



Item:	B-1
Minutes for:	09/04/19
Adopted:	12/04/19

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

**September 4, 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, Interim City Attorney Hilda Montoy Cantu, City Clerk Alicia Gonzales, Deputy City Clerk Claudia Mendoza, Chief of Police Dino Lawson, Assistant Fire Chief Matt Watson, Interim Finance Director Susan O’Haro, City Engineer Keith Helmuth, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Parks and Public Works Operations Director John Scarborough, Acting Planning Manager Chris Boyle, Grant Administrator Ivette Iraheta, Police Lieutenant Dan Foss, Human Resources Director Wendy Silva, and Procurement Services Manager Becky McCurdy.

INVOCATION: Pastor John Pursell, Believer’s Church

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

Mayor Medellin called for any amendments to the agenda or items to be pulled.

No revisions were made by council or staff.

ON MOTION BY COUNCIL MEMBER HOLLEY AND SECONDED BY COUNCIL MEMBER ROBINSON, THE AGENDA WAS APPROVED 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.

Elizabeth Wisener with Community Action Partnership of Madera County (CAPMC) introduced new employees Angela Andiola and Lori Gonzales. They will be providing homeless outreach services. She also discussed homeless issues within Madera County.

April Molina discussed Madera South High School (MSHS) lockdown and thanked Madera Police Department for posting information online and keeping everyone informed.

No other comments given.

PRESENTATIONS: None.

INTRODUCTIONS: Alicia Gonzales, City Clerk

Mayor Medellin introduced Alicia Gonzales as the new City Clerk and Deputy City Clerk Claudia Mendoza administered the Oath of Office.

City Clerk Alicia Gonzales stated it is a privilege and an honor to work with this team. Thanked everyone for the support and looks forward to serving this community.

A. WORKSHOP

A-1 Madera County Economic Development Commission (EDC) Quarterly Update (Report by Bobby Kahn)

Bobby Kahn with Madera County Economic Development Commission provided Council with a quarterly update report.

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 GALLEGOS, THE CONSENT CALENDAR, WAS ADOPTED 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 – July 31, 2019 and August 7, 2019

B-2 Informational Report on Register of Audited Demands (Report by Susan O’Haro)

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

B-4 Consideration of a Resolution Accepting a Grant Award for \$110,000 from the State of California Office of Traffic Safety and Amending the FY 2019/20 Budget (Report by Dino Lawson)

RES. NO. 19-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD FROM THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY IN THE AMOUNT OF \$110,000

B-5 Consideration of a Resolution of the City Council of the City of Madera, Approving a Triennial Disadvantaged Business Enterprise (DBE) Goal of 10 percent for Federal Transit Administration (FTA) Funded Projects (Report by Keith Helmuth)

RES. NO. 19-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING A TRIENNIAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OF 10 PERCENT FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROJECTS

B-6 Consideration of a Resolution Accepting a Street Easement Deed, Offered by Joseph Crown Construction and Development, Inc., at the North West Corner of Sunrise Avenue and Tozer Street, and Authorizing the City Clerk to Execute and Cause to Be Recorded, a Certificate of Acceptance (Report by Keith Helmuth)

RES. NO. 19-143 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ACCEPTING STREET EASEMENT DEED, OFFERED BY JOSEPH CROWN CONSTRUCTION AND DEVELOPMENT, INC., AT THE NORTH WEST CORNER OF SUNRISE AVENUE AND TOZER STREET, AND AUTHORIZING THE CITY CLERK TO EXECUTE AND CAUSE TO BE RECORDED, A CERTIFICATE OF ACCEPTANCE

B-7 Consideration of a Resolution Approving an Agreement with the California Department of Transportation (Caltrans) for the Positive Location of Underground Utilities Along State Route 145 from Pecan Avenue to 6th Street and Authorizing the City Engineer to Approve and Execute Future Positive Location of Underground Utilities Agreements (Report by Keith Helmuth)

