

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

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

April 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: 179 651 981# followed by \*9 on their phone to speak. Comments were also be accepted via email at [citycouncilpubliccomment@madera.gov](mailto:citycouncilpubliccomment@madera.gov).

**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 Clerk Alicia Gonzales, City Attorney Hilda Cantu Montoy, Grants Administrator Ivette Iraheta, and Information Services Manager Mark Souders.

**INVOCATION:** Councilmember Donald Holley

**PLEDGE OF ALLEGIANCE:** Mayor Medellin

**APPROVAL OF AGENDA**

**ON MOTION BY COUNCILMEMBER HOLLEY 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**

Members of the public shall have an opportunity to address the City Council regarding matters on this Agenda. Speakers should limit their comments to three (3) minutes.

Mayor Medellin opened public comment and asked Information Services Manager Mark Souders if there was anyone wishing to speak.

City Attorney Hilda Cantu Montoy suggested that Mayor Medellin hold public comment until after the report so that members of the public could comment after that. She stated this is not the generic public comment. This is public comment on the action item.

Mayor Medellin asked Ms. Cantu to repeat the first part of her comment as there was a lot of audio interference.

Councilmember Holley stated that Ms. Cantu Montoy had indicated that this is not generic public comment. It is public comment on this item.

Mayor Medellin stated they have two people who want to comment on this item.

Ms. Cantu Montoy stated that if Mayor Medellin preferred to do it now, it was fine, but that it was generally done after the staff reports.

Mayor Medellin asked if he was just opening it up for general public comment and Ms. Cantu Montoy stated there is no general public comment in special meetings.

Mayor Medellin stated they would open the item and take comments after the item.

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

- A-1 Consideration of an Urgency Ordinance Prohibiting Residential and Commercial Tenant Evictions related to the COVID-19 pandemic beginning March 4, 2020 and continuing through May 31, 2020 in accordance with Governor Newsom's Executive Order N-28-20 or as may be extended by executive order of the Governor or by State Law (Report by Arnoldo Rodriguez)

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:

Jazmin Rueda stated she doesn't think the City is doing enough to support the community during this pandemic. They are not supporting small businesses, homeowners and tenants. She asked that they pass the urgency ordinance.

Madeline Harris of Leadership Counsel for Justice and Accountability stated they would like the ordinance passed with two modifications. (1) Add: Any documentation that is provided to support this claim is presumed to be adequate for this purpose, and the burden is on the landlord to prove that it is inadequate. (2) Amend Section 3(B) to read: A landlord knows of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within 30 days after the date that the rent is due, notifies the landlord in writing that the tenant needs to delay all or some payment of rent due to lost income and inability to pay due to financial impacts related to COvid-19, and provides documentation to support the inability to pay rent claim.

Michael Pistorosi stated reiterating Governor Newsome's Executive Order N-28-20 related to eviction is a waste of time and taxpayer money and appears to be a political stunt that have no effect on what has already been banned by the Governor. He asked that they move on to more pressing business such as water rates, filling unfilled leadership positions, a lack of funding for the animal shelter and the crumbling streets and infrastructure.

Baldwin Moy of California Rural Legal Assistance stated that they are a federally funded legal services that represent low income individuals and families in Madera County. Over 75% of the cases they see are landlord/tenant cases involving eviction defense. He urged the Council to sign the ordinance into law to head off a major threat to the health, safety and stability of the City of Madera. He stated this ordinance when adopted along with the California Judicial Council's just adopted court rule will help families to weather these troubled times and transition back to order and normalcy. Mr. Moy asked that they add a provision to the ordinance requiring Council to revisit the need to continue this ordinance for a future time period if warranted.

Mayor Medellin stated there are some participants on the phone line and recognized:

Madeline Harris urged Council to adopt the urgency ordinance with the minor edits as noted in her letter. She has gotten many calls from people who are scared because they can't pay during this COVID-19 crisis.

Mayor Medellin stated there was one other caller, but there was no response when the caller was asked to speak. They will keep an eye out if the caller calls back. He repeated the call-in instructions for those wishing to call in.

Mayor Medellin stated there was another caller on the line. She stated she did not mean to speak.


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

**ORD 971U C.S. AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA PROHIBITING RESIDENTIAL AND COMMERCIAL TENANT EVICTIONS RELATED TO THE COVID-19 PANDEMIC**

**ADJOURNMENT** – The meeting was adjourned at 7:07p.m. Next regular meeting April 15, 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

