

Item:	B-1
Minutes for:	07/15/2020
Adopted:	10/07/2020

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

July 15, 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: 975 1294 7017# 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, Grants Program Manager David Dybas, Associate Civil Engineer Victor Aldama, Project Development Coordinator Licensed Ellen Bitter, and Administrative Analyst II Mary Church.

**INVOCATION:** Pastor Barry Bernard, Westside Christian Fellowship

**PLEDGE OF ALLEGIANCE:** Mayor Medellin

### **APPROVAL OF AGENDA**

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER HOLLEY, THE AMENDED AGENDA MOVING ITEM D-3 TO THE AUGUST 5, 2020 COUNCIL MEETING 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)
2. Listos California Campaign (Report by Richard Peralta, United Way Fresno and Madera Counties)
3. Proclamation Recognizing Madera Community College as the 116th Campus of the States Community College System

**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 RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, 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 20, 2020**

**Recommendation:** Approve the City Council Minutes of May 20, 2020

**B-2 Informational Report on Register of Audited Demands for June 20, 2020 to July 3, 2020**

**Recommendation:** No Action Required

**B-3 Informational Report on Contract City Attorney Service Expenditures**

**Recommendation:** No Action Required

**B-4 Agreement with the Fresno-Madera Area Agency on Aging for the Fiscal Year 2020/2021 Senior Transportation Program**

**Recommendation:** 1) Adopt a Resolution Approving the Agreement with the Fresno-Madera Area Agency on Aging (FMAA) to Serve Adult Citizens 60 Years and Older Transportation Programs in the Amount of \$17,000.00; and

2) Adopt a Resolution Amending the City's Fiscal Year 2020/2021 Budget for the Acceptance of Increased Anticipated Grant Revenue in the Amount of \$6,000.00

**RES 20-93** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH THE FRESNO-MADERA AREA AGENCY ON AGING FOR THE FISCAL YEAR 2020/21 SENIOR TRANSPORTATION PROGRAM

**RES 20-99** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AMENDING THE FISCAL YEAR 2020/21 BUDGET FOR THE ACCEPTANCE OF INCREASED ANTICIPATED GRANT REVENUE IN THE AMOUNT OF \$6,000.00

**B-5 Sidewalk Improvements at Lincoln Avenue, Austin Street, and South Street**

**Recommendation:** Adopt a Minute Order Approving the Acceptance of the Construction of Sidewalk Improvements at Lincoln Avenue, Austin Street, and South Street, City Project No. R-73, CDBG No. B18MC060053, Recording of Notice of Completion, Release of Retention 35 days after Recording Notice of Completion

**B-6 Master Agreement between the Madera County Transportation Commission and the City's 2019/2020 Allocation of the Regional Surface Transportation Program (RSTP) Exchange Funding**

**Recommendation:** Adopt the Resolution Approving the Master Agreement between the Madera County Transportation Commission (MCTC) and the City for the Fiscal Year 2019/2020 Allocation of RSTP Exchange Funding

**RES 20-100** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE MASTER AGREEMENT BETWEEN THE MADERA COUNTY TRANSPORTATION COMMISSION (MCTC) AND THE CITY OF MADERA FOR THE FISCAL YEAR 2019/2020 ALLOCATION OF REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) EXCHANGE FUNDING AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE EXECUTED MASTER AGREEMENT TOGETHER WITH THE APPLICATION FOR PLANNED EXPENDITURES TO MCTC

**B-7 Amendment No. 6 to Agreement with Lars Anderson & Associates, Inc. for Engineering Services Relating to Construction of the Fresno River Trail Undercrossing at Gateway Drive and Union Pacific Railroad Project**

**Recommendation:** Adopt a Resolution Approving Amendment No. 6 to the Agreement with Lars Anderson & Associates, Inc, for Engineering Services Relating to Construction of the Fresno River Trail Undercrossing at Gateway Drive and Union Pacific Railroad Project

**RES 20-101** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 6 TO THE AGREEMENT WITH LARS ANDERSEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATING TO THE CONSTRUCTION OF THE FRESNO RIVER TRAIL UNDERCROSSINGS AT GATEWAY DRIVE AND UNION PACIFIC RAILROAD

