

Item:	B-1
Minutes for:	08/15/18
Adopted:	09/05/18

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

**August 15, 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 Administrator Steve Frazier, 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, Chief of Police Dino Lawson, 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 Gino Chiaramonte, Neighborhood Preservation Specialist Fabela Rodriguez and Division Fire Chief Matt Watson.

INVOCATION: Pastor Roger Leach, Valley West Christian Center

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.

Khalid Chaudhry spoke regarding Transparent California and questioned salaries, subsidized golf course, water study and other areas of concern.

April Molina, residing in Madera, California, read from scripture, spoke regarding Madera being a great City and thanked staff and Council for what they do.

LATE DISTRIBUTION - The City Clerk made a late distribution announcement regarding items C-3 and E-2.

PRESENTATIONS None.

INTRODUCTIONS Julia Chacon-Larson, Legal Assistant

City Attorney Brent Richardson introduced Ms. Chacon-Larson.

Ms. Chacon-Larson shared information about herself.

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 discussion were adopted under a single motion with the remainder of the consent calendar after discussion concluded.*

Council Member Oliver pulled item B-10 for discussion.

Council Member Holley pulled item B-11 for discussion.

Council Member Foley Gallegos pulled items B-2 and B-8.

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

- B-1 Minutes – 9/06/17, 7/31/18, 8/01/18
- B-2 Warrant Disbursement Report 7/24/18-8/07/18 (Report by Tim Przybyla) *[Item pulled for discussion.]*
- B-3 Water Conservation Report for June 18th through July 22nd (Report by John Scarborough)
- B-4 Consideration of a Minute Order Accepting the Water Pollution Control Facility Replacement Water Supply Well Project, City Project No. WWTP 17-01, Authorizing Recording of the Notice of Completion and Authorizing the Release of Retention (Report by John Scarborough)
- B-5 Consideration of a Resolution Adopting the City of Madera Conflict of Interest Code and Repealing Resolution No. 16-136 and All Resolutions in Conflict Herewith (Report by Sonia Alvarez)

RES. NO.18-153 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING THE CITY OF MADERA CONFLICT OF INTEREST CODE, AND REPEALING RESOLUTION NO. 16-136 AND ALL RESOLUTIONS IN CONFLICT HEREWITH

- B-6 Consideration of a Resolution to Execute Easement Deed for Dedication of Easement for Madera Irrigation District's Pipeline Along East Side of Victory Lane through City-Owned Parcels APN 009-331-010, 011, 018, and 024 (Report by Keith Helmuth)

RES. NO. 18-154 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA TO EXECUTE AN EASEMENT DEED FOR DEDICATION OF EASEMENT FOR MADERA IRRIGATION DISTRICT'S PIPELINE ALONG EAST SIDE OF

**VICTORY LANE THROUGH CITY OWNED PARCEL APN 009-331-010, 011
,018, AND 024**

- B-7 Consideration of a Resolution Approving a Consultant Services Agreement with Madera Unified School District for Partial Administration of the District's Foster Youth and Homeless/Families in Transition Programs and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay)

RES. NO. 18-155 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONSULTANT SERVICES AGREEMENT WITH MADERA UNIFIED SCHOOL DISTRICT FOR PARTIAL ADMINISTRATION OF THE DISTRICT'S FOSTER YOUTH AND HOMELESS/FAMILIES IN TRANSITION PROGRAMS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- B-8 Consideration of a Resolution Approving a Consultant Services Agreement with Madera Unified School District for Partial Administration of the District's Academic Year 2018-19 After School Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay) *[Item pulled for discussion.]*

RES. NO. 18-156 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A CONSULTANT SERVICES AGREEMENT WITH MADERA UNIFIED SCHOOL DISTRICT (MUSD) FOR PARTIAL ADMINISTRATION OF THE DISTRICT'S ACADEMIC YEAR 2018-19 AFTER SCHOOL PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- B-9 Consideration of a Resolution Approving an Increase in the Construction, Construction Inspection and Management Contingencies for Well-27 Pipeline Outfall Extension Southwest Corner of Almond Ave. & Pine St. City Project No. W 17-03 (Report by Keith Helmuth)

RES. NO. 18-157 A RESOLUTION APPROVING AN INCREASE IN THE CONSTRUCTION, CONSTRUCTION INSPECTION AND MANAGEMENT CONTINGENCIES FOR WELL-27 PIPELINE OUTFALL EXTENSION SOUTHWEST CORNER OF ALMOND AVE. & PINE ST. CITY PROJECT NO. W 17-03

- B-10 Consideration of a Resolution Approving an Addition and/or Amendment to Escrow Instructions Dated August 2, 2018 Addressing the Sale and Purchase of Real Estate for Parcel 16 within the Freedom Industrial Park (Report by David Merchen) *[Item pulled for discussion.]*

