

**October 4, 2017
6:00 p.m.**

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

Item:	B-1
Minutes for:	10/04/17
Adopted:	10/17/18

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

Absent: Council Member Donald E. Holley, District 6

Others present were City Administrator David Tooley, 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 David Randall, Chief of Police Steve Frazier, Director of Human Resources Wendy Silva, Director of Parks and Community Services Mary Anne Seay, Grant Administrator Ivette Iraheta, Information Services Manager Mark Souders, Planning Manager Chris Boyle, Public Works Administrative Analyst Robin Bravo and Commander Dino Lawson.

INVOCATION: Pastor David Votaw, Harvest Community Church

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.

Cory Valdez, residing in Madera, California, spoke in favor of the City offering funding support for the Friends of the Madera Animal Shelter and the Community Cat Program.

Mayor Medellin closed public comment.

PRESENTATIONS Presentation by Dylan Miracle, Associated Student Body President Madera South High School

Dylan Miracle, Associated Student Body President for Madera South High School provided the Council with an update on the activities to date at the high school.

A. WORKSHOP

- A-1 Madera Community College Center Progress & Accreditation Timeline (Dr. Sandra Caldwell, President Reedley College)

Dr. Sandra Caldwell, Reedley College President, along with her colleagues, provided an update on the community college, information on enrollment, an update on the bond projects and timelines toward accreditation. She was joined by Trustee Bobby Kahn, Chancellor Dr. Paul Parnell, Vice Chancellor Jerome Countee, and Vice President Dr. Claudia Habib.

B. CONSENT CALENDAR – REGULAR MEETING

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 Member Rodriguez requested item B-4 pulled for discussion.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM B-4, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

- B-1 Minutes – There are no items for this section.
- B-2 Information Only – Warrant Disbursement Report
- B-3 Bi-Weekly Water Conservation Report for 9/11/17 – 9/24/17 (Report by Dave Randall)
- B-4 Consideration of a Resolution Approving an Agreement for Temporary Staffing Services, RFP No. 201718-02, with waterTalent, LLC, and Authorizing the Mayor or His Designee to Sign the Agreement and Related Documents (Report by Dave Randall) *[Item pulled for discussion.]*
- B-5 Consideration of a Resolution Approving an Agreement with Anderson Striping & Construction, Inc. for Construction Services for the Crack Seal and Reseal Joints in Airfield Pavements Project at Madera Municipal Airport in the Amount of \$295,469.00 and Authorizing Contingencies of up to Ten Percent (10%), as Approved by the City Engineer; and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Dave Randall)

RES. NO. 17-153 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH ANDERSON STRIPING & CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES FOR THE CRACK SEAL AND RESEAL JOINTS IN AIRFIELD PAVEMENTS PROJECT AT MADERA MUNICIPAL AIRPORT IN THE AMOUNT OF \$295,469.00 AND AUTHORIZING CONTINGENCIES OF UP TO TEN PERCENT (10%), AS APPROVED BY THE CITY ENGINEER; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF MADERA

- B-6 Consideration of a Minute Order Approving a Letter of Participation for the Madera County Public Health Department Emergency Preparedness Coalition and Authorizing the Mayor to Sign on Behalf of the City (Report by Wendy Silva)
- B-7 Consideration of a Resolution Approving Contract with Nor-Cal Pump & Well, Inc., in the Amount of \$169,743 for the Water Pollution Control Facility Replacement Water Supply Well, City Project No. WWTP 17-01, and Authorizing Construction Contingencies of Up to

20% as Approved by the City Engineer and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)

RES. NO. 17-154 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING CONTRACT WITH NOR-CAL PUMP & WELL DRILLING, INC., IN THE AMOUNT OF \$169,743 FOR THE WATER POLLUTION CONTROL FACILITY REPLACEMENT WATER SUPPLY WELL, CITY PROJECT NO. WWTP 17-01, AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 20% AS APPROVED BY THE CITY ENGINEER, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

