



Item:	B-1
Minutes for:	09/20/17
Adopted:	10/03/18

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

**September 20, 2017  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER** - The regular and special meetings were 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, Lieutenant Gino Chiamonte, Recreation and Community Programs Coordinator Corinne Long-Folk, Parks Business Manager Mark Etheridge, Neighborhood Preservation Specialist Nick Salinas, Division Fire Chief David Allen, and Battalion Chief Jim Forga.

**INVOCATION:**               Pastor Mike Unger, Madera Rescue Mission

**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.

Kay Rhoads, residing in Madera, California and representing the Friends of the Madera Animal Shelter advised that FMAS will no longer offer vouchers to City residents. They will direct residents to the Hope Foundation in Fresno.

Bill Hoffrage stated last May they had a Warbirds reunion at the airport and they would like to do it again the second weekend in May as a fly-in but will expand it if they are able to.

Dustin Pipes, residing in Madera, California, announced that MUSD will be having their Third Annual Dinner Dance on October 7<sup>th</sup> with proceeds going to the school athletes and students. He distributed flyers.

Mayor Medellin closed public comment.

**PRESENTATIONS** Proclamation Recognizing Hispanic Heritage Month

Mayor Medellin presented to Lourdes Herrera the proclamation proclaiming September 15<sup>th</sup> through October 15<sup>th</sup> as Hispanic Heritage month. Ms. Herrera thanked the Council for their support.

**INTRODUCTIONS** Alberto Holguin, Water and Sewer Operations Manager

Public Works Operations Director David Randall introduced Al Holguin. Mr. Holguin thanked everyone for the opportunity to return to the City.

**LATE DISTRIBUTION** – The City Clerk made a late distribution announcement regarding items B-13 and C-1.

**A. WORKSHOP**

**A-1 The Third of a Three Workshop Series on Cannabis and California Cities**  
(Presentation by Gino Chiaramonte and Chris Boyle)

The workshop, presented by Gino Chiaramonte and Chris Boyle, included discussion on the Colorado experience and the effects on communities, an overview of the City's current ordinance and potential impacts of amendments to ordinance.

Bill Jones, residing in Madera, California, spoke against allowance of cannabis related business.

Steve Salter, residing in Madera, California, stated he agrees with the Mayor's opinion.

Council consensus was not to take steps for allowance of cannabis related business at this time.

Recess: 7:31 p.m. – 7:41 p.m.

\* \* \* \* \*

Mayor Medellin moved to the consent calendar for the special meeting agenda.

**B. CONSENT CALENDAR – SPECIAL 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 OLIVER, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

- B-1 Consideration of a Resolution Approving an Agreement for Purchase and Sale of Real Property and Escrow Instructions for a Future Fire Station Site, Authorizing the Mayor to Execute the Agreement on Behalf of the City, Authorizing the City Administrator to Take All Actions Necessary to Allow the Transfer of Title Pursuant to the Escrow Instructions, and Authorizing the City Clerk to Prepare the Certificate of Acceptance of the Grant Deeds (Report by David Merchen)

RES. NO. 17-135

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF REAL  
PROPERTY AND ESCROW INSTRUCTIONS FOR A FUTURE FIRE STATION  
SITE**

There were no items for sections A, C, D, E, and G of the special meeting agenda.

**F. COUNCIL REPORTS**

No reports were given.

**ADJOURNMENT SPECIAL MEETING**– The special meeting was adjourned at 7:43 p.m.

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Mayor Medellin returned to the regular meeting agenda.

**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.*

City Administrator David Tooley declared a conflict of interest on item B-5. Item was pulled from the consent calendar for separate action.

Council Member Foley Gallegos requested item B-15 pulled for discussion.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE  
CONSENT CALENDAR, WITH THE EXCEPTION OF ITEMS B-5 AND B-15, WAS ADOPTED  
UNANIMOUSLY BY A VOTE OF 7-0.**

- B-1 Minutes – There are no minutes for consideration.
- B-2 Information Only – Warrant Disbursement Report
- B-3 Bi-Weekly Water Conservation Report for 8/28/17 – 9/10/17 (Report by Dave Randall)
- B-4 Consideration of a Minute Order Rejecting a Claim filed by Juana Montes De Oca (Report by Wendy Silva)
- B-5 Consideration of Resolutions Adopting 2017/2018 Community Development Block Grant Agreements for Services as follows: (Report by Ivette Iraheta)  
[Item pulled due to conflict declared by City Administrator.]
  - A. The Community Action Partnership of Madera County to Coordinate with the Fresno/Madera Continuum of Care
  - B. The Madera County Workforce Investment Corporation for the Vocational Training/Certification Program
  - C. The Madera Coalition for Community Justice to Coordinate the Zocalo Madera Program
  - D. The City of Madera Parks and Community Services Department to Provide Nutrition, Fitness, Recreation and Education Services to Seniors