RES. NO. 18-158 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN ADDITION AND/OR AMENDMENT TO ESCROW INSTRUCTIONS DATED AUGUST 2, 2018 ADDRESSING THE SALE AND PURCHASE OF REAL ESTATE FOR PARCEL 16 WITHIN THE FREEDOM INDUSTRIAL PARK

- B-11 Consideration of a Resolution of the Madera City Council Approving a Contract with the County of Madera in Which the County would Provide Animal Control Services to the City and the City would Provide Law Enforcement Services to the County and Authorizes the Mayor to Execute the Contract on Behalf of the City (Report by Brian Esteves) *[Item pulled for discussion.]*

RES. NO. 18-159

RESOLUTION OF THE MADERA CITY COUNCIL APPROVING A CONTRACT WITH THE COUNTY OF MADERA IN WHICH THE COUNTY WOULD PROVIDE ANIMAL CONTROL SERVICES TO THE CITY AND THE CITY WOULD PROVIDE LAW ENFORCEMENT SERVICES TO THE COUNTY AND AUTHORIZES THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION – Vote for items B-2, B-8, B-10, and B-11 were adopted along with the remainder of the consent calendar.

B-10 Consideration of a Resolution Approving an Addition and/or Amendment to Escrow Instructions Dated August 2, 2018 Addressing the Sale and Purchase of Real Estate for Parcel 16 within the Freedom Industrial Park (Report by David Merchen)

Community Development Director David Merchen addressed Council Member Oliver's questions/comments regarding marketing properties.

B-11 Consideration of a Resolution of the Madera City Council Approving a Contract with the County of Madera in Which the County would Provide Animal Control Services to the City and the City would Provide Law Enforcement Services to the County and Authorizes the Mayor to Execute the Contract on Behalf of the City (Report by Brian Esteves)

Chief of Police Dino Lawson and other staff members addressed the questions/comments from Council Member Holley and other members of the Council regarding costs and services.

DJ Becker, residing in Madera, California and representing the Friends of the Madera Animal Shelter (FMAS), stated that FMAS can't subsidize the Community Cat Program for residents of Madera or fund spay and neuter in the City.

B-2 Warrant Disbursement Report 7/24/18-8/07/18 (Report by Tim Przybyla)

Director of Financial Services Tim Przybyla and other staff members addressed questions/comments from Council Member Foley Gallegos regarding various warrants.

B-8 Consideration of a Resolution Approving a Consultant Services Agreement with Madera Unified School District for Partial Administration of the District's Academic Year 2018-19 After School Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay)

Director of Parks and Community Services Mary Anne Seay addressed the questions/comments from Council Member Foley Gallegos and other members of the Council regarding the program.

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

C-1 Consideration of Introduction of an Ordinance Pertaining to the Formulation of a City-Wide Youth Commission (Report by Mary Anne Seay)

Parks and Community Services Director Mary Anne Seay presented the report. Katrina Ruiz with the Youth Leadership Institute (YLI) was also present to answer questions.

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

ON MOTION BY COUNCIL MEMBER OLIVER, 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, 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

- C-2 Consideration of a Resolution to Adjust the Fare Structure of the Madera Area Express (MAX) Fixed-Route Regular Cash Fare from \$.75 To \$1.00 and Implementation of a Dial-A-Ride (DAR) Premium Fare Structure that would Increase All General Public Fares on DAR to \$3.00 Per Trip and Create Separate Tickets for Each Transit Service (Report by Ivette Iraheta)**

Grant Administrator Ivette Iraheta presented the report. Alex Salazar, President of the City of Madera Transit Advisory Board (Board), spoke on behalf of the board.

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-2, RES. NO. 18-160, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-160 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING TO ADJUST THE FARE STRUCTURE OF THE MADERA AREA EXPRESS (MAX) FIXED-ROUTE REGULAR CASH FARE FROM \$.75 TO \$1.00 AND IMPLEMENTATION OF A DIAL-A-RIDE (DAR) PREMIUM FARE STRUCTURE THAT WOULD INCREASE ALL GENERAL PUBLIC FARES ON DAR TO \$3.00 PER TRIP AND CREATE SEPARATE TICKETS FOR EACH TRANSIT SERVICE

- C-3 Public Hearing and Consideration of a Resolution of the City Council of the City of Madera Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties (Report by Fabela Rodriguez)**

Neighborhood Preservation Specialist Fabela Rodriguez presented the report. Staff direction was given to agendize a discussion item relative to the weed abatement process.

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

ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY MAYOR PRO TEM RODRIGUEZ, ITEM C-3, RES. NO. 18-161, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-161 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CONFIRMING WEED ABATEMENT REPORT AND ORDERING COST OF ABATEMENT TO BE A SPECIAL ASSESSMENT

- C-4 Consideration of a Resolution Approving Amendments to the Fiscal Year 2018-2019 Capital Projects Budget Appropriating Funds to Specified Accounts for Work Related to the Acceptance of a Donation of Land for a Future Municipal Park (Report by Mary Anne Seay)**

Director of Parks and Community Services Mary Anne Seay presented the report. In response to Council Member Foley Gallegos, staff will look into forming a Parks and Recreation Committee.

