

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

Item:	B-1
Minutes for:	04/04/18
Adopted:	05/01/19

**April 4, 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

Absent: None

Others present were City Attorney Brent Richardson, City Clerk Sonia Alvarez, City Administrator Steve Frazier, Director of Community Development David Merchen, Police Chief Dino Lawson, 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, Division Fire Chief Matt Watson, Lieutenant Dan Foss and Battalion Chief James Forga.

INVOCATION: Pastor Tim Echevarria, New Harvest Christian Fellowship

PLEDGE OF ALLEGIANCE: Mayor Medellin

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.

Kay Rhodes, spoke about the reasons she believes the recall measure of Mayor Medellin is appropriate. Ms. Rhodes stated she has concerns with excessive management salaries and high-water rates/taxes

Martha Pitts, reported that she is the new general manager for Madera Area Express. She looks forward to working with the Grants Department.

April Molina, wanted to speak about the article regarding the recall of Mayor Medellin in the Madera Tribune. She is concerned with the costs associated with a recall and how it may bring chaos and division.

Khalid Chaudry, spoke about collusion between Council and management. Thanked Mr. Manfredi for the response to his mail. Mr. Chaudry also made recommendations to the training session. Mr. Chaudry stated to please resign.

Steve Salter, announced that there is a signature drive for Keep California Safe (Propositions 47 and 57). Mr. Salter thought the City Council should be involved.

The City Clerk made a late distribution announcement regarding item C-2A and C-4.

PRESENTATIONS

1. Martin Luther King Jr. Celebration Speech by Student Speaker Gizelle Castillo

Council Member Holley introduced Gizelle Castillo by stating her speech was emotional and thanked her parents. Gizelle Castillo stated she is a sixth-grade student with John Adams Elementary School. She thanked the City Council. She proceeded by reading her speech.

Council Member Oliver stated he appreciated Gizelle sharing Martin Luther King's legacy through.

2. Mid Valley Disposal Recyclers of the Year and Third and Fourth Quarter Reports (Annette Kwock)

Annette Kwock and Yvette Rodriguez with Mid Valley Disposal provided the City Council an update for their third and fourth quarter. They also presented Rancho San Miguel and Vineyard Restaurant for Recycler of the Year Award.

Council Member Holley thanked Mid Valley Disposal for the good job they are doing in education.

Mayor Medellin acknowledged the presence of members of Boy Scout Troop 99.

INTRODUCTIONS

There are no introductions.

A. WORKSHOP

A-1 Workshop to Review the Status and Use of Measure K Fire Protection Funds and to Review the Status of the Design and Construction Process for the New Northwest Madera Fire Station (Presentation by David Merchen and Matt Watson)

Director of Community Development David Merchen and Division Fire Chief Matt Watson provided an update to the City Council on the funding and status of the new Northwest Fire Station.

Discussion followed.

A-2 Workshop Review and Recommendations Regarding Water Rate Cost Factors and Revenue Sources for Capital Projects (Report by Ron Manfredi)

Ron Manfredi provided the City Council with his findings on the Water Rate Review. The report was broken down in eight factors: Employee Direct Costs; Distribution of Costs, Administrative (Direct Costs); Overhead Allocation; Debt Service; Maintenance and Operations; Conservation; and Capital Outlay.

Discussion followed.

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.

Council Member Oliver pulled item B-3 for discussion.

Council Member Gallegos pulled item B-4 for discussion.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEMS B-3 AND B-4, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

B-1 Minutes – There are no minutes for consideration.

B-2 Warrant Disbursement Report 3/13/18 – 3/26/18 (Report by Tim Przybyla)

B-3 Consideration of a Minute Order - Acceptance of the Bus Shelters and Amenities Installation, City Project Number Trans - 6 and Authorizing the Recording of a Notice of Completion (Report by Keith Helmuth)

Council Member Oliver stated the City should look at ways (within State statutes) we can encourage vendors to use local businesses by providing incentives.

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM B-3, WAS APPROVED UNANIMOUSLY BY A VOTE OF 7-0.

B-4 Consideration of a Resolution Approving an Amendment to Pricing Schedule for Switched Ethernet Service with AT&T for Obtaining Fiber Optic Ethernet Service to the Waste Water Treatment Plant, and Authorizing the Mayor to Sign the Amendment on Behalf of the City (Report by Mark Souders)

Council Member Gallegos thanked Information Services Manager Mark Souders for his research and working with AT&T. This will give the City a savings on costs and provide stability of the wireless connection to the Waste Water Treatment Plant.

