

Item:	B-1
Minutes for:	10/21/2020
Adopted:	01/20/2021

Minutes of the Regular Meeting of the Madera City Council

October 21, 2020
6:00 p.m.

Council Chambers
City Hall

This meeting will be conducted pursuant to the provisions of the Governor's Executive Order which suspends certain requirements of the Ralph M. Brown Act. The City Council meeting will be live streamed on the City's website. Members of the public may participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 983 0966 3421# followed by *9 on your phone to speak. Comments will 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 6:20 p.m. A Special Meeting was conducted prior to this meeting.

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, Chief Building Official Steven Woodworth, City Engineer Keith Helmuth, Financial Services Director Roger Sanchez, Fire Division Chief Matt Watson, Grants Administrator Ivette Iraheta, Human Resources 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 Work Director Dan Foss, and Assistant Engineer Tiffany Ljuba.

INVOCATION: Pastor Lance Leach, Valley West Christian Center

PLEDGE OF ALLEGIANCE: Councilmember Gallegos

APPROVAL OF AGENDA

ON MOTION BY COUNCILMEMBER HOLLEY AND SECONDED BY COUNCILMEMBER MONTES, THE AGENDA WAS APPROVED 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.

Jean Lang urged Council to vote against State Measure 16.

Terry Fung urged Council to vote against State Measure 16.

Pastor Lance Leach stated he is a substitute teacher and urged Council to support getting children back in the classroom.

No further public comments were submitted. Public comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Dept.)
2. Proclamation Recognizing Pedestrian Safety Month and Virtual Walk to School Day

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 GALLEGOS AND SECONDED BY COUNCILMEMBER HOLLEY, THE CONSENT CALENDAR WAS APPROVED 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 – 8/19/20

Recommendation: Approve the City Council Minutes of August 19, 2020

B-2 Informational Report on Register of Audited Demands for Sept. 26, 2020 to Oct. 9, 2020

Recommendation: No Action Required (Report by Roger Sanchez)

B-3 Informational Report on Contract City Attorney Service Expenditures

Recommendation: No Action Required (Report by Arnolando Rodriguez)

B-4 Antenna and Equipment Space Lease Renewal at the Madera Municipal Airport

Recommendation: Adopt a Resolution Approving the Antenna and Equipment Space Lease Renewal with the Federal Aviation Administration at the Madera Municipal Airport (Report by Daniel Foss)

RES 20-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN ANTENNA AND EQUIPMENT SPACE LEASE RENEWAL WITH THE FEDERAL AVIATION ADMINISTRATION AT THE MADERA MUNICIPAL AIRPORT

B-5 Authority to Accept \$16,750.00 from MV Transportation, Inc. as Payment in Full for Damage to City Bus 34

Recommendation: City Council Approve Property Damage Release Agreement with MV Transportation, Inc. (Report by Wendy Silva)

B-6 Amend Fiscal Year 2020/21 Budget for Community Development Block Grant (CDBG) COVID 19 Funding

Recommendation: Adopt a Resolution to Amend the FY 2020/21 Budget for CDBG COVID-19 Funding in the Amount of \$536,338 (Report by Ivette Iraheta)

RES 20-143 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, AMENDING THE FY 2020/21 BUDGET FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 FUNDING ALLOCATION

C. PUBLIC HEARINGS: None

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

D-1 Agreement with NBS Consultants for the Preparation of the Water, Sewer, Storm Drainage and Solid Waste Rate Studies

Recommendation: Adopt a Resolution that Approves a Contract with NBS Consultants for Consulting Services to Prepare a Rate Study for the Water, Sewer, Storm Drainage and Solid Waste Utilities (Report by Roger Sanchez)

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-1 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-144 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH NBS FOR THE PREPARATION OF WATER, SEWER, STORM DRAINAGE AND SOLID WASTE RATE STUDIES

D-2 Actions Relating to Varbella Estates II Subdivision (Tract No. 20-S-01):

Recommendation: 1) Adopt Resolution:

- a. Approving the Final Map for the Varbella Estates II Subdivision
- b. Approving Agreement for the Construction of Improvements for the Varbella Estates II Subdivision (Tract No. 20-S-01)
- c. Authorizing Staff to record the Final Map and Agreement for the Construction of Improvements for the Varbella Estates II Subdivision (Tract No. 20-S-01)
- d. Accepting the Dedication of Land for Public Use; and

2) Adopt Resolution:

- a. Approving Annexation of the Varbella Estates II Subdivision (Tract No. 20-S-01) into Zone of Benefit 39 of City-Wide Landscape Maintenance District; Confirming the Diagram and Assessment for FY 2021/22 and Authorizing the City Clerk to File the Diagram with the Madera County Auditor (Report by Keith Helmuth)

Councilmember Rodriguez recused himself and left the meeting at 7:07 p.m.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER ROBINSON, ITEM D-2 WAS APPROVED BY A VOTE OF 6/1. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: COUNCILMEMBER RODRIGUEZ.