- E. The Housing Authority of the City of Madera for the Pomona Ranch Housing for the Homeless Project
  - F. The City of Madera Engineering Department for the East Yosemite Avenue and Elm Street Traffic Signal Project
  - G. The City of Madera Engineering Department for the George Washington Elementary School Sidewalk Project
- B-6 Consideration of a Resolution Authorizing Participation in the State Interagency Intercept Collections Program and Authorizing the Mayor to Execute the Intent to Participate and Any and All Documents Necessary to Facilitate Participation in the Program (Report by Brent Richardson)

**RES. NO. 17-143      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
AUTHORIZING PARTICIPATION IN THE STATE INTERAGENCY INTERCEPT  
COLLECTIONS PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE  
THE INTENT TO PARTICIPATE AND ANY AND ALL DOCUMENTS  
NECESSARY TO FACILITATE PARTICIPATION IN THE PROGRAM**

- B-7 Consideration of Resolution Approving Amendment No. 4 to the Agreement with Lars Andersen & Associates, Inc. for Engineering Services Relating to the Construction of the Fresno River Trail Undercrossings at Gateway Drive and Union Pacific Railroad (Report by Keith Helmuth)

**RES. NO. 17-144      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA, APPROVING AMENDMENT NO. 4 TO THE AGREEMENT WITH  
LARS ANDERSEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES  
RELATING TO THE CONSTRUCTION OF THE FRESNO RIVER TRAIL  
UNDERCROSSINGS AT GATEWAY DRIVE AND UNION PACIFIC RAILROAD**

- B-8 Consideration of a Resolution Approving Funding Amendments to the City of Madera Fiscal Year 2017/18 Capital Projects Budget for the Installation of Water Main at Various Locations, City Project No. W 16-03 (Report by Keith Helmuth)

**RES. NO. 17-145      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING FUNDING AMENDMENTS TO THE CITY OF MADERA FISCAL  
YEAR 2017/18 CAPITAL PROJECTS BUDGET FOR THE INSTALLATION OF  
WATER MAINS AT VARIOUS LOCATIONS PROJECT, CITY PROJECT NO. W  
16-03**

- B-9 Consideration of a Resolution Approving the Compensation Range for Part Time Public Works Maintenance Aids (Report by Wendy Silva)

**RES. NO. 17-146      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING THE COMPENSATION RANGE FOR PART TIME PUBLIC  
WORKS MAINTENANCE AIDS OF THE CITY OF MADERA**

- B-10 Consideration of a Resolution Approving Annexation of Adjusted Parcel C of Lot Line Adjustment No. 2016-01 into Zone of Benefit 1; Confirming the Diagram and Assessment for Adjusted Parcel C of Lot Line Adjustment No. 2016-01 for City Wide Landscape and Lighting Assessment District Zone of Benefit 1 for Fiscal Year 2017/2018; and Authorizing the City Clerk to File the Diagram and Assessment with the Madera County Auditor (Report by Keith Helmuth)

**RES. NO. 17-147      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING ANNEXATION OF ADJUSTED PARCEL C OF LOT LINE ADJUSTMENT NO. 2016-01 INTO ZONE OF BENEFIT 1; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR ADJUSTED PARCEL C OF LOT LINE ADJUSTMENT NO. 2016-01 FOR CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 1 FOR FISCAL YEAR 2017/2018; AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR**

- B-11    Consideration of a Resolution Ratifying and Approving a Memorandum of Agreement between Mariposa County Sheriff's Office and the Madera Police Department Pertaining to Assistance under the Law Enforcement Mutual Aid and Authorizing the City Administrator to Sign on Behalf of the City (Report by Steve Frazier)

**RES. NO. 17-148      A RESOLUTION RATIFYING AND APPROVING A MEMORANDUM OF AGREEMENT BETWEEN MARIPOSA COUNTY SHERIFF'S OFFICE AND THE MADERA POLICE DEPARTMENT PERTAINING TO ASSISTANCE UNDER THE LAW ENFORCEMENT MUTUAL AID AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN ON BEHALF OF THE CITY**

