



Item:	B-1
Minutes for:	12/04/19
Adopted:	1/15/2020

**MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL,
SPECIAL MEETING OF THE MADERA CITY COUNCIL AS THE GROUNDWATER SUSTAINABILITY AGENCY,
AND MADERA PUBLIC FINANCING AUTHORITY BOARD**

**December 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 Arnolando Rodriguez, City Attorney Hilda Montoy Cantu, City Clerk Alicia Gonzales, City Engineer Keith Helmuth, Chief of Police Dino Lawson, Chief Building Official Steve Woodworth, Assistant Fire Chief Matt Watson, Fire Battalion Chief Anthony Garcia, Human Resources Administrative Analyst Eric Battles, Police Commander Gino Chiaramonte, Interim Planning Manager Darrel Unruh, Assistant Planner Jesus Orozco, and Interim Finance Director Vicki Crow.

INVOCATION: Xavier Sanchez, Iglesia Cristiana Betesda

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

Mayor Medellin announced that Items B-8, B-9, and G-3 were pulled/removed from the agenda.

ON MOTION BY COUNCIL MEMBER MONTES AND SECONDED BY COUNCIL MEMBER GALLEGOS, THE AGENDA WAS APPROVED WITH CHANGES 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.

Kirk Atamian discussed some of the issues that he is having with the City regarding his Pecan Square project. He provided timelines and information to council members.

Rona Ledermann with the African American Cultural Museum in Fresno reported they are going to honor BJ Bernard Robinson posthumously. The event will be February 1, 2020. She encouraged the council members to attend.

Eddie Block stated that he would like to be part of the downtown improvement process.

No other comments given.

WRITTEN COMMUNICATIONS: None.

PRESENTATIONS:

1. Homeless Discussion - April Molina, LOVE Madera

April Molina with LOVE Madera discussed homelessness concerns.

INTRODUCTIONS: None.

A. WORKSHOP: None.

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 RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WITH THE EXCEPTION OF ITEMS B-8 AND B-9 WAS ADOPTED UNANIMOUSLY 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 – 9/4/19

B-2 Informational Report on Register Audited Demands (Report by Don Thiesen)

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

B-4 Informational Report on Contract City Attorney Service Expenditures (Report by Wendy Silva)

B-5 Consideration of a Resolution Amending the City of Madera Classification Plan by Replacing the Administrative Analyst Classification with Administrative Analyst I, Adding Administrative Analyst II, and Removing the Business Manager Classification from the Plan; and Setting the Salary for the Administrative Analyst I and Administrative Analyst II Classifications (Report by Wendy Silva)

RES. NO. 19-199 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE CITY OF MADERA CLASSIFICATION PLAN BY REPLACING ADMINISTRATIVE ANALYST WITH ADMINISTRATIVE ANALYST I, ADDING ADMINISTRATIVE ANALYST II, AND REMOVING BUSINESS MANAGER; AND SETTING THE ASSIGNED SALARY RANGES FOR THE POSITIONS OF ADMINISTRATIVE ANALYST I AND ADMINISTRATIVE ANALYST II

B-6 Consideration of a Resolution Approving a Professional Services Agreement with MV Cheng & Associates for Interim Financial Services Manager Consulting Services and Authorizing the Mayor to Execute the Agreement (Report by Wendy Silva)

RES. NO. 19-200 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF MADERA AND MV CHENG & ASSOCIATES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-7 Consideration of a Resolution Approving Execution of an Agreement for the Annual Maintenance of the City's Backup Electrical Generators (Report by Jim Howell)

RES. NO. 19-201 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AWARD OF AGREEMENT FOR THE ANNUAL MAINTENANCE OF THE CITY'S BACKUP ELECTRICAL GENERATORS

B-8 Consideration of a Resolution Rescinding Resolution No. 19-100 And Approving the Amended Application for Transportation Development Act (TDA), Local Transportation Funds (LTF) Funds for Fiscal Year (FY) 2019/20 with LTF FY 2018/19 Carryover Balances and Authorizing the City Engineer to Execute and Submit the Application to the Madera County Transportation Commission (MCTC) (Report by Keith Helmuth)

Item B-8 was removed/pulled from the agenda.

