

Item:	B-1
Minutes for:	01/06/2021
Adopted:	04/21/2021

Minutes of a Regular Meeting of the Madera City Council

January 6, 2021
6:00 p.m.

Council Chambers
City Hall

This meeting was 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 was live streamed on the City's website. Members of the public were able to participate in the meeting remotely through an electronic meeting via phone by dialing (669) 900-6833 enter ID: 979 2296 1791# followed by *9 on their phone to speak. Comments were also 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 Santos Garcia
Mayor Pro Tem Artemio Villegas, District 6
Councilmember Cece Gallegos, District 1
Councilmember Jose Rodriguez, District 2
Councilmember Steve Montes, District 3
Councilmember Anita Evans, District 4

Absent: District 5 is currently vacant.

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, 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, and Interim Public Work Director Dan Foss.

INVOCATION: Councilmember Anita Evans

PLEDGE OF ALLEGIANCE: Interim Public Works Director Daniel Foss

APPROVAL OF AGENDA:

ON MOTION BY COUNCILMEMBER EVANS AND SECONDED BY COUNCILMEMBER RODRIGUEZ, THE AGENDA WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 - COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

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.

See public comment which took place out of order at 7:49 p.m. during Item D-1.

No further Public Comment was submitted. Public Comment was closed.

WRITTEN COMMUNICATIONS: None

PRESENTATIONS:

1. Department of Public Health Update on COVID-19 (Report by Madera County Public Health Department)

INTRODUCTIONS: None

A. WORKSHOP:

A-1 Workshop on Pending Cannabis Regulatory Ordinance and Related Procedures

Recommendation: Consider Workshop Presentation and Provide Direction to Staff (Report by Arnaldo Rodriguez)

Nicole Trujillo Rice, Political & Legislative Director of the United Food & Commercial Workers Local Aid thanked the Council for their hard work with this item. She asked that Council hold applicants to high standards. She stated they are opposed to the lottery system and prefer that applicants be selected through merits and most qualified.

Norman Allinder, Director of Development for Green Briar Holdings stated they are a vertically integrated cannabis company. They have a cultivation facility in Santa Barbara County and a cultivation facility in Parlier that has distribution, manufacturing, and delivery only retail. Mr. Allinder mentioned setting competitive taxes, likes the idea of one (1) permit instead of two (2) permits and likes the talk on streamlining.

Executive Director at Madera County Economic Development Commission Bobby Kahn provided public comment. Mr. Kahn stated that while he supports policy that establishes cannabis dispensaries within the City Limits of Madera, he hopes the Council moves with deliberate caution when they consider growing, drying, warehousing and other industrial type uses. The effect this could have on "traditional" industrial uses that create living wage jobs could be devastating as it will most likely drive industrial prices dramatically upwards. This type of price increase can easily cause manufacturers, food processors, logistic operators, and others to look outside of the City of Madera.

City Manager Arnaldo Rodriguez recommended that Council allow staff to bring this item to a future meeting. This would give Council time to digest tonight's information and provide feedback. Council agreed and directed staff to schedule this item to the January 20, 2021, so Council can provide feedback.

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.

Councilmember Rodriguez asked that Item B-5 be pulled for further discussion.

ON MOTION BY COUNCILMEMBER GALLEGOS AND SECONDED BY COUNCILMEMBER EVANS, THE CONSENT CALENDAR EXCLUDING B-5 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

B-1 Minutes – October 7, 2020

Recommendation: Approve the City Council Minutes of 10/07/20

B-2 Informational Report on Register of Audited Demands for December 5, 2020 to December 25, 2020

Recommendation: No Action Required (Report by Roger Sanchez)

B-3 Refinancing of the California Infrastructure and Economic Development Bank (CIEDB) Loan, issued March 15, 2006 for Wastewater Improvements

Recommendation: Adopt a Minute Order Supporting the Execution of the Proposed Non-binding Term Sheet with BBVA for the Refinancing of the 2006 CIEDB Loan for Economic Savings (Report by Roger Sanchez)