B-4 *Consideration of a Resolution Approving an Agreement for Temporary Staffing Services, RFP No. 201718-02, with waterTalent, LLC, and Authorizing the Mayor or His Designee to Sign the Agreement and Related Documents (Report by Dave Randall)*

Public Works Operations Director Dave Randall addressed the questions/comments from Council Member Rodriguez.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM B-4, RES. NO. 17-152 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

RES. NO. 17-152 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH WATERTALENT, LLC, FOR THE PROVISION OF TEMPORARY EMPLOYEES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

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

C-1 Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 1.4 Acres of Property Located at 733 and 743 Linden Street from the PD-1500 (Planned Development) Zone District to the PD-2000 (Planned Development) Zone District. (APNs: 006-360-013 and 014) (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

Mayor Medellin opened the public hearing and there being no speakers 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 RODRIGUEZ, FURTHER READING WAS WAIVED, AND ITEM C-1, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

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 1.4 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF LINDEN STREET (733 AND 743 LINDEN STREET), APPROXIMATELY 650 FEET NORTH OF THE INTERSECTION OF LINDEN STREET AND SUNSET AVENUE, FROM THE PD-1500 (PLANNED DEVELOPMENT) ZONE DISTRICT TO THE PD-2000 (PLANNED DEVELOPMENT) ZONE DISTRICT.

C-2 Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 40 Acres of Land Located at the Southeast Corner of Tozer Street (Road 28) and Sunrise Avenue (Avenue 14½) to the PF (Public Facilities) Zone District; and

Consideration of Adoption of a Resolution Amending the General Plan Land Use Designation on Approximately 40 Acres Located at the Southeast Corner of Tozer Street (Road 28) and Sunrise Avenue (Avenue 14½ from the LD (Low Density), MD (Medium Density) and NMU (Neighborhood Mixed Use) Land Use Designation to the P&SP (Public and Semi-Public) Land Use Designation (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

Mayor Medellin opened the public hearing and there being no speakers closed the public hearing.

The introduction of an ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, FURTHER READING WAS WAIVED, AND ITEM C-2, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

INTRO. ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP PREZONING APPROXIMATELY FORTY ACRES LOCATED AT THE SOUTHEAST CORNER OF TOZER STREET AND SUNRISE AVENUE TO THE PF (PUBLIC FACILITY) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT "A"

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-2, RES. NO. 17-155, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

RES. NO. 17-155 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY FORTY ACRES LOCATED ON THE SOUTHEAST CORNER OF TOZER STREET (ROAD 28) AND SUNRISE AVENUE (AVENUE 14 ½) FROM THE LD (LOW DENSITY), MD (MEDIUM DENSITY) AND NMU (NEIGHBORHOOD MIXED USE) TO P&SP (PUBLIC AND SEMIPUBLIC) GENERAL PLAN LAND USE DESIGNATION AND THE PREZONING OF THE PROPERTY TO THE PF (PUBLIC FACILITY) ZONE DISTRICT

C-3 Public Hearing and Consideration of a Resolution Establishing Fees and Charges for Functions in Accordance with the Madera Municipal Code, Modifying Miscellaneous Fees and Charges for Services in the Building, Planning and Engineering Departments and Superseding All Other Resolutions In Conflict Herewith (Report by David Merchen)

The report was presented by the Community Development Director David Merchen. Mr. Merchen identified an error under the Re-roof, Commercial Addition Category fees. The item should read 5,000 square feet, not 500 square feet. He requested the correction be stated in the motion for adoption.

