

**REGULAR MEETING  
OF THE MADERA CITY COUNCIL**  
205 W. 4<sup>th</sup> Street, Madera, California 93637

**NOTICE AND AGENDA**

Wednesday, March 1, 2017  
6:00 p.m.

Council Chambers  
City Hall

**CALL TO ORDER**

**ROLL CALL:** Mayor Andrew J. Medellin  
Mayor Pro Tem Cece Foley Gallegos, District 1  
Council Member Jose Rodriguez, District 2  
Council Member Donald E. Holley, District 6  
Council Member Derek O. Robinson Sr., District 4  
Council Member William Oliver, District 3  
Council Member Charles F. Rigby, District 5

**INVOCATION:** Pastor Randy Brannon, Grace Community Church

**PLEDGE OF ALLEGIANCE:**

**PUBLIC COMMENT:**

The first fifteen 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 to identify themselves and state the subject of their comment. 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.

**PRESENTATIONS** Recyclers of the Year Award (Presentation by Mid Valley Disposal)

**A. WORKSHOP**

A-1 Use of Measure K Funds (Report by Police Department and Fire Department)

**B. CONSENT CALENDAR**

B-1 Minutes – 3/2/16, 3/16/16, 3/31/16

- B-2 Information Only – Warrant Disbursement Report
- B-3 Bi-Weekly Water Conservation Report for 2/6/17 – 2/19/17 (Report by Dave Randall)
- B-4 Consideration of a Resolution Authorizing Appointments to the Community Development Block Grant Review and Advisory Committee (Report by Ivette Iraheta)
- B-5 Consideration of a Minute Order Approving Letters of Support for State Transportation Funding Bills Intended to Increase Statewide Transportation Funding (Report by Keith Helmuth)
- B-6 Consideration of a Resolution Approving Amendment No. 2 to Agreement with AECOM Technical Services, Inc. for Professional Engineering Services for the Installation of a New Compressed Natural Gas (CNG) Compressor Project, Federal Project No. CML 5157 (085) (Report by Keith Helmuth)
- B-7 Consideration of Resolution Authorizing the Finance Director, City Administrator and Community Development Director to Act on Behalf of the City of Madera for the Purposes of Investing in Certificates of Deposit with the State Bank of India, Chicago (Report by Tim Przybyla)
- B-8 Consideration of a Resolution Approving a Consultant Services Agreement with Madera Unified School District for Partial Administration of the District's Foster Youth and Homeless Families in Transition Programs and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mary Anne Seay)
- B-9 Consideration of a Resolution Approving Request for Outside of City Water Service by SVA Group, LLC for Property Located at 12828 Road 26, Approving Covenant to Annex, Authorizing the Mayor to Execute the Agreement and Covenant on Behalf of the City and Directing Staff to Record the Agreement and Covenant (Report by Keith Helmuth)

**C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENTS**

- C-1 Consideration of a Resolution Approving a Second Amendment to the Agreement with Mid Valley Disposal to Provide Additional Services Related to New Organic Waste Hauling and Bin Service Rates and Authorizing the Mayor to Sign the Agreement; and  
  
Consideration of a Resolution Amending the City's Fee Schedule Relating to Solid Waste Services; and  
  
Consideration of the Introduction of an Ordinance Amending the City Municipal Code Relating to Organic Waste Recycling (Report by Dave Randall)

**D. WRITTEN COMMUNICATIONS**

- D-1 Madera Association of Realtors Request for Funds toward Strategic Planning Session (Beth Maree)
- D-2 Presentation by the Friends of Madera Animal Shelter (Velvet Rhoads or Kay Rhoads)

**E. ADMINISTRATIVE REPORTS**

- E-1 Consideration of a Minute Order Approving the Madera County Economic Development Commission 2017/2018 Annual Basic Service Level Budget (Report by Bobby Kahn)



**F. COUNCIL REPORTS**

**G. CLOSED SESSION**

G-1 Closed Session Announcement – City Attorney

G-2 Conference with Legal Counsel – Pending Litigation pursuant to Government Code §54956.9(d)(1): 2 cases:

Marvin Fortner WCAB No. ADJ 8269630 & ADJ 8269726

G-3 Closed Session Report – City Attorney

**ADJOURNMENT** – Next regular meeting March 15, 2017

- 
- Please silence or turn off cell phones and electronic devices while the meeting is in session.
  - Regular meetings of the Madera City Council are held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
  - Any writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at the City of Madera Office of the City Clerk, 205 W. 4<sup>th</sup> Street, Madera, California 93637 during normal business hours.
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's office at (559) 661-5405.
  - Para asistencia en Español sobre este aviso, por favor llame al (559) 661-5405.
- 

I, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the regular meeting of the Madera City Council for March 1, 2017, near the front entrances of City Hall at 3:00 p.m. on February 24, 2017.

  
\_\_\_\_\_  
Sonia Alvarez, City Clerk



# MADERA CITY FIRE DEPARTMENT

[Return to Agenda](#)

NANCY B. KOEPERICH  
Fire Chief

DAVE ALLEN  
Division Chief

JAMES FORGA  
Battalion Chief

200 4<sup>th</sup> Street • Madera, CA 93637

Phone: 559.675.7799

Fax: 559.297.3415

Council Meeting Date: March 1, 2017  
Agenda Item No. A-1

## *North Fire Station Proposal Measure K*







# MADERA CITY FIRE DEPARTMENT

NANCY B. KOEPERICH  
Fire Chief

DAVE ALLEN  
Division Chief

JAMES FORGA  
Battalion Chief

200 4<sup>th</sup> Street • Madera, CA 93637

Phone: 559.675.7799

Fax: 559.297.3415

To: David Tooley – Madera City Manager

The following are recommendations for the Madera City Fire Department of how to best utilize a ½ cent sales tax increase initiative. These recommendations also follow the Vision 2025 plan for the City and the 2014/2024, 10 year Strategic Plan for Madera City Fire Department.

The following recommendations would improve the service delivery to the citizens of the City of Madera into the area noted below by the following:

1. The construction of new fire station in the northern portion of the city limits.

Cost (one time)

\$ 4.5-6.9 Million (see attached)

2. Personnel to Staff North Fire Station 5.0 per day (2 Fire Captains 6 Fire Apparatus Engineers 4 Firefighter II's) annual cost

2017/18	\$1,958,367.00
2018/19	\$2,119,268.00
2019/20	\$2,153,826.00
2020/21	\$2,181,901.00

Personnel to Staff North Fire Station 3.0 per day (2 Fire Captains 3 Fire Apparatus Engineers 2 Firefighter II's) annual cost

2017/18	\$1,211,327.00
2018/19	\$1,306,236.00
2019/20	\$1,327,014.00
2020/21	\$1,344,253.00

3. O and E Expenditure for new fire station  
Annual cost

\$72,000

4. New ladder truck purchase

\$1.2 million + Equipment \$85,778.83

Annual Maintenance Cost \$14,635.00-\$30,000

5. New fire engine purchase

\$600,000 + Equipment \$150,000

Annual Maintenance Cost \$10,970.00-\$15,000

City of Madera  
**Fire Station**  
DRAFT - Conceptual Construction Budget

January 30, 2017

**A. Building**

<b>Type A: Simple Finishes</b>	<b>QUANT</b>	<b>UNIT</b>	<b>BASE COST</b>	<b>TOTAL</b>	<b>SOURCE</b>
Apparatus Bays - (3) 55' deep bays	3,300	SF			
Hose Storage Alcove	30	SF			
Shop	140	SF			
Wash Sink Alcove	18	SF			
Ice Machine Alcove	12	SF			
Response Alcove	15	SF			
Clean Up	64	SF			
Janitor Storage	64	SF			
Communication Equipment Room	80	SF			
Mechanical Room	120	SF			
Yard Storage	64	SF			
Compressor	15	SF			
Turn Out - Firefighter PPE	448	SF			
Medical Supply Storage Alcove	100	SF			
SCBA/SCBA Storage	164	SF			
<b>Type A Total Area:</b>	<b>4,634</b>		<b>\$365</b>	<b>\$1,691,410</b>	RRM/Saylor

47%

<b>Type B: Standard Office Type Finishes</b>	<b>QUANT</b>	<b>UNIT</b>	<b>BASE COST</b>	<b>TOTAL</b>	<b>SOURCE</b>
Dining	220	SF			
Dayroom	320	SF			
Exercise Room	400	SF			
Firefighter Bunk Rooms	720	SF			
Station Office	224	SF			
Mail Alcove	15	SF			
Captain's Office	264	SF			
Reception Area / Lobby	96	SF			
Treatment Room	80	SF			
Battalion Chief Office-Living	360	SF			
<b>Type B Total Area:</b>	<b>2,699</b>		<b>\$375</b>	<b>\$1,012,125</b>	RRM/Saylor

27%

<b>Type C: Intense Finish Systems</b>	<b>QUANT</b>	<b>UNIT</b>	<b>BASE COST</b>	<b>TOTAL</b>	<b>SOURCE</b>
App Bay Restroom	40	SF			
Kitchen	308	SF			
Laundry Utility	100	SF			
Firefighter Restroom	288	SF			
Public Restrooms	64	SF			
Battalion Chief Toilet-Shower	84	SF			
<b>Type C Total Area:</b>	<b>884</b>		<b>\$385</b>	<b>\$340,340</b>	RRM/Saylor

9%

Building Design Contingency (0% of budget)

\$0

<b>Building Square Footage Subtotal</b>	<b>8,217</b>	<b>SF</b>		<b>\$3,043,875</b>
<b>Circulation and Structure 20%</b>	<b>1,643</b>	<b>SF</b>	<b>\$375</b>	<b>\$616,275</b>
<b>Building Square Footage Total:</b>	<b>9,860</b>	<b>SF</b>		<b>\$3,660,150</b>

cost per square foot: \$371

**B. Equipment and Furnishings**

	<b>QUANT</b>	<b>UNIT</b>	<b>COST</b>	<b>TOTAL</b>	<b>SOURCE</b>
Building and Site Equipment	1	LS	\$191,200	\$191,200	Budget
Building and Site Furnishings	1	LS	\$40,100	\$40,100	Budget
FF&E Design Contingency (10% of budget)	10%	%	\$231,300	\$23,130	%
<b>Equipment and Furnishings Subtotal:</b>				<b>\$254,430</b>	

**C. On-Site Improvements**

	<b>QUANT</b>	<b>UNIT</b>	<b>COST</b>	<b>TOTAL</b>	<b>SOURCE</b>
Site Paving - Drive Area*	10,000	SF	\$18	\$180,000	RRM/Saylor
Site Paving - Pedestrian*	5,000	SF	\$14	\$70,000	RRM/Saylor
Site Improvements-Retention Basin*	8,000	SF	\$2	\$16,000	RRM/Saylor
Site Improvements Including:*	20,560	SF	\$13	\$267,280	RRM/Saylor
Site Final Grading and Pad Preparation					
Site Drainage					
Hose layout Area					
Fuel Refill area					
Utilities and Lighting					
Landscape and Irrigation					
Perimeter Site Walls - Masonry/Decorative Fencing					
Site Gate (two - automatic)					
Trash Enclosure					
Generator Enclosure					
Flag Pole	1	LS	\$4,000	\$4,000	RRM
Above Ground Fuel Tank - 1,000 Gallons	1	LS	\$41,000	\$41,000	RRM
Emergency Generator	1	LS	\$75,000	\$75,000	RRM
On-Site Design Contingency (10% of budget)	10%	%	\$533,280	\$53,328	%
<b>On-Site Improvements Subtotal:</b>				<b>\$706,608</b>	

\$443 On-Site Improvements Subtotal:

\*Site area assumed based on similar size stations



City of Madera  
**Fire Station**  
DRAFT - Conceptual Construction Budget

January 30, 2017

**D. Off-Site Improvements - Site Specific**

	QUANT	UNIT	COST	TOTAL	SOURCE
Street Frontage Improvements	1	LS	\$150,000	\$150,000	Budget
Off-Site Contingency (10% of budget)	10%	%	\$150,000	\$15,000	%
<b>Off-site Improvements Subtotal:</b>				<b>\$165,000</b>	

**E. Fees**

	QUANT	UNIT	COST	TOTAL	SOURCE
Arch/Engineering - 10% of construction cost	10%	%	\$3,660,150	\$366,015	Budget
Civil Engineering - Developer civil	1	LS	\$60,000	\$60,000	Budget per developer
LEED™ Design, Certification	0	LS	\$48,400	\$0	Not Selected
LEED™ Commissioning	0	LS	\$0	\$0	Not Selected
Commissioning Agent	1	LS	\$30,000	\$30,000	Req. if over 10,000 SF
Utility Hook-up Fees	0	LS	\$75,000	\$0	County
HCP Impact Fee	1	LS	\$30,000	\$30,000	Glen Loma Corp
Impact Fees:					
Storm Draining Dev. Fee - Estimate	0.0	Acre	\$2,000	\$0	County
Sewer Dev. Fee - Estimate	0	LS	\$26,000	\$0	County
Water Dev. Fee - Estimate	0	LS	\$80,000	\$0	County
Traffic Impact Fee - Estimate	11,867	SF	\$1,280	\$151,898	County
Construction Management	1	LS	\$200,000	\$200,000	Budget per developer
Geotechnical Investigation	1	LS	\$30,000	\$30,000	Budget per developer
Materials Testing and Special Inspection	1	Is	\$30,000	\$30,000	Budget
Fee Contingency (5%)	5%	%	\$897,913	\$44,896	%
<b>Fees Subtotal:</b>				<b>\$942,808</b>	

**F. Owner Systems, Administration and Contingency**

	QUANT	UNIT	COST	TOTAL	SOURCE
County Administration Cost	1	LS	\$39,750	\$40,000	County
Fire Administration Cost	0	LS	\$70,000	\$0	County
Planning Dept.- CUP, Design Review, CEQA	0	LS	\$30,000	\$0	County
CEQA	1	LS	\$0	\$0	County
Building Dept.-Permit Fees	1	LS	\$40,000	\$40,000	County
School Impact Fees-(Commercial)	9,860	sf	\$0.00	\$0	Not Required
Site Acquisition Costs	1	LS	\$0	\$0	Site Provided
Traffic Report	0	LS	\$12,000	\$12,000	County
Moving Costs	1	LS	\$2,000	\$2,000	Budget
Neighborhood Meeting/Dedication Ceremony	1	LS	\$2,000	\$2,000	Budget
Communications					
Radio Tower	0	LS	\$150,000	\$0	County
Phone System	1	LS	\$40,000	\$40,000	County
Radio System	1	LS	\$50,000	\$50,000	County
Data Systems	1	LS	\$35,000	\$35,000	County
Security System/ Cameras	1	LS	\$18,000	\$18,000	County
Owner System Contingency (10% of budget)	10%	%	\$239,000	\$23,900	Budget
Construction Contingency (10% of A, C, D)	10%	%	\$4,531,758	\$453,176	%
<b>Owner Systems, Administration and Contingency Subtotal:</b>				<b>\$716,076</b>	

**Contract Division Totals:**

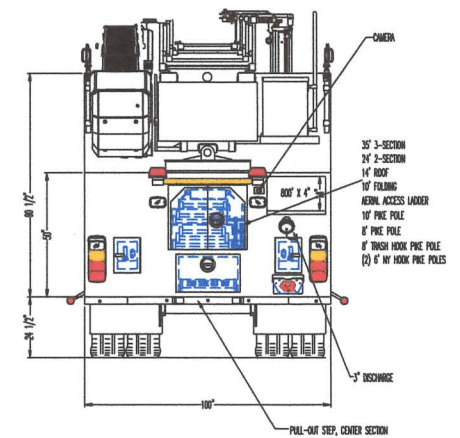
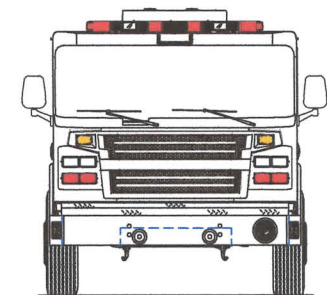
<b>A. Building:</b>	\$3,660,150	
<b>B. Equipment and Furnishings</b>	\$254,430	
<b>C. On-Site Improvements</b>	\$706,608	
<b>D. Off-site Improvements</b>	\$165,000	
<b>E. Fees</b>	\$942,808	
<b>F. Owner Systems, Administration and Contingency</b>	\$716,076	
<b>Contract Division Subtotal:</b>		<b>\$6,445,072</b>
<b>G. Market Escalation (.41% per month) to mid-point of Construction - 18 mo.</b>	\$475,646	Verify Timeframe
<b>Conceptual Construction Budget:</b>		<b>\$6,920,718</b>

**FIRE SERVICES - NEW STATION**  
**10252500**

ACCOUNT	DESCRIPTION	FY18/19 PROPOSED	FY19/20 PROPOSED	FY20/21 PROPOSED	FY21/22 PROPOSED
<b>MAINTENANCE AND OPERATIONS</b>					
6401	Gas and Electric Utilities	8,750	8,750	8,750	8,750
6402	Telephone and Fax Charges	5,500	5,500	5,500	5,500
6415	Publications and Subscriptions	500	500	500	500
6416	Office Supplies - Expendable	1,250	1,250	1,250	1,250
6425	Vehicle Fuel, Supplies & Maintenance	30,000	30,000	30,000	30,000
6440	Contracted Services	5,000	5,000	5,000	5,000
6440	Cal Fire Annual Contract	1,306,236	1,327,014	1,344,253	1,344,253
6530	Building Supplies, Keys, Repairs	5,000	5,000	5,000	5,000
6532	Tool Replacement Costs	10,000	10,000	10,000	10,000
6560	Liability / Property Insurance	8,445	8,445	8,445	8,445
6530	Conference, Training, Education	2,500	2,500	2,500	2,500
8002	Lease Payment	505,000	505,000	505,000	505,000
<b>TOTAL MAINTENANCE AND OPERATIONS</b>		<b>1,888,181</b>	<b>1,908,959</b>	<b>1,926,198</b>	<b>1,926,198</b>
<b>TOTAL EXPENDITURES</b>		<b>1,888,181</b>	<b>1,908,959</b>	<b>1,926,198</b>	<b>1,926,198</b>

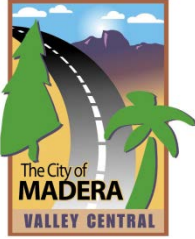
Note: The assumption that we are making is that the New Fire Engine will be purchased by the Casino, whenever that comes in, and will not be purchased by the City of Madera. The New Ladder Truck will be purchased with Development Impact Fees, but the maintenance for that Ladder Truck is included in the \$30,000 Vehicle Fuel, Supplies & Maintenance line item of the above budget. We are also assuming that the New Fire Station will not be completed and operable until Fiscal Year 2018/2019. The \$505,000 Lease payment is estimated based on a \$6.9 million cost of construction and a 20-Year Term.





APPROVED BY:		CHASSIS: ROSENBAUER R600
		PUMP: HALE DSD 1500 GPM
MAXIMUM HEIGHT	NONE	TANK: POLY 200/20(FOAM) U.S. GAL.
MAXIMUM LENGTH	NONE	EQUIP: 1500 LBS ALLOWANCE
BODY WIDTH	100"	AERIAL: RAPTOR

ROSENBAUER EXT		
NUMBER	NON/DOL NUMBER	REV
-	P6493	01



**MINUTES OF A REGULAR MEETING  
OF THE MADERA CITY COUNCIL  
CITY OF MADERA, CALIFORNIA**

**March 2, 2016  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The regular meeting for 3/02/16 was called to order by Mayor Poythress at 6:00 p.m.

**ROLL CALL:**

**Present:** Mayor Robert L. Poythress  
Mayor Pro Tem Charles F. Rigby  
Council Member Andrew J. Medellin  
Council Member Donald E. Holley  
Council Member Derek O. Robinson Sr.  
Council Member William Oliver

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Community Development David Merchen, Financial Services Manager Patricia Barboza, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Chief of Police Steve Frazier, Director of Parks and Community Services Mary Anne Seay, Director of Human Resources Wendy Silva, Information Services Manager Ted Uyesaka, Procurement Services Manager Becky McCurdy, and Planning Manager Chris Boyle.

**INVOCATION:** Pastor Fred Thurman, New Life Assembly

**PLEDGE OF ALLEGIANCE:** Mayor Poythress led in the Pledge of Allegiance.

**PUBLIC COMMENT:**

The first fifteen 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 to identify themselves and state the subject of their comment. 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.

Lynn Cogdill, residing in Madera California, stated their little community on the block of 200 C Street has the homeless, the physically and mentally disabled, and the poor. He noted that life is hard when every day is a struggle for food, clothing and shelter yet they find common ground to become friends and wish the best for each other. And as each day passes, none of them want to fall or be forgotten. He commented that when the drug dealers and the customers invade such a small place of hardship and claim ownership, their wolfpack instincts take charge and they begin preying on the weak with no social responsibility, disregard to their internal and external surroundings, at non-verbal intimidation and blatant disregard for the safety of their kids, seniors, and families. He advised that it is now a prison camp atmosphere where the bars are inside and not outside of their homes. Their children and adolescents become latch key kids,



senior citizens become frightened to step outside of their apartment for a breath of fresh air, and parents guarding their kids as if they were in a war torn country while the drug dealer's customers are scoring day and night. They arrive on foot, on bicycles, cars and vans. They come as singles, couples, and couples with children in the back seat and even teenagers, coming to their block under the influence as they come and go as they please, and they act as though there is no other living soul that lives on that block except for the drug dealers. Mr. Cogdill noted that life is frail and it has just become a nightmare for the basic needs of survival running and pacing themselves across the Union Bank parking lot to go to the store for basic needs, constantly looking over their shoulders not knowing who these strangers are and will they inflict physical, verbal and emotional harm.

Mr. Cogdill stated that as a small community, they used social media and personally contacted these drug dealers. Once they realized that they were nationally exposed, they apologized and said it would stop. Six days later, their enforcer showed up at the apartment complex freely giving them their resumes with strong verbalization skills. He stated that at 8:00 a.m. the next morning it was business as usual. They were exposed again with vigor on social media and the Police Department was contacted. They came out, took license plate numbers, and a cry to their community for support was requested and they see some of them here tonight. He added that at 8:00 p.m. the same night, he was invited to a meeting by some of these individuals to go to the Arco Station on Avenue 17. He declined that offer and he still wondered who was going to pay for the coffee. Upon his return from Los Angeles on Monday, his neighbors and even the homeless have stated, it has been quiet over the last three days. They have seen an increase in the Police Department's presence and they say that with gratitude. In conclusion, Mr. Cogdill stated that it will take weeks for their kids to start feeling safe, months for the decrease in the anxiety of the parents, and noticeable change for their seniors to breathe the fresh air without fear. They have high expectations that the residents on the 200 block of North C Street will see an atmosphere of calm after tonight for a very long time because of the actions of the Madera City Police Department and the community banding together as a single unit. Mr. Cogdill stated he is proud to report to the Council tonight that they together have chased the drug dealers and their customers off their block and fled like cockroaches when the lights were turned on. He commented that their block wants to give a special thank you to City Councilman Derek Robinson, the Madera Police Department, and the Chief of the Police Department, and the community members across this City for their concern and support they showed on the social media and the ones that were here and the ones that came down to see what was going on to give them a peace of mind without fear from the drug dealers and their customers on their block. They have their block back now and they thank all for listening and for those who assisted in getting the drug dealers and customers off the 200 North C block in Madera, California. He thanked the Council.

Mayor Poythress thanked Mr. Cogdill and asked if there is anybody else.

Mike Fuller, residing in Madera, California stated he is honored to be here this evening to cordially invite them to a celebration of International Women's Day that will take place on Saturday, March 19, 2016, from 10:00 a.m. to 1:00 p.m. at Sierra Vista Elementary School. He advised that he emailed them a flyer for that event. He doesn't know if they saw, but he wrote a Valley Voices piece that was in Saturday's Fresno Bee. He sent them a link to that as well. He added that he must admit that it is shaping up to be a really great event thanks in no small part to Councilman Medellin's mom who is the keynote speaker this year. He witnessed her presentation last year at Parkwood Elementary along with Shawn Fleming, the County CAO Eric Fleming's wife. He was so impressed with their presentation that it inspired him to get involved. The event is in its 7<sup>th</sup> year and it has really grown quite a bit and they look forward to growing further. He also looks very much forward to seeing them there if they are available.

Mayor Poythress thanked Mr. Fuller and asked if there are any other speakers.

John Anderson stated he is not here to represent the Senator although he wants to assure them that the Senator is up there doing great things for them in Sacramento.

Mayor Poythress advised that he just saw the Senator today.

Mr. Anderson stated he attended a town hall meeting the other night that was put on by the Madera Police Department. Through his years he has gone to many of those. A lot of them are political, a lot of them are just there. He commented that this one wasn't that well attended. He would say maybe 50 or 60 people and there should have been 500-600. He advised that it was about active shooters and what they as the public can do to protect themselves, what they should be aware of and everything like that. He stated that it was professionally done. It was informative. He is sorry that the media didn't cover it a little bit better, directing his comment to Chuck Doud of the Madera Tribune. Mr. Anderson noted that he thinks there was some there from the Tribune. He just wanted to publicly commend Chief Frazier and his crew for putting it on. He knows Council Member Medellin was there and he thinks Council Member Holley was there too. He stated that it was well attended by the Council also. He just wanted to publicly say that they did a great job and if they want to move it around to other parts in their district or in the County he would be glad to help them set it up.

