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| Item: | B-1 |
| Minutes for: | 03/04/2020 |
| Adopted: | 03/18/2020 |

**MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL AND
SPECIAL MEETING OF THE MADERA CITY COUNCIL AS SUCCESSOR AGENCY TO THE FORMER
REDEVELOPMENT AGENCY**

**March 4, 2020
6:00 p.m.**

**Council Chambers
City Hall**

CALL TO ORDER – Both meetings were called to order at 6:00 p.m.

Roll Call: Roll was called for both agencies.

ROLL CALL:

Present: Mayor Andrew J. Medellin
Mayor Pro Tem Santos Garcia, District 5
Council Member Cece Foley Gallegos, District 1
Council Member Jose Rodriguez, District 2
Council Member Steve Montes, District 3
Council Member Derek O. Robinson Sr., District 4
Council Member Donald E. Holley, District 6

Absent: None

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Montoy Cantu, Police Chief Dino Lawson, Finance Director Roger Sanchez, Parks Director John Scarborough, City Engineer Keith Helmuth, Police Commander Gino Chiaramonte, Grant Administrator Ivette Iraheta, Human Resources Director Wendy Silva, Information Services Manager Mark Souders, Assistant Fire Chief Matthew Watson, Battalion Chief James Forga, Interim Planning Manager Darrel Unruh, Assistant Engineer Victor Aldama, Police Officer Matt Saucedo

INVOCATION: Councilmember Donald Holley

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

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, GARCIA, AND RODRIGUEZ. 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.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS: None

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 HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR, WAS ADOPTED BY A VOTE OF 7/0. ITEM B-5 WAS PULLED FOR DISCUSSION. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, GALLEGOS, GARCIA AND RODRIGUEZ. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – 2/19/20

B-2 Informational Report on Register Audited Demands 2/8/20 – 2/21/20 (Report by Roger Sanchez)

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

B-4 Consideration of a Resolution Approving Three Agreements for Purchase and Sale of Real Property with the Property Owners, Authorizing the Mayor to Execute the Agreements, Accepting Three Easement Deeds and Authorizing the City Clerk to Execute the Certificate of Acceptance and to Record the Easement Deeds for the New Traffic Signal Installation at the Intersection of Howard Road and Granada Drive, City Project No. TS-17 (APN No. 009-130-001, 009-130-007, and 009-340-043) (Report by Keith Helmuth)

RES 20-22 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THREE AGREEMENTS FOR PURCHASE AND SALE OF REAL PROPERTY WITH THE PROPERTY OWNERS, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS, ACCEPTING THREE EASEMENT DEEDS AND AUTHORIZING THE CITY CLERK TO EXECUTE THE CERTIFICATE OF ACCEPTANCE AND RECORD THE EASEMENT DEEDS FOR THE NEW TRAFFIC SIGNAL INSTALLATION AT THE INTERSECTION OF HOWARD ROAD AND GRANADA

DRIVE, CITY PROJECT NO. TS-17 (APN NO. 009-130-001, 009-130-007, AND 009-340-043)

- B-5 Consideration of a Minute Order Acceptance of the Construction, File Notice of Completion, and Release of Retention Funds for the 2018-19 SB-1 (RMRA) Seals and Overlays, City Project No. R-76 (Report by Keith Helmuth)

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM B-5, WAS ADOPTED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS MONTES, ROBINSON, GARCIA AND RODRIGUEZ. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

- B-6 Consideration of a Resolution Approving a Non-Disclosure Agreement with Pacific Gas and Electric Company (PG&E) for Utility Information for Various City Projects, and Authorizing the City Engineer to Execute the Non-Disclosure Agreement (Report by Keith Helmuth)

RES 20-23 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A NON-DISCLOSURE AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY (PG&E) FOR UTILITY INFORMATION FOR VARIOUS CITY PROJECTS, AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE NON-DISCLOSURE AGREEMENT

