



MINUTES

City Council / Redevelopment Successor Agency ★
Joint Meeting ~ via WebEx
Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

Tuesday, January 12, 2021

Closed Session: 6:00 p.m. - Open Session: 7:00 p.m.

CALL TO ORDER/ROLL CALL: 6:20 p.m.

Mayor/Chair: Diana Palmer

Mayor Pro Tem/Vice Chair: Ray Barragan

Council/Board: Waseem Ahmed, John Chavez

City staff and contract employees present: City Administrator Rod Pruett, City Attorney Mary Lerner, Police Chief David A. Riviere, Jr., Fire Chief Fred Gaumnitz, Community & Economic Development Director Mark Hamilton, Public Works Director Jason Rogers, City Clerk Joann McClendon

CONSIDERATION OF APPROVAL OF AGENDA

Additions and/or Deletions:

Motion by Council Member Ahmed, Seconded by Mayor Pro Tem Barragan to Approve the Agenda as Presented. Motion passed unanimously by roll call vote.

PUBLIC ADDRESS – CLOSED SESSION

No comments.

CLOSED SESSION – 6:24 PM

- ★ 1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 Paragraph (2) or (3) of Subdivision (d)**
Potential cases: 3
- ★ 2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Initiation of Litigation 54956.9 – Pursuant to Government Code Section 54956.9 Paragraph (4) Subdivision (d) (deciding whether to initiate litigation)**
Number of Cases: 3
3. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Government Code Section 54957**
Title: City Administrator

OPEN SESSION – 7:08 PM

PLEDGE OF ALLEGIANCE: Council Member Ahmed

INVOCATION: Pastor Logan Beardsley, Cornerstone Community Church

CLOSED SESSION REPORT: The Council will reconvene into Closed Session after the Announcements are read.

PRESENTATIONS/WORKSHOP - Section 1

PUBLIC ADDRESS

None.

COUNCIL AND STAFF VERBAL REPORTS – Section 2

2.1 COUNCIL VERBAL REPORTS

Legislative, Collaborative Agency, Ad Hoc

Council Member Ahmed attended the weekly High Speed Rail meeting. Thanked all our law enforcement staff for their service as January 9 was Law Enforcement Appreciation Day.

Mayor Palmer attended a Community Action Partnership, Madera County (CAPMC) meeting, reported that the Toys & Coats for Kids event went well; attended the League of California Cities Central Division Meeting; participated in a Madera County Hospital conference call in which it was reported that the hospital is using monoclonal therapy for COVID; attended a Chowchilla Community Task Force meeting where it was reported how schools coping with COVID; interviewed with the local news discussing available small businesses grants. Mayor Palmer stated she is honored and humbled to serve as Mayor.

2.2 STAFF VERBAL REPORTS

City Administrator Pruett continues to work with the High Speed Rail with weekly meetings; Project Sunset is still coming along; the Chowchilla Memorial Healthcare District signed the agreement with the City to take over the Senior Center building and activities. Staff is making repairs to the Senior Center as part of the agreement. Staff is also working on a Caltrans agreement for landscape maintenance along Robertson Boulevard and highway off/on ramps. The City is looking into potentially refunding Community Facilities District (CFD), looking for better rates. The old Greenhills Amnesty program may come back to Council for approval as there are still many vacant lots; attended Community Task Force meeting, looking for FEMA grant funding resources to assist with COVID expenses. The Finance Department is still working closely with Tyler to get the software up and running sooner rather than later; the annual audit is functioning remotely this year and should be completed by March. The City received notice from the Government Finance Officers Association (GFOA) that it will be receiving another Distinguished Budget Award, second year in a row!

Police Chief Riviere thanked Commander Palmer for all of his assistance during his absence and thanked Council for their support. He reported on Code Enforcement. Testing for Community Service Officer was completed and we are awaiting test results from POST (Police Officer Standards and Training). Once completed, interviews will be done. Hoping to be able to do some part time Code Enforcement until we are able to do so full time.

