-2 and G-3 as listed on the agenda.

G-2 Conference with Labor Negotiators Pursuant to Government Code §54957.6

Agency Designated Representatives: Steve Frazier & Wendy Silva

Employee Organizations:

General Bargaining Unit
Madera Police Officers' Association
Mid-Management Employee Group
Law Enforcement Mid-Management Group
Management Employees

Unrepresented Direct Reports:

City Clerk, City Administrator, City Attorney, Executive Director of the Successor Agency to the Former Madera Redevelopment Agency

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 9:32 p.m. with all members present.

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

ADJOURNMENT - The meeting was adjourned at 9:33 p.m. Next regular meeting July 18, 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.



SONIA ALVAREZ, City Clerk



ANDREW J. MEDELLIN, Mayor

