



Item:	B-1
Minutes for:	05/06/2020
Adopted:	08/05/2020

MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

May 6, 2020
6:00 p.m.

Council Chambers
City Hall

This meeting was conducted pursuant to the provisions of the Governor's Executive Order which suspend 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: 955 2111 0168# followed by *9 on their phone to speak. Comments were also be 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 6:00 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 Attorney Hilda Cantu Montoy, City Clerk Alicia Gonzales, Chief Building Official Steve Woodworth, City Engineer Keith Helmuth, Finance Director Roger Sanchez, Fire Division Chief Matt Watson, Grant Administrator Ivette Iraheta, HR Director Wendy Silva, Information Services Manager Mark Souders, Parks & Community Services Director John Scarborough, Chief of Police Dino Lawson, Interim Public Works Director Dan Foss, Grants Program Manager David Dybas, Deputy City Engineer Jose Aguilar, and Project Development Coordinator Licensed Ellen Bitter.

INVOCATION: Pastor John Pursell, Believers Church

PLEDGE OF ALLEGIANCE: Mayor Medellin

APPROVAL OF AGENDA

Mayor Medellin stated that Item B-1 04/01/20 Minutes and Item D-1 will be pulled and brought back to a future meeting. He also asked that E-3 be heard first in Section E.

City Clerk Alicia Gonzales made a late distribution announcement: Pursuant to Government Code Section 54957, members of the public are advised that less than 72 hours prior to this evening's meeting, Item D-4 and Item E-1 were distributed to the Council after the agenda packet was finalized. Members of the public wishing to view or obtain a copy of this item may do so by visiting the City of Madera meeting and agenda page located on the City's website.

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

PUBLIC COMMENT

The first 15 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 comments. 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.

Madeline Harris of the Leadership Counsel for Justice & Accountability commented on the recommendation to utilize CDBG grant dollars from CARES Act to provide rental, water, and utility payment assistance to Madera residents.

Elizabeth Wisener of Community Action Partnership of Madera County, Inc. (CAPMC) commented on rental/mortgage assistance to support homeless prevention; water/garbage utility assistance for families that have been financially impacted by COVID-19; funding to help pay for hotel cost of vulnerable homeless who are medically fragile, immune compromised or need to be isolated from the general public; and the City of Madera supported by the Madera Rescue Mission, County and City agencies and the Hope House in limited capacity to serve the homeless population.

Pastor Jessie Chavez, Deputy Director of Madera Rescue Mission stated they are Shelter in Place and asked for any assistance from the City of Madera.

Maha (no last name mentioned) commented on the lack and need of Victim Services programs and mentioned that the available programs don't have legal professionals representing the victims.

Mayor Medellin closed public comment.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS

1. Proclamation Recognizing and Expressing Appreciation to Donors of Real Property for Future India Park in the City of Madera

Mayor presented the proclamation to India Park as well as a proclamation to Maternal Mental Health.

2. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department Director Sara Bosse)
3. Informational Report on Crow Abatement Project Update (Report by Arnoldo Rodriguez) Adam Baz of Avian Solutions presented the report.
4. Census 2020 Update (Report by Ana Maria Lugo, US Census)

INTRODUCTIONS

1. Anthony Forestiere, Financial Services Manager (Introduction by Roger Sanchez, Financial Services Director)

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 HOLLEY AND SECONDED BY COUNCILMEMBER ROBINSON, THE CONSENT CALENDAR WITH THE EXCULSION OF THE APRIL 1, 2020 MINUTES IN ITEM B-1 WAS APPROVED UNANIMOUSLY BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

B-1 Minutes – April 1, 2020, April 6, 2020, and April 15, 2020

Recommendation: Approve the City Council Minutes of April 1, April 6 and April 15, 2020

The April 1, 2020 Minutes were pulled from the agenda at Agenda Approval.

