

Item:	B-1
Minutes for:	09/05/18
Adopted:	10/03/18

**Minutes of A Regular Meeting of the
Madera City Council
and
Special Meeting of the Madera City Council
as the Groundwater Sustainability Agency
City of Madera, California**

**September 5, 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 Jose Rodriguez, District 2
Council Member Cece Foley Gallegos, District 1
Council Member William Oliver, District 3
Council Member Derek O. Robinson Sr., District 4
Council Member Charles F. Rigby, District 5
Council Member Donald E. Holley, District 6

Others present were 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, 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, Lieutenant Brian Esteves, Project Development Coordinator Ellen Bitter, Engineering Administrative Analyst Jimmy Monreal, Public Works Administrative Analyst Mary Church, Fire Chief Nancy Koerperich, and Division Fire Chief Matt Watson.

INVOCATION: Pastor Tim McGraw, Yosemite Christian Center

The invocation was given by Council Member Holley due to the absence of Pastor McGraw.

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.

Rebecca Martinez, Madera County Recorder and Registrar of Voters, spoke regarding the Voters Choice Act, provided an update on the last election and stated her appreciation for use of the John Wells Youth Center. Ms. Martinez distributed commemorative pins to the Council.

Ron Montoya, residing in Madera, California, thanked Officer Smith for helping with a stray dog. He thanked the Mayor for leading the charge on the tree issue at Olive and Knox. He also spoke regarding other

concerns including speed limit signs and that his neighborhood is becoming more active because they are tired of other issues in the City.

Khalid Chaudhry, business owner in Madera, California, spoke regarding violations of the Brown Act when he tried to speak at the last meeting. He also spoke regarding senior salaries, taxpayer money, and that the Council is responsible for what has happened here.

David (last name not given), residing in Madera, California, spoke regarding water conservation, what they can do as individuals and provided some data on amount of water used for meat and dairy products.

Steve Copland, residing in Madera, California, commended the Council for doing an outstanding job with the cards they are dealt with.

Mayor Medellin closed public comment.

PRESENTATIONS Proclamation Recognizing Fastway Chicken's 40th Anniversary

Mayor Medellin presented the proclamation to Wally and Kathy Nishimoto celebrating the 40th Anniversary of Fastway Chicken. Other members of the family were also present including Dorothy Nishimoto and their store manager Maria.

Wally and Kathy Nishimoto spoke on behalf of the family and thanked the Council for the recognition.

INTRODUCTIONS None.

A. WORKSHOP

There are no items for this section.

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.

Mayor Pro Tem Rodriguez pulled item B-17 for discussion.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM B-17, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

- B-1 Minutes – 9/13/17, 8/08/18, 8/15/18, 8/18/18
- B-2 Warrant Disbursement Report 8/8/18 – 8/28/18 (Report by Tim Przybyla)
- B-3 Water Conservation Report for July 23rd through August 19th (Report by John Scarborough)
- B-4 Informational Report on Personnel Activity (Report by Wendy Silva)
- B-5 Consideration of a Resolution Approving Four Agreements for Purchase and Sale of Real Property with the Property Owners, Acceptance of Four Easement Deeds for the Olive Avenue Widening and Reconstruction Project Between Gateway Drive and Knox Street, Authorizing the Mayor to Execute the Agreements and Authorizing the City Administrator to Execute All Documents Necessary to Effectuate the Purchase (Report by Keith Helmuth)

RES. NO. 18-163 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING FOUR AGREEMENTS FOR PURCHASE AND SALE OF REAL PROPERTY WITH THE PROPERTY OWNERS AND ACCEPTANCE OF FOUR EASEMENT DEEDS FOR THE OLIVE AVENUE WIDENING AND RECONSTRUCTION PROJECT

B-6 Consideration of a Resolution Approving the 2018 Transit Asset Management Plan (Report by Ivette Iraheta)

RES. NO. 18-164 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE 2018 TRANSIT ASSET MANAGEMENT PLAN

B-7 Consideration of a Minute Order Rejecting a Claim filed by Gene Turner (Report by Wendy Silva)

