



Item:	B-1
Minutes for:	3/18/2020
Adopted:	4/01/2020

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

March 18, 2020
6:00 p.m.

Council Chambers
City Hall

This meeting was conducted pursuant to the provisions of the Governor's Executive Order which suspends certain requirements of the Ralph M. Brown Act. Social distancing per the Executive Order were used at the meeting. Members of the public were strongly encouraged to participate remotely at the March 18, 2020 meeting viewing livestream at www.madera.gov. Comments were accepted by email at citycouncilpubliccomment@madera.gov.

A Special Meeting was called to order at 6:00 p.m. and the regular meeting commenced afterwards.

CALL TO ORDER – Meeting was called to order at 6:34 p.m.

ROLL CALL:

Present: Mayor Andrew J. Medellin
Mayor Pro Tem Santos Garcia, District 5
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Derek O. Robinson Sr., District 4
Councilmember Donald E. Holley, District 6

Absent: None

Others present were City Manager Arnoldo Rodriguez, City Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Police Chief Dino Lawson, Division Fire Chief Matt Watson, City Engineer Keith Helmuth, Grants Administrator Ivette Iraheta, Director of Human Resources Wendy Silva, Information Services Manager Mark Souders, Parks and Community Services Director John Scarborough, and Assistant Planner Jesus Orozco.

INVOCATION: Councilmember Donald Holley

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

Mayor Medellin requested that Presentation 3 be pulled from the agenda and brought back at a later date. Staff requested that Items D-1, D-6 and E-2 be pulled from the agenda and brought back at a later date.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER ROBINSON, THE AGENDA WAS APPROVED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN,

COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

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, but are not required, 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.

Mayor Medellin opened public comment and asked if anyone wanted to submit a public comment via the phone located in the lobby. Division Fire Chief Matt Watson indicated that there wasn't anybody from the public in the lobby.

Mayor Medellin asked City Clerk Alicia Gonzales to identify and read any emails received from the public as part of public comment.

Ms. Gonzales read emails from:

Madeline Harris, Policy Advocate of the Leadership Council for Justice and Accountability. Ms. Harris thanked Council for declaring a State of Emergency in response to COVID-19 pandemic and making public comment accessible remotely. Ms. Harris also stated she attached a letter signed by community-based organizations which asked that action be taken to protect resident from evictions during this crisis. Ms. Harris also stated she attached a draft ordinance for Council review.

Cherry Alquist of Going Nuts, Inc. asked if they will be able to operate their almond pasteurizing plant if the City or County goes on lock down. Mayor Medellin responded that they are not there yet.

Avery Cordero and Yvette Flores, Madera Youth Commissioner Coordinators thanked Council for taking the proper precautions to keep the community safe by livestreaming the Council meeting. They were going to coordinate a Town Hall meeting, but COVID-19 has brought changes. They thanked Council for putting the safety of the people of Madera first.

Mayor Medellin closed public comment.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report by Madera County Department of Public Health Director Sara Bosse)
2. City of Madera Census 2020 Efforts and its Local Census Count Committee Participation (Report by Ivette Iraheta)

3. City of Madera Airport Advisory Commission Recognition (Mayor Medellin)

This item was pulled from the agenda and will be brought back at a future meeting.

INTRODUCTIONS: None

A. WORKSHOP: None

B. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the public or a member of the Council may request an item be removed from the Consent Calendar and it will be considered separately.