RES 20-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE FINAL MAP FOR THE VARBELLA ESTATES II SUBDIVISION (TRACT NO. 20-S-01) AND IMPROVEMENT AGREEMENT (AGREEMENT)

RES 20-146 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ANNEXATION OF VARBELLA ESTATES II SUBDIVISION (TRACT NO. 20-S-01) INTO ZONE OF BENEFIT 39; CONFIRMING THE DIAGRAM AND ASSESSMENT FOR CITY WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT ZONE OF BENEFIT 39 FOR FISCAL YEAR (FY) 2021/22 AND AUTHORIZING THE CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

Councilmember Rodriguez returned to the meeting at 7:13 p.m.

D-3 Agreement for Special Counsel Legal Services with Abbott & Kindermann, Inc.

Recommendation: Adopt a Resolution Approving the Agreement for Special Counsel Legal Services with Abbott & Kindermann, Inc. (Report by Arnaldo Rodriguez)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER MONTES, ITEM D-3 WAS APPROVED BY A VOTE OF 5/2. AYES: MAYOR MEDELLIN,

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

RES 20-147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT FOR SPECIAL COUNSEL LEGAL SERVICES BETWEEN THE CITY OF MADERA AND ABBOTT & KINDERMANN, INC

D-4 Purchase of Real Property Located at 103 East Yosemite Avenue (APN: 007-101-011)

Recommendation: 1) Adopt a Resolution

- a. Approving the Agreement for Purchase of Real Property Located at 103 East Yosemite Avenue (APN: 007-101-011) for \$275,000 plus an Estimated \$10,000 for Closing Costs
- b. Accepting the Grant Deed
- c. Amending the City's 2020/21 Budget to Reflect Expenditures Related to the Property Purchase (Report by Keith Helmuth)

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-4 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY FOR APN: 007-101-011 AND AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADER FISCAL YEAR 2020/2021 BUDGET

D-5 Proposition 68 Program Application for Statewide Park Development and Community Revitalization Program

Recommendation: 1) Adopt a Resolution Approving the Program Application for Statewide Development and Community Revitalization Program for the Sunrise Rotary Park and Sports Complex Project; and

- 2) Adopt a Resolution Approving the Program Application for Statewide Park Development and Community Revitalization Program for the Olive Avenue Park Project (Report by John Scarborough)

ON MOTION BY COUNCILMEMBER ROBINSON AND SECONDED BY COUNCILMEMBER RODRIGUEZ, ITEM D-5 WAS APPROVED BY A VOTE OF 7/0. AYES: MAYOR MEDELLIN, COUNCILMEMBERS GARCIA, GALLEGOS, RODRIGUEZ, MONTES, ROBINSON, AND HOLLEY. NOES: NONE. ABSENT: NONE. ABSTAIN: NONE.

RES 20-149 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

RES 20-150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

E. ADMINISTRATIVE REPORTS

E-1 Madera County Transportation Commission FY 2020-2021 Unmet Transit Needs Report

Recommendation: Informational Only (Report by Ivette Iraheta)

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 Arnaldo 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 agendaized and which meet other requirements for action.

Councilmember Robinson stated he spent four (4) days in Arizona for a wedding and practiced social distancing.

Councilmember Gallegos had nothing to report.

Mayor Pro Tem Garcia had nothing to report.

Councilmember Holley had nothing to report.

Councilmember Rodriguez thanked Eddie Rincon for helping answer some of the questions that residents had regarding their water bill.

Councilmember Montes stated he had a couple of meetings this week. He met with the Youth Leadership Institute. They are still trying to figure out what to do and how to do it. He also met with SWAT (Students Working Against Tobacco). He looks forward to their presentations to Council next year.

Mayor Medellin asked City Manager Arnaldo Rodriguez for a brief update on the Engie program installation of streetlights. Mayor Medellin stated he has gotten great feedback on the installation of those streetlights.

City Manager Arnaldo Rodriguez stated the City purchased 150 solar streetlights and neighborhoods that lacked streetlights were identified. These were some of the older neighborhoods. Many streetlights have been installed. He stated 150 streetlights are not sufficient and staff will probably come back to Council in the future for additional funds.

G. CLOSED SESSION

G-1 Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation Pursuant to Government Code Section 54956.9 (d)(4)

One Case: City of Madera v. High Speed Rail Authority

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 8:52 p.m.

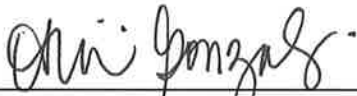
Council returned from closed session at 9:25 p.m. with six (6) Councilmembers present. Councilmember Holley was absent from Closed Session.

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

ADJOURNMENT: The meeting was adjourned at 9:25 p.m. Next regular meeting on November 4, 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



SANTOS GARCIA, Mayor



MINUTES PREPARED BY
ZELDA LEON, Deputy City Clerk