B-8 Consideration of a Resolution Approving a Lease Agreement with County of Madera for a Hangar Lease Located at the Madera Municipal Airport, and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by John Scarborough)

RES. NO. 18-165 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A LEASE AGREEMENT WITH COUNTY OF MADERA FOR A HANGAR LEASE LOCATED AT THE MADERA MUNICIPAL AIRPORT, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

B-9 Consideration of a Minute Order Authorizing Submittal of the Parade Entry Form and Authorizing the Mayor to Sign the Hold Harmless Agreement for Council Participation in the Old Timers Day Parade (Report by Sonia Alvarez)

B-10 Consideration of a Written Request by the Original Madera Kiwanis Club Seeking Council Approval to Cover the Cost of Police and Public Works Fees in Conjunction with the Old Timers Day Parade (Report by Brian Esteves)

B-11 Consideration of a Resolution Authorizing the City to Make an Application for Award to the Edward Byrne Memorial Justice Assistance Grant Program FY 2018 Local Solicitation (Report by Ivette Iraheta)

RES. NO. 18-166 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE CITY TO MAKE AN APPLICATION FOR AWARD TO THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

B-12 Consideration of a Resolution Approving a Memorandum of Understanding Between the City of Madera and the Madera Affiliated City Employees' Association and Authorizing the City Administrator to Sign the Memorandum (Report by Wendy Silva)

RES. NO. 18-167 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND MADERA AFFILIATED CITY EMPLOYEES' ASSOCIATION REPRESENTING THE GENERAL BARGAINING UNIT AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM

- B-13 Consideration of a Resolution Approving a Memorandum of Understanding Between the City of Madera and the Mid-Management Employee Group and Authorizing the City Administrator to Sign the Memorandum (Report by Wendy Silva)

RES. NO. 18-168 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 ADMINISTRATOR TO SIGN THE MEMORANDUM

- B-14 Consideration of a Resolution Approving Agreement for Outside of City Water Service for Property Located at 16440 N Lake St., Approving Covenant to Annex, Authorizing the Mayor to Execute the Agreement and Covenant on Behalf of the City and Directing Staff to Record the Agreement and Covenant (Report by Keith Helmuth)

RES. NO. 18-169 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH JAMES AND DONNA NIELL FOR OUTSIDE OF CITY WATER SERVICE FOR 16440 N LAKE ST, APPROVING THE COVENANT TO ANNEX, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT ON BEHALF OF THE CITY AND DIRECTING STAFF TO RECORD THE AGREEMENT AND COVENANT

- B-15 Consideration of a Resolution Approving a Memorandum of Understanding between the City of Madera and the Law Enforcement Mid Management Group and Authorizing the City Administrator to Sign the Memorandum (Report by Wendy Silva)

RES. NO. 18-170 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND THE LAW ENFORCEMENT MID MANAGEMENT GROUP AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM

- B-16 Consideration of a Resolution Approving an Improvement Deferral Agreement and Authorization of Lien for Site Plan Review SPR 2018-15 Improvements and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by Chris Boyle)

RES. NO. 18-171 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN IMPROVEMENT DEFERRAL AGREEMENT AND AUTHORIZATION OF LIEN FOR SITE PLAN REVIEW SPR 2018-15 IMPROVEMENTS AND AUTHORIZING THE MAYOR TO SIGN AGREEMENT ON BEHALF OF THE CITY

- B-17 Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending June 30, 2018 (Report by Tim Przybyla) *[Item pulled for discussion.]*

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

- B-17 Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending June 30, 2018 (Report by Tim Przybyla)*

Mayor Pro Tem Rodriguez asked that a more detailed workshop on the investment report be scheduled at a future meeting. Council agreed.

ON MOTION BY MAYOR PRO TEM RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM B-17, THE MINUTE ORDER APPROVING AND ACCEPTING THE CITY OF MADERA

INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2018, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

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

- C-1 Consideration of Resolution Approving Agreement with Carollo Engineers, Inc. for Professional Engineering Design Services for a Water Storage Tank, Pump Station, and Transmission Main for the City of Madera (Report by Keith Helmuth)**

The report was presented by Project Development Coordinator Ellen Bitter.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-1, RES. NO. 18-172, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-172 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH CAROLLO ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR A WATER STORAGE TANK, PUMP STATION, AND TRANSMISSION MAIN FOR THE CITY OF MADERA

- C-2 Second Reading and Consideration of Adoption of an Ordinance Pertaining to the Formulation of a City-Wide Youth Commission (Report by Mary Anne Seay)**

The report was presented by the Director of Parks and Community Services Mary Anne Seay.