B-9 Actions Relating to Final Map for Bellava and Berk Subdivision (Tract No. 18-S-01)

Consideration of a Resolution of the City of Madera Approving the Final Map for Bellava and Berk Subdivision (Tract No. 18-S-01) and Improvement Agreement (Agreement) and Authorizing the Mayor to Execute the Agreement on Behalf of the City; and

Consideration of a Resolution of the City of Madera Approving Annexation of the Bellava and Berk Subdivision (Tract No. 18-S-01) into Zone of Benefit 20A; Confirming the Diagram and Assessments for City Wide Landscape and Lighting Assessment District Zone of Benefit 20A For Fiscal Year (FY) 2020/2021; And Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

Item B-9 was removed/pulled from the agenda.

B-10 Consideration of a Resolution Approving the Award for Sidewalk Improvements at Lincoln Avenue – Austin Avenue – South Street, CDBG Project No. B18MC060053, City Project No. R-73, in the Amount of \$244,857.00 to Witbro, Inc. DBA Seal Rite Paving and Grading, and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)

RES. NO. 19-202 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AWARD OF CONTRACT FOR SIDEWALK IMPROVEMENTS AT LINCOLN AVENUE – AUSTIN AVENUE – SOUTH STREET, CDBG PROJECT NO. B18MC060053, CITY PROJECT NO. R-73, IN THE AMOUNT OF \$244,857.00 TO WITBRO, INC. DBA SEAL RITE PAVING AND GRADING, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-11 Consideration of a Resolution Approving an Agreement for Special Counsel Legal Services with Colantuono Highsmith Whatley, PC (Report by Arnoldo Rodriguez)

RES. NO. 19-203 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR SPECIAL COUNSEL LEGAL SERVICES BETWEEN THE CITY OF MADERA AND COLANTUONO HIGHSMITH WHATLEY, PC AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-12 Consideration of a Resolution to Request Approval of the List of Authorized Signers for the City's Bank Accounts and Directing that no less than Two Authorized Signers Shall Approve Payments from the City's Accounts (Report by Don Thiesen)

RES. NO. 19-204 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE LIST OF AUTHORIZED SIGNERS FOR THE CITY BANK ACCOUNTS AND DIRECTING THAT NO LESS THAN TWO AUTHORIZED SIGNERS SHALL APPROVE PAYMENTS FROM THE CITY BANK ACCOUNTS

B-13 Consideration of a Resolution Authorizing the City Manager, and Three Alternates Nominated by the City Manager, to Contract with Union Bank, N.A. and to Conduct Banking Transactions on behalf of the City of Madera (Report by Don Thiesen)

RES. NO. 19-205 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CITY MANAGER AND THREE (3) ALTERNATES AS BANK CONTRACTING OFFICERS TO CONDUCT ALL BANKING TRANSACTIONS ON BEHALF OF THE CITY OF MADERA

Mayor Medellín recessed the Regular Meeting of the Madera City Council, Special Meeting of Madera City Council as the Groundwater Sustainability Agency, and Regular Meeting of Madera Public Financing Authority at 6:23 p.m. and he handed the meeting over to Chairperson Gallegos to open the Special Meeting of the Housing Authority.

Housing Authority Chairperson Gallegos opened the Special Meeting of the Housing Authority of the City of Madera, calling for items as listed on the agenda. The Housing Authority meeting was adjourned at 6:55 p.m.

Mayor Medellín reconvened the Regular Meeting of the Madera City Council, Special Meeting of Madera City Council as the Groundwater Sustainability Agency, and Regular Meeting of Madera Public Financing Authority at 6:56 p.m.

C. PUBLIC HEARINGS

- C-1 Conduct Public Hearing and Consider Waiving Full Reading and Introducing “An Ordinance of the City of Madera Rezoning One Parcel Encompassing Approximately 0.29 Acre Located Approximately 450 feet north of the Northwest Corner of the Intersection of Sherwood Way and Owens Street from the C1 (Light Commercial) Zone District to the PD-3000 (Planned Development) Zone District and Approval of a Negative Declaration” (Report by Jesus Orozco)

Assistant Planner Jesus Orozco presented report.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-1, INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

INTRO ORD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING REZONE 2019-05 AND AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.29 ACRE OF PROPERTY (APN: 003-210- 029) LOCATED APPROXIMATELY 450 FEET NORTH OF THE INTERSECTION OF OWENS STREET AND SHERWOOD WAY, TO THE PD 3000 (PLANNED DEVELOPMENT) ZONE DISTRICT.