B-4 Annual Local Appointments List on City Boards, Commissions, and Committees

Recommendation: Approve a Minute Order Authorizing the City Clerk to File the 2021 Annual Local Appointments List highlighting the upcoming term vacancies on City Boards, Commissions, and Committees (Report by Alicia Gonzales)

B-5 Appointment of Ramon Lopez and Rohi Zacharia to the City of Madera Planning Commission

Recommendation: Adopt a Resolution Accepting the Recommendations of Mayor Pro Tem Artemio Villegas and Councilmember Jose Rodriguez Appointing Ramon Lopez and Rohi Zacharia to Fill Current Vacancies on the City of Madera Planning Commission (Report by Gary Conte)

This item was pulled for discussion by Councilmember Rodriguez.

ON MOTION BY COUNCILMEMBER RODRIGUEZ AND SECONDED BY COUNCILMEMBER MONTES, ITEM B-5 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

RES 21-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPOINTING RAMON LOPEZ AND ROHI ZACHARIA TO THE CITY OF MADERA PLANNING COMMISSION

B-6 Appointment to the City of Madera ADA Advisory Council (MADAAC)

Recommendation: Adopt a Resolution Approving Mayor Pro Tem Villegas' Appointment of Diana Robbins to the City of Madera ADA Advisory Council (Report by Wendy Silva)

RES 21-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPOINTING DIANA ROBBINS TO THE CITY OF MADERA ADA ADVISORY COUNCIL

B-7 Appointment of Ramon Lopez to the City of Madera Airport Advisory Commission

Recommendation: Adopt a Resolution Approving Mayor Pro Tem Villegas' Appointment of Ramon Lopez to the City of Madera Airport Advisory Commission (Report by Daniel Foss)

RES 21-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING RAMON LOPEZ-MACIEL TO THE CITY OF MADERA AIRPORT ADVISORY COMMISSION REPRESENTING DISTRICT 6 (MAYOR PRO TEM ARTEMIO VILLEGAS)

B-8 Approval of Insurance Claim Settlement for K9 Officer Uno

Recommendation: Adopt a Minute Order Authorizing the City Manager to Execute a Master Proof of Loss in the Amount of \$19,274.78 for Settlement of an Insurance Claim Filed due to the Loss of K9 Officer Uno (Report by Wendy Silva)

B-9 Sustainable Groundwater Management (SGM) Grant Program Proposition 1 Implementation Round 1 Application

Recommendation: Approve a Minute Order in Favor of the Groundwater Management (SGM) Grant Program Proposition 1 Implementation Round 1 Application (Report by Keith Helmuth)

B-10 Pan-American Community Center as a COVID-19 Testing Site

Recommendation: Adopt a Minute Order Approving the License Agreement with the County of Madera for the Establishment of a COVID-19 Testing Site at the Pan-American Community Center (Report by John Scarborough)

B-11 San Joaquin Valley Air Pollution Control District (SJVAPCD) CHARGE UP! Electric Vehicle Charger Incentive Program

Recommendation: Adopt a Resolution Authorizing the Submittal of Grant Applications to SJVAPCD CHARGE UP! Electric Vehicle Charger Incentive Program (Report by Daniel Foss)

RES 21-04 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING PUBLIC WORKS DIRECTOR TO SUBMIT GRANT APPLICATIONS TO SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD) REGARDING CHARGE UP! ELECTRIC VEHICLE CHARGER INCENTIVE PROGRAM AND TO EXECUTE ANY GRANT AGREEMENTS RECEIVED FROM SJVAPCD

B-12 City's Participation in the Maddy Institute Internship Program

Recommendation: Adopt a Minute Order Approving Participation in the Maddy Institute Internship Program (Report by Arnaldo Rodriguez)

B-13 Solidarity with Farmers Protesting the Passage of Farming Bills in India

Recommendation: Adopt a Minute Order Supporting a Letter Addressed to the Honorable Taranjit Singh Sandhu, Ambassador of India to the United States,

Expressing the City's Solidarity with Farmers Protesting the Passage of Farming Bills in India (Report by Arnolando Rodriguez)