- B-12    Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending June 30, 2017 (Report by Tim Przybyla)
- B-13    Consideration of a Resolution Approving a Professional Services Agreement with RRM Design Group for Professional Engineering Design Services for the Construction of a Fire Station and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Dave Merchen)

**RES. NO. 17-149      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH RRM DESIGN GROUP FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE CONSTRUCTION OF A FIRE STATION AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

- B-14    Consideration of a Minute Order Approving a Letter to Madera County Requesting an Easement Deed for Use by the City in Constructing a Portion of the Gateway/UPRR Trail Undercrossing and Authorizing the Mayor to Sign the Letter (Report by Mary Anne Seay)
- B-15    Consideration of a Resolution Adopting the City's Master Fee Schedule and the Master Penalty Schedule for FY 2017/2018 (Report by Tim Przybyla) *[Item pulled for discussion.]*

**RES. NO. 17-150      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING THE MASTER FEE SCHEDULE AND THE MASTER PENALTY SCHEDULE FOR FY 2017/2018**

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

- B-5    *Consideration of Resolutions Adopting 2017/2018 Community Development Block Grant Agreements for Services as follows:* (Report by Ivette Iraheta)

City Administrator David Tooley exited the Council Chambers and returned after the action had concluded.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM B-5, RES. NOS. 17-136 THROUGH 17-142, WERE ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**



- A. The Community Action Partnership of Madera County to Coordinate with the Fresno/Madera Continuum of Care
- RES. NO. 17-136      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017 /2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE COMMUNITY ACTION PARTNERSHIP OF MADERA COUNTY**
- B. The Madera County Workforce Investment Corporation for the Vocational Training/Certification Program
- RES. NO. 17-137      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE MADERA COUNTY WORKFORCE INVESTMENT CORPORATION**
- C. The Madera Coalition for Community Justice to Coordinate the Zocalo Madera Program
- RES. NO. 17-138      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE MADERA COALITION FOR COMMUNITY JUSTICE**
- D. The City of Madera Parks and Community Services Department to Provide Nutrition, Fitness, Recreation and Education Services to Seniors
- RES. NO. 17-139      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE CITY OF MADERA PARKS AND COMMUNITY SERVICES DEPARTMENT**
- E. The Housing Authority of the City of Madera for the Pomona Ranch Housing for the Homeless Project
- RES. NO. 17-140      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE HOUSING AUTHORITY OF THE CITY OF MADERA**
- F. The City of Madera Engineering Department for the East Yosemite Avenue and Elm Street Traffic Signal Project
- RES. NO. 17-141      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR SERVICES WITH THE CITY OF MADERA ENGINEERING DEPARTMENT**
- G. The City of Madera Engineering Department for the George Washington Elementary School Sidewalk Project
- RES. NO. 17-142      A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, APPROVING A 2017/2018 COMMUNITY DEVELOPMENT**

**BLOCK GRANT AGREEMENT FOR SERVICES WITH THE CITY OF MADERA  
ENGINEERING DEPARTMENT**

*B-15 Consideration of a Resolution Adopting the City's Master Fee Schedule and the Master Penalty Schedule for FY 2017/2018 (Report by Tim Przybyla)*

Director of Parks and Community Services Mary Anne Seay addressed the questions/comments from Mayor Pro Tem Foley Gallegos and other members of the Council.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY MAYOR PRO TEM FOLEY GALLEGOS, ITEM C-1, RES. NO. 17-150, WITH A REVISED EXHIBIT A TO REMOVE THE FEE ADJUSTMENT NUMBER ONE FOR THE BERGON CENTER, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**RES. NO. 17-150      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING THE MASTER FEE SCHEDULE AND THE MASTER PENALTY SCHEDULE FOR FY 2017/2018**

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

**C-1      Public Hearing and Consideration of a Resolution Approving the 2016/2017 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and Financial Summary (Report by Ivette Iraheta)**

Grant Administrator Ivette Iraheta offered translation services in Spanish then proceeded to present the report.

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

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM C-1, RES. NO. 17-151, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**RES. NO. 17-151      A RESOLUTION APPROVING THE 2016/2017 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT AND FINANCIAL SUMMARY REPORT**

Items D-2 and D-3 were moved up on the agenda for discussion.

