



Item:	B-1
Minutes for:	04/15/2020
Adopted:	05/06/2020

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

April 15, 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. The City Council meeting was live streamed on the City's website. Members of the public were able to participate in the meeting remotely through an electronic meeting in the following ways; via phone by dialing (669) 900-6833 enter ID: 410-052-123# followed by *9 on their phone to speak. Comments were also accepted via email at citycouncilpubliccomment@madera.gov or by regular mail at 205 W. 4th Street, Madera, CA 93637.

CALL TO ORDER – Meeting was called to order at 6:02 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 (Present @ 6:20 p.m. due to technical issues)
 Councilmember Donald E. Holley, District 6 (Present @ 6:09 p.m. due to technical issues)

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, Chief Building Official Steve Woodworth, Director of Finance Roger Sanchez, Interim Planning Manager Darrell Unruh, Interim Public Works Director Dan Foss, Assistant Planner Jesus Orozco, Project Development Coordinator-Licensed Randy Bell, and Engineering Project Manager Jerry Martinez.

INVOCATION: Police Chief Dino Lawson

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, THE AGENDA WAS APPROVED BY A VOTE OF 6/0 WITH THE ADDITION OF EMERGENCY ITEM D-3. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, GARCIA, AND HOLLEY. NOES: NONE. ABSENT: COUNCILMEMBER ROBINSON. 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 City Clerk Alicia Gonzales if there were any emails for public comment. Ms. Gonzales indicated no emails had been received.

Mayor Medellin asked that the first caller proceed with public comment.

Leticia Medina of Federal Census gave an update on the Census 2020. COVID-19 has pushed the process back. People are able to respond by internet, phone or mail. She encouraged all to complete the form.

Mayor Medellin advised that there weren't any other callers for public comment and 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)

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.

Councilmember Holley asked that Item B-2 be pulled for discussion and Mayor Medellin asked Councilmember Holley to proceed with Item B-2. Discussion ensued.

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER MONTES, 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 – March 18, 2020

Recommendation: Approve the City Council minutes of March 18, 2020

B-2 Informational Report on Register Audited Demands (March 21 to April 3, 2020)

Recommendation: No action required (Report by Roger Sanchez)

This item was pulled for discussion by Councilmember Holley prior to adoption of agenda.

Councilmember Holley addressed Finance Director Roger Sanchez and stated he went to City Hall to try to pay his water bill and was told that he had to pay by check, couldn't pay by credit card or debit card and if he did, it would cost taxpayers another \$3.95 which is a financial burden.

Mr. Sanchez stated that customers have the option to defer payment without any penalties or risk of water shut off.

Councilmember Holley stated his concern is that customers are being charged an extra \$4.00 when they pay. He wanted to know why customers are being charged an extra \$4.00 to pay online.

City Manager Arnaldo Rodriguez stated that the City's processing company, Paymentus has a surcharge to process online payments. Staff has reached out to Paymentus to request a waiver or reduction of fees, however Paymentus had indicated they are unable to do so. That fee is not a fee that the City charges. It's a convenience fee that a third-party private company charges.

Mr. Rodriguez stated that another option is that customers can pay over the phone, by money order or with a cashier's check. He understands it is an inconvenience for the community. The City is not trying to make a profit from that fee. That is a fee the City is charged. City staff is trying to comply with physical distancing guidelines and trying to protect City employees and have closed the doors to Utility Billing.

Councilmember Holley stated that per his understanding if customers decide to hold off on payments until after this epidemic is over, they can pay the balance without a penalty. Mr. Rodriguez confirmed.

B-3 Actions Relating to Annexation of Downtown Residential Veteran's and Multi-Family Housing into Zone Benefit 51 of Citywide Landscape and Lighting Assessment District (LMD) Zone for Fiscal Year 2020/21

Recommendation: Adopt a Resolution Approving Annexation of Uses into Zone of Benefit 1, 51 and Confirming the Diagram and Assessment for Citywide Landscape and Lighting Assessment District Zone of Benefit 51(Report by Keith Helmuth)

RES 20-51 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION OF VETERAN'S HOUSING INTO ZONE OF BENEFIT 51; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 51 FOR

**FISCAL YEAR (FY) 2020/21; AND AUTHORIZING THE CITY CLERK TO FILE THE
DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR**

