

Item:	B-1
Minutes for:	07/01/2020
Adopted:	09/02/2020

**MINUTES OF A REGULAR MEETING OF THE MADERA CITY COUNCIL AND SPECIAL MEETING
OF THE MADERA CITY COUNCIL AS SUCCESSOR AGENCY TO THE FORMER
REDEVELOPMENT AGENCY**

**July 1, 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: 919 2087 7128# 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 Battalion Chief Anthony Garcia, 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.

INVOCATION: Councilmember Holley

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 D-4 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 RODRIGUEZ AND SECONDED BY COUNCILMEMBER GALLEGOS, 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.

No public comment was submitted. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS

The Department of Public Health Update was continued to the second presentation as Ms. Sara Bosse experienced technical issues. Mayor Medellin moved onto the Proclamation as the first presentation item.

1. Department of Public Health Update on COVID-19 (Report by Sara Bosse Madera County Public Health Department Director)
2. Proclamation Recognizing and Expressing Appreciation to Director General Joseph Ma and his Contribution to the Sister City Program with Yi-Lan, Taiwan

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.

ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER ROBINSON, 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 21, 2020

Recommendation: Approve the City Council Minutes of May 21, 2020

B-2 Informational Report on Register of Audited Demands for June 6, 2020 to June 19, 2020

Recommendation: No Action Required

B-3 Informational Report on Personnel Activity (Report by Wendy Silva)

Recommendation: No Action Required

B-4 Agreement for Continued Participation in Public Sector Employment Law Training Consortium (Report by Wendy Silva)

Recommendation: Adopt a Minute Order Approving the Agreement for Special Services with Liebert Cassidy Whitmore for Continued Participation in the Central Valley Employment Relations Consortium (CVERC)

B-5 Appropriations Limit (Gann Limit) for Fiscal Year 2020/2021 (Report by Roger Sanchez)

Recommendation: Adopt a Resolution Establishing Appropriations Limit for Fiscal Year 2020/2021 in the amount of \$46,306,201

RES 20-94 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE APPROPRIATIONS LIMIT FOR THE 2020/2021 FISCAL YEAR

C. PUBLIC HEARINGS: None

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

D-1 Annual Lease Rates for Non-Commercial Aeronautical Land Areas at the Madera Municipal Airport (Report by Daniel Foss)

Recommendation: Adopt a Resolution Approving an Increase in Rent Cost for Non-Commercial Aeronautical Land Lease Base Rates at the Madera Municipal Airport from \$0.26 per square foot per year to \$0.32

ON MOTION BY MAYOR PRO TEM GARCIA AND SECONDED BY COUNCILMEMBER GALLEGOS, 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.

RES 20-95 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN INCREASE OF RENT COST FOR NONCOMMERCIAL AERONAUTICAL LAND AREAS AT THE MADERA MUNICIPAL AIRPORT TO \$0.32 PER SQUARE FOOT.

D-2 Landscape and Lighting Assessment District Zones of Benefit: Engineer's Report and Intention to Levy and Collect Annual Assessment for City Wide Landscape and Lighting Assessment District Zones of Benefit for Fiscal Year 2020/2021 (Report by Daniel Foss)

Recommendation: 1) Adopt a Minute Order Approving Engineer's Report for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27,

27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 for F/Y 2020/21; and

2) Adopt a Resolution of Intention to Levy and Collect Annual Assessments for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 for FY 2020/21 and Setting Date for Public Hearing (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-2(1) AND D-2(2) WERE 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 20-96 A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR CITY WIDE LANDSCAPE AND LIGHTING DISTRICT ZONES OF BENEFIT 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H,10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C,26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 FOR FISCAL YEAR (FY) 2020/21 AND SETTING DATE FOR PUBLIC HEARING

D-3 Sale of a Manufactured Unit at 1218 E. Cleveland Avenue., Space #4 (Report by Ivette Iraheta)

Recommendation: Approve a Minute Order Accepting a \$25,000 Cash Offer, which was Determined to be at Fair Market Value, for the Manufactured Home and Authorize Staff to Execute Necessary Documents to Transfer Title

ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER RODRIGUEZ, 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.

