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| Item:        | B-1        |
| Minutes for: | 08/05/2020 |
| Adopted:     | 10/07/2020 |

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

**August 5, 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: 930 3650 3406# 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  
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, Planning Manager Gary Conte, Chief of Police Dino Lawson, Interim Public Works Director Dan Foss, Communications Specialist Joseph Carrello, Deputy City Engineer Randy Bell and Police Lieutenant Josiah Arnold.

**INVOCATION:** Pastor Josh Blair, Central Valley Church

**PLEDGE OF ALLEGIANCE:** Mayor Medellin

**LATE DISTRIBUTION ANNOUNCEMENT:** City Clerk Alicia Gonzales

Pursuant to Government Code Section 54957, members of the public are advised that less than 72 hours prior to this evening's meeting, Item B-9 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.

## **APPROVAL OF AGENDA**

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER ROBINSON, THE AGENDA WITH THE ADDITION OF B-9 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.

No public comment was submitted. Public Comment was closed.

**WRITTEN COMMUNICATIONS:** None

## **PRESENTATIONS**

1. Department of Public Health Update on COVID-19 (Report by Sara Bosse Madera County Public Health Department Director)
2. Proclamation Recognizing Taiwan Chamber of Commerce

**INTRODUCTIONS:** None

### **A. WORKSHOP**

1. Update on Caltrans Project along SR 145 from Pecan Avenue to Tozer  
Randy Bell, Deputy City Engineer summarized the report.

### **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 RODRIGUEZ, THE CONSENT CALENDAR ALONG WITH THE DISCUSSION ON ITEM B-9 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 – 05/06/20, 06/03/20, 06/11/20s, and 06/18/20s**

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

**B-3 Informational Report on Personnel Activity**

**B-4 Update Administrative Policy 45: Injury and Illness Prevention Program to Include COVID-19 Supplement** - Adopt a Minute Order Approving Revisions to Administrative Policy No. 45: Injury and Illness Prevention Program (IIPP) to add a COVID-19 Supplement in Compliance with Cal/OSHA Requirements

**B-5 Agreement with the City of Kerman for the Use of the City of Kerman Range Facility** - Approve a Minute Order Authorizing the Chief of Police to Sign the Use Agreement Allowing the Madera Police Department to Use the City of Kerman Range Facility

**B-6 Acceptance of a Grant Award from the Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding Program for the Police Department** - 1) Approve a Resolution Authorizing the Police Chief to Accept the BJA CESF Grant on behalf of the City and 2) Approve a Resolution Amending the 2020/2021 City Budget to Reflect Revenues and Expenditures Related to the Grant

**RES 20-109** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE POLICE CHIEF TO ACCEPT THE GRANT AWARD FROM THE BUREAU OF JUSTICE ASSISTANCE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM IN THE AMOUNT OF \$100,599

**RES 20-110** CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2020/2021 BUDGET

**B-7 Justice Assistance Grant Program Fiscal Year 2020 Local Solicitation** - Adopt a Resolution Authorizing Submission of an Application to the Edward Byrne Memorial Justice Assistance Grant Program (JAG) Fiscal Year 2020 Local Solicitation in the Amount of \$27,514

**RES 20-111** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

**B-8 Letter of Support for Senate Bill 795 Building Affordable and Inclusive Communities** - Approve a Minute Order Approving to Support SB795 Building Affordable and Inclusive Communities

**B-9 Agreement with Pacific West Communities, Inc. and Related Parties to Ensure Precise Plan Compliance (Downtown Residential – Veterans and Multi-family Housing Projects)** - Approve a Minute Order Authorizing the City Manager to enter into an Agreement, subject to Approval as to Legal Form by the City Attorney with Pacific West Communities, Inc. and Related Parties to ensure Amendment of Site Plan to Substantially Comply with the Conditions of Approval for Precise Plans 2018-03 and 2018-04 Previously Approved by the City for the Downtown Veterans and Multi-family Housing Projects.

Item E-1 was moved to this section in the agenda.

**C. PUBLIC HEARINGS**

- C-1 Weed Abatement within the City** - Conduct a Public Hearing to Consider any Objections to the Proposed Destruction and Removal of Weeds and Adopt a Resolution Ordering the Abatement of Weed Nuisances

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM C-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 20-112** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO ABATE WEED NUISANCES EXISTING WITHIN THE CITY OF MADERA

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

- D-1 Amendment to the Madera Municipal Code Relating to Deposits for Utility Services** - Waive Full Reading and Introduce an Ordinance of the City of Madera Amending Title VIII: Finance, Revenue, and Taxation, Chapter 7: Municipal Utilities, Section 8-7.06 (C) and (D) of the Madera Municipal Code Relating to Deposits for Utility Services