Mayor Medellin opened the public hearing and there being no speakers closed the public hearing.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-3, RES. NO. 17-156, WITH REVISION TO EXHIBIT A, DEVELOPMENT USER FEES, RE-ROOF CATEGORY, COMMERCIAL ADDITION, TO REFLECT CORRECT SQUARE FOOTAGE OF 5,000 SQUARE FEET, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY

RES. NO. 17-156 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ESTABLISHING FEES AND CHARGES FOR FUNCTIONS IN ACCORDANCE WITH THE MADERA MUNICIPAL CODE, MODIFYING MISCELLANEOUS FEES AND CHARGES FOR SERVICES IN THE COMMUNITY DEVELOPMENT DEPARTMENT AND SUPERSEDING ALL OTHER RESOLUTIONS IN CONFLICT HEREWITH

C-4 Public Hearing and Consideration of Introduction of an Ordinance Amending Certain Sections of Chapter 1 of Title II of the Madera Municipal Code Pertaining to Council Meeting Agendas (Report by Sonia Alvarez)

The report was presented by the City Clerk Sonia Alvarez.

Mayor Medellin opened the public hearing and there being no speakers, closed the public hearing.

The introduction of an ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, FURTHER READING WAS WAIVED, AND ITEM C-4, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.

INTRO. ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING PORTIONS OF CHAPTER 1 OF TITLE II OF THE MADERA MUNICIPAL CODE PERTAINING TO COUNCIL MEETING AGENDAS

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Review of Proposed Conservation Easements Outside the City Limits and Request for Staff Direction Regarding the Submittal of Comments to Madera County (Report by David Merchen)

The report was presented by the Community Development Director David Merchen. Charlotte Mitchell with the Central Valley Farmland Trust, stated they are the non-profit organization that would hold the conservation easements for these properties. They are in favor of the easements.

Council concurrence was reached for staff to submit a comment letter to Madera County regarding the Bidi and Fred Ranches, and the Pollas Ranch, as recommended by staff.

F. COUNCIL REPORTS

Council Member Robinson reported on his attendance at the networking event with Council Member Oliver.

Council Member Robinson reported that he attended the Rose Parade and Ribbon Cutting Ceremony in Pasadena.

Council Member Robinson reported that he attended the Dual Language Instruction Program Ribbon Cutting at James Madison Elementary.

Council Member Robinson reported on his attendance at the Department of Social Services and the Madera County Probation Department luncheon regarding the California Child and Family Services review process.

Mayor Pro Tem Foley Gallegos stated she also attended the ribbon cuttings mentioned by Council Member Robinson.

Mayor Pro Tem Foley Gallegos reported that she served as emcee for the Madera Community Hospital Hoe Down.

Council Member Rigby thanked staff for providing the information he needed for the Tri-Agency meeting at the Golf Course.

Council Member Rigby recognized recently retired City employee Louie Franco, who also happens to be his uncle, for his service to the City as the Downtown Parking Enforcement Officer.

Council Member Rodriguez also spoke regarding the intergovernmental agency workshop.

Council Member Oliver spoke regarding the grand opening of the Tap House Restaurant.

Mayor Medellin stated it was an honor to speak at the Young Professionals event and the Tap House opening.

Mayor Medellin commended his colleagues for all the events they participate in.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

City Attorney Brent Richardson requested item G-2 pulled from the agenda.

The Council adjourned to closed session at 8:14 p.m. to discuss items G-3 and G-4 as listed on the agenda.

G-2 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-3 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): 1 case

G-4 CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: David Tooley and Wendy Silva

Employee Organizations: Operating Engineers Local Union No. 3
Madera Police Officers' Association
Mid-Management Employee Group
Law Enforcement Mid-Management Group

G-5 Closed Session Report – City Attorney

The Council returned from closed session at 9:17 p.m. with all members present.

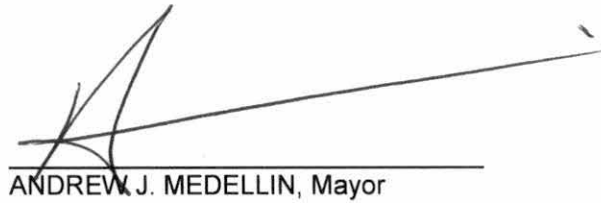
There was no reportable action for items G-3 and G-4.

ADJOURNMENT - The meeting was adjourned at 9:18 p.m. Next regular meeting 10/18/17.

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