D-4 San Joaquin Valley Air Pollution Control District Public Benefits Program Grant for the Downtown Madera Veterans and Family Project (\$539,151), use of Grant Funds for Loan Agreement with Downtown Madera Housing Associates to be used for Affordable Housing Project, and Related Loan Documents (Report by Ivette Iraheta)

Recommendation: 1) Adopt a Resolution Approving Public Benefits Program Grant Agreement between San Joaquin Valley Air Pollution Control District (SJVAPCDP) and the City of Madera; and

2) Adopt a Resolution Approving a Loan Agreement between the City and the Downtown Madera Housing Associates, a California Limited Partnership, and Related Loan Documents for the Downtown Madera Housing Associates to use on the City's Veterans Housing

City Attorney Hilda Cantu Montoy stated Council received this as a late distribution and it is lengthy. There are lots of documents; lots of legalese and multiple exhibits. Staff found out very late today, that while putting everything together that some of the exhibits were mis-marked. They are all there, except for the legal description which they now have. The exhibits were not marked as they should be. Ms. Cantu Montoy stated she wanted to make a couple of corrections on the record, so that if Council was inclined to proceed with approval of the loan agreement resolution that this is on the record and that Council make a motion with this recommendation.

Ms. Cantu Montoy stated that the second resolution approves the Loan Agreement. If they decide to approve it, then Section 2 of the resolution should be amended to say: The Council approves the Loan Agreement with Downtown Madera Housing Associates as set forth in Exhibit 2-A and related Exhibit 2B (the Deed of Trust and Security Agreement) and Exhibit 2C (Loan Promissory Note) which are all attached hereto and incorporated by reference.

Ms. Cantu Montoy also asked that Council authorize staff to go through all the exhibits and mark them correctly.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-4(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.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-4(2) AS AMENDED PER THE CITY ATTORNEY'S RECOMMENDATION 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 20-97 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING APPROVAL OF PUBLIC BENEFITS GRANT PROGRAM FUNDING AGREEMENT BETWEEN SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT AND CITY OF MADERA

RES 20-98 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING LOAN AGREEMENT BETWEEN CITY OF MADERA AND THE DOWNTOWN MADERA HOUSING ASSOCIATES AND RELATED DOCUMENTS FOR USE ON THE CITY'S VETERANS AND FAMILY HOUSING PROJECT

E. ADMINISTRATIVE REPORTS

E-1 Health of City Finances

Recommendation: Financial Analysis of Major Funds (Report by Roger Sanchez)

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 Arnolito 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 had nothing to report.

Mayor Pro Tem Garcia stated the mask donation yesterday with Director General Joseph Ma and staff was fine. He also stated Council should make a video on why they wear masks. He stated that all his family wears masks.

Councilmember Holley stated he would like staff to bring back an item on the sidewalk on I Street and an item on finishing the curb at Rotary Park.

Councilmember Rodriguez had nothing to report.

Councilmember Montes thanked staff for coordinating the donation of masks from the Sister City Program with Yi-Lan, Taiwan as it was done within a short timeframe.

Mayor Medellin agreed with Councilmember Montes. He stated that although Ms. Bosse Madera County Public Health Department Director stated the City was doing their part when it came to the COVID-19 pandemic, he believes they can do better. He asked that everyone wear masks when out in public and to practice the six feet social distancing.

Mayor Medellin recognized Grants Administrator Ivette Iraheta, Councilmember Rodriguez and Chamber of Commerce President/CEO Debi Bray for their coordination and participation in the virtual ribbon cutting of the new Transit Center. The event was on the Channel 30 news.

G. CLOSED SESSION

**G-1 Conference with Real Property Negotiators – Pursuant to Government Code §54956.8
Property: 7 Parcels City of Madera APNs: 008-143-003, 008-143-021, 008-143-020, 008-143-019, 008-143- 018, 008-143-001, 007-142-001**

Agency Negotiator(s): Arnolito Rodriguez
Negotiating Party: Rick Amerine
Under Negotiations: Price and Terms

G-2 Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9

1. Ronald Austin v. City of Madera, Madera County Superior Court
2. JHS Family Limited Partnership v. City Administrator of the City of Madera, Madera County Superior Court

G-3 Conference with Legal Counsel – Anticipated Litigation: Initiation of Litigation – Pursuant to Government Code Section 54956.9(c)

1. City of Madera v. Ajmer Singh, Kamaljit Kaur, and First Transit, Inc.

G-4 Conference with Labor Negotiators - Pursuant to Government Code Section 54957.6

Agency Designated Representative: Mayor Medellin
Unrepresented Employee: City Manager

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 8:33 p.m.


Council returned from closed session at 10:17 p.m. with all Councilmembers present.


City Attorney Hilda Cantu Montoy stated there was one reportable action. There was a unanimous Council decision to file a complaint against Kamaljit Kaur, Ajmer Singh, and First Transit, Inc. for damages incurred by the City of Madera as a result of a motor vehicle accident that occurred on August 24, 2018.

ADJOURNMENT – The meeting was adjourned at 10:18 p.m. Next regular meeting July 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