*D-2      Consideration of a Written Request by the Madera South High School Seeking Council Approval to Waive Permit Fees and Cover the Cost of Police and Public Works Efforts in Association with their Homecoming Parade and Request for the City to Pay \$1,200 Towards the Rental of Barricades (Report by Steve Frazier)*

Chief of Police Steve Frazier presented the report.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM D-2, THE WRITTEN REQUEST BY THE MADERA SOUTH HIGH SCHOOL SEEKING COUNCIL APPROVAL TO WAIVE PERMIT FEES AND COVER THE COST OF POLICE AND PUBLIC WORKS EFFORTS IN ASSOCIATION WITH THEIR HOMECOMING PARADE AND REQUEST FOR THE CITY TO PAY \$1,200 TOWARDS THE RENTAL OF BARRICADES, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

*D-3 Consideration of a Written Request by the Madera High School Seeking Council Approval to Cover the Cost of Police and Public Works Efforts in Association with Their Homecoming Parade (Report by Steve Frazier)*

Chief of Police Steve Frazier presented the report.

Isaac Lopez, Activities Director for Madera High School, provided comment on their request.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY MAYOR PRO TEM FOLEY GALLEGOS, ITEM D-3, THE WRITTEN REQUEST BY THE MADERA HIGH SCHOOL SEEKING COUNCIL APPROVAL TO COVER THE COST OF POLICE AND PUBLIC WORKS EFFORTS IN ASSOCIATION WITH THEIR HOMECOMING PARADE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**D. WRITTEN COMMUNICATIONS**

**D-1 Written Communication from Valley West Christian Center and Consideration of a Request for a Reduction in Fees for a Proposed 5,250 Square Foot Multi-Purpose Building (Pastor Roger Leach and Report by David Merchen)**

Council Member Rigby declared a conflict of interest on item D-1 and exited the Council Chambers.

Pastor Roger Leach, representing Valley West Christian Center, presented his request. Community Development Director David Merchen and other staff members addressed questions/comments from the Council.

Council direction was given for staff to craft language to address impact fees for schools that provide a community benefit, are part of a school district and recognized as an accredited school.

Council Member Rigby returned to the Council Chambers.

**D-2 Consideration of a Written Request by the Madera South High School Seeking Council Approval to Waive Permit Fees and Cover the Cost of Police and Public Works Efforts in Association with their Homecoming Parade and Request for the City to Pay \$1,200 Towards the Rental of Barricades (Report by Steve Frazier)**

Items D-2 and D-3 were heard earlier in the meeting immediately following item C-1.

**D-3 Consideration of a Written Request by the Madera High School Seeking Council Approval to Cover the Cost of Police and Public Works Efforts in Association with Their Homecoming Parade (Report by Steve Frazier)**

Items D-2 and D-3 were heard earlier in the meeting immediately following item C-1.

**E. ADMINISTRATIVE REPORTS**

**E-1 Report and Request for Direction Regarding Agenda Distribution Timeline (Report by Sonia Alvarez)**

City Clerk Sonia Alvarez presented the report. Two motions were presented on this item with the first motion failing.

**FIRST MOTION FOR ITEM E-1 FAILED**

**COUNCIL MEMBER HOLLEY MADE A MOTION NOT TO CHANGE THE DISTRIBUTION DATE. THE MOTION WAS SECONDED BY COUNCIL MEMBER ROBINSON AND THE MOTION FAILED BY A**



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

SECOND MOTION FOR ITEM E-1 PASSED

**COUNCIL MEMBER RIGBY MADE A MOTION TO CHANGE THE DISTRIBUTION DATE TO SIX DAYS PRIOR TO THE CITY COUNCIL MEETINGS. THE MOTION WAS SECONDED BY MAYOR PRO TEM FOLEY GALLEGOS AND THE MOTION WAS ADOPTED BY A ROLL CALL VOTE OF 5-2. AYES: COUNCIL MEMBERS MEDELLIN, FOLEY GALLEGOS, RODRIGUEZ, OLIVER, RIGBY. NOES: COUNCIL MEMBERS HOLLEY, ROBINSON.**

- E-2 Update and Request for Direction Regarding a Proposal by Sohan Samran for Extra-Territorial Sewer and Water Connections in Conjunction with the Expansion of the BAPU Almond Facility at 24341 Avenue 14 (Report by David Merchen)**

Community Development Director David Merchen presented the report. Ubaldo Garcia, representing BAPU Almonds, provided comment on their request.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, THE REQUEST TO ALLOW THE INSTALLATION OF A FIRE HYDRANT ALONG THE FRONTAGE TO PROVIDE FOR FIRE FLOW TO THE SITE ALONG WITH THE CONDITIONS AS PRESENTED AND AGREED UPON BY PROPONENT WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