ON MOTION BY COUNCIL MEMBER GALLEGOS, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, ITEM B-4, WAS APPROVED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-41 RESOLUTION OF THE CITY COUNCIL OF MADERA, APPROVING AN AMENDMENT TO PRICING SCHEDULE FOR SWITCHED ETHERNET SERVICE WITH AT&T FOR OBTAINING FIBER OPTIC ETHERNET SERVICE TO THE WASTE WATER TREATMENT PLANT, AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT ON BEHALF OF THE CITY

B-5 Consideration of a Resolution Authorizing Submittal of an Application to the California Department of Resources Recycling and Recovery for Beverage Container Recycling City/County Payment Programs, and Authorizing the City Administrator to Execute all Grant Documents (Report by John Scarborough)

RES. NO. 18-42 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR BEVERAGE CONTAINER RECYCLING CITY/COUNTY PAYMENT PROGRAMS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL GRANT DOCUMENTS

B-6 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. 18-43 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-7 Consideration of a Letter of Support for the Leadership Counsel for Justice and Accountability's Scope of Work for the Sustainable Groundwater Planning Grant Program (GSA - Report by David Merchen)

B-8 Informational Report on Personnel Activity (Report by Wendy)

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

C-1 A Noticed Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 6,000 Square Feet of Land Located 100 Feet North of the Northwest Corner of East Yosemite Avenue and High Street from the R3 (High Density Residential) Zone District to the C1 (Light Commercial) Zone District (APN: 007-123-003) (Report by Chris Boyle)

The report was presented by Planning Manager Chris Boyle.

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 HOLLEY, FURTHER READING WAS WAIVED AND ITEM C-1, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

INTRO. ORD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF HIGH STREET (APN: 007-123-003), APPROXIMATELY 125 FEET NORTH OF THE INTERSECTION OF EAST YOSEMITE AVENUE AND HIGH STREET, FROM THE R3 (HIGH DENSITY RESIDENTIAL) ZONE DISTRICT TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT

C-2 A) Consideration of a Resolution Approving an Agreement with LSA Associates, Inc. for Preparation of the Village D Specific Plan Environmental Impact Report and Authorizing the Mayor to Execute the Agreement; and

B) Consideration of a Resolution Approving an Agreement with Fagundes, Fagundes, Fagundes for the Funding of an Environmental Impact Report for the Village D Specific Plan and Authorizing the Mayor to Execute the Agreement (Report by Chris Boyle)

The report was presented by Planning Manager Chris Boyle.

Discussion followed.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-2A, RES. NO. 18-44 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-44 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING AN AGREEMENT WITH LSA ASSOCIATES, INC. FOR ENVIRONMENTAL PLANNING SERVICES RELATING TO THE VILLAGE D SPECIFIC PLAN PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-2B, RES. NO. 18-45 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-45 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, APPROVING AN AGREEMENT WITH FAGUNDES, FAGUNDES, FAGUNDES FOR FUNDING FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT RELATING TO THE VILLAGE D SPECIFIC PLAN PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

C-3 Consideration of a Resolution Approving the Final Map for the Varbella Estates 1 Subdivision and Authorizing Execution of Subdivision Agreement and Authorizing the Mayor to Execute the Agreement on Behalf of the City; and

Consideration of a Resolution Approving Annexation of the Varbella Estates 1 Subdivision into Zone of Benefit 39; Confirming the Diagram and Assessments for City Wide Landscape and Lighting Assessment District Zone of Benefit 39 for Fiscal Year 2018/2019; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

The report was presented by City Engineer Keith Helmuth.

Discussion followed.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-3, RES. NO. 18-46 AND RES. NO 18-47 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-46 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE FINAL MAP FOR THE VARBELLA ESTATES I SUBDIVISION AND AUTHORIZING EXECUTION OF SUBDIVISION AGREEMENT AFFECTING LAND DEVELOPMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS ON BEHALF OF THE CITY

RES. NO. 18-47 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING ANNEXATION OF THE VARBELLA ESTATES 1 SUBDIVISION INTO ZONE OF BENEFIT 39; CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 39 FOR FISCAL YEAR 2018/2019; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

C-4 A) Consideration of a Resolution Approving an Agreement with Bob Murray & Associates for Executive Recruiting Services for the Position of City Administrator; and

B) Consideration of a Resolution Authorizing and Approving an Amendment to the City of Madera Fiscal Year 2017/18 Budget (Report by Wendy Silva)

The report was presented by Director of Human Resources Wendy Silva.