The 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, ORD. NO. 954 C.S., WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

ORD. NO. 954 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADDING SECTION 2-3.201 TO CHAPTER 3 OF TITLE II OF THE MADERA MUNICIPAL CODE PERTAINING TO THE CITY-WIDE MADERA YOUTH COMMISSION

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

- E-1 Informational Report on the Sustainable Communities Grant Program-State Route (SR) 145 (Yosemite Avenue) as Downtown Main Street (Report by Jimmy Monreal)**

The report was presented by Administrative Analyst Jimmy Monreal. Mr. Monreal provided an update on the Sustainable Communities Grant that will allow them to hire a consultant to create a plan for downtown. They are in the process of creating the RFP and have also reached out to local business owners and groups to create a steering committee. Council suggested including other groups/agencies such as the EDC, the Beautification Committee and Mr. Sigala who worked on affordable housing with the Housing Authority.

- E-2 Direction to Staff Regarding Setting a Date for Discussion of Items Related to the Water Enterprise Fund (Report by David Merchen)**

The report was presented by the Community Development Director David Merchen.

Council consensus was reached to schedule a special meeting on Tuesday, October 23, 2018 at 6:00 p.m. to discuss updated financial plan and water conservation revenues.

F. COUNCIL REPORTS

Council Member Robinson reported on his attendance at the Carpenters Union Local 701 meeting which included discussion on a progressive water platform for the San Joaquin Valley.

Council Member Robinson reported on his attendance at the Labor Day Celebration held at the Fresno Fairgrounds.

Council Member Robinson reported on his attendance at the Fresno State Reception for the new athletic director.

Council Member Gallegos announced that as a member of the Madera Evening Lions, she will give "Happy Bucks" in honor of Fastway Chicken.

Council Member Rigby commended the Police Department on their lip sync video.

Council Member Rigby encouraged all to attend the Madera Fair. He will be competing in the rib contest.

Council Member Holley announced that he will judge cakes at the fair.

Council Member Holley announced that this Sunday the Second Missionary Baptist Church is having their 2nd Annual Day for their door greeters.

Council Member Holley reported on his trip to Denver and their downtown revitalization.

Council Member Holley announced the passing of one of his cousins and asked for prayers.

Council Member Holley asked for prayers for the families on Pear Street.

Council Member Holley congratulated the Nishimoto family for all they do.

Council Member Oliver congratulated the Nishimoto family and thanked them for all they do.

Council Member Oliver welcomed new business Sugar Pine Smokehouse Restaurant scheduled to open later this year at the former Cool Hand Luke's location.

Mayor Medellin thanked Mrs. Dorothy Nishimoto for their wonderful family and all they do for this community.

Mayor Medellin expressed condolences to previous Mayor Robert Poythress on the loss of his brother.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The City Attorney announced the closed session items.

Recess 7:30 p.m. – 7:35 p.m.

The Council adjourned to closed session at 7:35 p.m. to discuss items G-2 and G-3 as listed on the agenda.

G-2 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2) – 3 cases

G-3 Conference with Labor Negotiators Pursuant to Government Code §54957.6

Agency Designated Representatives: Steve Frazier, Wendy Silva

Unrepresented Positions:

City Clerk, City Administrator/City Manager, City Attorney, 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

G-4 Closed Session Report – City Attorney

The Council returned from closed session at 9:45 p.m. with all members present.

There was no reportable action for item G-2.

For item G-3, the City Attorney announced that an ad hoc committee consisting of Mayor Medellin and Council Members Rodriguez and Holley was appointed for contract negotiations with direct reports City Manager, City Attorney and City Clerk.


ADJOURNMENT - The meeting was adjourned at 9:47 p.m. Next regular meeting 9/19/18.

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