- E-3 Report Seeking Direction from Council on Absorbing Rental Fees to Accommodate the Mexican Consulate at the Pan-American Community Center (Report by Mary Anne Seay)**

Director of Parks and Community Services Mary Anne Seay presented the report. Council Member Rigby and Mayor Medellin provided background on their communications with the Mexican Consulate for use of the Pan Am Center as a community wide benefit.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE MOTION TO ABSORB THE RENTAL FEES FOR THE MEXICAN CONSULATE USE OF THE PAN AM CENTER FROM DECEMBER 11-15, 2017 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

- E-4 Request for Direction on the Elimination of the Adult Day Care Program (Report by Mary Anne Seay)**

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

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER RODRIGUEZ, THE MOTION TO ELIMINATE THE ADULT DAY CARE PROGRAM EFFECTIVE JANUARY 1, 2018 WAS ADOPTED BY A ROLL CALL VOTE OF 5-1-1. AYES: COUNCIL MEMBERS MEDELLIN, RODRIGUEZ, HOLLEY, OLIVER, RIGBY. NOES: COUNCIL MEMBER ROBINSON. ABSTENTION: COUNCIL MEMBER FOLEY GALLEGOS. [Council Member Foley Gallegos had stepped out of the council chambers when the vote took place.]**

- E-5 Review of Permit and Processing Costs for the Development Services Departments, Review of Potential Fee Adjustment Programs, and Direction to Staff Regarding Placing These Items on the October 4, 2017 Agenda for Consideration (Report by Dave Merchen)**

Community Development Director David Merchen presented the report.

Council Members Rigby, Oliver and Rodriguez were appointed to serve on an ad hoc community to meet with city partners such as the Ministerial Association, service clubs and similar organizations to review fee reduction programs.

Council consensus was reached to bring back at the October 4, 2017 meeting the Fee Adjustment Program, Option B for consideration. Staff was also directed to review the percentage increase for special event permit and appeal fees at a lower percentage.

#### **F. COUNCIL REPORTS**

Council Member Robinson reported on his attendance at the League of California Cities conference.

Mayor Pro Tem Foley Gallegos report on her attendance at the Wine Month Celebration at Birdstone Winery.

Council Member Rigby stated his appreciation to the Parks and Community Services Director Mary Anne Seay for her work and the tough decisions they have to make such as tonight.

Council Member Rodriguez gave a shout out to people representing the Stallions here tonight.

Mayor Medellin reported on his attendance at the Neighborhood Watch in the Parkwood area. He recognized the audience member from that neighborhood present this evening.

Mayor Medellin reported on his Valley Voice trip to Washington D.C. where they represented eight Central Valley counties.

Mayor Medellin commented on the many things going on in the nation such as hurricanes and how people came together.

Mayor Medellin announced that this Sunday, along with the Madera Ministerial Association, they will pray for their schools, teachers, staff, and bus drivers.

#### **G. CLOSED SESSION**

##### **G-1 Closed Session Announcement – City Attorney**

The City Attorney announced that staff has requested item G-4 pulled from closed session noting that it has been rendered moot by the purchase agreement approved earlier in the meeting.

The Council adjourned to closed session at 10:58 p.m. to discuss items G-2 and G-3 as listed on the agenda.

##### **G-2 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-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 Real Property Negotiators - Pursuant to Government Code Section 54956.8 [Item pulled]**

**Property 1:** 4 Parcels

LEWIS HELEN F TR ETAL APN: 013-050-007, 013-050-008, 013-050-009,  
013-050-010

Agency Negotiators: David Tooley, David Merchen

Negotiating Parties: Sheila Urbanek & Joel Mazmanian Representing Lewis Helen F  
Tr. Etal

Under Negotiations: Price and Terms

**Property 2:** 2 Parcels

MCINTYRE EDWARD J & GAIL ETAL APN: 013-200-012, 013-200-013

Agency Negotiators: David Tooley, David Merchen

Negotiating Parties: Edward and Gail McIntyre

Under Negotiations: Price and Terms

**Property 3:** 2 Parcels

SCHULTZ, WILLIAM & GLORIA APN: 013-270-016, 013-270-017

Agency Negotiators: David Tooley, David Merchen

Negotiating Parties: Buk Wagner Representing William & Gloria Schultz

Under Negotiations: Price and Terms

**G-5 Closed Session Report – City Attorney**

The Council returned from closed session at 12:32 p.m. with all members present.

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

**ADJOURNMENT** - The meeting was adjourned at 12:33 p.m. Next regular meeting 10/04/17.

**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