**B-8 Calling for and Giving Notice of a General Municipal Election to be Held on November 3, 2020 and Requesting that the Madera County Clerk Render Specified Election Services**

**Recommendation:** Adopt a Resolution Calling for and Requesting Consolidation of the City's General Election with the Statewide Election on November 3, 2020, for the Election of Council Members for Districts 2, 4, and 6 and of the Mayor Elected At-Large and that the Madera County Clerk Render Specified Election Services

**RES 20-102** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF CERTAIN MUNICIPAL OFFICERS OF THE CITY OF MADERA FOR COUNCIL MEMBERS OF DISTRICTS 2, 4, AND 6, AND FOR THE ELECTION OF MAYOR AT-LARGE TO BE HELD IN THE CITY OF MADERA ON NOVEMBER 3, 2020 AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; REQUESTING CONSOLIDATION THEREOF WITH THE STATEWIDE ELECTION TO BE HELD ON THE SAME DATE; AND REQUESTING THAT THE MADERA COUNTY BOARD OF SUPERVISORS AUTHORIZE THE MADERA COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY OF MADERA RELATING TO THE CONDUCT OF THE GENERAL MUNICIPAL ELECTION

**C. PUBLIC HEARINGS**

**C-1 Community Development Block Grant (CDBG) COVID-19 Final Funding Allocations and Amended 2019/2020 Action Plan**

**Recommendation:** Conduct the Public Hearing and Adopt a Resolution Approving the CDBG COVID-19 Final Funding Allocation (\$536,338) and Approving the Substantial Amendment to the 2019/2020 Action Plan

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM C-1 WAS APPROVED BY A VOTE OF 6/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: MAYOR PRO TEM GARCIA.**

**RES 20-103** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COVID-19 FINAL ALLOCATIONS AND APPROVING THE SUBSTANTIAL AMENDMENT TO THE 2019/2020 ACTION PLAN, AND AUTHORIZING THE CITY MANAGER TO SIGN THE RELATED CERTIFICATIONS

**C-2 Confirm a Diagram and Assessments for Citywide Landscape and Lighting Assessment District Zones of Benefit for Annual Levy for Fiscal Year 2020/2021**

**Recommendation:** 1) Conduct a Public Hearing

2) If there are Unresolved Public Comments in any Zone that Require Changes to the Engineer's Report, Address the Public Comments at the Meeting Prior to Approving a Resolution Adopting the Engineer's Report as may be Revised by Council

3) Adopt a Resolution Confirming the Diagram and Assessments for Annual Levy for Fiscal Year 2020/2021 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 Directing City Clerk to File the Diagram and Assessments with the Madera County Auditor

**ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER MONTES, ITEM C-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 20-104** A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR THE ANNUAL LEVY FOR FISCAL YEAR 2020-2021 FOR CITYWIDE 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 AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

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

**D-1 Agreement with WSD, LLC, a California Limited Liability Company for an Airport Property Lease Agreement**

**Recommendation:** Adopt a Resolution Approving the Agreement with WSD, LLC, a California Limited Liability Company for an Airport Property Lease Agreement

**ON MOTION BY COUNCILMEMBER GALLEGOS 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.**

**RES 20-105** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH WSD, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR AN AIRPORT PROPERTY LEASE AGREEMENT

**D-2 Pipeline Protection and Inspection Agreement with SFPP, L.P. for Inspection Services related to the Fresno River Trail Undercrossings at Gateway Drive and Union Pacific Railroad Project**

**Recommendation:** Adopt a Resolution Approving a Pipeline Protection and Inspection Services Agreement with SFPP, L.P. for Inspection Services related to the Fresno River Trail Undercrossing at Gateway Drive and Union Pacific Railroad Project near the Kinder Morgan Pipeline

**ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER RODRIGUEZ, 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 20-106** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A PIPELINE AND INSPECTION SERVICES AGREEMENT WITH SFPP, L.P. FOR INSPECTION SERVICES RELATED TO THE FRESNO RIVER TRAIL UNDERCROSSINGS AT GATEWAY DRIVE AND UNION PACIFIC RAILROAD

**D-3 Amendment to the Madera Municipal Code Relating to Deposits for Utility Services**

**Recommendation:** 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

This item was pulled and moved to the August 5, 2020 Council meeting.