- B-7 Consideration of a Resolution Authorizing the City Manager or Designee to: Execute All Documentation for Pre-Application and Application to the Federal Aviation Administration for Airport Improvement Program Grants for Federal Fiscal Years 2020 and 2021 for the Madera Municipal Airport as Shown in the City's Capital Improvement Plan; Accept Federal Aviation Administration Airport Improvement Program Grants for Federal Fiscal Year 2020 and 2021 Projects at the Airport Including All Subsequent Amendments Thereto; and Apply for and Accept Grants and All Subsequent Amendments Thereto Offered by the California Department of Transportation, Division of Aeronautics for Matching Funds for Federal Fiscal Year 2020 and 2021 Federal Aviation Administration Approved Projects at the Madera Municipal Airport. (Report by Jim Howell)

RES 20-24 RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL DOCUMENTATION FOR PRE-APPLICATION AND APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR AIRPORT IMPROVEMENT PROGRAM GRANTS FOR FEDERAL FISCAL YEARS 2020 AND 2021 FOR THE MADERA MUNICIPAL AIRPORT AS SHOWN IN THE CITY'S CAPITAL IMPROVEMENT PLAN; ACCEPT FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANTS FOR FEDERAL FISCAL YEAR 2020 AND 2021 PROJECTS AT THE AIRPORT INCLUDING ALL SUBSEQUENT AMENDMENTS THERETO; AND APPLY FOR AND ACCEPT GRANTS AND ALL SUBSEQUENT AMENDMENTS THERETO OFFERED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS FOR MATCHING FUNDS FOR FEDERAL FISCAL YEAR 2020 AND 2021 FEDERAL AVIATION ADMINISTRATION APPROVED PROJECTS AT THE MADERA MUNICIPAL AIRPORT

B-8 Consideration of Adopting a Resolution Approving an Agreement with Reinard W. Brandley, Consulting Airport Engineers, for Airport Engineering and Construction Management Services and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Jim Howell)

RES 20-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH REINARD W. BRANDLEY, CONSULTING AIRPORT ENGINEERS, FOR AIRPORT ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

B-9 Consideration of a Resolution Appointing Michael Pistorosi to the City of Madera Airport Advisory Commission Representing District 3 (Councilmember Steve Montes) (Report by Jim Howell)

RES 20-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING MICHAEL PISTORESI TO THE CITY OF MADERA AIRPORT ADVISORY COMMISSION REPRESENTING DISTRICT 3 (COUNCILMEMBER STEVE MONTES)

B-10 Consideration of a Resolution Authorizing Submittal of a Joint Application to the California Department of Housing and Community Development for Infill Infrastructure Grant Program Funding in an Amount Not to Exceed \$6 Million to Construct Off-Site Improvements for a 52-Unit Affordable Apartment Complex (Sugar Pine Village formerly known as Madera Village) and Approving a Memorandum of Understanding with Self-Help Enterprises to Apply as Joint Applicants for Said Funds (Report by Ivette Iraheta)

RES 20-27 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING SUBMITTAL OF A JOINT APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR INFILL INFRASTRUCTURE GRANT PROGRAM FUNDING IN AN AMOUNT NOT TO EXCEED \$6 MILLION TO CONSTRUCT OFF-SITE IMPROVEMENTS FOR A 52-UNIT AFFORDABLE APARTMENT COMPLEX (SUGAR PINE VILLAGE FORMERLY KNOWN AS MADERA VILLAGE) AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH SELF-HELP ENTERPRISES TO APPLY AS JOINT APPLICANTS FOR SAID FUNDS

B-11 Consideration of a Resolution Approving a Contract with Fraser and Associates for the Preparation and Filing of the Required Continuing Disclosure Reports for the City of Madera (City) and the Madera Successor Agency to the Former Madera Redevelopment Agency (Agency) Outstanding Bond Transactions for the Period from Execution of Contract for a Term of Three (3) Years (Report by Roger Sanchez) **(City and Successor Agency Action)**

RES 20-28 & SA RES 20-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AND CITY OF MADERA AS THE SUCCESSOR AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY APPROVING A SPECIAL SERVICES AGREEMENT