ON MOTION BY COUNCIL MEMBER FOLEY GALLEGOS, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-4, RES. NO. 18-162, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 18-162 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENTS TO THE FISCAL YEAR 2018-2019

**CAPITAL PROJECTS BUDGET APPROPRIATING FUNDS TO SPECIFIED
ACCOUNTS FOR WORK RELATED TO THE ACCEPTANCE OF A DONATION
OF LAND FOR A FUTURE MUNICIPAL PARK**

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

**E-1 Consideration of Demolition of the "D" Street Water Tower and Request for Direction
(Report by Keith Helmuth)**

Jimmy Monreal, Administrative Analyst for Engineering, presented the report.

Maria Chavin, representing the Historical Society, stated they are opposed to removing the water tower but understand it may not be financially feasible.

Council direction was given to follow option 1, evaluation to remove the tower and/or to preserve as a historical landmark.

**E-2 Consideration of a Request to Designate a Voting Delegate and Alternate for the
League of California Cities Annual Conference and Direct the City Clerk to Submit
the Voting Delegate Form to the League (Report by Sonia Alvarez)**

City Clerk Sonia Alvarez presented the report.

Council consensus was reached to appoint Council Member Robinson as the primary and Council Member Rigby as the alternate.

F. COUNCIL REPORTS

Council Member Robinson reported that he attended the Quad Knopf open house.

Council Member Foley Gallegos commended front line staff out in the community for top notch customer service.

Council Member Foley Gallegos shared that she shipped her daughter off to an internship at Disney.

Council Member Rigby invited his colleagues to attend the upcoming EDC Opportunity Zone Workshop.

Council Member Rigby requested an item be agendaized to discuss water conservation, the reserve and projects they can look at including medians.

Council Member Rigby reported that he met with PG&E to discuss AB 33 and the State of California's decision to charge PG&E for portions of some of the fires that occurred last year.

Council Member Holley reported that David Boyle was pleased with staff's help with the bus stops.

Council Member Holley thanked the Planning Manager Chris Boyle for helping the tenant regarding property at Olive and I Street.

Council Member Holley reported that he attended the Big Brothers Big Sisters Soccer Clinic on Saturday.

Council Member Rodriguez thanked the Director of Parks and Community Services for responding to citizen concerns regarding trees.

Council Member Rodriguez thanked the City Engineer Keith Helmuth for answering his question ahead of time.

Council Member Rodriguez thanked audience members in attendance for being here.

Council Member Oliver thanked everyone involved in making National Night Out a great success.

Council Member Oliver thanked Madera Sunrise Rotary President Dan Riley and Andy's Sports and Design for donating over \$500 and embroidery for backpacks for children residing at the Housing Authority facility.

Council Member Oliver thanked Lou Donaldson, Christina Herrera and the whole Revitalization team for a terrific job at National Night Out.

Council Member Oliver thanked staff for a job well done in responding to a citizen concern regarding fire hazards along the Fresno River.

Mayor Medellin praised the City's open door policy and availability to constituents.

Mayor Medellin recognized employee Kendra Nevarez, Parking Enforcement Officer, present at the meeting.

Mayor Medellin spoke regarding the great things happening in Madera including National Night Out.

In response to Council Member Holley, Mayor Medellin stated that National Night Out will continue even after the dissolution of the RDA (Redevelopment Agency).

Mayor Medellin shared that through MCTC (Madera County Transportation Commission) they now have the money procured to put a third lane in on Highway 99. He will also be traveling to Washington, D.C. to ask for additional monies.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

The Council adjourned to closed session at 8:39 p.m. to discuss item G-2 through G-4 as listed on the agenda. The City Attorney advised that item G-2 shows two cases in error; it should only be one case.

G-2 Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): 2 cases *[Only one case.]*

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

Agency Designated Representatives: Steve Frazier, Wendy Silva, Ron Manfredi

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 Conference with Legal Counsel – Pending Litigation pursuant to Government Code §54956.9(d)(1): Charles Chick ADJ11253477 (1 case)

G-5 Closed Session Report – City Attorney

The Council returned from closed session at 11:15 p.m. with all members present. Council Member Holley left at 10:46 p.m. prior to the conclusion of closed session.

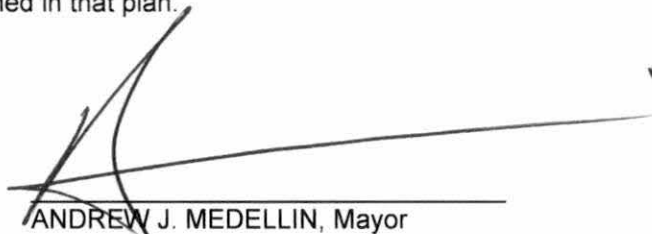
There was no reportable action for items G-2, G-3 and G-4.

ADJOURNMENT - The meeting was adjourned at 11:17 p.m. Next regular meeting September 5, 2018

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