**E. ADMINISTRATIVE REPORTS**

**E-1 Placement of a Measure on the Ballot for Voters to Consider Establishing a Cannabis Business License Tax to be put in Place should the City Permit Cannabis and Hemp Business in the Future**

**Recommendation:** Adopt a Resolution Submitting the City Voters a Ballot Measure to Establish a Business Tax on Businesses which Sell, Distribute, Manufacture, and Cultivate Cannabis Including Industrial Hemp and Hemp Products; Requesting that the Madera Board of Supervisors Authorize the Madera County Clerk to Render Specified Services to the City of Madera Relating to the Conduct of the Election; and Requesting Consolidation of this Election with the General Municipal and Statewide Consolidated Election to be held on November 3, 2020

**ON MOTION BY COUNCILMEMBER GARCIA AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM E-2 WAS APPROVED BY A VOTE OF 5/2. AYES: MAYOR MEDELLIN,**

**COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, AND MONTES. NOES: COUNCILMEMBER HOLLEY AND ROBINSON. ABSENT: NONE. ABSTAIN: NONE.**

**RES 20-107** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SUBMITTING TO THE CITY VOTERS A BALLOT MEASURE TO ESTABLISH A BUSINESS TAX ON BUSINESSES WHICH SELL, DISTRIBUTE, MANUFACTURE, AND CULTIVATE CANNABIS INCLUDING INDUSTRIAL HEMP AND HEMP PRODUCTS; REQUESTING THAT THE MADERA BOARD OF SUPERVISORS AUTHORIZE THE MADERA COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY OF MADERA RELATING TO THE CONDUCT OF THE ELECTION; AND REQUESTING CONSOLIDATION OF THIS ELECTION WITH THE GENERAL MUNICIPAL AND STATEWIDE CONSOLIDATED ELECTION TO BE HELD ON NOVEMBER 3, 2020.

**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

**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 agendaized and which meet other requirements for action.

Councilmember Robinson had nothing to report.

Councilmember Gallegos thanked the Police Department for all their hard work in the Camarena Health Center incident. The community feels safer since the suspect was apprehended. She thanked staff for their hard work also.

Mayor Pro Tem Garcia encouraged people to wear a mask to protect the community and first responders.

Councilmember Holley thanked everyone for their prayers, love and flowers and advised that his wife's funeral will be held on August 14<sup>th</sup>.

Councilmember Rodriguez shared his condolences to Councilmember Holley and his family. He thanked staff during these hard times of the pandemic. He also asked that people wear a mask especially public places and business in order to protect the community.

Councilmember Montes thanked all City staff during these challenging times. He also shared his condolences to Councilmember Holley.

Mayor Medellin thanked and shared his support and appreciation to the Chief of Police and the Police Department for all their hard work. He stated the last few days have been difficult for our entire team and community. He also stated the Downtown Association announced that there will not be an Old Timers Parade this year in September. He stated Debi Bray of the Chamber of

Commerce is doing a fantastic job at trying to get masks out to the small businesses. He thanked all City employees for their hard work and continued efforts. He added, social media shows a big divide and many questions about our future. His only ask is that people be kind to each other. He said the citizens of Madera are resilient and will bounce back.

**G. CLOSED SESSION**

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

**Agency Designated Representatives:** Arnolando Rodriguez, Wendy Silva, and Che Johnson

**Employee Organizations:** General Bargaining Unit/Madera Affiliated City Employees Association Mid-Management Employee Group

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 8:20 p.m.

Council returned from closed session at 9:43 p.m. with all Councilmembers present.

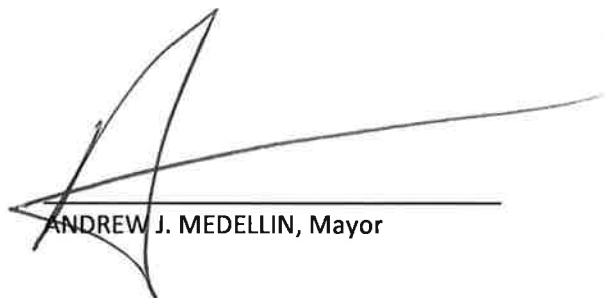
Mayor Medellin stated there was no reportable action.

**ADJOURNMENT** – The meeting was adjourned at 9:43 p.m. Next regular meeting August 5, 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

