



Item:	B-1
Minutes for:	06/17/2020
Adopted:	08/19/2020

## MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL

**June 17, 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: 925 885 098 84# followed by \*9 on their phone to speak. Comments were also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov) or by regular mail at 205 W. 4<sup>th</sup> 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 (Arrived at 6:45 p.m.)  
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, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Works Director Dan Foss, Administrative Analyst Adam Gonzales, Interim Planning Manager Darrell Unruh, Assistant Planner Jesus Orozco, Financial Services Manager Anthony Forestiere, and Facilities Operations Manager Cole Scroggins.

**INVOCATION:** Pastor Marc Unger, First Baptist Church

**PLEDGE OF ALLEGIANCE:** Mayor Medellin

### **APPROVAL OF AGENDA**

City Clerk Alicia Gonzales made the following 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 C-3 was 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 our website.

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER MONTES, THE AGENDA WAS APPROVED UNANIMOUSLY BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: COUNCILMEMBER RODRIGUEZ. 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.

Mayor Medellin asked City Clerk Alicia Gonzales to read any public comments received.

Paul Nombrano commented that bars and restaurants being open, but parks remaining closed doesn't make sense. He would like parks opened for youth sports.

Hanna Dobbs commented that she does not understand why they feel parks are not safe. She asked them to explain how it is safe for restaurants, gyms, bars and retail stores, but not for parks.

Renee Dobbs asked why the parks and fields are not open. She asked them to explain why the bars, restaurants and gyms opened, but not the park fields. She asked them to explain the reasoning behind the delay in opening the parks.

Xochil Gonzales stated that various businesses such as bars, barbershops, drive-in movie theaters, gyms and restaurants have been allowed to reopen. She stated they have set forth the proper precautions to combat the virus. She asked that they give their blessing to proceed with caution and allow their children to play softball.

Jose Cuevas stated since gyms and bars are all open, he wants the parks open again so his grandkids can play ball. He wants to know why the fields at Town and Country Park are closed.

Gabriela Gomez stated she was made aware of the plan to keep the parks closed until 2021. She stated it makes no sense to keep the kids away from the sports they love when gyms and bars are open, and the City pool is potentially opening. She stated that the data of the virus spread shows it mostly affects people over 20 years of age. She believes that with safety measures their kids can have a successful and safe sport season.

Mayor Medellin closed public comment.

**WRITTEN COMMUNICATIONS:** None

**PRESENTATIONS**

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department Director Sara Bosse)
2. Youth Commission Update (Yvette Flores, Youth Leadership Institute [YLI] Program Coordinator)

Cynthia Sapien, Associated Director of Central Valley Programs along with other of the YLI and the Youth Commission presented the report.

**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.

Mayor Medellin stated that Councilmember Rodriguez joined the meeting during the presentations.

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER HOLLEY, THE CONSENT CALENDAR 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 – May 13, 2020**

**Recommendation:** Approve the City Council Minutes of May 13, 2020

**B-2 Informational Report on Register of Audited Demands for May 24, 2020 to June 5, 2020**

**Recommendation:** No Action Required (Report by Roger Sanchez)

**B-3 Settlement of an Insurance Claim for Stolen Solar Panels**

**Recommendation:** Adopt a Minute Order Authorizing the City Manager to Execute a Master Proof of Loss for Stolen Solar Panels in the Amount of \$369.92 (Report by Wendy Silva)

**B-4 Administrative Policy Revision to Include Drug and Alcohol Clearinghouse Requirements**

**Recommendation:** Adopt a Minute Order Adopting Revisions to Administrative Policy No. 38: Drug and Alcohol Policy Pursuant to the Department of Transportation to Include Drug and Alcohol Clearinghouse Requirements (Report by Wendy Silva)

**B-5 Retroactive License Agreement with the County of Fresno to Reinstate an Expiring Agreement for Rack Space in the Police Annex Radio Equipment Room**

**Recommendation:** Adopt a Resolution Approving a Retroactive License Agreement with the County of Fresno to Reinstate an Expiring Agreement for \$160 per month for Rack Space in the Police Annex Radio Equipment Room (Report by Mark Souders)

**RES 20-88** RESOLUTION OF THE CITY COUNCIL OF MADERA, ADOPTING A RESOLUTION APPROVING A RETORACTIVE LICENSE AGREEMENT WITH THE COUNTY OF FRESNO TO REINSTATE AN EXPIRING LEASE AGREEMENT FOR RACK SPACE IN THE POLICE ANNEX RADIO EQUIPEMENT ROOM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

**C. PUBLIC HEARINGS**

**C-1 Continued Public Hearing Regarding a General Plan Amendment and Related Rezoning of Property for Reconfiguration of Development Regarding Pecan Square Project and Council Consideration of the Planning Commission’s Approval of Tentative Parcel Map 2019-03 and Approval of Same with Updated Conditions (Report by Darrell Unruh)**