ON MOTION BY COUNCILMEMBER GALLEGOS, AND SECONDED BY COUNCILMEMBER HOLLEY, THE CONSENT CALENDAR, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – 3/4/2020

B-2 Informational Report on Register Audited Demands February 22, 2020 to March 6, 2020 (Report by Roger Sanchez)

B-3 Consideration of a Resolution Authorizing the Appointment of Stephanie Nathan to the Community Development Block Grant (CDBG) - Block Grant Commission (Report by Ivette Iraheta)

RES 20-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING THE APPOINTMENT OF STEPHANIE NATHAN TO THE COMMUNITY DEVELOPMENT BLOCK GRANT - BLOCK GRANT COMMISSION

B-4 Consideration of a Minute Order of the Madera City Council Authorizing the Lease of National Insurance Crime Bureau Vehicles to the Madera Police Department and Authorizing the Chief of Police to Execute All Documents Necessary to Accept and Maintain the Lease Program (Report by Dino Lawson)

B-5 Consideration of a Resolution of the City of Madera Accepting Improvements for Varbella Estates I Subdivision, Authorizing the Filing of the Notice of Acceptance for Said Subdivision Improvements and Authorizing Staff to Record the Notice of Acceptance (Report by Keith Helmuth)

RES 20-32 A RESOLUTION ACCEPTING IMPROVEMENTS FOR VARBELLA ESTATES I SUBDIVISION, AUTHORIZING THE FILING OF THE NOTICE OF

**ACCEPTANCE FOR SAID SUBDIVISION IMPROVEMENTS AND
AUTHORIZING STAFF TO RECORD THE NOTICE OF ACCEPTANCE**

C. PUBLIC HEARINGS:

C-1 Public Hearing and Consideration of:

- 1) A Resolution of the City Council (Council) of the City of Madera, California (City), Authorizing the Annexation of Territory to Community Facilities District No. (CFD) 2005-01 and Authorizing the Levy of a Special Tax and Submitting the Levy of Tax to the Qualified Electors

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM C-1(1) AND ITEM C-1(2), WERE ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-33 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2005-01 AND AUTHORIZING THE LEVY OF A SPECIAL TAX AND SUBMITTING THE LEVY OF TAX TO THE QUALIFIED ELECTORS

- 2) A Resolution of the Council of the City, calling a Special Election and Submitting to the Voters of Annexation No. 8 of the City's CFD 2005-01 Propositions Regarding the Annual Levy of Special Taxes within Annexation No. 8 to Finance Police Protection Services, Fire Protection and Suppression Services, Park Maintenance, and Storm Drainage System Operation and Maintenance Within the District

RES 20-34 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF ANNEXATION NO. 8 OF CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 THE PROPOSITION REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN ANNEXATION NO. 8 TO FINANCE POLICE PROTECTION SERVICES, FIRE PROTECTION AND SUPPRESSION SERVICES, PARK MAINTENANCE, AND STORM DRAINAGE SYSTEM OPERATION AND MAINTENANCE WITHIN THE DISTRICT

Conducting of:

- 3) A Special Election of the Qualified Electors of Annexation No. 8 of the City's CFD 2005-01 and Declaration and Certification of the Results Thereof

Consideration of:

- 4) A Resolution of the Council of the City, Making Certain Findings, Certifying the Results of an Election and Adding the Territory Identified as Annexation No. 8 to CFD 2005-01 (Report by Darrel Unruh)

ON MOTION BY COUNCILMEMBER RODRIGUEZ, AND SECONDED BY COUNCILMEMBER HOLLEY, ITEM C-1(4), WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-35 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING CERTAIN FINDINGS, CERTIFYING THE RESULTS OF A SPECIAL ELECTION AND ADDING THE TERRITORY IDENTIFIED AS ANNEXATION NO. 8 TO COMMUNITY FACILITIES DISTRICT NO. 2005-01

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENT

- D-1 Consideration of Adopting a Resolution Adopting the Final Report for the State Route 145 (Yosemite Avenue) as Downtown Main Street Plan (Report by Keith Helmuth)

This item was pulled from the agenda and will be brought back at a future meeting.