Fire Chief Gaumnitz reported that the toys and coat drive went well. FEMA SAFER grant update, the new part time position is advertised. 457 calls for service in 2020, 17% over the prior year.

Public Works Director Rogers attended a meeting with MCTC and Caltrans today to discuss our environmental documents for the SR 99/233 Interchange Project. He made Council aware that

due to changes in State regulations since this project was initially started in 2014, Caltrans is requiring us to conduct further reports and updates to the report that we were not initially made aware of, such as a Community Impact Assessment Report, providing a new traffic analysis report and compliance with SB 743 vehicle miles traveled. As a result, the cost of the environmental package is expected to increase and I will be bringing back a council report for discussion once I have the new estimates. He provided a status of the Police Department Fence Project. Currently, design work is 80% completed, with the overall project at 20% completion and anticipate construction completion in Spring of 2022, if not a little sooner. The Fairmead Sewer Project CEQA is nearly complete. We are currently updating it from comments we received from the State. Once completed, it will be opened to the public for input and then brought back to council next month for adoption. If approved, it will then be included in the funding application that staff is currently working on with Self-Help Enterprises. And Finally, the Vactor Sewer Truck is almost fully built and the vendor anticipates delivery to the City by the end of this month.

Community & Economic Development Director Hamilton noted that Rancho Calera and the tribal council completed a resolution with developer, will incorporate those comments into a document; LEAP grant kickoff meeting this week to discuss different funding components; HCD published a NOFA for CV2 and CV3 funding (COVID-related); a Tesla charging location and *Joe's Car Wash* will be coming to the Save Mart shopping center. Code Enforcement updates reported.

CONSENT CALENDAR – Section 3

- 3.1 Approval of the December 8, 2020 City Council / Redevelopment Successor Agency Meeting Minutes (McClendon)**
- 3.2 Approval of the December 3, 2020 Special Closed Session Meeting (McClendon)**
- 3.3 Informational - Review of December 2020 Check Register (Pruett)**
- 3.4 Consideration and Adoption of a City Council Resolution Adopting the Revised Transit Services Drug and Alcohol Testing Policy (McClendon)**

Motion by Mayor Pro Tem Barragan, Seconded by Council Member Ahmed to Approve the Consent Calendar as Presented. Motion passed unanimously by roll call vote.

PUBLIC HEARINGS – Section 4

DEFERRED BUSINESS – Section 5

NEW BUSINESS – Section 6

- 6.1 Consideration of Planning Commission Appointments (McClendon)**

Motion by Mayor Pro Tem Barragan, Seconded by Mayor Palmer to Reappoint Planning Commissioners Marlene Holst and Michael Barberi to the Planning Commission. Motion passed unanimously with Council Member Chavez abstaining.

Motion by Mayor Palmer, Seconded by Mayor Pro Tem Barragan to Appoint Patrick Geary to a 4-Year Term as Planning Commissioner. Motion passed unanimously with Council Member Chavez abstaining.

- 6.2 Requesting Direction Regarding Avenue 24 ½ Shoulder Paving Project (Jones)**

It was the consensus of the City Council to seek extension to allow time to submit the extension request and look into whether or not there is an obligation on the City's part with Legacy Ranch that requires the City to do the improvements.

6.3 Consideration and Adoption of a City Council Resolution Approving Budget Amendments for Fiscal Year 2020/21 Related to Public Works Projects as Listed in the Staff Report (Rogers)

Motion by Council Member Ahmed, Seconded by Mayor Palmer to Approve Council Resolution #02-21, Approving Budget Amendments for Fiscal Year 2020/21 Related to Public Works Projects as Listed in the Staff Report. Motion passed unanimously by roll call vote.