BETWEEN THE CITY OF MADERA, SUCCESSOR AGENCY AND FRASER AND ASSOCIATES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

B-12 Consideration of a Resolution of the City Council Approving an Agreement between the City and Thales Consulting, Inc. to Prepare and File the City's Financial Transactions Report, the Financing Authority Special District Report, and the Annual Transit Report for Fiscal Year (FY) 2019/20 with the State Controller's Office (Report by Roger Sanchez)

RES 20-29 CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL APPROVING AN AGREEMENT BETWEEN THE CITY AND THALES CONSULTING, INC. TO PREPARE AND FILE THE CITY'S FINANCIAL TRANSACTIONS REPORT, THE FINANCING AUTHORITY SPECIAL DISTRICT REPORT, AND THE ANNUAL TRANSIT REPORT FOR FISCAL YEAR (FY) 2019/20 WITH THE STATE CONTROLLER'S OFFICE

C. **PUBLIC HEARINGS:** None

D. **PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENT**

D-1 Waive full Reading and Consider Introduction of an Ordinance Amending Title V, Sanitation and Health, Chapter 3 Garbage, Refuse and Recycling of the Madera Municipal Code to Establish Mandatory Organic Recycling Requirements for Commercial Businesses and Multi-family Units Containing Five or More Units as Required by AB 1826 (Report by Jim Howell)

Report by Arnolando Rodriguez. Ivette Rodriguez and Annette Kwock from MID Valley Disposal provided Council with additional information.

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

E. **ADMINISTRATIVE REPORTS:**

E-1 Community Facilities District 2006-01 (Kaufman & Broad subdivision) follow-up from City Council Workshop held on June 19, 2019 (Report by Arnolando Rodriguez)

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.

G. CLOSED SESSION:

- G-1 Liability Claim Pursuant to Government Code §54956.95
Agency Claimed Against: City of Madera
Claimant: Rodriguez, Elizabeth

- G-2 Conference with Legal Counsel – Existing Litigation pursuant to Government Code §54956.9(d)(1)
Name of Case: MCA 1803 LLC v. City of Madera

- G-3 Conference with Real Property Negotiators – Pursuant to Government Code §54956.8
Property: 2 Parcels
City of Madera APNs: 009-331-002 and 003
Agency Negotiator(s): Arnoldo Rodriguez
Negotiating Party: SPAN Construction & Engineering, Inc.
Under Negotiations: Price and Terms

- G-4 Conference with Labor Negotiators – Pursuant to Government Code §54957.6
Agency Designated Representative: Che Johnson, Wendy Silva, and Arnoldo Rodriguez
Represented Employee Groups:
Madera Police Officers’ Association
Law Enforcement Mid Management Group
General Bargaining Unit
Mid Management Employee Group

- G-5 Conference with Labor Negotiators – Pursuant to Government Code §54957.6
Agency Designated Representative: Arnoldo Rodriguez
Unrepresented Position: Public Works Operations Director

- G-6 Conference with Real Property Negotiators – Pursuant to Government Code §54956.8
Property: 7 Parcels
City of Madera APNs: 008-143-003, 008-143-021, 008-143-020, 008-143-019, 008-143-018, 008-143-001, 007-142-001 (**Successor Agency**)
Agency Negotiator(s): Arnoldo Rodriguez
Negotiating Party: Rick Amerine
Under Negotiations: Price and Terms

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 6:57 p.m.

Mayor Medellin opened public comment at 6:59 p.m

Attorney Sophie Treader representing the client in closed session item G-2 requested that Council give the settlement amount serious consideration.

Mayor Medellin closed public comment at 7:05 p.m

Council adjourned to Closed Session at 7:05 p.m.

Council returned from closed session at 9:53 p.m. with all Councilmembers present.

City Attorney Hilda Cantu Montoy reported that Council voted 7/0 to reject claim related to G-1 (Council Member Holley voted No).

ADJOURNMENT – The meeting was adjourned at 9:54 p.m. Next regular meeting March 18, 2020.

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