**Recommendation:**

- 1) Adopt a Resolution Ratifying the Planning Commission’s Approval of Tentative Parcel Map 2019-03 and Tentative Subdivision Map 2019-03 and Approval of Same with Updated Conditions; and
- 2) Adopt a Resolution Amending the General Plan Land Use Map for Property (Approximately 76 Acres) located Southwest of the Intersection of West Pecan Avenue and Madera Avenue, Amending the Low, Medium, and High Density Residential and the Commercial General Plan Land Use Designations and Adopting a Mitigated Negative Declaration (APN: 012-480-005); and
- 3) Waive Full Reading and Introduce an Ordinance Rezoning Property (Approximately 76 Acres) located Southwest of the Intersection of Pecan Avenue and Madera Avenue to Adjust the Boundaries of the PD-6000, PD-3000 and PD-1500 (Planned Development) Zone Districts and the CN (Commercial Neighborhood) Zone District and Deleting the PF (Public Facility) Zone District

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY MAYOR PRO TEM GARCIA, ITEM C-1(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 20-89** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 76.25 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST PECAN AVENUE AND MADERA AVENUE TO MODIFY THE LAND USE DESIGNATIONS OF LOW DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AND COMMERCIAL LAND USE DESIGNATIONS (APN: 012-480-005) AND ADOPTING A MITIGATED NEGATIVE DECLARATION

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER HOLLEY, ITEM C-1(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 20-90** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA RATIFYING THE PLANNING COMMISSION'S APPROVAL OF TENTATIVE PARCEL MAP 2019-03 AND TENTATIVE SUBDIVISION MAP 2019-03 AND APPROVAL OF SAME WITH UPDATED CONDITIONS

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER HOLLEY, ITEM C-1(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.**

**C-2 Public Hearing on the Community Development Block Grant (CDBG) COVID-19 Funding Allocation**

**Recommendation:** Continue Public Hearing to the June 18, 2020 City Council Special Meeting (Report by Ivette Iraheta)

Mayor called for recess at 7:48 p.m. Session resumed at 7:52 p.m.

**C-3 Public Hearing on the City of Madera Fiscal Year Budget and Capital Improvement Program for Fiscal Year 2020/2021**

**Recommendation:** Approve a Resolution Adopting the City of Madera Budget and Capital Improvement Program for Fiscal Year 2020/2021 (Report by Roger Sanchez)

Sharon Bell and David Stevens commented on eliminating overtime and implementing flex schedules instead. Ms. Stevens specifically mentioned the Police Department overtime was enough to hire an additional four or five officers. They also asked how Council could justify an increase from \$429,547 to \$641,872 in the Planning Department.

Madeline Harris of the Leadership Counsel for Justice and Accountability commented on (1) Additional funding for the planning and construction of affordable housing, (2) Removing Code Enforcement for the Police Department, and (3) Allocating Funding to Tenants' Rights Attorneys in order to Establish a Right to Counsel for Tenants in Madera.

**ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM C-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 20-91** RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE BUDGET OF THE CITY OF MADERA FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021 IN THE AMOUNT OF \$94,612,348 AND THE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM

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

**D-1 Approval of a New Schedule “A” Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2020 to June 30, 2021 for Fire Service Operations**

**Recommendation:** Adopt a Resolution Approving a New Schedule “A” Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2020 to June 30, 2021 for Fire Service Operations (Report by Matt Watson)

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

**RES 20-92** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A NEW SCHEDULE “A” AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FROM JULY 1, 2020, TO JUNE 30, 2021, FOR FIRE SERVICE OPERATIONS, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF MADERA

**E. ADMINISTRATIVE REPORTS**

**E-1 Placement of 150 Solar Street Lights Purchased through Engie Project**

**Recommendation:** Direction and Approval from Council on Recommended Locations (Report by Daniel Foss)

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM E-1 WAS APPROVED A VOTE OF 5/2. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, AND HOLLEY. NOES: MAYOR PRO TEM GARCIA AND COUNCILMEMBER ROBINSON. ABSENT: NONE. ABSTAIN: NONE.**

**E-2 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 Arnoldo 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 would like to discuss SB 939 with the Mayor.

Councilmember Gallegos wished everyone Happy Father’s Day.

Mayor Pro Tem Garcia stated his daughter Xiomara is a first-time home buyer.

Councilmember Holley wished everyone a Happy Father's Day.

Councilmember Rodriguez asked that a river clean-up be an item on the next agenda.

Councilmember Montes wished everyone a Happy Father's Day and asked everyone to stay safe and wear their masks.

Mayor Medellin would like Grants Administrator Ivette Iraheta to give them updates on ridership concerns via staff report or an email. He also mentioned that Grants Administrator Ivette Iraheta will have a virtual ribbon cutting of the new transit center. Ms. Iraheta mentioned that it will be livestreamed on June 25<sup>th</sup> at 11:00 a.m. Mayor Medellin mentioned that cooling centers have opened due to triple digit weather.

**G. CLOSED SESSION**

**G-1 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 10:34 p.m.

Council returned from closed session at 11:07 p.m. with all Councilmembers present.

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

**ADJOURNMENT** – The meeting was adjourned at 11:07 p.m. Next regular meeting July 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.

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ALICIA GONZALES, City Clerk

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ANDREW J. MEDELLIN, Mayor

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MINUTES PREPARED BY  
ZELDA LEON, Deputy City Clerk