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:

- D-1 Consideration of Adopting a Resolution Approving a Memorandum of Understanding between the City of Madera and the Mid-Management Employee Group and Authorizing the City Manager to Sign the Memorandum (Report by Wendy Silva)

City Manager Arnaldo Rodriguez presented report.

ON MOTION BY COUNCIL MEMBER MONTES, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM D-1, RES NO. 19-206, WAS ADOPTED UNANIMOUSLY 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. 19-206 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND THE MID-MANAGEMENT EMPLOYEE GROUP AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM

D-2 Consideration of Adopting a Resolution Approving a Memorandum of Understanding between the City of Madera and the Madera Affiliated City Employees' Association Representing the General Bargaining Unit and Authorizing the City Manager to Sign the Memorandum (Report by Wendy Silva)

City Manager Arnaldo Rodriguez presented report.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM D-2, RES NO. 19-207, WAS ADOPTED UNANIMOUSLY 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. 19-207 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND THE MADERA AFFILIATED CITY EMPLOYEES' ASSOCIATION REPRESENTING THE GENERAL BARGAINING UNIT AND AUTHORIZING THE CITY MANAGER TO SIGN THE MEMORANDUM

E. ADMINISTRATIVE REPORTS:

E-1 Seek City Council Direction Regarding Term and Amortization to Secure Funding for Energy Improvements (e.g. ENGIE Project) (Report by Arnaldo Rodriguez)

City Manager Arnaldo Rodriguez, Ken Dieker consultant with Del Rio Advisors, Nicki Tallman consultant with Tallman & Brandis presented report.

Following discussion, Council consensus was made to go with the 20-year Bank of America debt service option.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM E-1, TO PROCEED WITH 20-YEAR BANK OF AMERICA DEBT SERVICE OPTION, WAS APPROVED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, RODRIGUEZ, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: 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.

Council Member Robinson reported on November 21st he attended Madera County Local Child Care and Development Planning Council (LPC) meeting.

Council Member Gallegos thanked Engineering Department for several projects that have been completed.

Council Member Gallegos mentioned she is receiving a lot of calls regarding Animal Control issues and would like a reported update added to the agenda. Council consensus was made for the City Manager Arnoldo Rodriguez to add this item to a future agenda.

Council Member Garcia thanked April Molina for her presentation. He would like to add an item to the agenda to discuss the Fresno River. Council consensus was made for the City Manager Arnoldo Rodriguez to add this item to a future agenda.

Council Member Rodriguez stated that he would like to make sure that we are not adding items on the agenda that are overlapping services that the County is offering. He would also like to see an ordinance regarding Animal Control at some point.

Mayor Pro-Tem Montes also thanked April Molina for her presentation

Mayor Medellin stated that he spoke to sixth grade students from James Madison School. They would like to help the City of Madera and homelessness was a big issue.

Mayor Medellin reported that next Tuesday December 10th the Sikh Community will have a free lunch at Courthouse Park.

No other reports were given.

G. CLOSED SESSION:

G-1 Liability Claims pursuant to Government Code §54956.95

Agency Claimed Against: City of Madera

Claimants:

1. Francisco Madero
2. Juan Jaime Rubio Salas

City Attorney Hilda Montoy Cantu made Closed Session announcement and Council adjourned to Closed Session at 8:00 p.m.

G-2 Public Employee Performance Evaluation – Pursuant to Government Code §54957

Title: City Manager

G-3 Conference with Labor Negotiators pursuant to Government Code §54957.6 Agency Designated Representatives: Arnaldo Rodriguez, Wendy Silva, Che Johnson

Item G-3 was removed/pulled from the agenda.

Council returned from closed session at 10:41 p.m. with all members present.

City Clerk Alicia Gonzales reported that item G-1 claimants 1. and 2. were denied unanimously by City Council with a vote of 7/0.

ADJOURNMENT – The meeting was adjourned at 10:42 p.m. Next regular meeting December 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