**ON MOTION BY COUNCILMEMBER ROBINSON AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-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.**

- D-2 Project Cooperation Agreement between the City of Madera and Madera Irrigation District Basin – Airport Basin** - Adopt a Resolution Approving an Agreement between the City and MID – Airport Basin

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

- D-3 Project Cooperation Agreement between the City of Madera and Madera Irrigation District - Golf Course Basins** - Adopt the Resolution Approving an Agreement for use of the Identified Basins for Recharge Purposes

**ON MOTION BY COUNCILMEMBER MONTES 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 20-113** A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING PROJECT COOPERATION AGREEMENT BETWEEN THE CITY OF MADERA AND MADERA IRRIGATION DISTRICT – GOLF COURSE BASINS

**D-4 Second Amendment to the City Manager At-Will Employment Agreement** - This Report has been Prepared at the Direction of the City Council; therefore, there is No Staff Recommendation Provided. Council is asked to Consider and Determine whether to Adopt the Resolution Approving a Second Amendment to the City Manager At-Will Employment Agreement

Hilda Cantu Montoy, City Attorney summarized the report and benefits.

Mayor Medellin announced: Pursuant to Government Code Subsection 54953(c)(3), prior to taking action on this item, the Council must publicly announce a summary of the action being considered. If approved, the proposed amendment to the City Manager's employment agreement will be the existing agreement as follows:

- The agreement will be extended by three (3) years to December 3, 2024.
- For years three (3) to six (6), the employee will be entitled to six (6) months' salary and health benefits severance if separated without cause.
- The City Manager salary will be increased one (1) merit step due to satisfactory performance to Step E of Salary Schedule M Range 587 which is \$193,953.74 per year effective on his merit anniversary date of December 3, 2019.
- The health insurance language will be amended to provide the same City contribution and plan offerings as for City's mid-management personnel.

Mayor Medellin ask City Clerk Alicia Gonzales if any comments had been received. Ms. Gonzales stated none were submitted.

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-4 WAS APPROVED BY A VOTE OF 5/2. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, MONTES, ROBINSON, AND HOLLEY. NOES: MAYOR PRO TEM GARCIA AND COUNCILMEMBER RODRIGUEZ. ABSENT: NONE. ABSTAIN: NONE.**

**RES 20-114** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SECOND AMENDMENT TO THE CITY MANAGER AT-WILL EMPLOYMENT AGREEMENT

**E. ADMINISTRATIVE REPORTS**

**E-1 Mid-Valley Disposal First and Second Quarter Updates**

This item was moved after the Consent Calendar and before the Public Hearing section. Annette Kwock of Mid Valley Disposal summarized the report.

**E-2 Discussion on Status and Action Taken on Measures to Mitigate the Impacts of the COVID-19 (Coronavirus) Pandemic** - 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.

Mayor Medellin stated that recently the City was shocked that a young boy with special needs went missing. The community came together. Hundreds of people volunteered their time to search for Thaddeus (Sran). It was the worst possible news when he was discovered. Mayor Medellin stated he is greatly appreciative of the Madera Police Department in partnership with the Madera County Sheriff's Office, State Marshals, Federal Bureau of Investigation (FBI) and Chowchilla Police Department.

Mayor Medellin stated there is an all-inclusive play structure at Centennial Park that was built for special needs children like Thaddeus Sran. There are no obstacles or steps that would hinder a child with any special needs to play there. Mayor Medellin stated he met with members of the community and received a lot of support from the members of the community to remember in perpetuity Thaddeus and all children with special needs. Mayor Medellin asked if his colleagues would support him in bringing a staff report to the August 19<sup>th</sup> Council meeting that would rename the play structure to the Thaddeus Sran Playground at Centennial Park. He polled the Councilmembers and all of them agreed to the staff report.

Mayor Medellin asked that they be aware of domestic violence, abuse and neglect. This is not the only case. He asked that they stay connected with family and neighbors. He asked that they pray this does not happen again.

Councilmember Robinson had nothing to report.

Councilmember Gallegos stated that there are awesome people in the community. City staff are awesome. She thanked staff and the community.

Mayor Pro Tem Garcia had nothing to report.

Councilmember Holley advised that he will be taking the next two weeks off to take care of personal business.

Councilmember Rodriguez strongly encouraged people to wear a face mask.

Mayor Medellin agreed and stated he will wear a mask for you if you will wear a mask for him and all loved ones.

Councilmember Montes also encouraged people to wear a face mask. He asked if there was a way to increase the awareness of child abuse and advocacy.

Mayor Medellin agreed with Councilmember Montes and asked that people wear a face mask.

**G. CLOSED SESSION: None**

**ADJOURNMENT** – The meeting was adjourned at 9:40 p.m. Next regular meeting August 19, 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