Discussion followed.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-4A, RES. NO. 18-48 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-48 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH BOB MURRAY & ASSOCIATES FOR EXECUTIVE RECRUITING SERVICES FOR THE POSITION OF CITY ADMINISTRATOR AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-4B, RES. NO. 18-49 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-49 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING AND APPROVING AN AMENDMENT TO THE CITY OF MADERA FISCAL YEAR 2017/2018 BUDGET

C-5 Consideration of a Resolution of the City Council Approving Post-Issuance Tax Compliance Procedures for Tax-Exempt Bonds (Report by Tim Przybyla)

The report was presented by Director of Financial Services Tim Przybyla.

No questions or comments were offered.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-5, RES. NO. 18-50 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-50 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX- EXEMPT BONDS

C-6 Consideration of a Resolution of the Madera Public Financing Authority Approving Post-Issuance Tax Compliance Procedures for Tax-Exempt Bonds (MPFA - Report by Tim Przybyla)

The report was presented by Director of Financial Services Tim Przybyla.

No questions or comments were offered.

ON MOTION BY COUNCIL MEMBER RODRIGUEZ, AND SECONDED BY COUNCIL MEMBER GALLEGOS, ITEM C-6, MPFA RES. NO. 18-01 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

MPFA RES. NO. 18-01 A RESOLUTION OF THE BOARD OF THE MADERA PUBLIC FINANCING AUTHORITY APPROVING POST-ISSUANCE TAX COMPLIANCE PROCEDURES FOR TAX-EXEMPT BONDS

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

There are no items for this section.

F. COUNCIL REPORTS

Council Member Robinson reported he attended the WELLS (Water Education for Latino Leaders) Conference in Sacramento.

Council Member Foley Gallegos had nothing to report.

Council Member Rigby reported that he attended Madera Local Agency Formation Commission (LAFCO) meeting. The MSR is completed and being passed around for review.

Council Member Rigby also reported he will be attending meeting with Madera County Economic Development Commission, where they will discuss new ways of economic development in the next 15-20 years in Madera County

Council Member Holley reported he attended a Neighborhood Watch meeting on Trevor Way and walk to school for Cesar Chavez.

Council Member Holley also reported he and his wife had the opportunity to visit the Discovery Center with 50 children.

Council Member Holley encouraged Council Members to join the Big Brothers and Big Sisters Program.

Mayor Pro-Tem Rodriguez attended an Madera Realtors Association event, where Planning Manager Chris Boyle was on a panel for discussion.

Council Member Oliver had nothing to report.

Mayor Medellin thanked Eddie Block for being instrumental in the Downtown Watch Program. He also thanked John and April Molina for their kind words and the Love Madera Campaign on April 21, 2018.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 10:00 p.m. to discuss the items as listed on the agenda.

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 Labor Negotiators pursuant to Government Code §54957.6

Agency Designated Representatives: Steve Frazier & Wendy Silva

Employee Organizations: General Bargaining Unit

Madera Police Officers' Association

Mid-Management Employee Group

Law Enforcement Mid-Management Group

G-4 Closed Session Report – City Attorney

The Council returned from closed session at 11:15 p.m. with all members present.

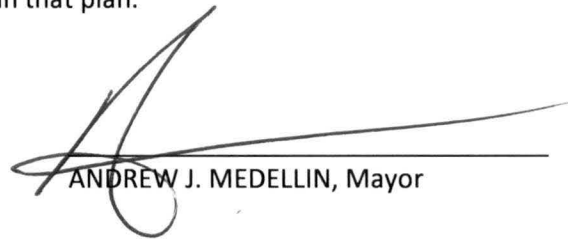
There was no reportable action for items G-2 through G-3.

ADJOURNMENT - The meeting was adjourned at 11:15 p.m. Next regular meeting 4/18/18.

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.


CLAUDIA MENDOZA, Interim City Clerk


ANDREW J. MEDELLIN, Mayor