6.4 Consideration and Adoption of a City Council Resolution Approving the Final Budget Amendments for Fiscal Year 2019/2020 (Pruett)

Motion by Mayor Pro Tem Barragan, Seconded by Council Member Ahmed to approve Council Resolution #03-21, Approving the Final Budget Amendments for Fiscal Year 2019/2020. Motion passed unanimously by roll call vote.

6.5 Consideration and Adoption of a City Council Resolution Authorizing the City Administrator or Designee to Execute a Spur Track Maintenance Agreement with Buttonwillow Warehouse Company (Rogers)

Motion by Mayor Pro Tem Barragan, Seconded by Mayor Palmer to Approve Council Resolution #04-21, Authorizing the City Administrator or Designee to Execute a Spur Track Maintenance Agreement with Buttonwillow Warehouse Company. Motion passed unanimously by roll call vote.

6.6 Consideration and Adoption of a City Council Resolution Authorizing the City Administrator to Execute a Professional Services Agreement with NBS, for Services Related to the Possible Refunding of the Community Facilities District (CFD) 2006-1 Bonds (Pruett)

Motion by Mayor Pro Tem Barragan, Seconded by Council Member Ahmed to Approve Council Resolution #05-21, Authorizing the City Administrator to Execute a Professional Services Agreement with NBS, for Services Related to the Possible Refunding of the Community Facilities District (CFD) 2006-1 Bonds. Motion passed unanimously by roll call vote.

6.7 General (Verbal) Update Regarding the State of Emergency and COVID-19; Direction and/or Action:

Consideration and Adoption of a City Council Resolution Ratifying Emergency Services Director Order #02-2020, Declaration of the Director of Emergency Services of the City of Chowchilla Relating to Continuation of Employee COVID Leave/Pay (Pruett)

Motion by Council Member Ahmed, Seconded by Mayor Pro Tem Barragan to Approve Council resolution #06-21, Ratifying Emergency Services Director Order #02-2020, Declaration of the Director of Emergency Services of the City of Chowchilla Relating to Continuation of Employee COVID Leave/Pay. Motion passed unanimously by roll call vote.

JAN 18 MARTIN LUTHER KING DAY, CITY OFFICES CLOSED
JAN 20 PLANNING COMMISSION MEETING, 7PM, VIA WEBEX
JAN 26 CITY COUNCIL MEETING, 7PM, VIA WEBEX

The City Council reconvened into Closed Session at 9:10 p.m.

Closed Session Report:

1. Motion by Council Member Chavez, Seconded by Mayor Pro Tem Barragan to extend the tolling agreement with the California High Speed Rail (HSR). However, if the parties fail to timely extend the tolling agreement, the City will initiate litigation against the HSR on January 15, 2021. Motion passed unanimously by the following votes:

AYES: 4 – Chavez, Barragan, Ahmed, Palmer

NOES: 0

ABSENT: 0

ABSTAIN: 0

2. Motion by Mayor Palmer, Seconded by Council Member Ahmed to cancel all Rail Spur related agreements with All Wire and Schneider. Motion passed unanimously by the following votes:

AYES: 4 – Palmer, Ahmed, Barragan, Chavez

NOES: 0

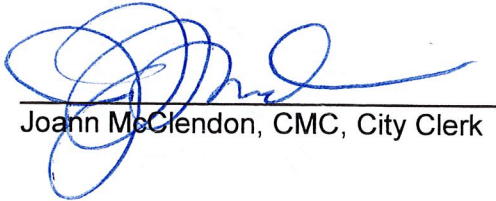
ABSENT: 0

ABSTAIN: 0

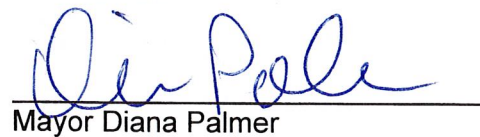
ADJOURNMENT

The January 12, 2021 Joint City Council /Redevelopment Successor Agency meeting adjourned at 10:19 p.m.

ATTEST:


Joann McClendon, CMC, City Clerk

APPROVED:


Mayor Diana Palmer