B-2 Informational Report on Register Audited Demands April 4, 2020 to April 24, 2020

Recommendation: No action required (Report by Roger Sanchez)

B-3 Informational Report on Personnel Activity

Recommendation: No action required (Report by Wendy Silva)

B-4 Actions Relating to the Alley Paving of Various Locations, City Project No. ALY-02, Federal Project No. CML-5157(109)

Recommendation: Approve a Minute Order Approving Acceptance of the Alley Paving Various Locations, City Project No. ALY-02, Federal Project No. CML-5157(109), Recording the Notice of Completion, and Release of Retention Funds (Report by Keith Helmuth)

B-5 Adopt a Resolution Authorizing Staff to Submit for Reimbursement of Expenditures Related to COVID-19 with the State of California Governor’s Office of Emergency Services (CAL OES)

Recommendation: Adopt a Resolution Approving the Designation of the Financial Services Manager or the Director of Financial Services as the City’s Agent with the Purpose of the City’s Agent Filing a Claim for Reimbursement with CAL OES for Expenditures Incurred by City Staff as a Result of the City’s Response to the COVID-19 Virus (Report by Roger Sanchez)

RES 20-60 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE DESIGNATION OF APPLICANT’S AGENT FOR NON-STATE AGENCIES FOR THE PURPOSE OF FILING A CLAIM FOR REIMBURSEMENT RELATED TO THE COVID-19 VIRUS RESPONSE BY THE CITY STAFF TO THE STATE OF CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES (CAL OES)

B-6 Approve a Minute Order Accepting the Submittal of a Support Letter for H.R. 6467, the Coronavirus Community Relief Act

Recommendation: Adopt a Minute Order Authorizing the Mayor to Submit a Letter of Support for H.R. 6467, the Coronavirus Community Relief Act for Local Governments with a Population of less than 500,000 (Report by Arnolando Rodriguez)

C. PUBLIC HEARINGS: None

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

D-1 Award of Agreement with Synagro-WWT, Inc. for Sludge Hauling and Disposal Services from the Wastewater Treatment Plant at \$41.00 per ton

Recommendation: Adopt a Resolution Approving the Agreement with Synagro-WWT for Sludge Hauling & Disposal Services from the Wastewater Treatment Plant (Report by Daniel Foss)

Item D-1 was pulled from the agenda at Agenda Approval.

D-2 Adjustment to Madera Metro Disabled Passenger Fares from \$9.00 to \$5.00 for books of 10 tickets

Recommendation: Adopt a Resolution Adjusting the Madera Metro Transit Fares so the Disabled Passenger Fares are Consistent with the Senior Passenger Fares (Report by Ivette Iraheta)

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

RES 20-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADJUSTING MADERA METRO FIXED ROUTE AND DIAL-A-RIDE TRANSIT FARES SO DISABLED AND SENIOR PASSENGER FARES ARE CONSISTENT

D-3 Approval of Contract Award for Olive Avenue Widening and Reconstruction of Gateway Drive to Knox Street Phase 2, Utility Undergrounding City Project No. R-000010 in the Amount of \$890,0002

Recommendation: Adopt a Resolution Approving the Contract Award for the Olive Avenue Widening and Reconstruction of Gateway Drive to Knox Street Phase 2 Utility Undergrounding City Project No. R-000010 in the Amount of \$890,002 to Mid Cal Pipeline & Utilities, Inc. and Authorizing Construction Contingencies and Construction Management Services Relating to the Contract (Report by Keith Helmuth)

Jose Aguilar, Deputy City Engineer presented the report.

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

RES 20-62 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE CONTRACT AWARD FOR OLIVE AVENUE WIDENING AND RECONSTRUCTION - GATEWAY DRIVE TO KNOX STREET PHASE-2, UTILITY UNDERGROUNDING CITY PROJECT NO. R- 000010, IN THE AMOUNT OF \$890,002 TO MID CAL PIPELINE & UTILITIES, INC., AND AUTHORIZING CONSTRUCTION CONTINGENCIES AND CONSTRUCTION MANAGEMENT SERVICES RELATING TO THE CONTRACT

D-4 Purchase of Real Property for Fire Department

Recommendation: Adopt a Resolution Approving Agreement for Purchase of Real Property Located At 621 East 4th Street for The Fire Department (APN: 007-093-003) for \$170,000 Plus Closing Costs (Report by Matthew Watson)

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

RES 20-63 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY LOCATED AT 621 EAST 4TH STREET (APN: 007-093-003)

E. ADMINISTRATIVE REPORTS

Item E-3 was heard first in this section per Agenda Approval.