C. PUBLIC HEARINGS: None

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

D-1 **Amendment No. 1 to Professional Services Agreement with Provost & Prichard Consulting Group**

Recommendation: Adopt a Resolution Approving Amendment No. 1 to the Professional Services Agreement for Professional City Planning Services for Land Use Entitlements in the Amount of \$50,000 and to Amend the City's 2020/21 Budget to Finance Amendment No. 1 (Report by Gary Conte)

General Public Comment 7:49 p.m. after the Item D-1 presentation, but prior to the motion: Mohammad Latif advised that he'd had technical difficulties during Public Comment and asked if he could comment on the District 5 vacancy. City Attorney Hilda Cantu Montoy stated that it was at the Mayor's discretion if he wanted to allow this Public Comment due to the technical difficulty. Mayor Garcia stated Mr. Latif could provide public comment.

Mr. Latif stated he owns homes in the district but does not live in the home at this time. He asked if he may apply for the District 5 vacancy. City Attorney Hilda Cantu Montoy advised that City code states the applicant must reside in the district.

ON MOTION BY COUNCILMEMBER MONTES AND SECONDED BY COUNCILMEMBER GALLEGOS, ITEM D-1 WAS APPROVED BY A 6/0 VOTE. NOES: NONE. ABSENT: DISTRICT 5 IS CURRENTLY VACANT. ABSTAIN: NONE.

THE MOTION PASSED WITH THE FOLLOWING VOTE:

**YES: 6 – COUNCILMEMBER GALLEGOS
COUNCILMEMBER RODRIGUEZ
COUNCILMEMBER MONTES
COUNCILMEMBER EVANS
MAYOR PRO TEM VILLEGAS
MAYOR GARCIA**

RES 21-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 1 TO AGREEMENT FOR PROFESSIONAL PLANNING SERVICES WITH PROVOST & PRITCHARD CONSULTING GROUP AND APPROVING AN AMENDMENT TO THE CITY OF MADERA FISCAL YEAR 2020/21 BUDGET

E. ADMINISTRATIVE REPORTS:

E-1 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 Arnolando 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 Gallegos wished everyone a Happy New Year.

Councilmember Rodriguez wished everyone a Happy New Year and asked everyone to follow CDC COVID-19 guidelines.

Councilmember Evans stated she is enjoying her time with Council. She wished everyone a Happy New Year. She stated she lost her mother-in-law and an aunt to COVID-19 and asked that everyone stay safe. Mayor Garcia expressed his condolences.

Councilmember Villegas wished everyone a Happy New Year and is looking forward to whatever comes.

Mayor Garcia thanked Councilmember Evans for her invocation at tonight's meeting. He asked her to speak regarding the turmoil in Washington, DC. Mayor Garcia stated we are a strong nation and asked that they believe in our country; democracy will prevail.

Councilmember Montes wished everyone a Happy New Year and stated he sends prayers to Councilmember Evans. He stated there is a light at the end of the tunnel.

City Attorney Hilda Cantu Montoy stated, "Cheers to the Rule of Law and our Democracy".

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

G-2 Public Employee Performance Evaluation

Pursuant to Government Code Section 54957(b)(1)
Title: City Manager

City Attorney Hilda Cantu Montoy made the Closed Session Announcement at 7:59 p.m.

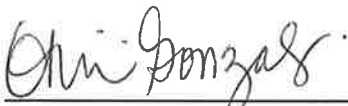
Council returned from closed session at 9:34 p.m. with six (6) Councilmembers present as District 5 is currently vacant.

City Manager Arnolando Rodriguez stated there was no reportable action.

ADJOURNMENT: The meeting was adjourned at 9:36 p.m. Next regular meeting on January 20, 2021.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

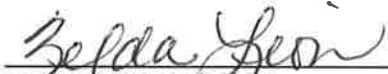
Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.



ALICIA GONZALES, City Clerk



SANTOS BARCIA, Mayor



MINUTES PREPARED BY

ZELDA LEON, Deputy City Clerk