B-4 Amendment to the Option and Structure Lease Agreement with AT&T Wireless to expand the Lease Area to Accommodate Electrical Equipment

Recommendation: Adopt a Resolution Approving the First Amendment to the Option and Structure Lease Agreement with AT&T Wireless to extend the utility easement for AT&T Wireless (Report by Mark Souders)

RES 20-52 RESOLUTION OF THE CITY COUNCIL OF MADERA, APPROVING THE FIRST AMMENDMENT TO OPTION AND STRUCTURE LEASE AGREEMENT WITH AT&T WIRELESS TO EXTEND THE UTILITY EASEMENT FOR AT&T WIRELESS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

B-5 Increase Claims Settlement Authority Delegated to the City Manager from \$5,000 or less to \$10,000 or less

Recommendation: (1.) Waive Full Reading and Adopt an Ordinance of the City of Madera Adding Section 1-6.18 to Title I Chapter 6 of the Madera Municipal Code relating to City Manager Authority on Claims Against the City (2.) Adopt a Resolution Rescinding Resolution No. 96-77 that Designated the City Administrator as the Person Authorized to Make Administrative Claims Settlement (Report by Wendy Silva)

ORD 972 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA ADDING SECTION 1-6.18 TO TITLE I CHAPTER 6 OF THE MADERA MUNICIPAL CODE RELATING TO CITY MANAGER AUTHORITY ON CLAIMS AGAINST CITY

RES 20-53 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA RESCINDING RESOLUTION NO. 96-77 THAT DESIGNATED THE CITY ADMINISTRATOR AS THE PERSON AUTHORIZED TO MAKE ADMINISTRATIVE CLAIMS SETTLEMENT

B-6 Amendment to the Agreement with Stantec Architecture, Inc. for the New Transit Operations Facility located at Freedom Industrial Park

Recommendation: Adopt a Resolution Amending the Agreement with Stantec Architecture, Inc. for Professional Architectural and Engineering Services in the amount of \$48,000 for Construction of the New Transit Operations Facility and Consider Acceptance of the Project (Report by Keith Helmuth)

RES 20-54 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT TO AGREEMENT STANTEC ARCHITECTURE, INC. FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES TO THE CITY OF MADERA FOR CONSTRUCTION OF THE NEW TRANSIT OPERATIONS FACILITY AND APPROVING ACCEPTANCE OF THE MADERA TRANSIT OPERATIONS FACILITY CITY PROJECT NO. TRANS-1, FEDERAL TRANSIT ADMINISTRATION GRANT PROJECT NO. CA-90-Z193-02, PTMISEA GRANT, NEW TRANSIT FACILITY, FILING OF NOTICE OF COMPLETION, AND RELEASING RETENTION FUNDS

C. PUBLIC HEARINGS: None

D. PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS:

D-1 Proposed Annexation No. 9 to Community Facilities District (CFD) No. 2005-01, Adoption of Boundary Map, and Declaring Intent to Annex Territory (Sherwood Apartments)

Recommendation: (1.) Adopt a Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to CFD No. 2005- 01 (2.) Adopt a Resolution Declaring the City's Intention to Authorize the Annexation of Territory into CFD No. 2005-01 (Report by Darrell Unruh)

ON MOTION BY COUNCILMEMBER HOLLEY, AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-1(1.) AND D-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 20-55 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED FOR ANNEXATION TO CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01

RES 20-56 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (SHERWOOD APARTMENTS) TO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES) ANNEXATION NO. 9

D-2 Actions Relating to the Final Report for the State Route 145 (Yosemite Avenue) as the Downtown Main Street Plan

Recommendation: Adopt a Resolution Adopting the Final Report for the State 145 (Yosemite Avenue) as the Downtown Main Street Plan (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER GARCIA, AND SECONDED BY COUNCILMEMBER RODRIGUEZ, 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 20-57 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING THE FINAL REPORT FOR THE STATE ROUTE 145 (YOSEMITE AVENUE) AS DOWNTOWN MAIN STREET PLAN

D-3: Eliminating passenger fares on City of Madera (City) transit system (Madera Metro) fixed routes and limiting Dial-A-Ride (DAR) service to disabled and senior passengers

Recommendation: Adopt a resolution to eliminate fares for Madera Metro's fixed route service and limit the use of DAR to be exclusive to disabled certified passengers and senior through the duration of the COVID-19 national emergency period.