E-1 Adopt a Resolution Authorizing and Approving the Amendments to the Fiscal Year 2019/20 Budget and Discussion regarding the Fiscal Impacts of the COVID-19 (Coronavirus) Pandemic

Recommendation: Adopt a Resolution Authorizing and Approving Budget Amendments to the Fiscal Year 2019/20 Budget (Report by Roger Sanchez)

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

RES 20-64 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2019/2020 BUDGET

E-2 Report from Council Ad-Hoc Committee on Cannabis

Recommendation: Consider Committee Report, Deliberate, and give Direction to Staff (Report by Arnaldo Rodriguez)

Council directed staff to proceed simultaneously with a Ballot Measure, Sales Tax Ordinance, and Time/Place/Manner Ordinance. Council directed staff to retain consulting services to assist the City.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM E-2 WAS APPROVED BY A VOTE OF 6/1. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, AND HOLLEY. NOES: COUNCILMEMBER ROBINSON. ABSENT: NONE. ABSTAIN: NONE.

E-3 Public Comment for the Community Development Block Grant (CDBG) Award of \$536,338 in CARES Act Funding (Report by Ivette Iraheta)

Recommendation: City Council to Receive Public Input, including Input from the City Council and the Block Grant Commission on how to utilize the \$536,338 in CDBG Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding

Dave Dybas, Grants Program Manager presented the report. Ivette Iraheta, Grants Administrator translated into Spanish.

Mayor Medellin opened public comment. Discussion ensued throughout comments.

Maddie Mendez of CAPMC stated that CAPMC has sufficient funding for assistance with electricity and gas as they received an additional allotment. She asked that monies be earmarked for assistance with water and garbage as CAPMC doesn't have funds for that.

Baldwin Moy of California Rural Legal Assistance (CRLA) and Madera Coalition for Justice commented that the City set aside 25% of the money and place it in a fund to disburse to families facing imminent eviction.

Pastor Jessie Chavez, Deputy Director of Madera Rescue Mission commented that there are additional people onsite at their site which means additional food, electricity and paper supplies being used. He asked that they be considered when distributing these grant funds.

Mayor Pro Tem Santos Garcia stated that the most immediate need is to low income to moderate income families to avoid evictions and pay for utilities. Councilmember Holley agreed with Mayor Pro Tem Garcia and stated it should also be for assistance with small businesses. It should not be allotted to City departments as they are already counted for. Councilmember Gallegos agreed with Mayor Pro Tem Garcia.

John Scarborough, Parks &Community Services Director stated that their Meals on Wheels program provides food for 140 homebound seniors through FMAAA who delivers once a week. He stated seniors have indicated that they are having difficulties in storing the frozen food. There is an option to provide Shelf Stable meals that require no refrigeration. A box per senior provides meals for five (5) days for approximately twenty-one dollars (\$21.00).

Councilmember Gallegos stated that Meals on Wheels is doing well, so funds that they would think to use for the third bullet on the “Needs Identified Through Outreach” for Meals on Wheels can be better used for paying rent and utilities. They can check that off their list.

Madeline Harris of the Leadership Counsel spoke on behalf of a resident who was having technical difficulties. Agustin commented that he is a farmworker that lives near the courthouse. He is glad Council is discussing this issue. He stated he is having trouble paying his rent, cell phone, utilities and food and the money should be used to help residents with those items.

Maddie Mendez of CAPMC stated that the state, the Community Services Development provided funding to a local agency, Central Valley Opportunity to assist farmworkers. She is not sure to what extent, but she is sure that rental assistance is part of it. Ms. Mendez stated they will reach out to that agency to see how much has been allocated to Madera and they will share that information with Ivette Iraheta, Grants Administrator.

Joanna Torres works for a local legal aid. She asked that Council prioritize housing assistance for homeowner and tenants.

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

Recommendation: Deliberation and Direction given from Council

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 had nothing to report.

Mayor Pro Tem Garcia had nothing to report.

Councilmember Holley had nothing to report.

Councilmember Rodriguez stated that on May 14, 2020 there will be an MCTC webinar discussing the possible relocation of the train station on Road 26. Times and dates can be found on the MCTC website.

Councilmember Montes had nothing to report.

Mayor Medellin had nothing to report.

G. CLOSED SESSION

G-1 Conference with Labor Negotiators – Pursuant to Government Code §54957.6

Agency Designated Representative: Che Johnson, Wendy Silva, and Arnolando Rodriguez

Represented Employee Groups:

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

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

Agency Designated Representative: Arnolando Rodriguez

Unrepresented Position: Planning Manager

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 10:48 p.m.

Council returned from closed session at 11:57 p.m. with all Councilmembers present.

City Attorney Hilda Cantu Montoy stated there was no reportable action.

ADJOURNMENT – The meeting was adjourned at 11:57 p.m. Next regular meeting May 20, 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