RES. NO. 19-144 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE POSITIVE LOCATION OF UNDERGROUND UTILITIES ALONG STATE ROUTE 145 FROM PECAN AVENUE TO 6TH STREET AND AUTHORIZING THE CITY ENGINEER TO APPROVE AND EXECUTE THIS AND FUTURE POSITIVE LOCATION OF UNDERGROUND UTILITIES AGREEMENTS

B-8 Consideration of a Resolution Approving Funding Amendment Appropriating \$176,334 to the City of Madera Fiscal Year 2019/20 Capital Projects Budget for the Construction of Sunset Ave Sidewalk and Safety Improvements Pine Street to Double Tree Way, Federal Project No. HSIPL – 5157 (111), City Project No. R-66 (RE-BID) (Report by Keith Helmuth)

RES. NO. 19-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING FUNDING AMENDMENT APPROPRIATING \$176,334 TO THE CITY OF MADERA FY 2019/20 CAPITAL PROJECTS BUDGET FOR THE CONSTRUCTION OF SUNSET AVENUE SIDEWALK AND SAFETY IMPROVEMENTS PINE STREET TO DOUBLE WAY, FEDERAL PROJECT NO. HSIPL – 5157 (111), CITY PROJECT NO. R-66 (RE-BID)

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

C-1 Public Hearing and Update on the Status of the Groundwater Sustainability Plan (GSP) (Report by Keith Helmuth)

City Engineer Keith Helmuth and consultant Greg Young with Tully and Young, Inc. presented report.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-1, WAS APPROVED THE STATUS UPDATE AS PRESENTED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

C-2 Consideration of Initiation of Annexation into CFD No. 2005-01: (Report by Chris Boyle)

Acting Planning Manager Chris Boyle presented report.

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

ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-2(1), RES NO. 19-146, WAS ADOPTED 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. 19-146 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.

ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-2(2), RES NO. 19-147, WAS ADOPTED 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. 19-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (TRACT 19-S-01, TRACT 19-S-02, & TRACT 19-S-03) 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.6.

C-3 Consideration of a Resolution Approving Award of Agreement for Financial Audit Services to the Pun Group. The Agreement is for three years, with two potential one-year extensions, and ranges between \$72,000 to \$76,385 per year (Report by Susan O’Haro)

Interim Finance Director Susan O’Haro and Procurement Services Manager Becky McCurdy presented report.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-3, RES NO. 19-148, WAS ADOPTED 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. 19-148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AWARD OF AGREEMENT FOR AUDIT SERVICES TO THE PUN GROUP

C-4 Consideration of Resolution approving reallocation of 2019/2020 Community Development Block Grant (CDBG) funds and;

Grant Administrator Ivette Iraheta presented report.

An audience member (no name or address provided) asked why the Housing Authority declined the funding. Ms. Iraheta responded that the information that staff received was the Housing Authority stated that the proposed allocation was not enough to carry out the full program.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, RES NO. 19-149, WAS ADOPTED BY A VOTE OF 5/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCIL MEMBERS MONTES AND HOLLEY.

RES. NO. 19-149 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING REALLOCATION OF 2019/2020 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Consideration of a Resolution approving a 2019/2020 CDBG Agreement for Services with the Community Action Partnership of Madera County (CAPMC) in the amount of \$18,000 (Report by Ivette Iraheta)

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, RES NO. 19-150, WAS ADOPTED BY A VOTE OF 5/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS GALLEGOS, RODRIGUEZ, ROBINSON, AND GARCIA. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCIL MEMBERS MONTES AND HOLLEY.

RES. NO. 19-150 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2019/2020 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES (\$18,000) WITH THE COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY

C-5 Consideration of a Minute Order Approving the City of Madera Response to Madera County Grand Jury Final Report 1819-04: "The City of Madera Veiled Transparency" (Report by Arnoldo Rodriguez)

City Manager Arnoldo Rodriguez presented report.

April Molina from the audience discussed the following items:

- Item 4: She is not intimidated but part of the problem may be because this is live streamed people may not want to give their address.
- Items 3A, 3B and 5: She has been coming to the council meetings for less than two years. She has a high school education, but she can understand the agenda and read the reports because she is coming to the meetings or watching the live stream at home. At what point is it required that the general public educate themselves, you can only take them so far.

Discussion followed.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-5, MINUTE ORDER APPROVING RESPONSE WITH AMENDMENTS TO MADERA COUNTY GRAND JURY FINAL REPORT 1819-04 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

C-6 Consideration of a Resolution approving a contract for \$4,000 per month with the CrisCom Company for Grant Research and Writing Services, as well as Governmental Affairs Consulting Services in connection with the City of Madera Police Department. This would not exceed \$40,000 for the first year (10 months) and \$48,000 for each additional year until end of contract. (Report by Dino Lawson)

Police Chief Dino Lawson, Lieutenant Dan Foss, and consultant Chuck Jelloian with CrisCom Company presented report.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-6, RES NO. 19-151, WAS ADOPTED 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. 19-151 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONTRACT FOR \$4,000 PER MONTH FOR A CONSULTING SERVICES AGREEMENT WITH THE CRISCOM COMPANY FOR GRANT RESEARCH AND WRITING AS WELL AS GOVERNMENT AFFAIRS CONSULTING

D. WRITTEN COMMUNICATIONS: None.

E. **ADMINISTRATIVE REPORTS:** None.

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.

F-1 Consider Prioritization of Pending Council Workshops and Direction to Staff - Mayor Medellin

Mayor Medellin thanked City Manager Arnoldo Rodriguez for providing list of proposed workshops and requested to prioritize workshops that decisions are needed. For example, Development Impact Fees (DIF), City facilities, and Madera Municipal Golf Course are items that decisions must be made. He believes the focus should be on revenue generating items and there is nothing more important on this list than DIF. He would like to have a discussion and collectively give direction to City Manager on what we agree is the most important. Not to say everything else on the list is off the table but there are items that are important to bring to council, but it is not our top priority at this time.

Discussion followed.

Council reached consensus and provided direction to City Manager Arnoldo Rodriguez to prioritize workshops to discuss Madera Municipal Golf Course and Development Impact Fees.

Council Member Gallegos reminded everyone that the Madera Fair is this weekend.

Council Member Garcia thanked Code Enforcement for addressing items he brought to their attention. He appreciates that these were taken care of within 24 hours.

Council Member Holley reported that he visited Chicago and requested continued prayers for his family.

Council Member Rodriguez reported that he attended a Saint Montelena Neighborhood Watch meeting.

Mayor Pro-Tem Montes thanked Public Works, Code Enforcement and Finance Department for responding to his inquiries.

Mayor Medellin stated that he serves on the EDC Board and Mr. Kahn provided overview of activities. He serves on Local Agency Formation Commission (LAFCO) and as Mr. Boyle reported the next steps for annexation will go through LAFCO. He also serves with Council Member Rodriguez on the Transportation Commission. He will be going with Valley Voice to Washington D.C. to lobby for additional transportation funding, water, and buy America waivers.

Mayor Medellin also reported he met with the morning and evening Parent Project classes. This program is supported by Madera Police Department, Madera Unified, Madera County, CAPMC, and Madera Ministerial Association. It is a 10-week course and he recommends staff go by and take a look. The parents are great citizens of Madera and are reaching out for assistance. He appreciates all partners helping the Parent Project get off the ground.

No other reports were given.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

Council adjourned to Closed Session at 10:01 p.m.

G-2 Conference with Legal Counsel - Existing Litigation pursuant to Government Code §54956.9(d)(1):
2 cases: Marvin Fortner WCAB No. ADJ 8269630 & ADJ 8269726

G-3 Closed Session Report – City Attorney

Council returned from closed session at 10:18 p.m. with all members present.

City Attorney Hilda Montoy Cantu stated that there was no reportable action taken.

ADJOURNMENT – The meeting was adjourned at 10:18 p.m. Next regular meeting September 18, 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