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 20-58 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ELIMINATING PASSENGER FARES ON CITY OF MADERA TRANSIT SYSTEM (MADERA METRO) FIXED ROUTES AND LIMITING DIAL-A-RIDE SERVICE TO DISABLED AND SENIOR PASSENGERS DURING THE COVID-19 NATIONAL EMERGENCY PERIOD

E. ADMINISTRATIVE REPORTS:

E-1 Fifth Amendment to the Madera Municipal Golf Course Operation and Management Lease Agreement with Sierra Golf Management, Inc.

Recommendation: Adopt a Resolution Approving the Fifth Amendment to the Madera Municipal Golf Course Operation and Management Lease Agreement with Sierra Golf Management, Inc. for up to 12 months (Report by John Scarborough)

ON MOTION BY COUNCILMEMBER RODRIGUEZ, 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.

RES 20-59 FIFTH AMENDMENT TO THE MADERA MUNICIPAL GOLF COURSE OPERATION AND MANAGEMENT LEASE AGREEMENT WITH SGM INC. DBA SIERRA GOLF MANAGEMENT INC.

E-2 Grants Department Update to the City Council on Community Development Block Grant (CDBG) Activities for the 2019/20 Fiscal Year

Recommendation: Deliberation and Direction given from Council (Report by Ivette Iraheta)

E-3 Acceptance of the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2018/19, ending on June 30, 2019

Recommendation: Accept and File the Comprehensive Annual Financial Report (CAFR), which includes the Independent Auditor's Report on the City's Financial Statements for the fiscal year ending on June 30, 2019 (Report by Roger Sanchez)

ON MOTION BY COUNCILMEMBER GALLEGOS, AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-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.

E-4 Discussion on Status and Action Taken on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic

Recommendation: Deliberation and Direction given from Council (Report by Arnolando Rodriguez)

F. COUNCILMEMBER REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS:

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 Robinson had nothing to report.

Councilmember Gallegos stated she's getting a lot of calls, emails and texts about bringing back park services to the residents. She suggested having a Parks and Rec Advisory Committee.

City Manager Arnolando Rodriguez stated there appeared to be a majority so Parks and Community Services Director John Scarborough will take the lead and start putting something together.

Mayor Pro Tem Garcia thanked anyone listening. He asked that they stay safe while practicing social distancing. He asked that they keep those that are ill or may be contaminated in their prayers. He stated his yard is looking better.

Councilmember Holley had nothing to report.

Councilmember Rodriguez thanked staff and stated he misses his chair in the Council Chambers. He stated he hopes Police Chief Lawson and his crew stay healthy and safe.

Councilmember Montes thanked staff for showing everybody that the City is still moving forward and operating. He thanked staff and employees for going to work every day and doing their job.

Mayor Medellin thanked their team at the City, all employees and all of staff. He gave a huge shout out to the City Manager Arnolando Rodriguez. He stated that Mr. Rodriguez has done a fantastic job; has a great team; great support and that is what is going to get them through this.

Mayor Medellin encouraged everybody to continue to have faith; continue to treat each other with kindness; continue to rely on one another and they would get through this pandemic together.

G. CLOSED SESSION:

G-1 Conference with Real Property Negotiators – Pursuant to Government Code §54956.8

Property: 1 Parcel

City of Madera APN: 007-093-003

Agency Negotiator(s): Arnolando Rodriguez & Matthew Watson

Negotiating Party: Mario Rivera

Under Negotiations: Price and Terms

G-2 Conference with Labor Negotiators – Pursuant to Government Code §54957.6

Agency Designated Representative: Che Johnson, Wendy Silva, and Arnoldo Rodriguez
Represented Employee Groups:

- Madera Police Officers’ Association
- Law Enforcement Mid Management Group
- General Bargaining Unit
- Mid Management Employee Group

G-3 Threat to Public Services or Facilities, Government Code Section 54957(a), Consultation with City Manager, City Attorney, and Chief of Police

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 10:41 p.m.

Council returned from closed session at 1:15 a.m. with all Councilmembers present.

City Attorney Hilda Cantu Montoy reported that there was no reportable action.

ADJOURNMENT – The meeting was adjourned at 1:16 a.m. Next regular meeting May 6, 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

MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk