



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

Item:	B-1
Minutes for:	12/06/17
Adopted:	12/05/18

**December 6, 2017
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 Cece Foley Gallegos, District 1
Council Member Jose Rodriguez, District 2
Council Member Donald E. Holley, District 6
Council Member Derek O. Robinson Sr., District 4
Council Member William Oliver, District 3
Council Member Charles F. Rigby, District 5

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, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Planning Manager Chris Boyle, Commander Dino Lawson and Lieutenant Brian Esteves.

INVOCATION: Pastor David Dougherty, 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.

Eddie Block, residing in Madera, California, requested that the City help clean up downtown and consider revitalization and marketing of the downtown area.

PRESENTATION Parks Department Grant from PG&E for a Community Service Day in the Spring of 2018 (Presentation by PG&E)

Ann Kloose with PG&E introduced Erica Cabrera. Ms. Cabrera will be taking her place as the Public Affairs Representative. Ms. Kloose has taken another position with the company. Ms. Kloose presented the \$5,000 grant award to the City.

A. WORKSHOP

There are no items for this section.

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.

No items were pulled from the consent calendar.

ON MOTION BY COUNCIL MEMBER RIGBY AND SECONDED BY COUNCIL MEMBER GALLEGOS, THE CONSENT CALENDAR, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

- B-1 Minutes – 3/01/17
- B-2 Information Only – Warrant Disbursement Report
- B-3 Bi-Weekly Water Conservation Report for 11/6/17 – 11/19/17 (Report by Dave Randall)
- B-4 Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending September 30, 2017 (Report by Tim Przybyla)
- B-5 Consideration of a Resolution Approving an Agreement with the County of Madera for Outside City Limits Water and Sewer Connections for County Office Complex (Report by Dave Merchen)

RES. NO. 17-189 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT FOR OUTSIDE CITY LIMITS WATER AND SEWER CONNECTIONS FOR COUNTY OFFICE COMPLEX BETWEEN THE CITY OF MADERA AND COUNTY OF MADERA

- B-6 Consideration of a Resolution Approving an Addition and/or Amendment to Escrow Instructions Related to the Sale and Purchase of Real Estate for Parcel 16 Within the Freedom Industrial Park (Report by David Merchen)

RES. NO. 17-190 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN ADDITION AND/OR AMENDMENT TO ESCROW INSTRUCTIONS RELATED TO SALE AND PURCHASE OF REAL ESTATE FOR PARCEL 16 WITHIN THE FREEDOM INDUSTRIAL PARK

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

- C-1 Second Reading and Consideration of Adoption of an Ordinance Deleting in its Entirety Title X, Chapter 3, Section 513 (Secondary Dwelling Units) of the Madera Municipal Code and Replacing it with Title X, Chapter 3, Section 513 (Accessory Dwelling Units), and Amending Subsection 10-3.504.1 (R; Uses Allowed With Zoning Administrator Permit) in order to Address Recently Adopted State Laws, AB 2299 (Bloom) and SB 1069 (Wieckowski) (Report by Chris Boyle)

Planning Manager Chris Boyle presented the report.

The ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, FURTHER READY WAS WAIVED, AND ITEM C-1, ORD. NO. 949 C.S. WAS ADOPTED BY A ROLL

CALL VOTE OF 5-2. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, OLIVER, RIGBY, ROBINSON. NOES: COUNCIL MEMBER HOLLEY, GALLEGOS.

ORD. NO. 949 C.S. AN ORDINANCE AMENDING THE MADERA MUNICIPAL CODE DELETING IN ITS ENTIRETY TITLE X, CHAPTER 3, SECTION 513 (SECONDARY DWELLING UNITS) OF THE MADERA MUNICIPAL CODE AND REPLACING IT WITH TITLE X, CHAPTER 3, SECTION 513 (ACCESSORY DWELLING UNITS), AND AMENDING SUBSECTION 10-3.504.1 (R; USES ALLOWED WITH ZONING ADMINISTRATOR PERMIT) IN ORDER TO ADDRESS RECENTLY ADOPTED STATE LAWS, AB 2299 (BLOOM) AND SB 1069 (WIECKOWSKI)

C-2 Second Reading and Consideration of Adoption of an Ordinance Amending Section 4-15.02 of Chapter 15 of Title IV of the Madera Municipal Code Pertaining to the Cultivation of Cannabis (Report by Brian Esteves)

Lieutenant Brian Esteves presented the report.

The ordinance was read by title by the City Clerk.

The motion by Council Member Rodriguez and seconded by Council Member Foley Gallegos was withdrawn by Council Member Rodriguez due to further reading not waived.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, FURTHER READING WAS WAIVED, AND ITEM C-2, ORD. NO. 950 C.S. WAS ADOPTED BY A ROLL CALL VOTE OF 6-1. AYES: MAYOR MEDELLIN, COUNCIL MEMBERS RODRIGUEZ, OLIVER, RIGBY, GALLEGOS, ROBINSON. NOES: COUNCIL MEMBER HOLLEY.

ORD. NO. 950 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AMENDING SECTION 2 OF CHAPTER 15 OF TITLE IV (4-15.02) OF THE MADERA MUNICIPAL CODE PERTAINING TO THE CULTIVATION OF CANNABIS

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Consideration of Selection of Mayor Pro Tem (Report by Sonia Alvarez)

City Clerk Sonia Alvarez presented the report.

Council Member Oliver made a motion to name Council Member Rodriguez as Mayor Pro Tem. The motion was seconded by Council Member Gallegos and passed unanimously by a vote of 7-0.

Mayor Medellin thanked Council Member Gallegos for her service as Mayor Pro Tem.

F. COUNCIL REPORTS

Council Member Robinson reported on his attendance at the League of Cities Strategic Goal Setting session.

Council Member Gallegos thanked her colleagues for helping her during her year as Mayor Pro Tem.

Council Member Gallegos reported on the community meeting she attended in Tulare where Dr. Castro was the guest speaker. The discussion centered on transportation to college for students.

Council Member Rigby provided an update on three more families moving to Pomona Ranch. He also volunteered the City to adopt a Pomona Ranch family for the holiday.

Council Member Oliver announced that the Toys for Tots Toy Drive is going on at Walmart.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 6:30 p.m. to discuss items G-2, G-4, G-5 and G-6 as listed on the agenda. Item G-3 was pulled due to matter has been resolved.

G-2 Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8

212 E. 6th St. APN: 007-191-017
Agency Negotiators: Steve Frazier & Lester Jorgensen
Negotiating Party: Sams Prop Inv. LLC, Satvir Singh
Under Negotiations: Price and Terms

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

G-4 Public Employee Discipline/Dismissal/Release - Pursuant to Government Code §54957

G-5 Public Employee Discipline/Dismissal/Release - Pursuant to Government Code §54957

G-6 Public Employee Discipline/Dismissal/Release - Pursuant to Government Code §54957

G-7 Closed Session Report – City Attorney

The Council returned from closed session at 7:51 p.m. with all members present.

Items G-2, G-5 and G-6 – No reportable action.

Item G-4 – The Council unanimously affirmed the decision of the Civil Service Commission.

ADJOURNMENT – The meeting was adjourned at 7:52 p.m. Next regular meeting 12/20/17.

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