- D-2 Consideration of a Resolution Adopting the City of Madera Project List for Fiscal Year 2020/21 Funded by the Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) - Local Streets and Roads Funding Program (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-2, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-36 RESOLUTION ADOPTING THE CITY OF MADERA PROJECT LIST FOR FISCAL YEAR (FY) 2020/21 FUNDED BY THE SENATE BILL (SB 1) ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) - LOCAL STREETS AND ROADS FUNDING PROGRAM

- D-3 Consideration of a Resolution Approving the Award for Intersection Improvements at the Intersection of Isla Vista Court at Caitlan Drive, City Project No. TS-30, in the Amount of \$25,160.00 to David Boyle Electric Shop, LLC. and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-3, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-37 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE INTERSECTION IMPROVEMENTS OF ISLA VISTA COURT AND CAITLAN DRIVE, CITY PROJECT NO. TS-30, IN THE AMOUNT OF \$25,160 TO DAVID J. BOYLE ELECTRIC SHOP, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

D-4 Amendments to Existing Agreements with the Fresno-Madera Area Agency on Aging (FMAAA) to Receive Additional one-time-only Funds to Serve Adult Citizens. More Specifically, Consideration of Adopting:

- 1) A Resolution Approving Amendment 1 to the Fiscal Year 2019/20 Site Management Agreement with the Fresno-Madera Area Agency on Aging and Authorizing the Mayor to Execute the Amendment on Behalf of the City;

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-4, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-38 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT 1 TO THE AGREEMENT WITH THE FRESNO-MADERA AREA AGENCY ON AGING FOR FISCAL YEAR 2019/20 SITE MANAGEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- 2) A Resolution Approving Amendment 1 to the Fiscal Year 2019/20 Senior Transportation Agreement with the Fresno-Madera Area Agency on Aging and Authorizing the Mayor to Execute the Amendment on Behalf of the City; and

RES 20-39 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT 1 TO THE AGREEMENT WITH THE FRESNO-MADERA AREA AGENCY ON AGING FOR FISCAL YEAR 2019/20 SENIOR TRANSPORTATION PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- 3) A Resolution Amending the City of Madera FY 2019/20 Budget for the Acceptance of Grant Revenue and Increases to Budget Line Items in the amount of \$36,038 for Part-time Staff Salaries and Contracted Services (Report by John Scarborough)

RES 20-40 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FY 2019/20 BUDGET FOR THE ACCEPTANCE OF GRANT REVENUE AND INCREASES TO BUDGET LINE ITEMS FOR PART-TIME STAFF SALARIES AND CONTRACTED SERVICES

- D-5 Consideration of a Minute Order Adopting an Access Agreement with Ring LLC for access to the Neighbors Portal and Authorizing the Chief of Police to Execute the Agreement and any Related Documents on behalf of the City (Report by Dino Lawson)

ON MOTION BY COUNCILMEMBER GARCIA, AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-5, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

- D-6 Consideration of Adopting a Resolution Approving a Second Amendment to the City Manager At-Will Employment Agreement Extending the Term of the Agreement through December 3, 2024 (Report by Hilda Cantú Montoy)

This item was pulled from the agenda and will be brought back at a future meeting.

E. ADMINISTRATIVE REPORTS:

- E-1 Consideration of a Request to Hire a Permanent Assistant Engineer in the Engineering Department (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-1, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

- E-2 Requesting Direction on the Criteria for the Placement of New Solar Powered Street Lights as part of the City's Energy Improvement Program in Partnership with ENGIE, Inc. (Report by Arnoldo Rodriguez & Keith Helmuth)

This item was pulled from the agenda and will be brought back at a future meeting.

F. COUNCIL REPORTS

This portion of the meeting is reserved for the Mayor and Councilmembers (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items., and (iv) to take action on matters initiated under this section of the agenda. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.

Councilmember Jose Rodriguez had nothing to report.

Councilmember Derek Robinson stated that he enjoyed the ribbon cutting of the Love Truck Center.

Councilmember Cece Gallegos had nothing to report.

Mayor Pro Tem Garcia stated he is very uncomfortable doing things this way and is looking forward to getting back to normal. He stated he likes for the citizens and residents to be able to attend the meetings and be vocal about how the Council is guiding the City. Mayor Pro Tem Garcia requested a

report that updates them on the Veterans' facility and the low-income facility that the City is going to build. He also requests a report from the Fire Chief which updates them on the number and type of fires combatted in the last year.

Councilmember Steve Montes had nothing to report.

Councilmember Donald Holley stated he loves what they are doing for the City. They shouldn't panic and do the right things for the constituents. He didn't know if the City Manager was keeping Madera Unified School District (MUSD) updated.

Mayor Medellin asked City Manager Arnoldo Rodriguez if he'd like to reply.

City Manager Arnoldo Rodriguez stated he is in constant communication with MUSD and State Center Community College. Collectively, they felt it was the correct thing to do and have the Madera Metro Route 3 go offline Friday due to the numbers currently using the route. Dial-A-Ride services are still available.

Mayor Medellin thanked Information Systems Manager Mark Souders, Communications Specialist Joseph Carrello and City Manager Arnoldo Rodriguez and his team for putting together this meeting format in such a short timeframe. He like doing meetings face-to-face also but guesses they will be doing things this way probably through May.

Mayor Medellin thanked Arnoldo Rodriguez for being in constant communication with MUSD, Madera Community Hospital, Camarena Health Center, Board of Supervisors, and Madera County Health Department. They all agree that the message they send to residents should be a unified message with less confusion the better.

Mayor Medellin stated that from the Offices of Congressman Jim Costa and the Senator Caballero, he heard that Madera is very pragmatic and is working together with others.

Mayor Medellin insists on knowing where they are in discussing Development Impact Fees. The Council gave staff this topic as a priority.

City Manager Arnoldo Rodriguez stated they haven't made the progress that they want although it is not from lack of effort. He understands it is a priority for Council. COVID-19 pandemic has them focusing their efforts elsewhere right now.

Councilmember Garcia stated they need to move forward and advised City Manager that they need to update their fees even if not all like it. It has been too many years that they have not moved on

Councilmember Garcia asked to revisit student transportation to the college.

City Manager Arnoldo Rodriguez stated the college is closing tomorrow which why the route is going offline.

Mayor Medellin thanked staff for putting this meeting together. He thanked the public for participating.

G. CLOSED SESSION:

- G-1 Liability Claim Pursuant to Government Code §54956.95
Agency Claimed Against: City of Madera
Claimant: Caywood, Norma

- G-2 Conference with Legal Counsel – Existing Litigation Pursuant to Government Code §54956.9 (d)(1)
Name of Case: MCA 1803 LLC v. City of Madera

- G-3 Conference with Labor Negotiators – Pursuant to Government Code §54957.6
Agency Designated Representative: Che Johnson, Wendy Silva, and Arnolito Rodriguez
Represented Employee Groups:
Madera Police Officers’ Association
Law Enforcement Mid Management Group
General Bargaining Unit
Mid Management Employee Group

- G-4 Conference with Real Property Negotiators – Pursuant to Government Code §54956.8
Property: 1 Parcel
City of Madera APNs: 007-093-003
Agency Negotiator(s): Arnolito Rodriguez & Matthew Watson
Negotiating Party: Mario Rivera
Under Negotiations: Price and Terms

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 9:15 p.m.

City Attorney Hilda Cantu Montoy announced that Item G-2 is rescheduled to a future meeting due to receiving information regarding this item nine minutes prior to today’s meeting.

Council returned from closed session at 11:25 p.m. with all Councilmembers present.

City Attorney Hilda Cantu Montoy reported that Council voted unanimously 7/0 to reject the claim related to G-1: Norma Caywood.

ADJOURNMENT – The meeting was adjourned at 11:27 p.m. Next regular meeting April 1, 2020.

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.

ALICIA GONZALES, City Clerk

ANDREW J. MEDELLIN, Mayor