Mayor Poythress thanked Mr. Anderson for those comments and asked if there are any other members of the public who wish to make a public comment.

## **PRESENTATIONS**      Proclamation Recognizing March as Youth Art Month

Mayor Poythress stated that they were going to have a presentation recognizing March as Youth Art Month. He noted that they are still working on that art piece that they would like to present so they are going to pass until later on.

### **A.      WORKSHOP**

#### **A-1      Madera Police Department Annual Report (Report and Presentation by Steve Frazier)**

Mayor Poythress announced that right now they have an opportunity to receive a presentation by Police Chief Steve Frazier to discuss the Police Department Annual Report.

Chief of Police Steve Frazier advised that the Council has before them the hard copy of the book which is a frame(able) worthy copy. He wanted to come up and say he only offered Mr. Anderson \$10 for that speech. He is very appreciative that he did that and he is sure it will cost him a lunch or something.

Chief Frazier stated he got some good advice last week. He has some new administrators. He has Lieutenant Select Giachino (Gino) Chiaramonte. He advised that Lieutenant Chiaramonte tapped him on the shoulder and said that he wanted to step in and do this presentation so they are going to allow him to do that. He is prepared to kind of show them the good and bad, walk them through that, and answer their questions.

Lieutenant Chiaramonte thanked the Council for giving them the time to present some of the statistics that came across. He advised that the Council has annual reports so they can follow along. He noted that they are not exact. His presentation is going to be a quick snap shot of what they are presenting. He advised that what they are here to present is their statistics from the year 2015.

Lieutenant Chiaramonte commented that with this, the first snap shot they are going to see is of the FBI (Federal Bureau of Investigation) crime data, the UCR (Uniform Crime Reporting) data. That is the reportable data that they are mandated to report every year. In looking at it, not everything is positive in the statistics realm. He advised that one of their biggest issues in 2015 is the year Prop (Proposition) 47 was fully enacted. It occurred in 2014 but 2015 is showing it through their statistics. When they look at their homicides, they may have gone down. They have gone down minor. He explained that the number of them goes down 50% but it is a small number. He advised that those are all gang related. All three of them have ties to gangs. One of those, just two year's prior, they had in excess of 10 shootings at that specific residence. They did everything they could to get him assistance. He wanted nothing to do with it and he succumbed to his injuries in 2015.



Lieutenant Chiaramonte moved over to robbery and advised that it is an increase of 22. He noted those are some difficult statistics because they are talking about violent crimes, crimes against persons. He commented that with the addition of aggravated assault and the extreme increase, one of the things to understand about aggravated assault is the attachment to domestic violence there. It is not just a random person on person but it is also including domestic issues that occur including domestic violence. With the release of a lot of these personnel back to their streets, this is going to be one of those crimes that does increase. He stated that violent crime overall rose dramatically but a lot of it had to do with domestic violence issues. He advised that was 65% of that aggravated assault.

Lieutenant Chiaramonte advised that burglaries didn't go up much. They actually decreased minor. He referred to larceny vehicle theft noting that it is going to be one of their biggest struggles. It is their largest increase. He added that there is one small attachment to the vehicle theft increase and that is the mandatory reporting of attempted vehicle thefts. He advised that also got included in 2015; that is something new. He stated it is minor. It is not going to be the hugest portion of that stat. If he could do anything regarding vehicle thefts, it would be to ask Honda to recall all 1990 model Honda Accords or Civics. He stated that it is almost a free pass.

Lieutenant Chiaramonte stated that the second portion of that is that they have continually requested the public to not leave their vehicles unattended when warming up. He stated that is the second most common reason. They just had two stolen yesterday in their vehicle log and they were both warming up. If they could continue to get out to the public hopefully they can reduce those. He stated that the property crimes overall, the increase is all related to vehicle theft and 10851's (Vehicle Code) for the majority of those numbers.

Lieutenant Chiaramonte referred to calls for service and advised that there is a general increase going up but this year had a pretty major increase of 10%. He stated this really hurts the department and it's service related delivery because this year alone in 2015 was probably one of their lowest with personnel on the streets whether it be due to long term injury or some positions that were not staffed in four. Now they are still kind of in that same place for 2016 but there is a light at the end of the tunnel with some of them in training.

Lieutenant Chiaramonte noted that with that comes their response time. Their response times are not any faster than the year prior. They have actually gone backwards. They are a little over a minute slower on their Priority 1 calls which are the in progress calls. Priority 2 would be a traffic accident; an urgent type call but not a crime in progress call. A Priority 3 would be subject to something like something occurred the day prior; a burglary where no person is present, a vandalism, some type of larceny.

Lieutenant Chiaramonte stated that when they review kind of where a lot of their time gets taken up on patrol, they look for the top ten calls for service. In 2014, their top call for service was actually a self-initiated call for service which is a check subject. That is where the officer is getting out of the patrol vehicle and trying to proactively combat crime. He advised that overall the top ten calls for service have not changed much. He noted that they may have changed order and they may have increased or decreased but the ten stay the same except for in 2015, fights dramatically increased in the response to fights. He advised that in 2014 there were 777. It wasn't even on the map of top ten and then in 2015 increased to 1,072 which is almost an 800% increase which kind of goes in relation to their statistic regarding aggravated assaults which they saw a few slides earlier.

Lieutenant Chiaramonte stated that one of the things they are going to see is a decrease in self-initiated field activity. This has to do with some of their staffing issues and something that has been brought up before regarding their 19% free time to proactively do things compared to what they are trying to get to which is a 45%. It is them backfilling those positions and getting some of those long term injuries hopefully will help that but those are some of those decreases that they will be seeing in 2015.

Lieutenant Chiaramonte added on a positive note, so far traffic has been the shining light for them. He stated that almost everything, but bicyclists under the age of 15 being injured in a traffic accident, has

decreased and that one stayed pretty much the same. It increased by one. He noted that they have decreased in dramatic numbers. Total fatality injuries with victims went from 2013 to 134 as they can see, 2014 down to 86 and even cutting that down in 2015 to 58. He stated that all those down the board had decreases in statistics.

Lieutenant Chiaramonte stated he doesn't want to leave completely negative here because they have to figure out what they are going to do, look forward, and look ahead. They are going to continue to expand their community outreach. They are seeing great gains out of that. They are partnering with the Parks Department for their first summer camp. They are just groundbreaking on that. Parks has approved a week in late July that they are going to work together with them to put this on.

Lieutenant Chiaramonte stated that neighborhood watch is still a key component. He advised that Christina Herrera with Neighborhood Revitalization is here. They have 26 active and over 60 in the works. Regarding social media, that is their greatest outreach by their Police Department through Facebook noting that it truly is. They are starting to get more and more into videos and get within YouTube. They also took the Council's suggestions and went with livestream for the first time last week. They had some hiccups but there were some great responses.

Lieutenant Chiaramonte advised that lastly, they are going to try to expand their current programs. One is Learning with the Law which is really investing in their youth, investing in their children. They are going to see great gains in their years to come from those. He referred to Coffee with a Cop which was done once but they are now going to attempt to try and push that at every four to six weeks with their next one coming at the end of March.

Lieutenant Chiaramonte stated that their efforts as Police Department are to reduce crime and make this a better, safer place to live. That is their end goal and that is always going to be their main focus as a Police Department. He stated that with that he is going to conclude and see if there are any questions he can possibly respond to. He knows it will take them a little bit to go through book.

Mayor Poythress asked if there are any questions of Lieutenant Chiaramonte regarding the presentation or any of the material.

Council Member Holley stated he called the Chief the other day and he was like John Anderson, he thinks the Police did a real great presentation of the response shooters the other night. He learned so much in hearing that. It really made him feel that they are getting involved. He knows the schools might have that video but what he would like to see in the future, and hopefully they can do that, is go to people and really let them know what is going on, how they can really save lives if it actually happened. He noted that looking at a video sometimes it just tells you what happens at a video or what they could do, but actually taking kids or schools and showing them what really goes on and how they can be safer, would really be a great avenue to their City.

Lieutenant Chiaramonte thanked Council Member Holley.

Mayor Pro Tem Rigby stated he was not in attendance for the city hall. He was one of the ones streaming. He wanted to try it. He was actually recruiting. He was at a basketball game with headphones in listening, watching and participating so every now and then he would shoot a text over to Council Member Medellin and he was like, hey, has it started, what happened, where did they go. But, he thought it was great for what it was, understanding it was the first time so he thinks stick with it, stay with it. He had several responses from him of people that also streamed in so they were kind of connected together. He thinks it is vital that they do that and continue. He thinks that is the right avenue. That is his feedback to keep it up.

Lieutenant Chiaramonte stated his appreciation for Mayor Pro Tem Rigby's feedback.

Council Member Medellin agreed with Mayor Pro Tem Rigby and added that he had no problem taking his calls, whatever it took to get that message across. Council Member Medellin added that he has expressed

this to the Chief before, taking a proactive role is vital. He noted that the Chief has expressed this to him before as well as the rest of their Council. The last thing they want to have is a candlelight vigil. They are doing everything in their power to prevent that candlelight vigil and coming together as a community for that particular reason. He stated that the proactive role is like the information videos, the town hall meeting's impact, getting into their elementary schools whether it be graffiti or reading to those kids and having that impact is huge. Like John Anderson said, it was a little disheartening to find out that there are only 50 or 60 people at their town hall meeting when they are really trying to save lives but they will stick with it. He absolutely agrees. They will go neighborhood by neighborhood, school by school, continue to be proactive. He stated that obviously AB (Assembly Bill) 109 and Prop 47 has made that very difficult for them but the last thing that they will do as a community is give up. He thanked Chief Frazier and Lieutenant Chiaramonte on the great presentation who is up with Lieutenant Brian Esteves. They did a fantastic job.

Lieutenant Chiaramonte thanked Council Member Medellin.

Mayor Poythress referred to cars warming up and stated he bets, every morning when he goes running, he could steal at least one car, maybe two because it is amazing. He sees pickups and things. They are just sitting there warming up and he could just pop in. He will know where to look, come to my house.

Council Member Medellin stated he is trying to get rid of his car so...that is why he is advertising. He will give his address later.

Mayor Poythress stated what he has noticed and what he appreciates so much about what is going on in terms of efforts with their Police Department and other departments is that, there are times, not in this organization but in other places, where he knows they are lacking. It would be nice to have more boots in the ground and so forth to address certain things but it is not like a status quo type of thing. They've got a very professional department that is moving forward in spite of who they've got. They've got a great crew and a great quality professional organization. He thinks that because of that, he believes that when they more than likely move forward with promoting a measure to increase funding for safety services, this is going to really help support those efforts with what is going on. They can say, look what we've got going on with these great efforts. Look what more could be accomplished. He commended staff and encouraged them to keep up the great work.

## **B. CONSENT CALENDAR**

B-1 Minutes – 8/19/15

B-2 Information Only – Warrant Disbursement Report

B-3 Weekly Water Conservation Report - 2/15/16-2/21/16 (Report by Dave Randall)

B-4 Consideration of a Resolution Approving an Agreement and Contract with AT&T for Leased Fiber Services to Provide the City of Madera High Speed Data Services for all City Buildings and to the Internet, and Authorizing the Mayor to Execute the Master Agreement and the Network On Demand Contract, and Authorizing the City Administrator, or Their Designee, to Approve Proposals and Scopes of Work as Contemplated in the Agreement (Report by Ted Uyesaka)

B-5 Consideration of a Resolution Approving an Interlocal Agreement for Cooperative Purchasing between the City and BuyBoard National Purchasing Cooperative and Authorizing the Mayor to Sign on Behalf of the City (Report by Becky McCurdy)

B-6 Consideration of a Resolution of the City Council of the City of Madera Approving the Submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation (Report by Keith Helmuth)



- B-7 Consideration of a Resolution Approving the Compensation Range for Part Time Soccer Officials (Report by Wendy Silva)
- B-8 Consideration of the City of Madera Investment Report for the Six Month Period Ending December 31, 2015 for Approval and Acceptance (Report by Tim Przybyla)
- B-9 Consideration of a Resolution Approving the Award of Contract for Knox Park Rehabilitation City of Madera Project No. PK 59, in the Amount of \$195,612.98, Including Additive Alternate No. 1 in the Amount of \$22,248 and Additive Alternate No. 2 in the Amount of \$30,104.08, for a Total of \$247,965.06 to Witbro Inc., dba Seal Rite Paving & Grading Authorizing Construction Contingencies of Up to 10% and Construction Inspection and Management of Up to 5% as Approved by the City Engineer and Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)

Mayor Poythress asked if there are any items that a Councilperson would like have pulled for further discussion. No requests were made and Mayor Poythress announced that he would accept a motion for action.

**ON MOTION BY MAYOR PRO TEM RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

- RES. NO. 16-20      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MASTER AGREEMENT AND A NETWORK ON DEMAND CONTRACT WITH AT&T FOR HIGH SPEED DATA SERVICES BETWEEN ALL CITY BUILDINGS AND TO THE INTERNET, AND AUTHORIZING THE MAYOR TO EXECUTE THE MASTER AGREEMENT AND THE NETWORK ON DEMAND CONTRACT, AND AUTHORIZING THE CITY ADMINISTRATOR, OR THEIR DESIGNEE, TO APPROVE PROPOSALS AND SCOPES OF WORK AS CONTEMPLATED IN THE AGREEMENT AND CONTRACT.**
- RES. NO. 16-21      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN INTERLOCAL AGREEMENT FOR COOPERATIVE PURCHASING BETWEEN THE CITY AND BUYBOARD NATIONAL PURCHASING COOPERATIVE AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY**
- RES. NO. 16-22      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE SUBMITTAL OF A FUNCTIONAL CLASSIFICATION CHANGE FOR LOCAL STREETS AND ROADS TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION**
- RES. NO. 16-23      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE COMPENSATION RANGE FOR PART TIME SOCCER OFFICIALS OF THE CITY OF MADERA**
- RES. NO. 16-24      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AWARD OF CONTRACT FOR KNOX PARK REHABILITATION CITY OF MADERA PROJECT NO. PK 59, IN THE AMOUNT OF \$195,612.98, INCLUDING ADDITIVE ALTERNATE NO. 1 IN THE AMOUNT OF \$22,248 AND ADDITIVE ALTERNATE NO. 2 IN THE AMOUNT OF \$30,104.08, FOR A TOTAL CONTRACT OF \$247,965.06 TO WITBRO INC., dba SEAL RITE PAVING & GRADING, AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10% AND CONSTRUCTION INSPECTION AND MANAGEMENT OF UP TO 5% AS APPROVED BY THE CITY ENGINEER AND**

**AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF  
THE CITY**

**C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENT**

**C-1     Second Reading and Consideration of Adoption of an Ordinance Prezoning  
Approximately 600 Properties Encompassing Approximately 490 Acres of Land  
Located in and Near the Community of Parksedale (County Service Area #3)  
Immediately East of the City**

Planning Manager Chris Boyle stated staff and the Planning Commission continue to recommend adoption of the ordinance prezoning the subject properties. Mr. Boyle stated that completes his presentation and he would be happy to answer any questions they might have.

Council Member Holley asked Mr. Boyle if he received the letter from Ed McIntyre to expand that.

Mr. Boyle replied that he did receive the email today as it relates to Mr. McIntyre's concerns that were expressed at the last public hearing. He supposes that the best approach to an expansion of the boundary would be at LAFCO as LAFCO would make the decision as to the ultimate boundaries for annexation.

Mayor Poythress asked if there are any other questions or comments. No questions were asked and Mayor Poythress asked for title to be read.

The ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER HOLLEY,  
FURTHER READING WAS WAIVED, ITEM C-1, ORD. NO. 930 C.S. WAS ADOPTED UNANIMOUSLY  
BY A VOTE OF 6-0.**

**ORD. NO. 930 C.S.     AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA  
AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP PREZONING  
THE SPECIFIC PARCELS IDENTIFIED WITHIN EXHIBIT "A"**

**C-2     Second Reading and Consideration of Adoption of an Ordinance Amending Section  
1310 of Chapter 3 of Title X of the Madera Municipal Code Pertaining to Action of  
Appeals of Planning Commission Denials**

Planning Manager Chris Boyle stated that staff and the Planning Commission continue to recommend adoption of the subject ordinance. He advised that completes his presentation and offered to answer any questions.

Mayor Poythress asked if there are any questions. No questions were asked and Mayor Poythress asked for title.

**ON MOTION BY MAYOR PRO TEM RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER,  
FURTHER READING WAS WAIVED, AND ITEM C-2, ORD. NO. 931 C.S. WAS ADOPTED  
UNANIMOUSLY BY A VOTE OF 6-0.**

**ORD. NO. 931 C.S.     AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA, AMENDING SECTION 1310 OF CHAPTER 3 OF TITLE X OF THE  
MADERA MUNICIPAL CODE PERTAINING TO ACTION ON APPEAL OF  
PLANNING COMMISSION DECISIONS**

**D. WRITTEN COMMUNICATIONS**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

**E-1 Presentation of the Mid-Year Operational Budget Report and Consideration of a Resolution Authorizing and Approving Amendments to the City of Madera Fiscal Year 2015/2016 Budget**

City Administrator David Tooley advised that Mr. Przybyla is not present because he is engaged in some professional training. He noted that as Mr. Przybyla completes this unit of his professional development, he is going to be in a position to take his CPA (Certified Public Accountant) status from inactive to active. He thinks that is certainly an advantage to the City. Mr. Tooley stated that because he is married to a CPA, he thinks those kinds of things are important. He thinks it is an advantage to the City and he would hope that they would congratulate Mr. Przybyla when he returns.

Mr. Tooley advised that Mr. Przybyla has provided the Council with an executive overview of the mid-year budget update. He will further summarize that and then they will respond to any questions the Council might have.

Mr. Tooley stated he is not sure which one of them is living under a lucky star but, they should please continue doing so. They are having an exceptional year financially, notwithstanding the fact that there have been a lot of waves along the way. They have added something in excess of half a million dollars to the City's General Fund budget. That is represented by a \$370,000 legal settlement. They have added \$100,000 for consideration of a performing arts study. There is going to be a need for an additional election with regard to a council position. He stated that in spite of that, if they continue on their current trend lines and all of their operating assumptions remain the same, they will do better than break even. That doesn't happen that often given this set of facts. He advised that they had unexpected revenues of \$400,000 from ERAF (Educational Revenue Augmentation Fund). He stated that every year the State takes a certain amount of money that would otherwise go to local government in support of education. They operate on the best estimate available. This year there was enough money returned to local government that they got a \$400,000 bump. He advised that is not going to happen every year.

Mr. Tooley stated that in addition, they are going to be up about \$300,000 because the Triple Flip, noting that he would use the technical term, it was a Ponzi scheme, implemented by the State to get around some constitutional requirements. He advised it is finally going away. There is a true-up taking place and they are up about \$300,000 there.

Mr. Tooley stated they are doing exceptionally well in the current fiscal year. He needs to give them a cautionary tale and that cautionary tale is that next year is going to be uncertain. One of the struggles they have had in the current year's budget is that, notwithstanding the fact that they received approval from the Federal government for use of Block Grant funds on their Code Enforcement and their Graffiti Abatement activities, they came back and tried to deny the City's use of funds in the current year. They think at this point they have beaten back that challenge but their ability to do so in future years quite candidly, it is going to go away. At some point and time they are going to have to find an additional \$500,000 to inject back into their operational budgets. He advised that they are not going to lose that \$500,000; the feds are just going to give them additional limitations on how they use it. They are going to want to see the City use it on sticks and bricks projects like streets, water, and sewer in the census tract areas that are eligible. They think they have a solution to address it for operational needs for perhaps the next one or two years, but they are still working on that and that is going to be a significant challenge in next year's budget. He stated there is a \$500,000 issue there.

Mr. Tooley stated this is not a discussion for tonight but there is an ongoing tax sharing negotiation taking place between the City and County. He advised that the County remains intent on having the City annex Parkwood. If they annex Parkwood, there will be an additional expense, minimum of \$600,000 just for



police service. He noted that if that takes place, he is not going to be able to balance the budget for them. He advised that is a strategic decision that they are going to have to have some candid discussion about.

Mr. Tooley advised that they have a 3% cost of living adjustment for all of their bargaining units in next year's budget. That represents approximately \$370,000. Their budget going forward is based on an assumption that they will have about a 2½% increase next year and the year thereafter with regard to the revenue curve. He doesn't know how to call that for them. They are still a flattening of their sales tax collections. If they look at the stock market as often as he does, he doesn't know how to call it. What he can tell them is, noting that this is a truism that really defines a lot of their budget, from one year to the next, California is the last in and the last out of any recession or recovery that takes place; and the Central Valley is the last in and last out in California on any recession or recovery that takes place. He noted that they may lag one, two, or three years behind the national curve. Increasingly, the Central Valley is becoming its own microcosm and sometimes they begin to buck the national trend. He stated that the two things that they should be thinking about are that if the casino project begins next year, it may or may not, that is a \$250 million project that puts money back into their local economy. He added that it is 800 jobs. He asked, will the casino move forward. He doesn't know.

Mr. Tooley stated they've also got a fuel stop; a fuel stop project that would pump about half a million dollars a year into their budget and asked, will that move forward. He can't give them any clear direction at this point and time. What he is telling them, the long and short of it is that there are a lot of moving pieces and he is going to take a fairly conservative approach in terms of what they do particularly with regard to the General Fund budget moving forward.

Mr. Tooley advised that they will note that there are two additional positions recommended at this time in the General Fund. He is going to seek the Council's approval this evening but, he is only going to fill one, again subject to the Council's approval, until he has a better sense of what their revenue picture is going to look like. He advised that these are the positions that have to do with their social media and community engagement. One is a technical position that actually produces the videos they have seen for the City. The other one would be the person who engages the public, manages the activity, and increasingly he is beginning to understand that management of their social media program is going to require a full time position. There is simply going to be no way around it. Mr. Tooley stated what they have done in the short term, noting that they will recall that they have talked about this at the beginning of the fiscal year, is that they have done this on a shoestring. They have done it with their existing staff and a part time position. They have so used the hours in that position that they are going to have to go full time or simply stated, that person can't continue to provide the number of hours because there is a limitation on part time hours so they are going to have to create the full time position in order to maintain the program that they have. They started their video and media program as, it seemed like a good idea, let's try it. They all recognize it is a runaway success. There is no turning back. He commented that the millennials on the Council who told him they ought to be doing this, they were kind of right.

Mr. Tooley switched to the Enterprise Funds. He explained that the revenues they see, they think are probably understated. They think they will exceed that but, they would like to see a full year of stabilized collections before they start projecting what it is going to be from one year to the next. A major component of the rate increases was an expectation that they were going to do a lot of capital projects having to do with the water supply this year so they are requesting two additional positions there because, if they are going to make that curve over the next three year period, it is going to take additional warm bodies on staff to complete the engineering process. He stated that even if they use external engineering services, there is still a requirement for care, custody, control, and review by their internal staff and that is going to come down to boots on the ground in the Engineering Department.

Mr. Tooley stated he is cautiously optimistic. They have exceeded their expectations in the current year but he wants to proceed with some caution the next two years. He stated he would be happy to answer any questions that the Council might have and to the extent that he can't, he has a safety net with Patricia Barboza (Financial Services Manager) here and some of the accounting staff.

Mayor Poythress asked if there are any questions regarding the budget and Mr. Tooley's discussion. No questions were asked. Mayor Poythress stated he thinks it was well laid out. He thinks he hit the good, bad, potential issues and some of the trap doors, that term that Mr. Tooley likes to use noting that he likes that term, that they might be looking at down the road. He added that it was a really good presentation.

Mr. Tooley stated that in conclusion, there are lots of moving pieces but if they follow their trend lines, if they follow their traditional expenditure pattern, they are going to be above the line on the revenue side on the General Fund. They've got four months left so knock on wood, whoever is living under that lucky star, please don't move.

Mayor Poythress thanked Mr. Tooley. Mayor Poythress stated if there are no other comments, he will accept a motion for approval.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM E-1, RES. NO. 16-25 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**RES. NO. 16-25            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2015/2016 BUDGET**

**E-2        Consideration of a Resolution Amending the City of Madera Classification Plan and Setting the Rate of Compensation for Certain Classifications**

Director of Human Resources Wendy Silva stated there is nothing spectacular on this item. They just had to put it after the mid-year budget because it was contingent upon whether or not that mid-year budget was going to be approved. She advised this item contains the job descriptions and pay rates for Communications Specialist and Communications Manager. It also includes an updated job description for Senior Civil Engineer. Ms. Silva offered to answer any questions about the specifics of those she could answer those if they like.

Mayor Poythress asked if there are any questions for Ms. Silva. Mayor Poythress noted it was a great presentation and if there are no questions for Ms. Silva, he would accept a motion for action.

**ON MOTION BY MAYOR PRO TEM RIGBY, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM E-2, RES. NO. 16-26 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**RES. NO. 16-26            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE EMPLOYEE CLASSIFICATION PLAN ADOPTED BY RESOLUTION NO. 00-13 AND SETTING THE RATE OF COMPENSATION FOR CERTAIN CLASSIFICATIONS OF THE CITY OF MADERA**

**E-3        Consideration of Introduction of an Ordinance Amending Subsection E of §2-2.305 of Title II of the Madera Municipal Code Relating to Civil Service and Exceptions to the Competitive Service**

Director of Human Resources Wendy Silva stated there are certain positions in the City, specifically mostly department heads that are considered at will and they are not subject to the civil service system. She advised that this item would include the new position of Communications Manager as an at will position. She stated that this is consistent with her research into how other sort of PIO (Public Information Officer) positions are handled in other cities.

Mayor Poythress asked if there are any questions for Ms. Silva. No questions were asked and Mayor Poythress asked for title.

The introduction of an ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER MEDELLIN, FURTHER READING WAS WAIVED, AND ITEM E-3, INTRODUCTION OF AN ORDINANCE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**INTRO. ORD.                    INTRODUCTION OF AN ORDINANCE AMENDING SUBSECTION E OF §2-2.305 OF TITLE II OF THE MADERA MUNICIPAL CODE RELATING TO CIVIL SERVICE AND EXCEPTIONS TO THE COMPETITIVE SERVICE**

**E-4       Consideration of a Minute Order Approving the Madera County Economic Development Commission 2016/2017 Annual Basic Service Level Budget**

Bobby Kahn, Executive Director for the Madera County Economic Development Commission (EDC), stated this is their annual budget review and request before the Council. This is according to the joint powers agreement that is entered into between the County and the two cities. They have to come before each body and have the basic service level agreement approved prior to March 31<sup>st</sup>, thus they are here tonight.

Mr. Kahn provided a quick summary. They will see that there is somewhat of a significant change in the budget this year. He stated that the basic service level agreement for the City of Madera is approximately \$16,000 higher than it was last year. This is not an increase to their budget but it is a reorganization of the population figures that are accurate and reflect the current population base of both the cities of Madera and Chowchilla, and the County of Madera. What they did is they used the Department of Finance figures for May of 2015 which are the most current figures that they can get their hands on. Then they also aligned the formula with the Madera County Transportation Commission and talked with them on how they approach their funding. What they do, noting that has been the EDC's standard, is back out the prison population of Chowchilla prior to their funding. Mr. Kahn stated they have always backed out the population of Chowchilla before they figured their percentage on how much they request from them.

Mr. Kahn stated that all in all, the figures have changed with the County paying 54% to now 49%; the City of Madera 43% now compared to 39.17%; and the City of Chowchilla is now paying 8% versus 6.83%. He added that their budget is pretty much the same, almost identical to last year. He advised that there are no salary increases for anyone at this point in time. Regarding salaries, they gave a 2½% last year noting that was the first increase that he gave to the staff which is only two people and since 2007 his salary has been the same. They are keeping that flat for this year. He advised that concludes his report and offered to answer any questions.

Mayor Poythress stated he guesses there is no increase in the chairman's salary.

Mr. Kahn replied that they are thinking about a substantial, maybe 100% like two times whatever he is making now.

Mayor Poythress stated two times zero.

Council Member Medellin stated there will still be the same coffee and cookies though; noting that stays the same right.

Mr. Kahn replied that as long as their budget is fully approved they will still have six cookies of which their chairman usually eats four.

Mayor Poythress stated it is a tough meeting. He has to be nourished.

Mr. Kahn stated it is like his dad used to say, there was a big family of seven, we only had four pork chops, the only thing I have to say is the two I ate were delicious.



Mayor Poythress asked if there are any questions for Mr. Kahn. No questions were asked and Mayor Poythress announced he would accept a motion for approval.

**COUNCIL MEMBER HOLLEY MADE A MOTION TO APPROVE THE MINUTE ORDER APPROVING THE MADERA COUNTY ECONOMIC DEVELOPMENT COMMISSION 2016/2017 ANNUAL BASIC SERVICE LEVEL BUDGET. THE MOTION WAS SECONDED BY COUNCIL MEMBER OLIVER AND ITEM E-4 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

Mr. Kahn stated that last night at the State Center Community College District Board of Trustees meeting they did vote to place a \$485 million bond on the June 7<sup>th</sup> ballot. They will be back in an official capacity, wearing a different hat, asking for support of that bond.

Mayor Poythress stated Mr. Kahn is going to be pretty busy over the next couple of months.

Mr. Kahn stated it has already been busy.

Council Member Oliver asked June election.

Mr. Kahn replied yes. They purposely moved to get off the November ballot.

Mayor Pro Tem Rigby stated they will have the money by the fall semester.

#### **F. COUNCIL REPORTS**

Council Member Robinson reported that last Monday he attended the Sister City event in Fresno noting that he can't pronounce the name of the French City. He met the Mayor and the Deputy Mayor and it was a nice occasion.

Mayor Poythress asked if they had croissants or something like that.

Council Member Robinson added that John Anderson also attended.

Mayor Pro Tem Rigby stated not only did he have the opportunity to stream the town hall meeting put on by the Police Department, he also spent much of his week with Saleh Alhomedi and Christina Herrera from Neighborhood Revitalization touring Madera. They stopped off at Sierra Vista Elementary School and did an anti-graffiti rally for third graders there.

Council Member Holley if it was without him.

Mayor Pro Tem Rigby agreed. He also had the opportunity to join the noon time Rotarians at the Madera Municipal Golf Course where they just soft-launched their blue stripe initiative. It is the opportunity that they are going to go throughout the City of Madera, under the umbrella of Love Madera in partnership with Neighborhood Revitalization, and paint their curbs blue with a red stripe to show solidarity to the men and women first responders who on a daily basis put their lives on the line to serve and protect their City.

Council Member Holley reported that he had a fun day. As they know, he is still a mentor. Today he had the chance to go to John Adams School to read to some third graders and that was exciting. Then he jumped over to Sierra Vista and got down to a lower level of kindergarteners. He wanted to tell them about kindergarten advising that you better have a book that they are ready to listen to otherwise they will lose all 28 of them. He watched them do everything but listen to this book. When they got through, they wanted to know how old he was, what color his hair was, how did he... He added that they have some questions for you so be surprised of your future children coming up.

Council Member Holley commented on something that is coming onboard and he thought he should share right now because he might not get to share before it happened. He has been appointed to the Big Brothers

Big Sisters Board for Madera County so that is another avenue. For him to be there, they had to move the meeting from the third Wednesday to the fourth Wednesday so he patted himself on the back. That is how bad they wanted him. As he says all the time, Big Brothers Big Sisters is something that they all need to somehow try to find a way to get involved because what is out there right now, their kids need someone with a great sense of humor and a nice personality to teach them the right way to go. Last week, as a mentor, they took 27 kids bowling. They had never bowled before in their lives and that was fun trying to show them how to bowl. They had to put up the gutter lanes so now when he goes, he knows how to make sure he gets some pins knocked down. He just goes to pull up the stripes so the balls don't go in the gutter. He stated it was so much fun watching them interject in something that they never did before. Those are the kinds of things he likes doing. He knows he gave up the Jesse Owens Games. This is the month he would be kicking off but he found another game to get into so still dealing with kids.

Council Member Holley asked everyone to pray for the Davis family. Tomorrow they will be putting Pastor Morris Davis away. He is a long pillar of Madera. They are having his service tomorrow at 11:00 a.m. at Mt. Zion Baptist Church.

Mayor Poythress congratulated Council Member Holley on his appointment to the board.

Council Member Medellin asked if Council Member Holley was going to tell them how old he is. He was waiting. He added that it doesn't take a kindergartener to ask him that; he has been asking him for a long time.

Council Member Medellin stated he just wanted to take the opportunity to thank Saleh Alhomedi, Christina Herrera and their team for Neighborhood Revitalization. He noted that it is a huge part of this community to have neighborhood watch again working together with their Police Department. That is exactly what it is, it is a partnership. He knows they are up to almost 60 neighborhoods. He is looking forward to NNO (National Night Out) again this year because again that partnership between City Hall, Police Department and their community is vital. Again, they are knocking on doors. They are calling people. They are working tirelessly and as a matter of fact, his neighborhood will have their first tomorrow.

Council Member Oliver reported that he attended the Police Department's town hall. It was a great, informative presentation on active shooter scenarios. He is really appreciative of the efforts to try an alternative medium with the live streaming so he looks forward to see how that is able to take off. He agrees with their department's comments, obviously the numbers suggest that they do face great challenges but he thinks they can all agree that there is an undercurrent of positive momentum and energy that exists in their City and that is something he thinks they are going to take to a whole new level.

Council Member Oliver reported that he attended a neighborhood watch meeting with their Harding Street team. They are located in a cul-de-sac essentially just adjacent to the drive in so it is a stone throws away from his neighborhood. He advised that this was their first meeting. They had about 15 or 20 people in attendance, a lot of little kids but fortunately with the assistance of their Public Works Department they were able to put out some lighting. He noted that when you get out, especially to a lot of these neighborhoods that are aging in infrastructure, you realize the great deficiencies that they have. This particular neighborhood was pitch black. A lot of these folks have essentially been with the lights out for a very, very long time and that is something that they are hearing more and more at neighborhood watch, the grocery store at the Bridge Store. He thinks it is so great with Revitalization's help, their Police Department and their City team that they are providing an avenue to collect that input, to collect those concerns, and their insight but it is striking especially when you see little kids out there in pitch black. He was really appreciative that they were able to get that going. He looks forward to leveraging a larger community block party with their Sonora team and he just looks forward to a lot of good work ahead.

Mayor Poythress reported that he was in Sacramento all day today attending the Regional Policy Council annual lobbying trip. He advised that it is an eight county coalition of transportation agencies and council of governments. They lobby as a group. They represent four million people. They have common interests such as the widening of six-lane(ing) of Highway 99 and trying to find ways to fund these improvement

through Cap and Trade, and STIP (State Transportation Improvement Program). Right now there are three proposals for funding roads. He advised there is the Governor's Plan, there is the Assembly's Plan, and then there is the Senate's Plan. They all vary in different types of ways to utilize funding. They are just saying that they would like to see a reliable source of funding. They would also like to make sure that in the future that there is not a diversion of funds, which would be the truck weight fees. He noted that it was put into the General Fund to pay for the transportation bond but the average person in the street believes that there is this gross misallocation of funds and that the Gas Tax is also being diverted. He stated that it really is not but, that is the perception of the street so they said to get credibility, to get increases passed, they need to overcome that. He was joined by the MCTC (Madera County Transportation Commission) Director as well as Brett Frazier (Madera County Supervisor). They had a good trip.

Mayor Poythress stated there are certain departments from the City that are a little bit higher profile in terms of being out there and on the street and so forth but, he also wants to recognize the entire City team for all their great work. He knows that a lot of times they don't see things, what is going on with the Planning Division or Engineering. They heard Public Works. They've got Ted Uyesaka, Parks and Recreation. They've got the great HR (Human Resources) team and there are other departments. He would just like to recognize all of them for their great work. It takes a team and their input is phenomenal and it is necessary and they appreciate all their hard work.

Council Member Holley welcomed the new Deputy City Clerk Zelda Leon. He mentioned that the City Clerk doesn't have to work that hard any more.

#### **G. CLOSED SESSION**

##### **G-1 Closed Session Announcement – City Attorney**

City Attorney Brent Richardson announced that the Council will adjourn to closed session in two items: pursuant to Government Code §54957 to discuss a personnel evaluation as described under item G-2; and pursuant to Government Code §54956.9(d)(2) to discuss conference with legal counsel as described under item G-3.

The Council adjourned to closed session at 6:58 p.m.

##### **G-2 PERSONNEL EVALUATION--Pursuant to Government Code §54957**

Position: City Attorney

##### **G-3 Conference with Legal Counsel – Anticipated Litigation.** Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): 1 case

##### **G-4 Closed Session Report – City Attorney**

The Council returned from closed session at 7:21 p.m. with all members present.

City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code §54957 and reported that the council appointed an ad hoc committee consisting of Mayor Poythress and Council Member Holley to meet with the City Attorney.

Mr. Richardson announced that the second item was a conference with legal counsel in anticipated litigation, significant exposure to litigation pursuant to Government Code §54956.9(d)(2) in one matter and reported that no reportable action was taken.

#### **ADJOURNMENT**

Mayor Poythress wished everybody a great evening and adjourned the meeting at 7:22 p.m.



**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

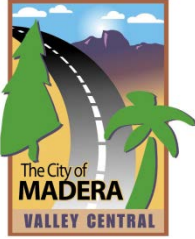
Approval of the minutes is not addressed in the vision or action plans; the requested action is also not in conflict with any of the actions or goals contained in that plan.

---

SONIA ALVAREZ, City Clerk

---

ANDREW J. MEDELLIN, Mayor



**MINUTES OF A REGULAR MEETING  
OF THE MADERA CITY COUNCIL  
CITY OF MADERA, CALIFORNIA**

**March 16, 2016  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The regular meeting for 3/16/16 was called to order by Mayor Poythress at 6:00 p.m.

**ROLL CALL:**

**Present:** Mayor Robert L. Poythress  
Council Member Andrew J. Medellin  
Council Member Donald E. Holley  
Council Member Derek O. Robinson Sr.  
Council Member William Oliver

**Absent:** Mayor Pro Tem Charles F. Rigby

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Community Development David Merchen, Director of Financial Services Tim Przybyla, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Sergeant Randy Williams, Business Manager for Parks and Community Services Mark Etheridge, Administrative Analyst for Human Resources Robin Bravo, Interim Grant Administrator Sonia Hall, Information Services Manager Ted Uyesaka, Planning Manager Chris Boyle, Solid Waste Manager Ron Prestridge, Fire Chief David Allen and Battalion Fire Chief Jim Forga.

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

The invocation was given by Pastor Fred Thurman of New Life Assembly in place of Pastor Benard who was unable to attend.

**PLEDGE OF ALLEGIANCE:** Mayor Poythress led in the Pledge of Allegiance.

**PUBLIC COMMENT:**

The first fifteen 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 to identify themselves and state the subject of their comment. 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 comments were offered.

**PRESENTATIONS**

**1. Presentation of the Tire Derived Grant Award**

Mayor Poythress announced that they have an exciting opportunity tonight to recognize a couple of items. The first one is to talk about this gigantic check behind him and they always like those. He added that often times there is a lot of money associated with them and that is the case with this check. He noted that it is made out to the City of Madera and it is talking about the 2016 Tire-Derived Product Grant. Mayor Poythress invited Sonia Hall from the Grants Department to talk about the grant. He asked her to tell them what this is about and why are they getting this money.

Interim Grant Administrator Sonia Hall stated that the Tire-Derived Grant is recycled tires. To prevent the land fill from filling up with tires, the State CalRecycle Department put out a grant for using the tires as recycled product for playgrounds which is what it is going to be used for here. She noted that it is for playgrounds and it is also rubber sidewalks, tree wells; there are all sorts of things that they can do with recycled rubber. Like she said, they are using it in City playgrounds but also for any area where they want to do dust control, weed control; any kind of landscaping. If they don't use it all up with the playground, they are able to use it with landscaping as well anywhere in the City.

Ms. Hall stated that they applied for the maximum award of \$150,000. This year was an interesting year because they usually fund about 50 applicants. She was a little nervous that the City wasn't going to get funded this year because they only funded 13 but, they did choose Madera as one of the 13 applicants. They did put forward a great application and she is excited to be able to finish Centennial Park with this.

Mayor Poythress thanked Ms. Hall and added that this is a great thing. He guessed that this tire is generally free of the steel treads.

Ms. Hall agreed.

Mayor Poythress stated they don't want their little children to get caught up in that.

## **2. Proclamation Recognizing March as Youth Art Month**

Mayor Poythress announced that the second presentation this evening is to celebrate Youth Art Month. He stated that they have the distinction and honor in their presence tonight to have Gail Beyer, the President of the Art's Council Board to accept a proclamation. He invited Ms. Beyer and the board members present to join him at the podium.

Mayor Poythress asked Ms. Beyer what is it about Youth Art Month, why are they celebrating it, and what is important about art to her.

Ms. Beyer replied that art is what makes the community strong. It brings them together. It brings culture together. It brings opinions. It is very unifying and that is what keeps her interested in it. She wants to see a unified community and she thinks they can help that through the arts. They have to begin those arts with youth, with children so they will learn to appreciate it and understand it, and move forward with that understanding.

Ms. Beyer stated that one of the things that she wanted to first say is thank you for recognizing Youth Art Month. They really appreciate that. They also really like working with Mary Anne Seay (Director of Parks and Community Services) and the Parks Team. They are working on leveraging resources and creating avenues to bring more art out into the community. Regarding Youth Art Month, she doesn't do anything, she really doesn't. She stated that they need other people that know what they are doing to do it so she brought those with her tonight. She introduced Dr. Marqueta Williams who is the Visual and Performing Art's Director for Madera Unified School District and Adam Mena who is an artist and owns his own art gallery. He is also an art teacher at Madera South High School. She asked how many have been to their pop up art at the old Honda shop at 6<sup>th</sup> & E St. She advised that Mr. Mena will tell them a little bit about that. Also present is Sheila Kincade who is the Department Chair for Madera South High School. Ms. Beyer commented that without their combined efforts, Youth Art Month wouldn't have really happened in

downtown Madera like it has. She really wanted them to be introduced and she wants to have them say a few words for them.

Marqueta Williams stated she just wanted to quickly say as the Director of Visual and Performing Arts that she is just so very fortunate to be able to work with Sheila Kincade and Adam Mena. They are outstanding art teachers and they would not have had this whole pop up art in the way it was produced this year had it not been for their efforts especially for the efforts of Adam Mena who will tell them more about that.

Adam Mena stated he just recently got hired at Madera South High School as one of the new art teachers. What he wanted to bring to Madera was something that he has done in Fresno many times. He has a gallery in downtown Fresno called Art House Gallery. It was started by four artists who had this idea to transform an abandoned warehouse into a gallery and studio space for local artists. It has been open for about 3½ years. They showcase local artists work from beginning to intermediate and advanced professional artists who show work up and down LA (Los Angeles), San Francisco, throughout the valley.

Mr. Mena stated that what he wanted to bring to Madera this year for the Youth Art Month is a pop up art show. What a pop up art show is, it is transforming an abandoned storefront or warehouse into a gallery setting for a short period of time. When he was driving around Madera, he was looking for an abandoned space to create this environment for their youth art. When he saw the Honda building, he saw the big glass windows and the nice space. He noted that it was full of dirt and dust which their team had to sweep up for a whole day, clean it all up, mop the floors and then they transformed this into a gallery space for their kids. They built walls. They did everything, painted, built walls, pedestals and they basically hosted some of the best work from Madera Unified and Madera County. He was so happy that it actually went through thanks to a generous donation from one of their local community property owners as well as getting the insurance coverage through the district. They hope to do many more of these not only for their youth but for the artists of Madera. That is what he wants to bring to Madera as an artist, as a curator, as a gallery owner. He wants to be able to bring the arts up here in the community and really celebrate the creativity that they have. Like he said, the art scene in Fresno has already been involved and it is very up and going with Art Hop. That is something that he is looking forward to doing here is creating some type of Art Hop for not just the youth but for everyone.

Sheila Kincade stated that Saturday and Sunday they have volunteers from the teachers that submitted work and they will be sitting in the gallery. Ms. Kincade advised that the gallery will be open Saturday and Sunday this week from 1:00 p.m. to 3:00 p.m. and then next weekend it is just Saturday. She stated they are welcome to still come by and they can also drive by and look in the window.

Ms. Kincade stated she brought something noting that she was actually supposed to bring the person who drew this but he couldn't make it. She advised that this is by Diego Vasquez. She has had him for three years and when he talks about his first year at high school, he was touching on gangs, getting in fights. He didn't really see a future and for a while he used to hang out in her room during lunch and now he has kind of branched out, found new friends but he credits art in changing the way he views his future. He is going to college now. He is planning on going into art. She doesn't know if anybody can see this but she actually purchased it from him because she thinks it is gorgeous. She added that his attention to detail is amazing. She advised that this is one of the pieces at the art show and this didn't win so there is a lot of good quality. She stated that the winners of the art show are housed in the Circle Gallery which can be seen any time it is open. She just wanted to let them know that about that and thanked them.

Mayor Poythress presented, on behalf of the Madera City Council, the proclamation recognizing Youth Art Month to Ms. Beyer and all the great benefits that art brings to their youth.

Mayor Poythress called on the City Clerk for a late distribution announcement.

City Clerk Sonia Alvarez announced that pursuant to Government Code Section 54957, members of the public are advised that documents related to the following agenda item were distributed to the Council less than 72 hours before this meeting. Under Section E, Administrative Reports, item E-1, subject matter is a



resolution approving an agreement with Madera County, a revised agreement was distributed to the Council this evening. Ms. Alvarez advised that extra copies are available at the podium for members of the public wishing a copy.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

- B-1 Minutes – There are no minutes for consideration.
- B-2 Information Only – Warrant Disbursement Report
- B-3 Weekly Water Conservation Report – 2/29/16-3/6/16 (Report by Dave Randall)
- B-4 Consideration of a Resolution Approving the Release of an Indemnity Agreement, Authorizing the Mayor to Execute the Release and Authorizing the City Clerk to Cause the Release to be Recorded (Report by Chris Boyle)
- B-5 Consideration of a Resolution Approving the Award of Contract for Commercial Water Meter Installation Improvement Project, City Project No. W 16-01 in the Amount of \$1,345,395 to West Valley Construction Company, Inc., Authorizing Construction Contingencies of Up to 25% and Construction Inspection and Management of Up to 10%, Authorizing the Mayor to Execute the Contract on Behalf of the City (Report by Keith Helmuth)
- B-6 Consideration of a Resolution Approving an Amended Application for Transportation Development Act - Local Transportation Fund for Fiscal Year 2015/16 with Fiscal Year 2014/15 Carryover Balances (Report by Keith Helmuth)
- B-7 Consideration of a Resolution Authorizing Submittal of a CUCP Agreement/Declaration of Status to the California Unified Certification Program (CUCP) and Authorizing the City Administrator to Execute the Letter Agreement (Report by Dave Randall)
- B-8 Consideration of a Resolution Approving the Agreement to Purchase Tax-Defaulted Property from Madera County for Parcels 006-441-015 and 006-440-022 for Use on City of Madera River Trail Projects (Report by Keith Helmuth)

Mayor Poythress asked if there are any items on the consent calendar that a Councilperson would like to have pulled for further discussion or elaboration. No requests were made and Mayor Poythress announced that he would accept a motion for action.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**RES. NO. 16-27      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE RELEASE OF AN INDEMNITY AGREEMENT, AUTHORIZING THE MAYOR TO EXECUTE THE RELEASE, AND AUTHORIZING THE CITY CLERK TO CAUSE THE RELEASE TO BE RECORDED.**

**RES. NO. 16-28      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AWARD OF CONTRACT FOR COMMERCIAL**

**WATER METER INSTALLATION IMPROVEMENT PROJECT, CITY PROJECT NO. W 16-01, IN THE AMOUNT OF \$1,345,395 TO WEST VALLEY CONSTRUCTION COMPANY, INC., AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 25% AND CONSTRUCTION INSPECTION AND MANAGEMENT OF UP TO 10%, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY**

**RES. NO. 16-29 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AMENDED APPLICATION FOR TRANSPORTATION DEVELOPMENT ACT - LOCAL TRANSPORTATION FUND FOR FISCAL YEAR 2015/16 WITH FISCAL YEAR 2014/15 CARRYOVER BALANCES AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE APPLICATION**

**RES. NO. 16-30 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING SUBMITTAL OF A CUCP AGREEMENT/DECLARATION OF STATUS TO THE CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP) AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE LETTER AGREEMENT**

**RES. NO. 16-31 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT TO PURCHASE TAX-DEFAULTED PROPERTY FROM MADERA COUNTY FOR PARCELS 006-441-015 AND 006-440-022 FOR USE ON CITY OF MADERA RIVER TRAIL PROJECTS**

**C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENT**

**C-1 A Noticed Public Hearing and Consideration of Introduction of an Ordinance Rezoning Approximately 18.96 Acres Located at the Northwest Corner of Tozer Street (Road 28) and South A Street to the PF (Public Facilities) Zone District**

**And**

**Consideration of Adoption of a Resolution Amending the General Plan Land Use Designation on Approximately 18.96 Acres Located at the Northwest Corner of Tozer Street (Road 28) and South A Street from the MD (Medium Density) to the P&SP (Public and Semi-Public) Land Use Designation in Support of the Construction of an Elementary School**

Planning Manager Chris Boyle stated that the first item tonight is a public hearing and consideration of a General Plan amendment and rezoning in support of the establishment of an elementary school. Mr. Boyle commented that the elementary school is proposed to be located on the northwest corner of South "A" Street and Tozer Street, south of Sunset Avenue (report shows Sunrise Ave.). He stated that eventually all of the area will be constructed there. There is a second phase here that would allow for a target type of school where specific programs will be provided and kids will be bused in so ultimately it will become the next Madera Unified School District site.

Mr. Boyle stated that in order to get there, the property needed to have a General Plan amendment. They will talk about the General Plan amendment first. He commented that right now this property is in the medium density residential land use designation which would be consistent with a small lot and apartment complex type of development. He advised that the proposal is to change the land use designation to a P&SP, a public and semi-public land use designation which would be in support of governmental types of offices and other types of public agencies to include the school district and an elementary school site.

Mr. Boyle stated that the second action would be the rezoning and consistent with the P&SP General Plan land use designation, is a proposal to rezone the property to the PF, Public Facility Zoning District which would be consistent with the P&SP land use designation. He advised that the rezoning is required in advance of any application for annexation to the City which will provide for the school to be developed with the benefits of City services.

Mr. Boyle advised that the Planning Commission and staff recommend that the Council, after considering public testimony, adopt a resolution approving the General Plan amendment and introduce an ordinance rezoning the subject property. Mr. Boyle offered to answer any questions.

Mayor Poythress asked if there are any questions for Mr. Boyle. No questions were asked and Mayor Poythress opened the public hearing. No comments were made and Mayor Poythress closed the public hearing.

Mayor Poythress brought the item back to Council for any other discussion and/or action. He noted that they have two actions to consider. One would be the introduction of an ordinance and the other would be a resolution. He announced that they would take these one at a time.

Mayor Poythress called on the City Clerk for title.

The introduction of an ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, FURTHER READING WAS WAIVED, AND ITEM C-1, THE INTRODUCTION OF AN ORDINANCE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**INTRO. ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP PREZONING APPROXIMATELY TWENTY ACRES LOCATED AT THE SOUTHWEST CORNER OF TOZER STREET AND SUNRISE AVENUE TO THE PF (PUBLIC FACILITY) ZONE DISTRICT AS IDENTIFIED WITHIN EXHIBIT A**

Mayor Poythress announced that he would accept a motion for action on the resolution.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER MEDELLIN, ITEM C-1, RES. NO. 16-32 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**RES. NO. 16-32 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY TWENTY ACRES FROM THE MD (MEDIUM DENSITY) TO P&SP (PUBLIC AND SEMI-PUBLIC) GENERAL PLAN LAND USE DESIGNATION AND THE PREZONING OF THE PROPERTY TO THE PF (PUBLIC FACILITY) ZONE DISTRICT**

**C-2 Public Hearing and Consideration of a Resolution of the City Council Confirming Special Assessments for Delinquent Administrative Fines**

City Attorney Brent Richardson stated they have not seen one of these for a while which he guesses is a good thing. They have two properties on this one both of which were cited, he believes, for foreclosure abandoned property related violations. They are asking the Council to confirm assessments so they can put a lien on them.

Mayor Poythress asked if there are any questions for Mr. Richardson.

Mayor Poythress opened the public hearing. No comments were made. Mayor Poythress closed the public hearing and brought the item back to Council for action.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-2, RES. NO. 16-33 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**RES. NO. 16-33                      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
CONFIRMING SPECIAL ASSESSMENTS FOR DELINQUENT  
ADMINISTRATIVE FINES.**

**C-3        Second Reading and Consideration of Adoption of an Ordinance Amending  
Subsection E of §2-2.305 of Title II of the Madera Municipal Code Relating to Civil  
Service and Exceptions to the Competitive Service**

Robin Bravo, Human Resources Technician, stated this item was introduced at the last Council meeting on March 2, 2016. She added that as part of the mid-year budget approval, Council approved the creation of a new Communications Manager position which is an at will position. Ms. Bravo advised that the recommended ordinance amends the Municipal Code to include this at will position and it also reflects changes to the position titles since it was last updated in 2009 to include Tim Przybyla's position as the Director of Financial Services in place of the Director of Finance Treasurer, and the Executive Director of the Redevelopment Agency to the title of the Executive Director of the Successor Agency to the Former Madera Redevelopment Agency.

Ms. Bravo stated that staff's recommendation is that Council adopt the ordinance amending Subsection E of §2-2.305 of Title II. Ms. Bravo offered to answer any questions.

Mayor Poythress asked if there are any questions for Ms. Bravo. No questions were asked and Mayor Poythress asked for title.

The ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER MEDELLIN, FURTHER READING WAS WAIVED, AND ITEM C-3, ORDINANCE NO. 932 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**ORD. NO. 932 C.S.                      AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA AMENDING SUBSECTION E OF §2-2.305 OF TITLE II OF THE  
MADERA MUNICIPAL CODE RELATING TO CIVIL SERVICE AND  
EXCEPTIONS TO THE COMPETITIVE SERVICE**

**C-4        Public Hearing and Consideration of a Resolution Nominating a Council Member as  
a Candidate for Appointment to the San Joaquin Valley Air Pollution Control District  
Governing Board**

City Clerk Sonia Alvarez commented that as stated in the title this is a request to nominate someone based on the applicants included in the report. She added that the information would be forwarded to the Air District Special City Selection Committee who eventually makes an appointment to the governing board. Ms. Alvarez added that per the FPPC (Fair Political Practices Commission), they wanted to state for the record that although this is strictly a nomination and not an appointment to the board, it is important for them to note for the record that the board members of Air District do receive a stipend.

Ms. Alvarez stated that this evening, they recommend that the Council hold a public hearing and that they consider the information included in the report. She added that the resolution itself contains blanks so when a motion is made, they would request that the Council state the name and city of the individual who they

would like to be filled in and included on that resolution. Ms. Alvarez advised that the City Attorney would like to add a comment before they turn it back over.

City Attorney Brent Richardson stated this is a reminder that under the Municipal Code, it takes at least four members of the Council to vote affirmative on it to take action. There are only five of them present and he knows there are three that have applied for this so he wanted to remind them that they have to come to some sort of collective decision in order to get any action taken on it.

Mayor Poythress asked if there are any comments or questions that a member of the Council might have before they open up the public hearing. No comments or questions were made and Mayor Poythress opened the public hearing. No comments were made by members of the public and Mayor Poythress closed the public hearing.

Council Member Medellin stated that he received an email asking for his attention regarding this matter so he submitted an application. In doing so he then realized that he sits on three current boards besides City Council so he has a lot of balls in the air. He wants to make sure that the person that does take the seat, if in fact it is from here, can put the time in so he is going to withdraw his name. At the same time, he would like to recognize somebody on the dais that he thinks would do a fantastic job, works in Fresno, and he would also like to make the comment that he is not on any Mayor's appointments at this time. Council Member Medellin stated that if the Mayor is accepting nominations, he would like to nominate Councilman Will Oliver.

Mayor Poythress stated they have a nomination. Before they move on that one, he announced that Council Member Robinson would like to comment.

Council Member Robinson stated his choice would be Council Member Oliver.

Mayor Poythress stated they have a motion and a second.

Mr. Richardson advised that they just need a motion with his name.

**COUNCIL MEMBER HOLLEY MADE A MOTION TO NOMINATE COUNCIL MEMBER OLIVER AS A CANDIDATE FOR THE APPOINTMENT. THE MOTION WAS SECONDED BY COUNCIL MEMBER ROBINSON, AND ITEM C-4, RES. NO. 16-34, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**RES. NO. 16-34      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA NOMINATING A COUNCIL MEMBER TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT SPECIAL CITY SELECTION COMMITTEE FOR CONSIDERATION OF APPOINTMENT TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD**

Council Member Oliver thanked the Council and added that he is honored to have his colleagues support and he vouches to really put in a really hard effort to ensure that Madera maintains representation on the Air Pollution Control District. He would appreciate their continued support in that effort.

Mayor Poythress added that the pressure is on because they expect a lot out of him. He commented that they know Council Member Oliver will do a real great job so hopefully whoever makes the appointment will get him on there.

**D.      WRITTEN COMMUNICATIONS**

There are no items for this section.



## **E. ADMINISTRATIVE REPORTS**

### **E-1 Consideration of a Resolution Approving an Agreement with the County of Madera to Temporarily Provide Water to the Parkwood Water System and Authorizing the Mayor to Execute the Agreement**

Public Works Operations Director Dave Randall stated this is an intertie agreement. They may remember about a year ago they did something similar for Parkwood. He advised that at this time the intertie is being requested from the County while they are under construction. He noted that the County's intention is to construct a 250,000 gallon above ground tank that will allow them to deal with some of their peak demand issues. He added that during that time they may experience interruption in their ability to provide service while they work on that infrastructure so they have asked for this intertie agreement.

Mr. Randall stated that the intertie agreement is fairly similar to what they had seen last time. The term of the agreement is for six months. He added that the Council can extend it for longer in cooperation with the County or if it deems necessary, it can terminate it earlier. He advised that the agreement calls for the County to pay for all the costs associated with it so the City is not going to be out anything, water will be billed at the same rate that City customers receive which is their tiered rate. He noted that there is a provision that if they were to experience some type of capacity issue, they can reduce service to the County or eliminate it. They don't anticipate that being a problem. They have adequate capacity and redundancies that the City should be able to maintain it. He noted that last time it was not a problem and the City is probably in a better situation today than they were a year ago. Mr. Randall offered to answer any questions and added that the County and State are here as well for questions.

Mayor Poythress noted that Mr. Randall mentioned there is a representative here from the State.

Mr. Randall replied yes that she is from the Water Board.

Mayor Poythress invited the representative to come up.

Kassy Chauhan with the State Division of Drinking Water asked if Mayor Poythress has a question.

Mayor Poythress replied that he is not sure about his colleagues but he has a question. He appreciates the outline that the County provided kind of giving them a timeline of events and things of that sort. He knows there has been a grant applied for and it looks like things might be moving along but, he wanted to know what the status of that was and if there is some way the City can help move things along.

Ms. Chauhan stated she is with the State Water Resources Control Board, Division of Drinking Water. She is a Senior Sanitary Engineer with Regulatory Oversight of the Public Water System known to the City as Parkwood. She advised that the County does have several projects in the works and a lot of those are tied to State funding. They have a meter project in the works. They have a new well project in the works and then they have this new USDA (United States Department of Agriculture) project in the works for a new storage tank. She commented that the County has been working diligently on getting documents supplied to the State that they need in order to be able to process the funding agreement for those projects. Ms. Chauhan stated that right now, they are trying to consolidate the projects so they have one funding agreement for the meter project, the new well project, and whatever improvements are necessary possibly including some distribution system improvements as well. She restated that they are trying to consolidate those but because they keep changing kind of the scope of the project, they are experiencing some delays. They are at a point where they are ready to move forward. She advised that the County has provided audited financials which are things they need, revised resolutions, they've changed agencies. They used to be California Department of Public Health; now they are State Water Resources Control Board so there were a lot of administrative modifications that needed to be done, delays caused on the part of the State. They are at a point...they are working towards getting those funding agreements executed and fully anticipate that those will be in place in the near future.

Ms. Chauhan explained that near future means, because that is what she would be asking if she were the Council, she would say in the next, realistically six to 12 months. That is the timeframe they are looking at just on the State's and once they have everything from the County to move forward with those funding agreements, it is taking between six to 12 months to get an executed funding agreement out the door.

Council Member Oliver asked if that is also tied to this 250,000 gallon water tank specifically or separate.

Ms. Chauhan replied that's separate and that she would let the County speak on that project noting that it is a USDA project.

Norman Allinder stated he is the Community and Economic Development Director, speaking on behalf of their internal Public Works Director as well. He replied that the USDA Storage Water Tank Project has actually begun already. He advised that it is under a tight timeline by the USDA for the initial installation by June. He noted that they need to do all the testing and the final inspections after they get those in place. He added that Ms. Chauhan is the one who actually ends up having to sign off on it. He stated that is currently the first item going to be done and that is what sort of was the initial milestone and why they asked for this request for the next few months. He noted that as the City's Public Works Director correctly indicated, this is really an insurance policy for the County. They are living on one well out there right now. When he came in, they had a little reorganization too across the street noting that most of them know. He added that Supervisor Max Rodriguez asked him to take a fresh look. After he looked at all the options and all the great programs they had, all he saw was that it was going to take a lot of time and that they need a bit of an insurance policy. With one well and having to do the work they have there, that is why they re-approached the City. They want to thank the City's Public Works Director and the City Attorney for the work they did on this. They are not happy that they are having to do this again but they do appreciate the neighborliness of this. He replied that yes the USDA Grant Project is underway and in fact, he regularly checks with Ahmad Alkhayyat (County Interim Public Works Director) under fear of his job and his first and second born to get it done on time. They are very serious about getting these things done. It is very important for them. There has been too much neglect for too many years and certainly Supervisor Rodriguez has made it clear to him and he has made it clear to the Public Work's staff that they are going to get these projects and they are going to give real answers to people too. When they mean six months, they better mean six months. If not they better have a darn good reason why.

Mayor Poythress asked if there are any other questions.

Council Member Oliver stated that looking at the estimated monthly revenue and the average monthly cost to the City for the intertie, there is a significant discrepancy there and asked if any of the water users or ratepayers are going to benefit or absorb any cost savings during this time.

Mr. Allinder replied no and stated that he can see actually cost savings. They ran the numbers when they got the agreement. He advised that the rate structure is different now because this is on the tiered meter just like he is at his house. They ran the numbers based on the February 2014 numbers when they were in Stage 4, they had enough revenue to meet that amount. In the summer months, the August 2014 numbers, the amount for the tiered rate would exceed the amount coming in by four times so they would be four times under. He stated that it is a significant issue for them to get a hold of. They don't have the revenue to just do what they did before and just open and let it run. They have to be a little more economical about that. They have talked to the State about helping with the funding gap but in some months it may come in a little bit less but quite frankly, in most of the months it is going to come in ahead and that is going to be very difficult for them to work through so that is one of their complexities. Mr. Allinder added that they will still pay their bill every month.

Mayor Poythress thanked Mr. Allinder.

Mayor Poythress announced if there are no other comments, he will accept a motion for action.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER HOLLEY, ITEM E-1, RES. NO. 16-35 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 5-0. ABSENT: MAYOR PRO TEM RIGBY.**

**RES. NO. 16-35      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH THE COUNTY OF MADERA TO TEMPORARILY PROVIDE WATER TO THE PARKWOOD WATER SYSTEM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**

**E-2      Progress Report by Solid Waste Division of the 2<sup>nd</sup> Half of the Calendar Year 2015**

Solid Waste Manager Ron Prestridge state he has basically a status report. They like to come before the Council a couple of times a year just to bring them up to date on what is going on in the Solid Waste Division. They are also bringing in their Mid Valley Disposal partners as they also work towards those unfunded mandates that they keep getting from the State of California CalRecycle to hit various targets for diversion and also to increase programs that they don't give the City any money for but they require the City to provide the program such as Assembly Bill (AB) 341. He advised that it relates to businesses and also multi-family over five or more units. They want them to create new recycling programs, and Assembly Bill 1826 which has to do with organics. That is for those particular businesses that generate eight cubic yards or more.

Mr. Prestridge stated that this report is basically going back a little bit in history. About 10 years ago, they were on a compliance order by the Integrated Waste Management Board for not reaching their target for 50% diversion from the landfill. He noted that the City was at 45% so the Council hired a few more staff for the Solid Waste Division. They put together other diversion programs and during this period of time, CalRecycle has come up with a new way to basically measure the 50% diversion by looking at a combination of materials that was put in landfills from 2003-2006 and out of that came a target of 4.9 pounds per person per day. He is happy to report that as off 2014, the City is actually realizing 2.8 pounds per person per day so if 4.9% means they are at 50% diversion, the City is less than that. He stated it is like a golf score, less is better. He is happy to say that they are definitely meeting not only the 50% diversion but also they are exceeding that but a great margin.

Mr. Prestridge stated that the second point he wanted to make is that their fiscal fund of budget is very healthy. He thinks they can go back to 2012 when the City went out to bid and the Council allowed them to find perhaps a better deal for the cost of collection, recycling and processing the organic waste. They went out to bid and they came in about \$1.2 million less than they were currently being charged by that previous hauler. He advised that that \$1.2 million over a 10 year period of time allowed them to reduce one time 13% what their ratepayers were paying. They were able to maintain that for five years. That started in 2013 and it will end on December 31, 2017. He added that they will then have to look at rates again. He restated that their budget is healthy and that is good news.

Mr. Prestridge stated that the other part is that they work towards these State targeted programs with their partner Mid Valley Disposal. He wanted to invite Ivette Rodriguez to talk about the programs that they also provide. They are here to basically not ask for action but just to give the Council information.

Ivette Rodriguez stated she is the Manager for the Recycling Department at Mid Valley Disposal. Also with her is her partner Annette Kwock who is the City of Madera's Recycling Coordinator. Ms. Rodriguez advised that this evening she will present, very quickly, information that is on the Green Living Newsletter. This newsletter is a tool for the City to keep up to date as to the activities, the program implementation that they are working very hard to help the City meet the CalRecycle requirements that Mr. Prestridge just mentioned.

Ms. Rodriguez stated that they are kind of going back in history a little bit. She advised that the preview and these updates relate to 2015. They thought, we'll do a biannual update so they don't get tired of seeing them every quarter. They try to do every quarter but they think for the City of Madera, they will be fine to give them a presentation twice a year and keep them up to date on all the hard efforts working in partnership also with the Solid Waste Division.

Ms. Rodriguez stated, for the third and fourth quarters, that presentations to classrooms and at schools are very important activities that Ms. Kwock works very hard to do. During the third quarter, Ms. Kwock spent some time with the youth at the Kids Camp. She advised that all the activities Ms. Kwock does are very interactive. The kids learn so much. They take that back home so they can increase recycling, place the right things in the recycling bin and help parents to do the right thing as well. She wanted to showcase and highlight that. They are always working to keep in touch with their youth. She added that it doesn't matter how young and how old, it is from Pre-K all the way to high school. She advised that if they know anybody in the school district, they had some teacher's here earlier, that they please let them know about their free program. She added that there are a lot of opportunities that come with it.

Ms. Rodriguez stated that community outreach is very important and Ms. Kwock is always in the community. They will see her with informational tables giving out, swag is what they call it, but it is made out of recycled content material promoting recycled content so whatever you recycle, it comes back to them in something that they can reuse. She stated that is always the message as well.

Ms. Rodriguez stated that in addition to providing the residents with resources, how to get rid of sharps, how to safely dispose of material, but also do the right thing and continue to recycle the right way to get the City's diversion up, is what they want to do. She noted that community events is one way. She advised that Ms. Kwock was at the Farmer's Market. She has also done various different other community events and will continue to do that in the upcoming months as well.

Ms. Rodriguez stated on the commercial side, they talked about mandatory commercial recycling, which Mr. Prestridge mentioned AB 341. She noted that Ms. Kwock is out in the field regularly every day/every other day weekly visiting the businesses, letting them know what it means to be compliant and how they can become compliant and giving them assistance to add recycling or even help them if they are not doing a very good job with recycling. They offer presentations to employees.

Ms. Rodriguez stated that they offer a lot of different resources so they are here to help the City whether they are a resident, a multi-family tenant, a school, or a business or employee. They are here to help with that. She advised that they will continue to provide these updates.

Ms. Rodriguez commented that one really brief update she wants to share with the Council is the new Sharps Collection Program that they also partnered with the City. She advised that there are two new sharps kiosks. One is located at PD (Police Department) and the other one is located at the Fire Department. She noted that the addresses are located on the flyer which is in English and Spanish. It tells the resident exactly where to go, how to safely dispose of this material. They are really excited to provide this program for the residential community. These are things that they will also assist in getting the word out when they are out in the community.

Annette Kwock stated she just wanted to say hi and offered to answer any questions.

No questions were asked and Mayor Poythress advised that she is doing a great job.

Ms. Kwock stated that she just wanted to mention that she spoke to Council Member Holley earlier. She advised that curbside is going on right now. They are doing a really great job. Just to let them know, right now, the first week they had 210 tons of debris picked up. The second week they had 205 tons of debris picked up. She just wanted to say thank you. Their team is doing a great job. They are just trying to do their best. She offered to answer any questions. No questions were asked and Ms. Kwock thanked the Council for having them. She left her business card if anybody would like a presentation at their place of business.

Mayor Poythress thanked them.

## **F. COUNCIL REPORTS**

---

Council Member Robinson reported that he, along with Council Member Holley, attended the information extravaganza at the Kennedy Public Housing. They had Camarena Health, Big Brothers Big Sisters.

Council Member Holley stated it was Kick Butt's Day. It is a tobacco deal. He serves on the board with the County. He advised that a lot of vendors came out and showed them what their lungs look like and argue that smoke has some kind of tobacco inside you. It was a great turnout and a lot of people came out to kick that off. He thinks it was real interesting.

Council Member Holley stated he has been appointed to the Big Brothers board. He is still putting in front of all his Councilmen; they are still trying to get lunch buddies. They also have another flyer that they are trying to get mentors. He will be announcing this every week. He is just letting them know that they are still trying to find ways to help Madera County. He stated that Fresno, Kings County, all the other counties have good turnouts. They have a lot of people really supporting them. They have kids that need help in their community. He advised that for a lunch buddy you only need to give about 40 minutes a week to talk with a kid, have lunch with him. They would be surprised what that would do to a kid. He added that if you want to be a mentor, they also have mentor programs on Saturdays or Sundays if they want to go pick up a kid, talk with him, and have an hour talk with him or whatever after school. He stated that they wonder how they can help a kid. They look at their juvenile halls and see all the kids get in trouble but if they can save one before they get there, Big Brothers is one avenue to help them get that route. Hopefully everyone decides they want to get onboard and take on that project.

Council Member Oliver reported that this last Sunday he was invited to attend an Eagle Scout Court of Honor for Jared Thelander, Eric Nino, and Tommy Nishimoto. It was a really great ceremony. He advised that these three are very, very impressive young men. He thinks they are going to go on and do great things. He added that one actually has just received acceptance letters into West Point and into Indianapolis, and he is hoping to get at least a third. He was really impressed. It was a great time and a great event.

#### **G. CLOSED SESSION**

There are no items for this section.

#### **ADJOURNMENT**

The meeting was adjourned by Mayor Poythress at 6:50 p.m.

#### **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.

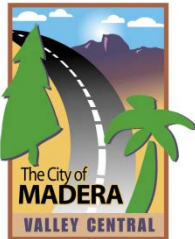
---

SONIA ALVAREZ, City Clerk

---

ANDREW J. MEDELLIN, Mayor





**MINUTES OF A SPECIAL MEETING  
OF THE MADERA CITY COUNCIL  
CITY OF MADERA, CALIFORNIA**

**March 31, 2016  
4:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The special meeting for 3/31/16 was called to order by Mayor Poythress at 4:00 p.m.

**ROLL CALL:**

**Present:** Mayor Robert L. Poythress  
Mayor Pro Tem Charles F. Rigby  
Council Member Andrew J. Medellin  
Council Member Donald E. Holley  
Council Member Derek O. Robinson Sr.  
Council Member William Oliver

Others present: Community Development Director David Merchen, City Clerk Sonia Alvarez, and City Attorney Brent Richardson.

**PUBLIC COMMENT:**

The first fifteen 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 to identify themselves and state the subject of their comment. 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.

Mayor Poythress asked the City Attorney if there is a need to read the public comment text.

City Attorney Brent Richardson advised that they can dispense with it and let the record reflect that the only public present is Council Member Medellin's daughter.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

B-1 Consideration of a Minute Order Approving a Letter of Support for the San Joaquin Joint Powers Authority Transit and Intercity Rail Capital Program Grant Application (Report by Sonia Alvarez)

Mayor Poythress asked if there are any items on the consent calendar that a Council Member would like to have pulled for further discussion. No requests were made and Mayor Poythress announced that he would accept a motion for action.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER MEDELLIN, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**C. HEARINGS, PETITIONS, BIDS, RESOLUTIONS, ORDINANCES, AND AGREEMENT**

There are no items for this section.

**D. WRITTEN COMMUNICATIONS**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

There are no items for this section.

**F. COUNCIL REPORTS**

Mayor Poythress asked if there are any Council Members who would like to report on anything.

Council Member Holley stated that as they know, the Big Brothers Big Sisters are having their Annual Bowling for Kids Sake. They are trying to get sponsors to sponsor five people for the price of \$75 for the event. He advised that the event is going to be held here in Madera. If anybody wants to participate, they can let him know. He can sign them up and hopefully they can get it done by Sunday. He added that it is Hawaiian style. This is their second annual year.

Mayor Pro Tem Rigby advised that he will be sending an email out within the next couple of days with a schedule of times when he, along with Neighborhood Revitalization, will be walking some of their districts and precincts. They are officially launching the Blue Stripe Initiative. If any of them would like to join them, they are just going door to door, introducing citizens to what their Blue Strip Initiative is obviously reiterating that it is a free offer to them as homeowners or taxpayers. He restated that they look for that in their emails. If they are interested in joining their team they can contact Sal Alhomedi or Christina Herrera at Neighborhood Revitalization.

**G. CLOSED SESSION**

There are no items for this section.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Poythress at 4:02 p.m.

**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.

---

SONIA ALVAREZ, City Clerk

---

ANDREW J. MEDELLIN, Mayor

City of Madera

Council Meeting Of	March 1st, 2017
Agenda Item No.	B-2

Memorandum To: The Honorable Mayor,  
City Council and City Administrator

From: Office of the Director of Finance

Subject: Listing of Warrants Issued

Date: 03/01/2017

Attached, for your information, is the register of the warrants for the City of Madera covering obligations paid during the period of:

February 7th, 2017 to February 21st, 2017

Each demand has been audited and I hereby certify to their accuracy and that there were sufficient funds for their payment.

General Warrant:	12093-12306	\$ 1,454,870.10
Wire Transfer	Union Bank Payroll and Taxes	\$ 624,269.88
Wire Transfer	SDI	\$ 1,958.95
Wire Transfer	Cal Pers	\$ 169,521.78

Respectfully submitted,



Tim Przybyla  
Financial Services Director

**CITY OF MADERA**  
**REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT**  
**February 21st, 2017**

CHECK	PAY DATE	ISSUED TO	DESCRIPTION	AMOUNT
12093	02/10/2017	ADMINISTRATIVE SOLUTIONS INC.	CITY PAID RETIREE MEDICAL BILL JAN 1 2017	3,889.16
12094	02/10/2017	AKEL ENGINEERING GROUP, INC.	ENG SERVICES WELL 23 SHUTDOWN	2,311.00
12095	02/10/2017	ALERT-O-LITE	2016MADERA HIGH HOMECOMING PARADE	444.48
12096	02/10/2017	ALL VALLEY ADMINISTRATORS	MEDICAL AND CHILD CARE EXPENSE ACT 2/10/17 PAYROLL	731.16
12097	02/10/2017	AMERICAN MOBILE SHREDDING	SHREDDING SERVICES	280.00
12098	02/10/2017	BIG DADDY PORTABLE TOILETS INC	ACCT TERMED EFF 10.01.11 REFUND OVERPAYMENT	107.99
12099	02/10/2017	DC GRADING & PAVING INC	ACCT TERMED REFUND OVERPAYMENT	92.82
12100	02/10/2017	J&J FARM LABOR CONTRACTING	ACCT TERMED EFF 6.01.13 REFUND OVERPAYMENT	360.75
12101	02/10/2017	KALIFORNIA GOLD AG SERVICES	ACCT TERMED EFF 10.01.14 REFUND OVERPAYMENT	33.30
12102	02/10/2017	KRAZAN & ASSOCIATES	ACCT TERMED METER 41 REMOVED REFUND OVERPAYMENT	17.77
12103	02/10/2017	AT&T	12/16 CALNET 3 SVS 9391026394	2,018.79
12104	02/10/2017	ARENAS, ANTONIO & LETICIA	REFUND PRORATED RENTAL LICENSE TAX	60.00
12105	02/10/2017	CHICAGO TITLE	PRELIMINARY TITLE REPORT FOR PROJECT DESIGN	750.00
12106	02/10/2017	CLEAN CUT LANDSCAPING	Prj No. PK1502, MAIS PO 8312	35,342.58
12107	02/10/2017	COLONIAL LIFE & ACCIDENT INSURANCE CO	#E7004823 FOR 2/10/2017 PAYROLL	1,080.04
12108	02/10/2017	DIAMOND COMMUNICATIONS	QUARTERLY ALARM MONITORING	405.00
12109	02/10/2017	DPG ENGINEERING INC	16135 MILLVIEW PARK PROGRESS BILLING	2,400.00
12110	02/10/2017	ELECTRIC MOTOR SHOP, INC.	Rewind Motor for well 23	7,342.18
12111	02/10/2017	BARRIGA FELIPE	BOND RELEASE FOR ENCROACHMENT PERMIT #5056	500.00
12112	02/10/2017	ENTENMANN-ROVIN CO	OFFICER BADGE AND WALLET	149.74
12113	02/10/2017	FIRST TRANSIT INC.	FIRST TRANSIT JANUARY 2017	79,267.87
12114	02/10/2017	FRESNO BEE, THE	RECRUITMENT ADS	793.25
12115	02/10/2017	FRESNO MADERA AREA AGENCY ON AGING	12/16 UNSERVED MEALS	202.40
12116	02/10/2017	HAYNES, EUGENE G.	PER DIEM AIMS EDUCATIONAL LUNCH & LEARN	55.08
12117	02/10/2017	KAISER FOUNDATION HEALTH PLAN	MEDICALS	621.00
12118	02/10/2017	LOU'S GLOVES, INC.	GLOVES	130.00
12119	02/10/2017	LYNN PEAVEY COMPANY	SUPPLIES	177.00
12120	02/10/2017	M P O A	MAY 2016 MONTHLY DUES CHECK REISSUED	6,649.48
12121	02/10/2017	MADERA COUNTY E D C	REIMBURSEMENT FOR 1ST QTR SALARIES AND EXPENSES	2,179.91
12122	02/10/2017	MADERA TRIBUNE	POLICE OFFICER ADVERTISEMENT	115.14
12123	02/10/2017	MADERA UNIFORM & ACCESSORIES	MADERA POLICE SHLDR SEW ON PATCH	42.50
12124	02/10/2017	SAN RAMON MARRIOTT	RESERVATION #85969425 FOR ROBERT GRAN - VOIDED	0.00
12125	02/10/2017	LOS ANGELES AIRPORT MARRIOTT HOTEL	RESERVATION # 85964693 FOR RICHARD BROADHEAD	391.29
12126	02/10/2017	LOS ANGELES AIRPORT MARRIOTT HOTEL	RESERVATION # 85970766 FOR ROBERT HOLT	391.29
12127	02/10/2017	LOS ANGELES AIRPORT MARRIOTT HOTEL	RESERVATION # 85984703 FOR ISRAEL CORTEZ	391.29
12128	02/10/2017	LOS ANGELES AIRPORT MARRIOTT HOTEL	RESERVATION # 85967586 FOR JIM DASILVA	391.29
12129	02/10/2017	MATTHEW BENDER & CO., INC.	PC BOOKS	1,800.62
12130	02/10/2017	METRO UNIFORM	SURVIVAL ARMOR	853.20
12131	02/10/2017	MID VALLEY DISPOSAL INC.	WASTE DISPOSAL SERVICE JANUARY 2017	602,139.93
12132	02/10/2017	N.P.C.-ORCHARD TRUST COMPANY	PLAN #34022701 FOR 2/10/2017 PAYROLL	7,707.81
12133	02/10/2017	N.P.C.-ORCHARD TRUST COMPANY	PLAN #34022702 FOR 2/10/2017 PAYROLL	2,462.28
12134	02/10/2017	PACIFIC GAS & ELECTRIC	12/16 SVS 99200951533	26,063.12
12135	02/10/2017	GRACIDA ANA	CLASS CANCELLED	55.00
12136	02/10/2017	LUPE MARTINEZ	SPORT REFUND CHILDREN NO LONGER PARTICIPATING	90.00
12137	02/10/2017	PAY PLUS SOLUTIONS, INC.	CALPERS MONTHLY SUBSCRIPTION	272.00
12138	02/10/2017	PECK'S PRINTER	BUSINESS CARDS	155.16
12139	02/10/2017	PETTY CASH - PUBLIC WORKS	REPLENISH PUBLIC WORKS PETTY CASH CHECK REISSUED	27.84
12140	02/10/2017	PREFERRED ALLIANCE, INC	PREEMPLOYMENT EXAMS	42.00
12141	02/10/2017	PRINCIPAL LIFE INSURANCE COMPANY	FEBRUARY 2017 DENTAL INSURANCE	17,211.02
12142	02/10/2017	RANDALL, DAVID	PER DIEM 2017 PUBLIC WORKS OFFICERS INSTITUTE	144.00
12143	02/10/2017	REINARD W. BRANDLEY CONSULTING	Apron Phase II Engineering	22,492.20
12144	02/10/2017	RINCON, NICKI	REIMBURSEMENT FOR OVERPAYMENT	49.38
12145	02/10/2017	RNL DESIGN	PROFESSIONAL ARCHITECTURAL & E	18,910.30
12146	02/10/2017	RODRIGUEZ, JOSE	PER DIEM LOCC TRAVEL EXPENSE REIMBURSEMENT	620.04
12147	02/10/2017	SUPERIOR VISION INC.	VISION PLAN FEBRUARY 2017	2,469.18
12148	02/10/2017	THALES CONSULTING, INC.	SCO REPORT FY 15 TRANSIT REPORT	800.00
12149	02/10/2017	THE ARC FRESNO	CITY CAN ORDERS JAN 2017	1,518.52
12150	02/10/2017	TRANSUNION RISK & ALTERNATIVE DATA SOL.	DATABASE ACCESS JANUARY 2017	110.00
12151	02/10/2017	TRI-SIGNAL INTEGRATION, INC.	UPDATE FIRE EXTINGUISHER	25.00
12152	02/10/2017	UNION PACIFIC RAILROAD	COST INCURRED FOR PLAN REVIEW AND INSPECTION	1,434.62
12153	02/10/2017	VERIZON WIRELESS	PW AIR CARDS DEC 11 JAN 10	88.95
12154	02/10/2017	ZEE MEDICAL SERVICE CO.	SUPPLIES	56.74
12155	02/17/2017	ALVAREZ, SONIA	REIMBURSEMENT FOR SNACKS BOY SCOUTS CIVICS DAY	13.98
12156	02/17/2017	AMERICAN BUSINESS MACHINES	COPIER LEASE AGREEMENT FEBRUARY 2017	1,065.23
12157	02/17/2017	ARAMARK UNIFORM SERVICES	01/17 UNIFORM SERVICES	7,794.28
12158	02/17/2017	AT&T	12/16 CALNET 3 SVS 9391031578	172.04

12159	02/17/2017	AVISON CONSTRUCTION INC	Proj ST 1405, Mais PO 7911	27,025.00
12160	02/17/2017	BANK OF THE WEST	Previous PO 8192 in Mais = {	8,713.46
12161	02/17/2017	LISSA GWENDOLYN VILLANUEVA	REMOVAL OF 3 HORSES FROM AVE 13 1/2 ON 11/13/16	750.00
12162	02/17/2017	BSK ASSOCIATES	WATER SAMPLES	1,715.00
12163	02/17/2017	BUSHEY, SHAWN	PER DIEM CATO CHEMICAL WEAPONS INSTRUCTOR	352.00
12164	02/17/2017	BUSHONG, JASON	MILEAGE REIMBURSEMENT WWTP 1/26/17	14.79
12165	02/17/2017	CITY OF MADERA	02/17 UTILITIES 703 SHERWOOD WAY	159.41
12166	02/17/2017	CITY OF MADERA	MISAPPLIED PMT TO ASSESSMENT APPLY TO COLLECTIONS	30.00
12167	02/17/2017	CITY OF MADERA	BUILDING PERMIT WATER METER PROJECT	46.73
12168	02/17/2017	CITY OF MADERA	LOW FLOW TOILET REBATE APPLY TO ACT 9891758	150.00
12169	02/17/2017	COMCAST	CITY INTERNET CONNECTION 01/15 02/14/17	1,372.25
12170	02/17/2017	CONCENTRA MEDICAL CENTERS	PRE EMPLOYMENT PHYSICAL	278.50
12171	02/17/2017	CORELOGIC INFORMATION SOLUTIONS INC	METRO SCAN 01/17	325.00
12172	02/17/2017	CPS HR CONSULTING	ADMIN ANALYST WRITTEN EXAM	976.95
12173	02/17/2017	CREATIVE COPY	MAX SENIOR TRANSIT	223.51
12174	02/17/2017	DATAPROSE, LLC	01/17 AR STATEMENTS	10,095.77
12175	02/17/2017	DIAMOND COMMUNICATIONS	PAN AM FIRE ALARM MONITORING	26.00
12176	02/17/2017	THOMASSON BARBARA	BOND RELEASE FOR ENCROACHMENT PERMIT #5061	500.00
12177	02/17/2017	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION ENG SVS 02/01/1702/14/17	6,937.50
12178	02/17/2017	FRESNO REPROGRAPHICS	PRINT JOB	566.83
12179	02/17/2017	GLOBAL CTI GROUP	ADDITIONAL LICENSES	909.96
12180	02/17/2017	GOVERNMENT STAFFING SERVICES, INC.	PW Dept Admin Asst. / Invoices 126998, 127028	21,083.38
12181	02/17/2017	GUARDIAN WESTERN SWEEPING INC.	MONTHLY POWER SWEEPING	537.00
12182	02/17/2017	HYATT CORPORATION	RESERVATION # 32JKBKXC FOR STEVEN WOODWORTH	338.00
12183	02/17/2017	KEMBLE, PATRICK	MILEAGE REIMBURSEMENT WWTP 1/26/17	23.00
12184	02/17/2017	LINCOLN AQUATICS INC.	CHLORINE FOR POOL	919.70
12185	02/17/2017	MADERA CLEANERS AND LAUNDRY INC.	YOUTH CENTER MAT SERVICE	32.30
12186	02/17/2017	LOS ANGELES AIRPORT MARRIOTT HOTEL	RESERVATION # 85969425 FOR ROBERT GRAN	195.65
12187	02/17/2017	MOORE-TWINING ASSOCIATES, INC.	PO # 8441 from MAIS	2,129.55
12188	02/17/2017	ONTRAC	OVERNIGHT SHIPPING	14.36
12189	02/17/2017	PACIFIC GAS & ELECTRIC	01/17 SVS 35330324142	98,864.16
12190	02/17/2017	PECK'S PRINTERY	ENVELOPES	1,005.31
12191	02/17/2017	PRAXAIR DISTRIBUTION, INC.	CYLINDER DEMURRAGE RENTAL	510.57
12192	02/17/2017	RIVIERE, TANYA	PER DIEM 911 MISSION CRITICAL TRAINING	288.00
12193	02/17/2017	SMITH, JERRY	FEB. ADVANCED DISABILITY PENSION PMT PENDING PERS	2,891.59
12194	02/17/2017	SUPERIOR VISION INC.	SUPERIOR VISION DECEMBER 2016	2,375.40
12195	02/17/2017	THALES CONSULTING, INC.	SCO REPORT ANNUAL CITIES FINANCIAL TRANSACTION	3,000.00
12196	02/17/2017	THYSSENKRUPP ELEVATOR CORPORATION	YOUTH CENTER ELEVATOR SERVICE	250.32
12197	02/17/2017	3RD GENERATIONAL LLC LAS PALMAS MANAGEMENT	Utility Billing Credit Refund	126.56
12198	02/17/2017	3RD GENERATIONAL LLC LAS PALMAS MANAGEMENT	Utility Billing Credit Refund	139.69
12199	02/17/2017	ABINA DANNY	Utility Billing Credit Refund	173.13
12200	02/17/2017	AGUIRRE RUTH	Utility Billing Deposit Refund	75.38
12201	02/17/2017	AVALOS CESAR JOEL JR	Utility Billing Credit Refund	10.85
12202	02/17/2017	AWAN NASAR	Utility Billing Credit Refund	117.18
12203	02/17/2017	BARRIGA YOLANDA	Utility Billing Credit Refund	31.29
12204	02/17/2017	BEDOLLA DOMINGO	Utility Billing Credit Refund	74.27
12205	02/17/2017	BELLINGER EVELYN	Utility Billing Credit Refund	73.29
12206	02/17/2017	BLISS JOHN DAVID	Utility Billing Credit Refund	138.13
12207	02/17/2017	BRIGGS JULIE	Utility Billing Deposit Refund	23.77
12208	02/17/2017	CAM JAIME A OR CITY OF MADERA	Utility Billing Deposit Refund	69.90
12209	02/17/2017	CAMARILLO MENDOZA FRANCISCO	Utility Billing Credit Refund	125.48
12210	02/17/2017	CANARENA SYLVESTER	Utility Billing Credit Refund	230.80
12211	02/17/2017	CANTU DAVID	Utility Billing Credit Refund	167.38
12212	02/17/2017	CARRINGTON REAL ESTATE SERVICES	Utility Billing Credit Refund	93.52
12213	02/17/2017	CASS INFORMATION SYSTEMS	REFUND PAYMENT MADE IN ERROR ON 1/31/16	273.20
12214	02/17/2017	CASTELLANOS MARIA C	Utility Billing Deposit Refund	14.80
12215	02/17/2017	CERIONI JEFF	Utility Billing Credit Refund	269.10
12216	02/17/2017	CHAVIRA DEBORAH	Utility Billing Credit Refund	98.83
12217	02/17/2017	CHILDERS RON	Utility Billing Deposit Refund	75.77
12218	02/17/2017	CITY OF MADERA MOY BALDWIN	Utility Billing Credit Refund	23.00
12219	02/17/2017	CITY OF MADERA OR ALONSO EFREN	Utility Billing Credit Refund	198.91
12220	02/17/2017	CITY OF MADERA OR FIGUEROA GUADALUPE FIGUEROA MARI	Utility Billing Deposit Refund	300.00
12221	02/17/2017	CITY OF MADERA OR REEVES ASHLEY	Utility Billing Credit Refund	151.21
12222	02/17/2017	CITY OF MADERA OR ROMERO FLORIDELIA AND	Utility Billing Credit Refund	141.08
12223	02/17/2017	CORTES EMMA	Utility Billing Credit Refund	165.68
12224	02/17/2017	COSTA HOUSING CORPORATION C/O LAS PALMAS MANAGEME	Utility Billing Credit Refund	146.29
12225	02/17/2017	CREEKSIDE LAND COMPANY LLC	Utility Billing Credit Refund	293.34
12226	02/17/2017	CURIEL PROPERTIES C/O JACQUE AND COMPANY	Utility Billing Deposit Refund	20.39
12227	02/17/2017	DAZA CASTILLO CLAUDIA OR CITY OF MADERA	Utility Billing Credit Refund	110.28
12228	02/17/2017	DE LARA AMALEA	Utility Billing Credit Refund	4.27
12229	02/17/2017	DELGADO JOSE L AND CELIA GALVEZ	Utility Billing Credit Refund	150.03



12230	02/17/2017	DENTON SHEYANNE	Utility Billing Credit Refund	58.25
12231	02/17/2017	DHILLON ANUP SINGH	Utility Billing Credit Refund	148.64
12232	02/17/2017	DVP LP	Utility Billing Credit Refund	168.61
12233	02/17/2017	DVP LP	Utility Billing Credit Refund	200.80
12234	02/17/2017	ELIZALDE FERNANDO JR	Utility Billing Credit Refund	88.07
12235	02/17/2017	FIGUEROA JUAN M JR	Utility Billing Deposit Refund	61.99
12236	02/17/2017	FLORES CESAR T OR CITY OF MADERA	Utility Billing Credit Refund	121.10
12237	02/17/2017	GALINDO YADIRA	Utility Billing Credit Refund	128.14
12238	02/17/2017	GARY JR PRENTISS D OR CITY OF MADERA	Utility Billing Credit Refund	143.68
12239	02/17/2017	GILL INVESTMENTS INC DBA: LA PLAZA TAQUERIA AND ES	Utility Billing Credit Refund	918.33
12240	02/17/2017	GOMEZ GUADALUPE	Utility Billing Credit Refund	150.57
12241	02/17/2017	GUILLEN JOSE	Utility Billing Credit Refund	167.05
12242	02/17/2017	HERNANDEZ JASMINE	Utility Billing Credit Refund	40.16
12243	02/17/2017	HERNANDEZ-ZURITA OR CITY OF MADERA MARGARITA AND J	Utility Billing Credit Refund	64.67
12244	02/17/2017	HUD C/O SENTINEL FIELD SERVICE CWISLLC OR CITY OF	Utility Billing Deposit Refund	76.42
12245	02/17/2017	HURTADO FRANCISCO	Utility Billing Deposit Refund	1.83
12246	02/17/2017	JONES RODERICK	Utility Billing Credit Refund	136.94
12247	02/17/2017	JUAREZ RODOLFO DOMINGO	Utility Billing Credit Refund	121.95
12248	02/17/2017	KLAIR JASPAL	Utility Billing Credit Refund	187.44
12249	02/17/2017	LAYNE JAMES E AND KELLY L	Utility Billing Deposit Refund	2.22
12250	02/17/2017	LINDBLOM APRIL	Utility Billing Credit Refund	30.88
12251	02/17/2017	LITTLETON PATSY M	Utility Billing Credit Refund	211.30
12252	02/17/2017	LYONS STACEY	Utility Billing Credit Refund	138.14
12253	02/17/2017	MADERA COUNTY WORKFORCE INVESTMENT CORP	Utility Billing Deposit Refund	59.60
12254	02/17/2017	MARTIN REBECCA	Utility Billing Credit Refund	192.86
12255	02/17/2017	MCKINLEY TIMOTHY PAUL SR OR CITY OF MADE	Utility Billing Credit Refund	70.68
12256	02/17/2017	MELIKIAN CHRISTOPHER	Utility Billing Credit Refund	177.93
12257	02/17/2017	MERCADO MARCELINO	Utility Billing Deposit Refund	30.62
12258	02/17/2017	MIRACLE BILL AND MIRACLE GLORIA	Utility Billing Credit Refund	195.69
12259	02/17/2017	MOLES CHERIE OR CITY OF MADERA	Utility Billing Credit Refund	116.55
12260	02/17/2017	MORENO ARASELI AND HAAR JOHN	Utility Billing Deposit Refund	49.27
12261	02/17/2017	NAVARRO MARINA VACA OR CITY OF MADERA	Utility Billing Credit Refund	151.19
12262	02/17/2017	NGO CASSY	Utility Billing Credit Refund	546.22
12263	02/17/2017	NUNEZ JOSE	Utility Billing Deposit Refund	156.21
12264	02/17/2017	PEREZ PAUL MICHAEL	Utility Billing Credit Refund	107.70
12265	02/17/2017	PEREZ VALERIE	Utility Billing Credit Refund	134.69
12266	02/17/2017	PESTORICH HOLDINGS LLC	Utility Billing Deposit Refund	75.00
12267	02/17/2017	PINEDA MARIA	UTILITY BILLING CREDIT REFUND REISSUED	150.00
12268	02/17/2017	PURSELL JOHN AND KARAN	Utility Billing Credit Refund	148.52
12269	02/17/2017	RAMOS-CURIEL RAMONA	Utility Billing Credit Refund	129.61
12270	02/17/2017	REDFREN KATHLEEN MARIE	Utility Billing Credit Refund	130.78
12271	02/17/2017	REIMAN JOHN	Utility Billing Credit Refund	227.25
12272	02/17/2017	RESENDIZ MARIA AND RAUL	Utility Billing Credit Refund	44.62
12273	02/17/2017	RIALON JOHN	Utility Billing Deposit Refund	16.01
12274	02/17/2017	ROCHA JOSE GUADALUPE c/o MADERA MANAGEMENT CO INC	Utility Billing Deposit Refund	22.70
12275	02/17/2017	RODRIGUEZ JOSE	Utility Billing Credit Refund	143.08
12276	02/17/2017	RUIZ MARCELINA	Utility Billing Credit Refund	125.09
12277	02/17/2017	RUIZ QUIROZ DELFINO	Utility Billing Credit Refund	376.15
12278	02/17/2017	SAKIYAMA F	Utility Billing Credit Refund	246.36
12279	02/17/2017	SALDATE MARY OR CITY OF MADERA	Utility Billing Credit Refund	194.54
12280	02/17/2017	SALVATIERRA JOSEPH	Utility Billing Credit Refund	171.34
12281	02/17/2017	SANDERS KEVIN	Utility Billing Credit Refund	57.03
12282	02/17/2017	SAVALA MATTHEW	Utility Billing Credit Refund	150.21
12283	02/17/2017	SCIACQUA DON LEE AND SOFIA GONZALES	Utility Billing Deposit Refund	5.02
12284	02/17/2017	SHANNON MIKE	Utility Billing Credit Refund	245.91
12285	02/17/2017	SINGH JASWINDER C/O JACQUE & CO	Utility Billing Deposit Refund	76.17
12286	02/17/2017	SKIPPER VERONICA	Utility Billing Credit Refund	209.82
12287	02/17/2017	SOMONTE FANNY	Utility Billing Credit Refund	108.40
12288	02/17/2017	STOUT RODGER	Utility Billing Deposit Refund	21.39
12289	02/17/2017	TORRES RENEE OR CITY OF MADERA	Utility Billing Credit Refund	150.57
12290	02/17/2017	TUCK N ROLLERS C/O JACQUES SAMUEL	Utility Billing Credit Refund	486.40
12291	02/17/2017	VALDEZ AGUSTIN	Utility Billing Credit Refund	150.59
12292	02/17/2017	VALENZUELA GENOBEBA	Utility Billing Deposit Refund	5.92
12293	02/17/2017	VELASCO ADAM	Utility Billing Credit Refund	230.37
12294	02/17/2017	VELAZCO GABRIEL AND PATRICIA	Utility Billing Credit Refund	639.41
12295	02/17/2017	WITTEN JEREMY	Utility Billing Deposit Refund	12.73
12296	02/17/2017	ZEPEDA MIGUEL C/O JACQUE & CO	Utility Billing Deposit Refund	50.13
12297	02/17/2017	ZUNINO DAVID AND MARYLIN	Utility Billing Credit Refund	150.68
12298	02/17/2017	UNION BANK OF CALIFORNIA	SVS FOR PERIOD AUGUST 1 TO OCTOBER 31, 2016	875.00
12299	02/17/2017	UNITED MUNICIPAL SECURITY	CD CHARGES	1,245.68
12300	02/17/2017	UNITED RENTALS, INC	EQUIPMENT RENTAL	693.48

12301 02/17/2017 US BANK CORPORATE PAYMENT SYSTEMS  
 12302 02/17/2017 VANTAGEPOINT TRANSFER AGENTS-457  
 12303 02/17/2017 VIDEGAIN, RYAN  
 12304 02/17/2017 WEST VALLEY CONSTRUCTION CO. INC.  
 12305 02/17/2017 WILLDAN FINANCIAL SERVICES  
 12306 02/17/2017 WOODWORTH, STEVE

01/17 CALCARD CHARGES 106,176.21  
 PLAN #302351 CONTRIBS FOR 2/10/17 PAYROLL 44,650.06  
 PER DIEM CATO CHEMICAL WEAPONS INSTRUCTOR 352.00  
 COMMERCIAL WATER METER INSTALL 222,821.41  
 COMMUNITY FACILITIES DISTRICT ADMINISTRATION FEES 800.25  
 PER DIEM 2017 CALBO ANNUAL MEETING 454.08

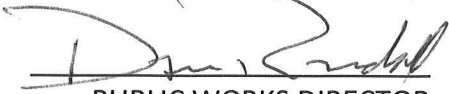
Bank # 1 - Union Bank General Account Total 1,454,870.10

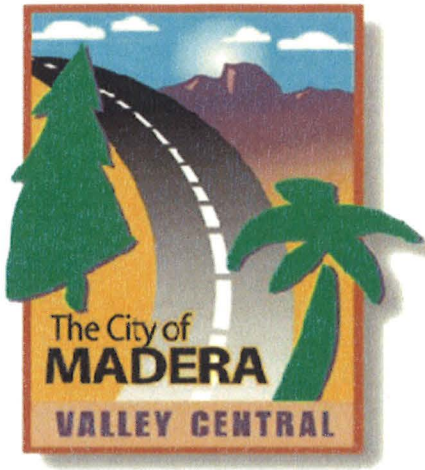
## REPORT TO CITY COUNCIL

MEETING DATE: March 1, 2017

AGENDA ITEM NUMBER: B-3

Approved By:

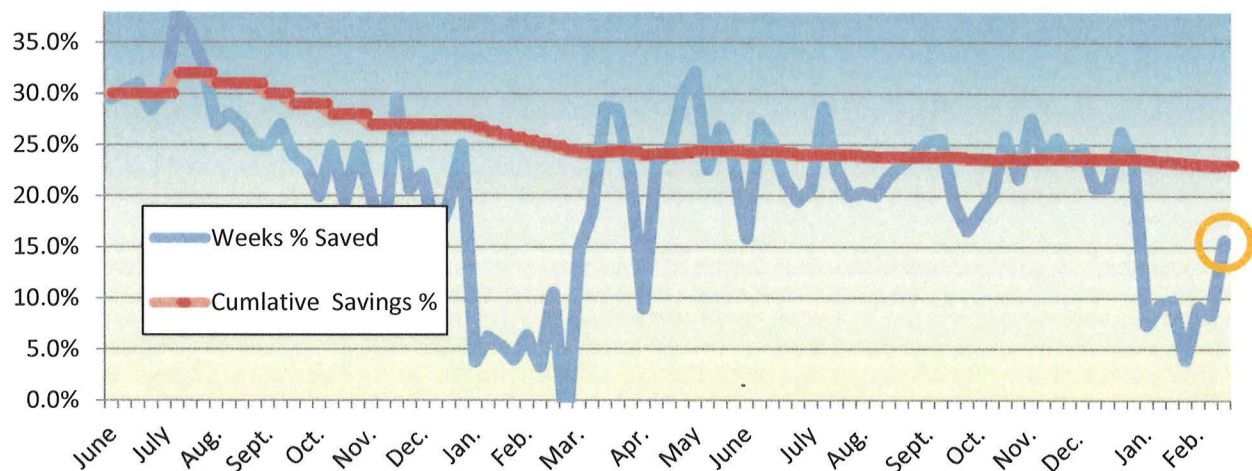
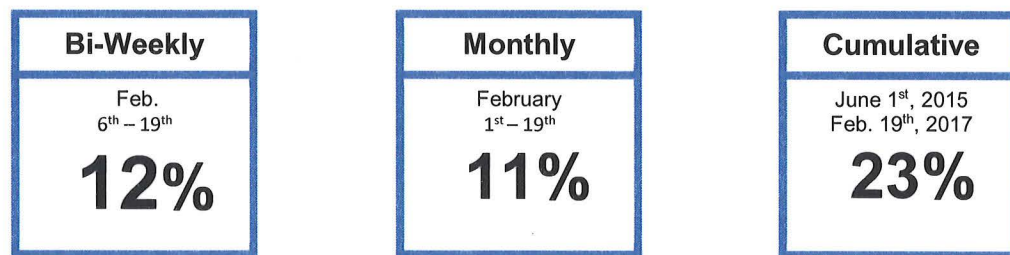
  
 PUBLIC WORKS DIRECTOR

  
 CITY ADMINISTRATOR


**SUBJECT:** Bi-Weekly Water Conservation Report for February 6<sup>th</sup> thru February 19<sup>th</sup>.

**RECOMMENDATION:** Staff recommends that the Council review the attached bi-weekly report of water conservation activities and progress in reducing residential water consumption.

**SUMMARY/ DISCUSSION:** The City's water conservation rate was up from 6.5% in the last bi-weekly reporting to 12% this report, as illustrated in the graph below. The monthly conservation rate for February is up from 6.7% in 2016 to 11% in 2017. During the winter months, the City continues to report violations for water waste; some examples of these include hoses left running, leaking backflows, and pressure washing of paved areas. Graffiti presentations were made at four local elementary schools resulting in a total of 468 public contacts. Below is the most current water conservation data.



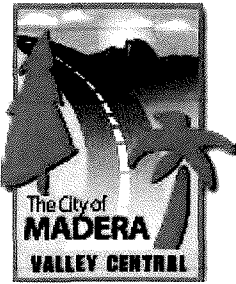
Enforcement			
Public Contacts	468	1 <sup>st</sup> offenses (\$75)	1
Verbal Warnings	1	2 <sup>nd</sup> offenses (\$250)	0
Correction Notices	11	3 <sup>rd</sup> or more offense (\$500)	0

**FINANCIAL IMPACT:**

The expenses for implementing and administering these water conservation activities occur within the Water Fund and do not impact the General Fund.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

While the proposed actions are not specifically addressed as part of the Plan, they are not in conflict with it and are sympathetic of the underlying principles of the 2025 Plan.



# REPORT TO CITY COUNCIL

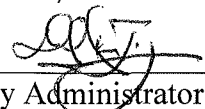
[Return to Agenda](#)

Council Meeting of March 1, 2017

Agenda Item B-4

Approved by:

  
\_\_\_\_\_  
Grants Administrator

  
\_\_\_\_\_  
City Administrator

**SUBJECT: Consideration of a Resolution Authorizing Appointments to the Community Development Block Grant Review and Advisory Committee**

## **RECOMMENDATION:**

Staff recommends that Council approve a resolution authorizing appointments to the Community Development Block Grant (CDBG) Review & Advisory Committee (RAC).

## **DISCUSSION:**

The RAC provides the Council with recommendations for the allocation of CDBG funds through a public hearing process that allows for greater community involvement. Additionally, the committee monitors the City's compliance with the CDBG Consolidated Plan and our progress in implementing the Vision Madera 2025 Action Plan. After receiving input through this public process, the RAC makes recommendations regarding the allocation of CDBG funds that are consistent with both of these plans. Staff then takes these recommendations to Council, which ultimately decides the final allocation of this grant. The Council is not bound by the RAC's findings and may allocate CDBG funds according to their own preferences.

The appointment criteria of the RAC was amended to provide for a representative nominated by each Council Member and the Mayor. This seven member body ensures a wider selection of potential candidates. The appointment criteria aligns the RAC's policies with other community advisory bodies and the composition of the City Council. Finally, the RAC is a discretionary part of the City's CDBG process and the Department of Housing & Urban Development (HUD) neither requires its formation nor prescribes its policies.

Mayor Medellin appoints Ken Hutchings. Council Member Rodriguez appoints Alyssia Arredondo. Council Member Foley Gallegos reappoints Candy Talley. Council Member Robinson reappoints Vicki Nino, and Council Member Holley reappoints Linda Clark. All RAC members shall serve for a period of time consistent with the Mayor's and Council Members' terms.

**FISCAL IMPACT:**

The RAC operates as a volunteer advisory committee and its members do not receive compensation for their service. As a result, the RAC composition will not impact the General Fund.

**VISION MADERA 2025 ACTION PLAN CONSISTENCY:**

The CDBG program has the potential to advance an extensive number of the Vision Plan's objectives and the RAC performs a valuable role in the community input process.



**RESOLUTION NO. 17-\_\_**

**A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF  
MADERA, CALIFORNIA, AUTHORIZING APPOINTMENTS TO THE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
REVIEW AND ADVISORY COMMITTEE**

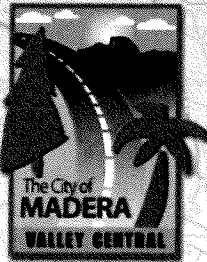
**WHEREAS**, the City of Madera established the Community Development Block Grant (CDBG) Review & Advisory Committee (RAC) to provide greater public input in the grant allocation process; and

**WHEREAS**, the Mayor and Council Members have identified appointments to serve as their representatives on the RAC.

**NOW, THEREFORE**, the City Council of the City of Madera, California, hereby finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. Ken Hutchings, Candace Talley, Alyssia C. Arredondo, Vicki Nino, and Linda Clark are hereby appointed to the CDBG Review and Advisory Committee of the City of Madera for the term prescribed by Ordinance.
3. This resolution is effective immediately upon adoption.

\*\*\*\*\*



[Return to Agenda](#)

## REPORT TO CITY COUNCIL

Approved By:

Department Director

City Administrator

Council Meeting of March 1, 2017

Agenda Item Number B-5

**SUBJECT:** MINUTE ORDER – CONSIDERATION OF APPROVAL OF LETTERS OF SUPPORT FOR STATE TRANSPORTATION FUNDING BILLS INTENDED TO INCREASE STATEWIDE TRANSPORTATION FUNDING

### **RECOMMENDATION:**

City Council approve Minute Order approving:

1. Letters of Support for State transportation funding bills
2. Authorizing the Mayor to sign on behalf of the City of Madera

### **SUMMARY:**

The City received a request for letters of support from the League of California Cities for two separate State assembly and senate bills in the legislature that are intended to increase transportation funding by about \$6-billion annually. If approved, the City of Madera's transportation funding would be more than doubled as described by the League of California Cities.

### **SITUATION:**

Both the State Assembly and Senate are considering bills that would increase transportation funding. While the League of California Cities indicates the goal of achieving increased transportation funding has never been closer, they also express a continuing need to fight for the bills to be approved as currently described as other proposals with different priorities continue to be presented.

### **BACKGROUND:**

Transportation funding as a whole continues to decline year over year. These

### **Engineering**

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

[www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)

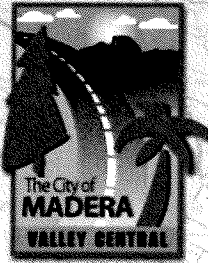
reductions continue even as the number and expense of needed projects are increasing. As described by the League of California Cities, transportation funding for cities would more than double from current levels if the bills are approved as currently written. Given the City of Madera's current backlog, this increase would have meaningful benefits in our ability to maintain streets. Staff has conservatively estimated the current backlog of street maintenance to be many times more than the current identified funding of about \$2,250,000 with that backlog only increasing without substantially increased sources of revenue.

**FINANCIAL IMPACT:**

Approval of this item will not have an impact on the City's General Fund. It can reasonably be stated that over time, the General Fund might be positively impacted if the bills as currently described are approved.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

Strategy 101.6 - Ensure infrastructure can sustain population growth in the development of the General Plan.



March 1, 2017

The Honorable Bob Wieckowski  
Chair, Senate Environmental Quality Committee  
California State Capitol, Room 2205  
Sacramento, CA 95814  
FAX: (916) 322-3519

**RE: SB 1 (Beall). Transportation Funding.**  
**Notice of Support**

Dear Senator Wieckowski:

The City of Madera is pleased to support SB 1, which represents a comprehensive transportation proposal inclusive of sensible reforms, modest increases to existing revenue sources, and robust infrastructure investment. The proposal presents an opportunity for the new legislature to advance a comprehensive framework to address the overwhelming backlog of repair and deferred maintenance as well as other transportation needs in the early part of 2017.

It would be an understatement to say the time to act is now to address the \$73 billion unmet funding need for local streets and roads and \$72 billion backlog to the State's Highway System. For local streets and roads alone, the funding need grows by an additional \$20 billion in just ten years. With the expressed commitment of Legislative Leadership and this Administration to getting this done in the early parts of 2017, we urge this legislature's immediate attention to this proposal as the vehicle to deliver this victory for California.

The City of Madera identified a number of deficiencies that require funding that does not currently exist. Some of those examples include:

- 12% of our centerline miles are in need of major rehabilitation or reconstruction
- 37% of our centerline miles are in need of major preventive maintenance
- Our backlog of preventative maintenance, rehabilitation and reconstruction is currently estimated to be about \$80 million while current annual funding only totals about \$2,250,000.

When fully phased in, SB 1 would generate an additional \$6 billion annually to provide desperately needed funding for the state and local transportation network. To repair and maintain existing transportation infrastructure, the proposal would generate up to \$2.4 billion and \$2.2 billion annually for the state's highway system and local streets and roads, respectively. The bill also provides nearly \$600 million for freight and the state's trade corridors, over a half billion for transit and intercity rail, and up to \$150 million to support active transportation programs throughout the state.

The proposal takes the approach of raising revenue over a variety of sources, such as a 12 cent increase to the gas tax to restore some of its purchasing power phased in over three years, ending the Board of Equalization's "true up" process on the price based excise tax on gas, a \$38 increase to the vehicle registration fee, a \$100 vehicle registration fee on zero emission vehicles, a 20 cent increase to the diesel excise tax, \$300 million from existing cap and trade funds, and returning \$500 million in vehicle weight fees phased in over five years.

**Engineering**

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

**[www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)**

In addition to raising revenue, the proposal includes a series of reforms to improve efficiency, transparency, and accountability, such as restoring independence to the California Transportation Commission, creating the Office of the Transportation Inspection General with audit and investigation authority over the state's transportation spending, and establishing local reporting requirements on local transportation spending. To streamline roadwork, the bill permanently extends and expands on the limited exemptions to California's Environmental Quality Act (CEQA) for repair, maintenance, and minor alteration projects on existing roadways to cities and counties with populations greater than 100,000. The proposal also creates an advanced mitigation program which authorizes the Natural Resources Agency to establish state and regional transportation mitigation plans and mitigation banks to allow transportation projects to fulfill their environmental requirements in advance.

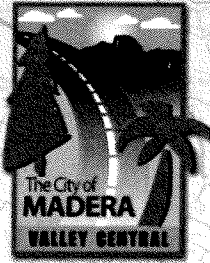
Overall, this proposal provides a comprehensive transportation reform and funding package that picks up where we left off at the end of the special session, while giving this legislature an opportunity for early action. While the legislature has had success in recent years in balancing the state budget, we can no longer afford to ignore our most basic repair and maintenance needs if we wish to avoid systematic failure of the state's entire transportation infrastructure. There may be no better way to put Californians back to work and stimulate our economy than making the roads we and our children rely on everyday safe again.

For these reasons, the City of Madera **Supports** SB 1 (Beall).

Sincerely,

Andrew J. Medellin  
Mayor  
City of Madera

cc: Assembly Member Frank Bigelow  
Senator Anthony Cannella  
Stephen Qualls, League Regional Public Affairs Manager, [squalls@cacities.org](mailto:squalls@cacities.org)  
Meg Desmond, League of California Cities, [mdesmond@cacities.org](mailto:mdesmond@cacities.org)



March 1, 2017

The Honorable Jim Frazier  
Chair, Assembly Transportation Committee  
California State Capitol, Room 3091  
Sacramento, CA 95814  
FAX: (916) 319-2111

**RE: AB 1 (Frazier). Transportation Funding.**  
**Notice of Support**

Dear Assembly Member Frazier:

The City of Madera is pleased to support your AB 1, which represents a comprehensive transportation proposal inclusive of sensible reforms, modest increases to existing revenue sources, and robust infrastructure investment. The proposal presents an opportunity for the new legislature to advance a comprehensive framework to address the overwhelming backlog of repair and deferred maintenance as well as other transportation needs in the early part of 2017.

It would be an understatement to say the time to act is now to address the \$73 billion unmet funding need for local streets and roads and \$72 billion backlog to the State's Highway System. For local streets and roads alone, the funding need grows by an additional \$20 billion in just ten years. With the expressed commitment of Legislative Leadership and this Administration to getting this done in the early parts of 2017, we urge this legislature's immediate attention to this proposal as the vehicle to deliver this victory for California.

The City of Madera identified a number of deficiencies that require funding that does not currently exist. Some of those examples include:

- 12% of our centerline miles are in need of major rehabilitation or reconstruction
- 37% of our centerline miles are in need of major preventive maintenance
- Our backlog of preventative maintenance, rehabilitation and reconstruction is currently estimated to be about \$80 million while current annual funding only totals about \$2,250,000.

When fully phased in, AB 1 would generate an additional \$6 billion annually to provide desperately needed funding for the state and local transportation network. To repair and maintain existing transportation infrastructure, the proposal would generate up to \$2.4 billion and \$2.2 billion annually for the state's highway system and local streets and roads, respectively. The bill also provides nearly \$600 million for freight and the state's trade corridors, over a half billion for transit and intercity rail, and up to \$150 million to support active transportation programs throughout the state.

The proposal takes the approach of raising revenue over a variety of sources, such as a 12 cent increase to the gas tax to restore some of its purchasing power, ending the Board of Equalization's "true up" process on the price based excise tax on gas, a \$38 increase to the vehicle registration fee, a \$100 vehicle registration fee on zero emission vehicles, a 20 cent increase to the diesel excise tax, \$300 million from existing cap and trade funds, and returning \$500 million in vehicle weight fees phased in over five years.

**Engineering**

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

**[www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)**

In addition to raising revenue, the proposal includes a series of reforms to improve efficiency, transparency, and accountability, such as restoring independence to the California Transportation Commission, creating the Office of the Transportation Inspection General with audit and investigation authority over the state's transportation spending, and establishing local reporting requirements on local transportation spending. To streamline roadwork, the bill permanently extends and expands on the limited exemptions to California's Environmental Quality Act (CEQA) for repair, maintenance, and minor alteration projects on existing roadways to cities and counties with populations greater than 100,000 and state roadways. The proposal also creates an advanced mitigation program which authorizes the Natural Resources Agency to establish state and regional transportation mitigation plans and mitigation banks to allow transportation projects to fulfill their environmental requirements in advance.

Overall, this proposal provides a comprehensive transportation reform and funding package that picks up where we left off at the end of the special session, while giving this legislature an opportunity for early action. While the legislature has had success in recent years in balancing the state budget, we can no longer afford to ignore our most basic repair and maintenance needs if we wish to avoid systematic failure of the state's entire transportation infrastructure. There may be no better way to put Californians back to work and stimulate our economy than making the roads we and our children rely on everyday safe again.

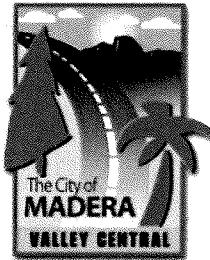
For these reasons, the City of Madera **Supports** AB 1 (Frazier).

Sincerely,

Andrew J. Medellin  
Mayor  
City of Madera

cc: Assembly Member Frank Bigelow  
Senator Anthony Cannella  
Stephen Qualls, League Regional Public Affairs Manager, [squalls@cacities.org](mailto:squalls@cacities.org)  
Meg Desmond, League of California Cities, [mdesmond@cacities.org](mailto:mdesmond@cacities.org)





[Return to Agenda](#)


## REPORT TO CITY COUNCIL

Approved By:

  
\_\_\_\_\_  
Department Director

Council Meeting of March 1, 2017

Agenda Item Number B-6

  
\_\_\_\_\_  
City Administrator

**SUBJECT: CONSIDERATION OF A RESOLUTION APPROVING AMENDMENT NO. 2 TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE INSTALLATION OF A NEW COMPRESSED NATURAL GAS (CNG) COMPRESSOR PROJECT, FEDERAL PROJECT NO. CML 5157 (085)**

### RECOMMENDATION:

1. That the City Council approve Resolution No. 17-\_\_\_\_ approving Amendment No. 2 to Agreement with AECOM Technical Services, Inc.
2. Authorize the Mayor to execute the Amendment No. 2 to Agreement

### SUMMARY:

AECOM Technical Services, Inc. (Engineer) was requested to perform additional services outside the scope of work of the existing Agreement. Most of the additional work is related to re-design to address operation of the existing CNG compressor system and the prologic dispensing system that resulted in changes added to the project. The total cost of the additional work is \$2,500.00. An Amendment to the Agreement is necessary to authorize additional compensation and time extension.

### Engineering

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

[www.madera-ca.gov](http://www.madera-ca.gov)

## **DISCUSSION:**

The new CNG compressor is necessary for redundancy and to accommodate expansion of the existing CNG fleets of the Madera Unified School District and for the possible expanded use by the City. The new compressor is funded through CMAQ funds, programmed in the Federal Transportation Improvement Program for the purchase and installation of the new compressor system.

Design for the new CNG compressor was initially funded with 88% CMAQ (Congestion Mitigation Air Quality Act) and 12% LTF (Local Transportation Fund).

On September 18, 2013, the City Council adopted a resolution approving a professional services agreement with the Engineer for basic fees in the amount of \$27,000. Amendment No. 1 was approved in October 7, 2015 for extra services in the amount of \$1,500 with an additional amount of \$500 for contingencies.

Exhibit A-2, attached to the Amendment to Agreement herein is a list of items performed by the Consultant outside the original scope of work of the Agreement. The additional work also included assistance reviewing and approving additional submittals by the Contractor.

The total cost of the additional services is \$2,500.00. With this increase in fees, the total fees for professional engineering services are estimated to be 8.5% of the construction cost, which is well below the 15% allowed by Caltrans who administers the federal program.

Payment for the additional services will be on a time and materials basis using the rates set forth in the Agreement.

### Project Background and City Agreement with Madera Unified

The MUSD Transportation Facility site was selected for the City's CNG Project on June 20, 2007. On December 7, 2011, the City Council awarded a contract for the construction of the first phase of CNG Fueling Station and that project was completed on August 1, 2012. The award of a construction contract for a second CNG compressor at the site was approved in 2014. The engineering services agreement currently under consideration would help finalize the second compressor project. Capital costs have come from the City CMAQ (Congestion Mitigation Air Quality) grant awards and other local funding sources.

A joint use agreement between the City and School District was executed on January 12, 2010, for the construction of the CNG fast-fill facility. The agreement calls for MUSD to operate and maintain the facility, selling CNG gas to the City using a card-lock system. After two amendments, the current version of agreement (dated March 13, 2012) allows for either party to unilaterally terminate the arrangement with 180 days' notice, beginning on December 31, 2017. In conjunction with the addition of the second compressor in 2014, City staff expressed a desire to MUSD representatives to extend that agreement in light of the City's investment. No response was provided.

**FISCAL IMPACT:**

The City's Fiscal Year 2015/16 Budget included \$263,000 of CMAQ funds and \$122,775.25 of LTF funds for the new CNG Compressor project. This amendment would be funded using additional LTF funds.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

Action 126 – The project supports the strategy for providing clean, attractive streets that are safe and aesthetically pleasing. The requested action is for improvement of infrastructure and is not in conflict with any of the actions or goals contained in the plan.

**RESOLUTION NO. 17 - \_\_\_\_\_**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA APPROVING AMENDMENT NO. 2 TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE INSTALLATION OF A NEW COMPRESSED NATURAL GAS (CNG) COMPRESSOR PROJECT, FEDERAL PROJECT NO. CML 5157 (085)**

**WHEREAS**, the City of Madera is installing a new Compressed Natural Gas Compressor at the Madera Unified School District Maintenance Facility, (the "Project"); and

**WHEREAS**, the City and AECOM Technical Services, Inc. ("ENGINEER") entered into an agreement (the "Agreement") dated September 18, 2013 for professional engineering services for design of the Project; and

**WHEREAS**, the Project requires additional professional engineering services from AECOM to complete the Project, inspect the new CNG facility and verify installation and start-up of the system; and

**WHEREAS**, an Amendment to the Agreement is necessary to provide for this increase in professional engineering services and to extend the expiration date past the end of construction; and

**WHEREAS**, ENGINEER's fee for the increase in professional engineering services is \$2,500; and

**WHEREAS**, the basic fee under the Agreement is \$27,000; and

**WHEREAS**, extra services are provided for under the Amendment No. 2 to Agreement, for the compensation of \$2,500; and

**WHEREAS**, the Agreement includes ENGINEER's services during the Construction Phase, final acceptance and closeout of the project.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA** hereby resolves, finds, determines and orders as follows:

1. The above recitals are true and correct.
2. Amendment No. 2 to Agreement for professional engineering services as described above is necessary to complete the project.
3. The Amendment No. 2 to Agreement for professional services in an amount not to exceed \$2,500, a copy of which is on file in the Office of the City Clerk and referred to for particulars, is hereby approved.
4. The Mayor of the City of Madera is authorized to execute Amendment No. 2 to Agreement.
5. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**AMENDMENT NO. 2 TO AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE INSTALLATION OF A NEW COMPRESSED NATURAL GAS (CNG) COMPRESSOR PROJECT, FEDERAL PROJECT NO. CML 5157 (085)**

This Amendment No. 2 to the Agreement for Professional Engineering Services ("Agreement") to the City of Madera for the Compressed Natural Gas (CNG) Compressor Project, between the City of Madera (hereinafter "CITY") and AECOM Technical Services, Inc. ("ENGINEER") is entered into this 1st day of March, 2017.

**W I T N E S S E T H**

**WHEREAS**, CITY plans to install a new Compressed Natural Gas CNG Compressor, hereinafter called "Project"; and

**WHEREAS**, CITY and ENGINEER entered into an Agreement dated September 18, 2013 for Professional Engineering Services for design of the Project; and

**WHEREAS**, the Project requires additional professional engineering services from AECOM Technical Services, Inc. to complete the Project; and

**WHEREAS**, an Amendment to the Agreement is necessary to provide for this increase in Professional Engineering Services and to extend the expiration date past the end of construction; and

**WHEREAS**, extra services are provided for under Amendment No. 2 to the Agreement, for the compensation of \$2,500; and

**WHEREAS**, the Agreement includes ENGINEER's services during the Construction Phase and closeout of the project; and

**WHEREAS**, the basic fee under the Agreement in the amount of \$27,000 and Amendment No. 1 in the amount of \$2,000 for extra services has been expended.

**NOW THEREFORE:**

The parties hereto mutually agree as follows:

**A G R E E M E N T**

In consideration of the recitals listed above and the mutual obligations of the parties herein, CITY and ENGINEER agree that the Agreement for Professional Engineering Services for design of the installation of the new Compressed Natural Gas

(CNG) Compressor Project, dated September 18, 2013 between CITY and ENGINEER shall be amended as follows:

Item No. 1: Section 2 of the Agreement shall be amended to read as follows:

2. **SCOPE OF WORK:**

ENGINEER shall provide additional services set forth in EXHIBIT A-2, attached hereto and incorporated herein by reference. EXHIBIT A-2 to this Amendment to Agreement shall be incorporated into and made a part of the Agreement as EXHIBIT A-2. ENGINEER accepts full responsibility for the scope of services provided by subcontractors necessary for the delivery of the project. ENGINEER shall comply with all Caltrans and City of Madera design standards and requirements.

Item No. 2: Section 5 of the Agreement shall be amended to read as follows:

5. **COMPENSATION:**

CITY and ENGINEER mutually agree that CITY has paid ENGINEER in full for all work, described in EXHIBIT A-1 to the Agreement dated September 18, 2013. The fee for all work itemized in EXHIBIT A-1, together with the additional scope of services described in EXHIBIT A-2 attached to this Amendment No. 2 to Agreement is two thousand, five hundred Dollars and zero Cents (\$ 2,500). The total amount of compensation to the ENGINEER for basic fee services under the Agreement, including Amendment No. 2, shall not exceed \$ 31,500. CITY and ENGINEER agree that the hourly rates in the FEE SCHEDULE shown on Exhibit "B" attached to the original agreement incorporated herein by reference shall remain in full force and effect through June 30, 2017. It is understood and agreed by both parties that all expenses incidental to ENGINEER'S performance of services are included in the maximum basic fee.

Agreement Paragraph 7 regarding payment for extra services that may be specifically requested by CITY through the City Engineer is not affected by this Amendment to Agreement and shall remain in full force and effect.

Item No. 3: Section 12 D of the Agreement shall be amended to read as follows:

D. ENGINEER shall complete all services required under the Agreement, as amended per Amendment No. 2, and the Agreement shall expire on June 30, 2017 unless extended by mutual agreement.

Item No. 4:

All other terms and conditions of the original Agreement for Professional Engineering Services to the City of Madera for the Compressed Natural Gas (CNG) Compressor Project, executed by CITY and ENGINEER shall be in full force and effect as written and agreed to.

In witness hereof, CITY and ENGINEER have executed this Amendment to the Agreement.

\* \* \* \* \*

**CITY OF MADERA**

By: \_\_\_\_\_  
Andrew J. Medellin, Mayor

**AECOM Technical Services, Inc.**

By: Ben P. Horn  
Ben P. Horn, PE – Managing Engineer

95-2661922  
Taxpayer I.D. Number

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Brent Richardson, City Attorney

**ATTEST:**

By: \_\_\_\_\_  
Sonia Alvarez, City Clerk



## EXHIBIT A-2

### PROJECT WORK PLAN TASKS & DELIVERABLES

#### Task 1 – Kickoff Meeting/Site Evaluation/Design

1.1 Kickoff meeting and site visit: Prior to the kickoff meeting we will request to the City for the gas pressure regulator setting at PG&E's meter set assembly. At the kickoff meeting we will discuss the station in general and cover operational concerns that need to be addressed in the design. We will also cover compressor selection and station control. Directly following the meeting we will visit the site and confirm the record drawings with as-found information.

1.2 Prepare Plans: Plans will include the following:

##### Civil and Mechanical Drawings

- |   |         |
|---|---------|
| • Title Sheet   | 1 sheet |
| • Compressor Site Plan and fencing details                  | 1 sheet |
| • Compressor Plan and Foundation section with misc. Details | 1 sheet |
| • Signage and Marking Plan                                  | 1 sheet |

##### Electrical Drawings

- |                                      |                |
|--------------------------------------|----------------|
| • Legend and abbreviations           | 1 sheet        |
| • Electrical site and grounding plan | 1 sheet        |
| • Single line diagram                | 1 sheet        |
| • Conduit/Conductor Schedule         | <u>1 sheet</u> |

##### Total Plan Sheet Count

8 sheets

1.3 Cost Estimating In a manner similar to the initial CNG station design for the City of Madera, we will provide an initial construction cost opinion at the kickoff meeting and with each deliverable of project plans and specifications.

#### 1.4 Deliverables

1.4.1 Schematic Design Phase (By October 15, 2013): Preparation of a technical memorandum following the kickoff meeting that documents decisions and direction of the design (Fence and gate locations, compressor type, control scheme, etc. Layout of equipment should be the same as shown on the original project record drawings.) The memorandum will include the site plan and preliminary cost opinion as attachments. The schematic design will be delivered in 4 sets of hard copies.

1.4.2 Design Development (Design) Phase (Not included): Per our proposal, this phase is eliminated.

1.4.3. Construction Document (PS&E) Phase: We will deliver 95% plans to you following Schematic Design. You will receive drawings that clearly show where the new facilities are to be constructed or installed and how they relate to the existing facilities. We will provide a complete 100% set of plans, technical specifications and Engineer's cost opinion in four paper copies. This will be done no later than **December 6, 2013**. Following final review, we will provide 100% final plans, specifications and Engineer's cost opinion in two sets by **January 6, 2014**. Following City

approval of final plans and specifications, you will receive a set of Mylar plans, a clean printed set of specifications and electronic files of the plans and specifications.

#### Task 2- Bidding Assistance

2.1 Bid Assistance: Respond to Requests for Information and assistance in preparation of addenda (as needed). At your request, we will attend the pre-bid conference in person or over the phone.

#### Task 3 – Construction (9 Months assumed)

3.1 Offsite Engineering: Review of shop drawings, construction schedules, submittals, requests for information and change orders.

3.2 Construction Assistance: Field visit during startup and testing (one day assumed). During the visit, verify that design intent was adhered to including tubing sizes and connections; leveling and grouting of compressor; control sequencing and other design issues. Following the site visit, we will prepare a report that summarizes our findings. The site visit will also serve as confirmation of record drawing information.

3.3 Record Drawings: Preparation of record drawings from markups prepared by the contractor at the site and the confirming site visit described above.

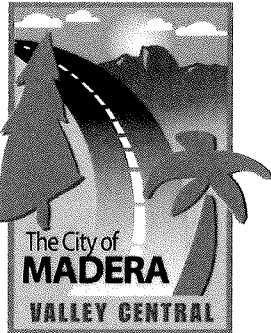
#### Task 4 – Construction (Final Installation & Startup) – Amendment to Agreement No. 2

4.1 Offsite Engineering: Review of Project Manual submitted by S&S Technical.

4.2 Construction Assistance: Field visit during startup and testing (one day assumed). During the visit, verify that design intent was adhered to including tubing sizes and connections; leveling and grouting of compressor; control sequencing, time of fill and volume of fill, compressor cycle in lead/lag, natural gas storage recharge and other design issues. Following the site visit, we will prepare a report that summarizes our findings. The site visit will also serve as confirmation of record drawing information.

4.3 Record Drawings: Preparation of record drawings from markups prepared by the contractor at the site and the confirming site visit described above.


## Report to City Council



Council Meeting of March 1, 2017  
Agenda Item Number B-7

Approved by:

  
\_\_\_\_\_  
Department Director

  
\_\_\_\_\_  
City Administrator

**Consideration of Resolution Authorizing the Finance Director, City Administrator and Community Development Director to act on behalf of the City of Madera for the purposes of investing in Certificates of Deposit with the State Bank of India, Chicago**

### **RECOMMENDATION**

Staff recommends Council adopt Resolution Authorizing the Finance Director, City Administrator and Community Development Director to act on behalf of the City of Madera for the purposes of investing in Certificates of Deposit with the State Bank of India, Chicago.

### **SITUATION**

The City of Madera invested \$249,000 in a certificate of deposit (CD) on January 30, 2017. These CDs are FDIC insured up to \$250,000 and will remit monthly interest payments to the City of Madera at the rate of 2.25% per annum over the 5-year term of the investment.

Most banking institutions with which the City places investments in CDs do not require the specific resolution form that the Bank of India, Chicago is requiring in order for the City to invest its funds in their CDs. So, staff is requesting the approval of this bank-required resolution form, with the Finance Director, City Administrator and Community Development Director named as authorized signers for this account.

### **FISCAL IMPACT**

Approval of this resolution will not impact the General Fund, except to help the City to earn the projected investment income that is included in the City of Madera 2016/2017 Budget.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

Approval of this item is consistent with Strategy 115 of the Vision Plan – Economic Resource Provision: Ensure sufficient resources to provide adequate City services and prepare for future growth. It is also in line with funding core services as articulated by the Vision Madera 2025 Plan.

RES. NO. \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL**

The undersigned hereby certify to the STATE BANK OF INDIA, Chicago, that at a meeting of the City Council of the City of Madera, a City organized and existing under the laws of the State of California, duly called and duly held on the 1<sup>st</sup> day of March, 2017, the following resolution was duly adopted, and that the said resolutions have been entered upon the regular minute book of the said City, are in accordance with the By-Laws and are now in full force and effect.

**THE CITY COUNCIL OF THE CITY OF MADERA HEREBY RESOLVES, FINDS AND ORDERS THAT:**

1. That the officers of the City, or any one or more of them, are hereby authorized to open a bank account or accounts from time to time with the STATE BANK OF INDIA, CHICAGO or any other office of the Bank (referred to as the "Bank"), for and in the name of this City with such title or titles as he or they may designate.
2. That the following officials

Name	Designation	Mode of operation (singly, jointly, any two, etc.)
Tim L. Przybyla	Finance Director	Singly
David Tooley	City Administrator	Singly
David Merchen	Director of Community Development	Singly

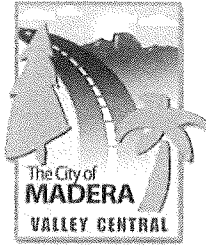
and their successors in office, and any other person hereafter authorized to sign on behalf of the City, are hereby authorized to sign checks, drafts, notes, acceptances, and other instruments, and orders for the payment or withdrawal of moneys, credits, items and property at any time held by the Bank for account of this City, and the Bank is hereby authorized to honor any or all thereof and other instruments and orders authorized to be paid by the Bank, including such as may bring about an overdraft and such as may be payable to or for the benefit of any signer thereof or other officer or employee individually without inquiry as to the circumstances of the issue or the disposition of the proceeds thereof and without limit as to amount.

3. That the bank is hereby authorized to accept for deposit for the account of the City for credit, or for collection, or otherwise, any or all checks, drafts, notes and other instruments of every kind endorsed by any person or by hand stamp impression in the name of the City or without endorsement
4. That the officers of the City or any one or more of them singly are hereby authorized to act for the City in all other matters and transactions relating to any of its business with the Bank.
5. That each of the foregoing resolutions and the authority thereby conferred shall remain in full force and effect until written notice of revocation or modification shall be received by the Bank; that the City Clerk or any other officer of the City is hereby authorized and directed to certify, under the seal of this Corporation or not, but with like effect in the latter case, to the Bank the foregoing resolutions, the names of the officers and other representatives of the City, any changes from time to time in the said officers and representatives and specimens of their respective signatures; and that the Bank may conclusively assume that persons at any time certified to it to be officers or other representatives of this City continue as such until receipt by the Bank of written notice to the contrary.

\_\_\_\_\_  
**IN WITNESS WHEREOF**, we have hereunto set our hand as City Clerk or other authorized official and affixed the seal of the said City this \_\_\_\_ day of March, 2017 at the City of Madera.

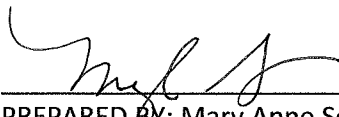
City Clerk or other Authorized Official	<i>Signature:</i>
This certificate should be attested by a second authorized officer or the Mayor of the City	<i>Signature:</i>






## REPORT TO CITY COUNCIL

COUNCIL MEETING OF March 1, 2017  
AGENDA ITEM NUMBER B-8

  
PREPARED BY: Mary Anne Seay, Director  
Parks & Community Services Department

  
APPROVED BY: David Tooley, City Administrator

**SUBJECT:**      **CONSIDERATION OF A RESOLUTION APPROVING A CONSULTANT SERVICES AGREEMENT WITH MADERA UNIFIED SCHOOL DISTRICT FOR PARTIAL ADMINISTRATION OF THE DISTRICT'S FOSTER YOUTH AND HOMELESS/FAMILIES IN TRANSITION PROGRAMS AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

**RECOMMENDATION:**

Staff recommends Council adopt the attached resolution approving a Consultant Services Agreement between the City and the Madera Unified School District (MUSD) for partial administration of the District's Foster Youth and Families in Transition (FIT) Programs. Staff further recommends that Council authorize the Mayor to execute the Agreement on behalf of the City.

**SUMMARY:**

The City has entered into a Consultant Services Agreement with (MUSD) to provide After School Programs (ASP) throughout the District during the current academic year. The City's Parks and Community Services (PCS) Department has successfully provided recreation, education and enrichment programs in the after school setting through agreements with MUSD for three years. MUSD desires to enter into a similar Agreement so that PCS can provide programming to the District's foster youth and homeless youth in the FIT program. The Agreement is for the remainder of the 16-17 Fiscal Year and the contracted amount is \$60,000.



## **DISCUSSION:**

In late 2011, the City and MUSD began working in partnership to craft grant proposals for MUSD to receive both State and Federal funding for after school programming. The PCS Department has maintained and grown its relationship with the District in hopes that the two agencies would work together to provide meaningful programs to youth during the critical out-of-school hours. The PCS team has worked successfully with MUSD staff to provide after school programming for almost three years. Because of the solid track record, MUSD reached out to PCS to serve their more vulnerable students during out-of-school time for the remainder of the 16-17 Fiscal Year.

MUSD has a Foster Youth Program and a program for homeless youth called Families in Transition, or FIT. The programs are designed to provide students and families with a network of support. In addition to other goals, the programs focus on truancy reduction and increased student learning. Studies show that youth who participate in organized out-of-school programming are more likely to attend and perform in the classroom.

The District will engage in outreach to homeless and foster youth who are assigned to participate in our programs. PCS Recreation Program Leaders will provide enrichment programming with a heavy emphasis on Science, Technology, Engineering, Art and Mathematics (STEAM) curriculum. If this Agreement is approved, PCS will provide the following:

1. Programming at Elementary sites during after school program; March 1 - May 26, 2017:
  - This program will mirror the existing after school science program currently offered at elementary school sites.
  - The Program will be offered at 6 Foster Youth sites and 6 FIT sites.
  - Activities are geared to give youth hands-on learning experiences.
2. Programming at Elementary and Middle School sites during Spring break and during Summer at John W. Wells Youth Center; April 10 – 13, 2017, June 5 – 30, 2017 (the end of the Fiscal Year):
  - Camp format with STEAM / recreation-based programming that will include hands on science projects, robotics, creative crafts, swim lessons and traditional recreation activities for grades 1<sup>st</sup> through 8<sup>th</sup> grade.
  - Program will run Monday through Thursday from 8am to 3pm at the John W. Wells Youth Center during spring break and 8am to 2pm during summer program beginning June 5, 2017.
  - Approximately 80 (40 Foster Youth and 40 participants from FIT) youth will be served during spring break.
  - Approximately 100 (50 Foster Youth and 50 FIT) youth will be served in the summer program beginning June 5, 2017.
  - Groups will be broken out according to grade to ensure adequate supervision and age appropriate programming.
3. Programming for High School students will also occur; March 1 – June 30, 2017:
  - Approximately 10 -20 High School students will be served through this program on Saturdays starting March 1 through June 30, 2017.

- Students in grades 9-12 will be offered 5 cooking classes that will provide hands-on learning to complete and receive SERVSAFE certification at Millview Kitchen.
- Students will receive 4 Creative Art classes that will consist of sound studio instruction/experience as well as Ceramics and Art classes at the John W. Wells Youth Center.

Again, the specific actions recommended in this report are to approve the attached Consultant Services Agreement that would extend recreation and enrichment services to foster and homeless students attending MUSD during the 16-17 Fiscal Year and to authorize the Mayor to execute the Agreement on behalf of the City. Staff from both MUSD and the City will evaluate the program in the coming weeks and months. If both sides determine that the proposed program is successful, there may be an opportunity to consider a Consultant Services Agreement for future Fiscal Years.

#### **FINANCIAL IMPACT:**

The total value of the Agreement is \$60,000. The recommended actions provide some General Fund relief in that portions of the full-time salaries are covered in the fully-burdened rate as called out in this Consultant Services Agreement. Staff estimates that the activities borne from this Agreement will relieve the General Fund by as much as \$20,000.

#### **CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

The recommended actions support the following Vision Madera 2025 strategies:

- |                      |   |
|----------------------|---|
| <b>Action 305.4:</b> | Expand youth service club and promote community services provided.  |
| <b>Strategy 332:</b> | Youth Services: Expand comprehensive services for Madera's youth, including employment opportunities, community activities, sports programs, performing arts and after-school programs. |
| <b>Strategy 334:</b> | After School Programs: Develop after-school programs with emphasis on local cultures and their histories.   |
| <b>Strategy 404:</b> | Promote increased community wellness.   |
| <b>Strategy 411:</b> | Enhance and expand recreational activities available to Maderans.   |

**RESOLUTION NO. 17 - \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING  
A CONSULTANT SERVICES AGREEMENT WITH MADERA UNIFIED SCHOOL  
DISTRICT FOR PARTIAL ADMINISTRATION OF THE DISTRICT'S FOSTER  
YOUTH AND HOMELESS/FAMILIES IN TRANSITION PROGRAMS AND  
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF  
THE CITY**

**WHEREAS**, the youth of a community are known to be vulnerable to negative societal influences in the hours between the end of the school day and 6 pm; and

**WHEREAS**, Madera Unified School District has identified funding to provide students who are foster youth or homeless with the opportunity to attend structured and organized activities during these critical after-school hours; and

**WHEREAS**, MUSD is seeking consultants with expertise in recreation, enrichment and educational programming to provide staffing, curriculum and materials needed for the direct provision of after-school program activities; and

**WHEREAS**, the City's Parks and Community Services Department has the level of expertise necessary for provision of said programming; and

**WHEREAS**, MUSD has prepared a Consultant Services Agreement that specifies the responsibilities of the School District and the City in regard to providing recreation and enrichment programming; and

**WHEREAS**, the Consultant Services Agreement is in the best interest of the public, the City and Madera Unified School District.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF MADERA, HEREBY**, finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. The Consultant Services Agreement with Madera Unified School District, a copy of which is on file in the office of the City Clerk and is referred to for more particulars, is hereby approved.
3. The Mayor is authorized to execute said Agreement on behalf of the City.
4. This resolution is effective immediately upon adoption.

\* \* \* \* \*



# MADERA UNIFIED SCHOOL DISTRICT

## CONSULTANT SERVICES AGREEMENT

**This agreement is made and entered into this 1<sup>st</sup> day of March 2017, by and between Madera Unified School District ("District") and The City of Madera ("Consultant").**

1. Consultant agrees to provide the following specified services:

The City of Madera will assign staff to provide enrichment services focusing on STEAM programs to identified Foster and Homeless/Families In Transition (FIT) Madera Unified School District students:

1. Elementary sites during after school program; March 1-May 26, 2017
2. Elementary and Middle School sites during Spring break and Summer at John W. Wells Youth Center; April 10 – 13, 2017, June 5 – 30, 2017.
3. High School students participating in Fencepost will also receive services: March 1 – June 30, 2017.

2. Term. The Consultant's services described in Paragraph 1 shall commence on March 1, 2017 and shall end on June 30, 2017 unless earlier terminated pursuant to Paragraph 8.

3. Payment. District agrees to pay Consultant as follows: \$60,000 – Foster Youth / FIT Funds

A total of \$30,000 for Foster Youth services and \$30,000 for Families In Transition (FIT) services for a total of \$60,000 of services for the following sites: Madera High; Adams Elementary, Alpha Elementary, Berenda Elementary, Chavez Elementary, Dixieland School, Easton-Arcola School, Howard School, La Vina School, Lincoln Elementary, Madison Elementary, Millview Elementary, Monroe Elementary, Nishimoto Elementary, Parkwood Elementary, Pershing Elementary, Sierra Vista Elementary, and Washington Elementary. District will pay the City of Madera a total of \$27.35 per hour. This rate is a fully-burdened rate that covers site staff, administrative costs, and materials. Unless directed otherwise in writing by District, City shall not provide services in excess of allocated cost per program as listed above. Additional services and/or supplies can be provided to District at an additional rate. Supplies shall be acquired at the City's cost plus 15% in administrative costs and staffing at the agreed upon fully-burdened rate of \$27.35/hour.

4. Payroll Forms. Consultant agrees to complete the District's consultant payroll form. Consultant agrees that failure to properly complete this form in a timely manner may result in nonpayment to consultant.

5. Independent Contractor Status. Consultant and any and all agents and employees of Consultant are agreed to be independent contractors in their performance under this Agreement and are not officers, employees, or agents of the District. Consultant shall retain the right to perform services for others during the term of this Agreement.

6. Indemnity.

General Liability. This section shall govern any liability incurred by one party through the fault of the other party.

District to Indemnify. The District shall defend, indemnify, and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any and all liability from loss, damage, or injury to property or persons, including wrongful death, to the extent arising out of or incident to any negligent acts, omissions, or willful misconduct of the District, its officials, officers, employees, agents, and volunteers arising out of or in connection with the District's performance of this Agreement, including without limitation the payment of reasonable attorney's fees.

City to Indemnify. The City shall defend, indemnify, and hold the District, its officials, officers, employees, agents, and volunteers free and harmless from any and all liability from loss, damage, or injury to property or persons, including wrongful death, to the extent arising out of or incident to any negligent acts, omissions, or willful misconduct of the City, its officials, officers, employees, agents, and volunteers arising out of or in connection with the City's performance of this Agreement, including without limitation the payment of reasonable attorney's fees.

7. Insurance. Consultant agrees to procure and maintain throughout the term of this Agreement a comprehensive general liability insurance policy to protect Consultant from damages because of bodily injury, including death, and from claims for damages to property which may arise out of or result from Consultant's responsibilities under this Agreement, whether such acts or omissions be by Consultant or anyone directly or indirectly employed by

Consultant. This insurance shall name the District as additional insured and shall be written for not less than Two Million Dollars (\$2,000,000) per occurrence, Five Million (\$5,000,000) aggregated liability coverage and One Million Dollars (\$1,000,000) for property damage. A certificate of insurance shall be filed with the District and shall provide that no changes shall be made to such insurance without thirty (30) days prior written notice to the District.

8. Termination of Agreement. District and or Consultant may terminate this Agreement for any reason upon 30 days written notice. In the event of early termination, Consultant shall be paid for work performed to the date of termination. The District may then proceed with the work in any manner the district deems proper.

9. No Entitlement. Consultant agrees that it has no entitlement to any future contracts or work from District or to any employment or fringe benefits from the District.

10. Taxes. Payment to Consultant pursuant to this Agreement will be reported to federal and state taxing authorities as required on the IRS Form 1099. District will not withhold any money from compensation payable to Consultant. In particular, District will not withhold FICA (social security); state or federal unemployment insurance contributions; and/or state or federal income tax or disability insurance. Consultant is independently responsible for the payment of all applicable taxes.

11. Governing Law and Venue. This Agreement shall be governed by and construed only in accordance with the laws of the State of California. If any action is initiated involving the application or interpretation of this Agreement, venue shall only lie in the appropriate state court in Madera County or federal court in Fresno County, California.

12. Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon the Consultant, the District and their respective successors and assignees.

13. Severability. If any provision of this Agreement shall be held invalid or unenforceable by a Court of competent jurisdiction, such holdings shall not invalidate or render unenforceable any other provision of this Agreement.

14. Amendment. The terms of this Agreement shall not be amended in any manner whatsoever except by mutual written agreements signed by the parties.

15. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no oral understandings, side agreements, representation or warranties, expressed or implied, not specified in this Agreement.

16. Licenses. Consultant represents that Consultant and all agents and employees of Consultant are licensed by the state of California, if applicable, to perform all the services required by this Agreement. Consultant will maintain all licenses in full force and effect during the term of this Agreement.

17. Compliance with Law. Consultant agrees to perform the services contemplated by this Agreement in a professional and a competent manner and in compliance with all local, state and federal laws, and regulations governing the service to be rendered pursuant to this Agreement.

18. Approvals. The parties agree that the effectiveness of the Agreement is contingent upon approval by the District's Board of Trustees and by the Madera City Council.

19. Equipment and Materials. Consultant shall provide all equipment, materials, and supplies necessary for the performance of this Agreement. This provision is negotiable as to the needs of specific children.

20. Non-discrimination. Consultant shall not engage in unlawful discrimination in the employment of persons because of race, color national origin, age, ancestry, religion, sex, marital status, medical condition, physical handicap, or other bias prohibited by state or federal law.

21. Copyright. Any product, whether in writing or maintained in any other form produced under this Agreement shall be the property of District. District shall have the right to secure a patent, trademark or copyright and the product or information may not be used in any manner without District's written permission.

22. In accordance with Education Code Section 39656, this contract is not valid or an enforceable obligation against the District until approved or ratified by motion of the Governing Board duly passed and adopted.

Madera Unified School District:

by: Victor M. Villar (name)

Associate Superintendent of Educational Services (title)

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

Consultant:

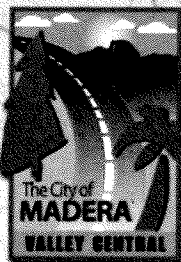
Andrew J. Medellin (name)

Mayor (title)

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

Federal ID# \_\_\_\_\_



## REPORT TO CITY COUNCIL

COUNCIL MEETING OF March 1, 2017  
AGENDA ITEM NUMBER B-9

APPROVED BY:

DEPARTMENT DIRECTOR

CITY ADMINISTRATOR

**SUBJECT: CONSIDERATION OF A RESOLUTION APPROVING REQUEST FOR OUTSIDE OF CITY WATER SERVICE BY SVA GROUP, LLC, FOR PROPERTY LOCATED AT 12828 ROAD 26, APPROVING COVENANT TO ANNEX, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT ON BEHALF OF THE CITY AND DIRECTING STAFF TO RECORD THE AGREEMENT AND COVENANT**

### RECOMMENDATION:

That the City Council approves Resolution No. 17-\_\_\_:

1. Approving the request by SVA GROUP LLC for connection to the City's water system.
2. Authorizing the Mayor to execute the agreement and Covenant on behalf of the City.

### Engineering

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

[www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)



3. Directing staff to record the agreement and covenant.

## **BACKGROUND:**

The City has a policy wherein properties located outside the City Limits and are adjacent to the City water system, may under certain conditions, apply for and receive City water service.

## **SITUATION:**

The property owner, SVA GROUP LLC, has a 97,000 square foot industrial building used for almond storage and processing on a 6.9 acre parcel located on the west side of Road 26, south of Pecan Avenue. The owners have requested that they be allowed to connect to an existing 12-inch City water main on Road 28.

The existing water line was constructed by the owner of the adjacent parcel (12806 Road 26), which is also located outside the City, pursuant to an extraterritorial service agreement approved by the City Council in May of 2011. That parcel is now also owned by SVA GROUP LLC but, was under the ownership of United Security Bank at the time the water line in Road 26 was constructed. The City has a reimbursement agreement with United Security Bank that states that they are eligible to receive reimbursements for any connections that other properties make to the line they constructed.

Reimbursements collected from other connecting properties are for one-half of the value of an equivalent 8-inch pipe plus annual adjustments for inflation based on the Engineering News Record's Construction Cost Index.

The owners have signed the attached **"AGREEMENT FOR OUTSIDE CITY LIMITS WATER CONNECTION"** and **"COVENANT TO ANNEX TO THE CITY OF MADRA AND WAIVE THE RIGHT TO PROTEST THERETO"**.

The Local Agency Formation Commission (LAFCO) has approved the connection to City water service outside the current City limits.

**FISCAL IMPACT:**

Approving this request for outside of city water service imposes no additional expense to the City or the General Fund.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

The installation of an outside the City Limits water service connection to the site is not specifically addressed in the vision or action plans.

**RESOLUTION NO. 17-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH SVA GROUP LLC FOR OUTSIDE OF CITY WATER SERVICE FOR 12828 ROAD 26, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT ON BEHALF OF THE CITY AND DIRECTING STAFF TO RECORD THE AGREEMENT AND COVENANT**

**WHEREAS**, SVA GROUP LLC desires to connect the property located at 12828 Road 26 to the City water system; and

**WHEREAS**, the property is located in the unincorporated territory of the County of Madera; and

**WHEREAS**, the City Council is willing to authorize said connection to the City's water system, subject to certain conditions.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY** finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. That certain agreement for water system connection by and between the SVA GROUP LLC, owners of the property located on the west side of Road 26, south of Pecan Avenue, known as 12828 Road 26, a copy of which is on file in the Office of the City Clerk and which reference is hereby made for full particulars as to terms and conditions thereof, is approved.
3. The Covenant to Annex to the City of Madera and Waive the Right to Protest Thereof, a copy of which is on file in the Office of the City Clerk and which reference is hereby made for full particulars as to terms and conditions thereof, is approved.
4. The Mayor is authorized and directed to execute said agreement and covenant on behalf of the City.
5. Staff is hereby directed to record the Agreement and Covenant.
6. This resolution is effective immediately upon adoption.

\* \* \* \* \*

Recording Requested By:  
City of Madera  
When Recorded Return To:  
City of Madera, City Clerk  
205 W. 4th Street  
Madera, CA 93637

---

Fee Waived Per Section 27383 of the Government Code

No Doc. Tax Due

**AGREEMENT FOR OUTSIDE CITY LIMITS  
WATER CONNECTION FOR 12828 ROAD 26**

AGREEMENT MADE AND ENTERED INTO this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between the CITY OF MADERA, a municipal corporation of the State of California, hereinafter called "CITY" and SVA GROUP LLC, hereinafter called "APPLICANT".

**W I T N E S S E T H**

**WHEREAS**, APPLICANT is the owner of that certain property consisting of 6.9 acres, more or less, located on the west side of Road 26, south of Pecan Avenue, known as 12828 Road 26, in the unincorporated territory of Madera County; and

**WHEREAS**, APPLICANT desires a water connection to serve APPLICANT'S property at said address; and

**WHEREAS**, CITY is willing to authorize said water connection subject to conditions agreeable to APPLICANT;

**NOW, THEREFORE**, the parties hereto agree as follows:

1. Subject to and in accordance with all of the conditions set forth in this agreement, CITY hereby authorizes APPLICANT to connect to existing water main in Road 26 to serve APPLICANT'S property located on the west side of Road 26, south of Pecan Avenue, which property is more particularly described as follows:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

A parcel of land in the East half of the Northeast quarter of Section 35, Township 11 South, Range 17 East, Mount Diablo Base and Meridian, according to the official plat thereof, more particularly described as follows:

Beginning at a point on the West line of a County road right-of-way, said point of beginning bearing South, along the East line of said Section 35, a distance of 1317.00 feet, and South 89°40' West, parallel to the North line of said Section 35, a distance of 30.00 feet from the Northeast corner of said Section 35; thence from said point of beginning South, along said West right-of-way line, a distance of 349.90 feet; thence South 89°29' West a distance of 855.00 feet; thence North a distance of 350.11 feet; thence North 89°29'51" East a distance of 855.00 feet to the point of beginning.

APN: 046-020-041-000

2. Prior to any such installations, APPLICANT shall pay to CITY water impact fees for Industrial Development which total \$4,956.00, based on a 72 employee estimate. Any additional development on site will be subject to additional CITY impact fees. APPLICANT shall also pay to City connection, permit, inspection or other fees as required, and 50% repayment of the private cost to install the 8-inch component of the 12-inch water main located in Road 26. APPLICANT shall pay to City an amount equal to fifty percent (50%) of the actual costs incurred for installation of the 8 inch component based upon documentation acceptable to the City in an amount not to exceed Twenty Three Thousand Two hundred Fifty Dollars \$23,250. On and after connection of APPLICANT'S property to the CITY water system, APPLICANT shall pay to CITY the monthly water service charges as determined by the Director of Finance.

3. APPLICANT agrees that connection at this time is for the purpose of providing domestic water service only to property located on the west side of Road 26, south of Pecan Avenue. Any future water connection for property development purposes is subject to approval of CITY.

4. APPLICANT hereby agrees, prior to receipt of CITY water service, to install a water meter and a reduced pressure back flow prevention device at property line in accordance with City Standard Specifications and destroy any existing wells in accordance with the Madera County and California Department of Health Standards or completely isolate them from the City's water system.

5. APPLICANT hereby agrees to the annexation to the CITY of all of APPLICANT'S property described herein and agrees to pay any and all fees and charges associated therewith and hereby irrevocably consents to the annexation of said real property as soon as the Subject Property meets the standards for annexation as determined by the City and waives any right to protest such annexation.

6. CITY reserves the right to terminate water service provided herein in the event of breach by APPLICANT of any of the terms of the agreement, including but not necessarily limited to the non-payment of monthly service charges. In no event shall APPLICANT'S consent to annexation, however, be considered revocable as a result of the terms of this paragraph.

7. This agreement shall be recorded and is considered a covenant running with the land and is binding upon APPLICANT, APPLICANT'S heirs, executors, administrators, assigns and successors in interest.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year hereinabove first written.

CITY OF MADERA

Accepted by:

By: \_\_\_\_\_

Keith B. Helmuth

City Engineer

CITY OF MADERA

By: \_\_\_\_\_

Andrew J Medellin, Mayor

OWNERS/APPLICANTS

Sierra Valley Almonds, LLC

ATTEST:

By: \_\_\_\_\_

Sonia Alvarez, City Clerk

By: \_\_\_\_\_

Mark Turmon, Manager

By: \_\_\_\_\_

P. Michael Friedenbach, Manager

APPROVAL AS TO FORM:

By: \_\_\_\_\_

Brent Richardson, City Attorney

ATTACH NOTARY

ACKNOWLEDGEMENT

Recording Requested By:  
City of Madera  
When Recorded Return To:  
City of Madera, City Clerk  
205 W. 4th Street  
Madera, CA 93637

---

Fee Waived Per Section 27383 of the Government Code

No Doc. Tax Due

**COVENANT TO ANNEX TO THE CITY OF MADERA  
AND WAIVE THE RIGHT TO PROTEST THERETO**

**RECITALS**

WHEREAS, the undersigned, Covenantors, hereby represent and warrant that they are the record owners of the real property (the "Subject Property") commonly known as 12828 Road 26 (APN 046-020-041), situated in the County of Madera, State of California, and more particularly described as:

A parcel of land in the East half of the Northeast quarter of Section 35, Township 11 South, Range 17 East, Mount Diablo Base and Meridian, according to the official plat thereof, more particularly described as follows:

Beginning at a point on the West line of a County road right-of-way, said point of beginning bearing South, along the East line of said Section 35, a distance of 1317.00 feet, and South 89°40' West, parallel to the North line of said Section 35, a distance of 30.00 feet from the Northeast corner of said Section 35; thence from said point of beginning South, along said West right-of-way line, a distance of 349.90 feet; thence South 89°29' West a distance of 855.00 feet; thence North a distance of 350.11 feet; thence North 89°29'51" East a distance of 855.00 feet to the point of beginning.

APN: 046-020-041-000

WHEREAS, the Covenantors hereby warrant that any and all parties having record title interest in the Subject Property which may ripen into a fee have subordinated to this instrument; and



WHEREAS, all such instruments of Subordination, if any are attached hereto and made a part of this instrument; and

WHEREAS, Covenantor's property currently is located in unincorporated portion of Madera County and are seeking permission from the City to connect to the City water system located adjacent to Covenantor's property.

### **COVENANTS**

NOW, THEREFORE, the Covenantors hereby covenant, promise and agree with the City of Madera, for the benefit of said City its public property and the Subject Property, as follows:

1. The Covenantors hereby agree to willingly participate in the annexation of the Subject Property to the City of Madera, including filing an application for annexation and paying all applicable fees related thereto as soon as the Subject Property meets the standards for annexation as determined by the City.
2. The Covenantors hereby agree to the annexation of the Subject Property and waive any right to protest the annexation thereof.
3. Whenever the context hereof requires, the neuter shall include the masculine or feminine, or both, the singular shall include the plural. It is the intention hereof that this document shall constitute a covenant running with the Subject Property owned by the Covenantors, jointly and severally binding upon the undersigned and each of their heirs, representatives, successors and assigns.
4. The Covenant shall be released and of no further effect upon a written determination by the City Engineer of the City of Madera that it's continued existence and enforcement are no longer necessary.

CITY OF MADERA

Accepted by:

By: \_\_\_\_\_

Keith B. Helmuth

City Engineer

CITY OF MADERA

By: \_\_\_\_\_

Andrew J Medellin, Mayor

ATTEST:

COVENANTORS

Sierra Valley Almonds, LLC

By: \_\_\_\_\_

Sonia Alvarez, City Clerk

By: \_\_\_\_\_

Mark Turmon, Manager

By: \_\_\_\_\_

P. Michael Friedenbach, Manager

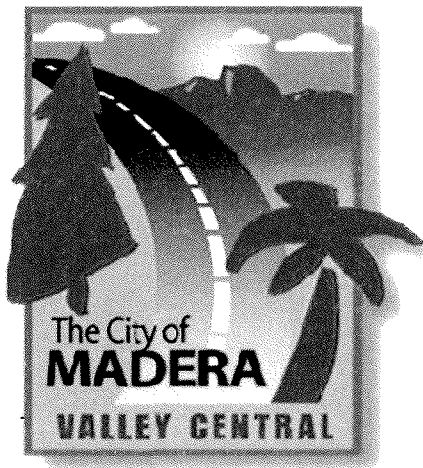
APPROVAL AS TO FORM:

ATTACH NOTARY

ACKNOWLEDGEMENT

By: \_\_\_\_\_

Brent Richardson, City Attorney



## PUBLIC WORKS DEPARTMENT REPORT TO CITY COUNCIL

MEETING DATE: March 1, 2017

AGENDA ITEM NUMBER: C- 1

Approved By:

  
PUBLIC WORKS DIRECTOR

  
CITY ADMINISTRATOR

### SUBJECT:

Consideration of a Resolution Approving A Second Amendment to the Agreement with Mid Valley Disposal to Provide Additional Services Related to New Organic Waste Hauling and Bin Service Rates and Authorizing the Mayor to Sign the Agreement; and

Consideration of a Resolution Amending the City's Fee Schedule Relating to Solid Waste Collection Services; and

Consideration of the Introduction of an Ordinance Amending the City Municipal Code Relating to Organic Waste Recycling.

### RECOMMENDATION:

It is recommended that the Council take the following actions to implement requirements of AB 1826 related to organic waste recycling:

1. Adopt a resolution approving an amendment to the existing agreement with Mid Valley Disposal to provide additional services for hauling and bin service rates and authorizing the Mayor to sign the agreement on behalf of the City.
2. Adopt a resolution amending the City's fee schedule relating to solid waste disposal fees to incorporate organic waste recycling fees and making minor clean changes to existing fees.
3. Introduce an amendment to the Municipal Code regarding organic waste disposal.

### SUMMARY:

AB1826 requires that the City implement a new organic waste recycling program for businesses that generate a certain minimum quantities of organic waste per week. The City does not currently provide such a service nor does it have fees established to do so. The City's contract with Mid Valley Disposal, its solid waste hauler, includes a provision which calls for the parties to negotiate and add additional services and rates when required by new regulations. Staff, in cooperation with the hauler, has developed a set of appropriate rates, ordinances, and policies to implement the new program. Council is being asked to amend the agreement with Mid Valley Disposal,

amend the City's Solid Waste Fee Schedule, and amend the ordinance relative to the new program.

## **DISCUSSION:**

New organic waste services are necessary to implement the mandates passed by the State in AB1826, which requires businesses to recycle their organic waste on and after April 1, 2016. Organic waste includes food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The legislation initially targeted businesses that generate 8 cubic yards of organic waste per week. However, the mandatory threshold for participation has decreased from the initial 8 cubic yards per week to 4 cubic yards per week as of January 1, 2017; and in 2019 will further decrease the participation level to any generator of 4 cubic yards or more of solid waste.

It is estimated that initially there will be less than 100 business that will be subject to this new requirement and an estimated additional 100-150 businesses may be impacted as the requirement threshold falls to 2 cubic yards per week.

The City's waste hauler contractor, Mid Valley Disposal, will provide the collection services and processing of the organic waste. City staff will provide the required outreach of educational material for impacted businesses and sign them up for the new services. City Staff will also provide the annual progress reports to Cal Recycle.

An amendment to the City's existing waste hauling contract with Mid Valley Disposal is needed to enable these new services. The new proposed rates for the City to pay Mid Valley Disposal are based on similar recycling services provided to the City with adjustments for additional tipping fees that the material will incur.

In addition, staff and the hauler also jointly recommend incorporating clean up language for the contract amendment to address the following matters:

- Additional service rates with pick-up frequencies and bin sizes that are part of the City's current fee schedule, but do not have corresponding rates in the contract with the hauler.
- A charge for the replacement of locks.

Corresponding new customer fees for the proposed new services are included in "Exhibit A" of the proposed resolution amending the City's fee schedule on file in office of the City Clerk. The new fees to customers for organic waste are based on the charges from our hauler plus \$0.46 per cubic yard to cover the cost of mandated education efforts and billing expenses the City will incur.

The program will not require any additional staff, other than a small increase in hours for existing part time staffing, approximately 0.2 FTE. These new costs are fully covered by revenues from the new fees as discussed above.

An amendment to the Municipal Code is proposed to implement the State's requirements by making organic wastes services mandatory based on the volumes of organic waste generated. The amendment does provide the ability for staff to issue warnings and violations in the event waste generating businesses are continually uncooperative in complying with the requirements. The attached implementation policy makes it abundantly clear that education and encouragement are anticipated to be the main tools for gaining compliance with the State's requirements, that citations would only be used as a last resort.

**FINANCIAL IMPACT:**

These expenses occur solely within the Solid Waste Fund. No negative financial impacts are anticipated, as the new organic waste hauling fees are designed to generate revenues equal to all the costs of providing the services.

**MADERA VISION 2025:**

The proposed actions are specifically consistent with the Madera Vision Plan, Action Item 437, Recycling Programs: Promote recycling through multiple programs.

**RESOLUTION NO.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING SECOND AMMENDMENT TO AGREEMENT WITH MID VALLEY DISPOSAL TO PROVIDE ADDITIONAL SERVICES RELATED TO NEW ORGANIC WASTE HAULING AND BIN SERVICE RATES AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT**

**WHEREAS**, CITY AND FRANCHISE HAULER Sunset Waste Systems entered into an agreement dated April 18, 2012 to contract with FRANCHISE HAULER to provide collection and transport solid waste services (the "Agreement"); and

**WHEREAS**, on September 24, 2014 the CITY AND FRANCHISE HAULER Sunset Waste agreed to assign the AGREEMENT for solid waste services to Mid Valley Disposal; and

**WHEREAS**, the City's agreement with Mid Valley Disposal for solid waste hauling services includes a provision allowing for amendments to the contract when new services must be added; and

**WHEREAS**, the City and Mid Valley Disposal, on December 16, 2015, did enter into an amendment to the Agreement with Mid Valley Disposal for a change in compensation for recycling of solid waste services; and

**WHEREAS**, the City has need to add additional solid waste hauling services to address the public's needs and to implement a new organic waste disposal program mandated by the State; and

**WHEREAS**, the City has need for a wider variety of sizes of bins and frequency of collection to provide a wider range of public service; and

**WHEREAS**, the City and Mid Valley Disposal have agreed to amend the Agreement to provide new service charge rates.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY** finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. The Second Amendment to Agreement for the Collection, Transport, and Recycling Solid Waste Services for the City of Madera, a copy of which is on file with City Clerk and referred to for particulars, is hereby approved.
3. The Mayor is authorized to execute the Amendment on behalf of the City.
4. This resolution is effective immediately upon adoption.

\*\*\*\*\*

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
AUTHORIZING AN AMENDMENT TO THE CITY'S FEE SCHEDULE RELATING  
TO SOLID WASTE COLLECTION SERVICES**

**WHEREAS**, Section 5-3.02 of Chapter 3 of Title V of the Madera Municipal Code provides that changes in solid waste collection service and rules and regulations pertaining to such collection shall be established by resolution of the City Council; and

**WHEREAS**, the City Council previously adopted Resolution 13-76 setting the rates and charges for solid waste services; and

**WHEREAS**, the State has mandated the implementation of a City program for the separate collection of organic waste (food waste); and

**WHEREAS**, the City's fee schedule does not include all the monthly solid waste container fees needed by the public; and

**WHEREAS**, the Council desires to amend the City's Fee Schedule related to Solid Waste collection services to include all the necessary fees needed to provide for all solid waste services.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY** finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. The City Council of the City of Madera by this Resolution does amend the City's existing fee schedule for solid waste collection services to add sections (a)(3), (i), and (j) to read as shown as shown on Exhibit "A" attached hereto.
3. This resolution is effective immediately upon adoption.

\*\*\*\*\*

**Additional Solid Waste Services Fees  
Effective March 1, 2017**

<u>TYPE OF SERVICE</u>	<u>RATE</u>
(a) (3) Additional Blue container	\$2.17
(i) Organic Waste ±96 Gallon Container Picked up once per week	\$10.28
Organic Waste ±96 Gallon Container Picked up twice per week	\$20.57
Organic Waste ±96 Gallon Container Picked up three times a week	\$30.85
Organic Waste ±96 Gallon Container Picked up four times a week	\$41.13
Organic Waste ±96 Gallon Container Picked up five times a week	\$51.41
Organic Waste 2 Cubic Yard Bin Picked up once per week	\$42.18
Organic waste 2 Cubic Yard Bin Picked up twice per week	\$77.36
Organic waste 2 Cubic Yard Bin Picked up three times a week	\$118.54
Organic Waste 2 Cubic Yard Bin Picked up four times a week	\$157.07
Organic Waste 2 Cubic Yard Bin Picked up five times a week	\$193.84
Organic Waste 3 Cubic Yard Bin Picked up once per week	\$52.77
Organic waste 3 Cubic Yard Bin Picked up twice per week	\$98.54
Organic Waste 3 Cubic Yard Bin Picked up three times a week	\$150.30
Organic Waste 3 Cubic Yard Bin Picked up four times a week	\$197.07
Organic Waste 3 Cubic Yard Bin Picked up five times a week	\$243.84
(j) Lost Lock Fee	\$15.00

\*\*\*\*\*



**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA**  
**AMENDING CHAPTER 3 OF TITLE V OF THE MADERA MUNICIPAL CODE**  
**RELATING TO COLLECTION OF REFUSE & RECYLING**

**WHEREAS**, it is necessary for the City to further refine regulations relating to the collection of refuse & recycling within the City.

**WHEREAS**, the City has considered the totality of the Municipal ordinance pertaining to the collection of refuse & recycling and has determined that certain provisions are needed for the effective implementation and protection of the City's health.

**THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,**  
**DOES ORDAIN AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Subsection (A) of Section 02, of Chapter 3, of Title V, of the Madera Municipal Code is hereby amended to read as follows:

**§ 5-3.02 CHARGES FOR REFUSE COLLECTION AND RECYCLING SERVICES**

(A) All occupied premises within the city shall have refuse and recycling collection services for the collection, removal, and disposal of refuse and recycling of recyclable materials produced upon the premises for which services a charge shall be collected. [All commercial business that generates food waste shall maintain organic waste recycling collection service required by the State of California as provided through the City and shall segregate all organic food waste being disposed of from other waste as defined in sections 42649.8 et seq. of the Public Resources Code.] The charges for such services shall be based upon the average volume of refuse and recycling of materials presented for disposal and from the services necessary in order to facilitate recycling collection and refuse disposal as determined by the City Administrator or his/her designee. All charges for these services shall be established by resolution of the Council pursuant to the provisions of this chapter, which resolution shall provide for additional charges for special services over and above those contemplated in this chapter. If any customer is delinquent in payment for services for 90 days or more, the city may remove any or all waste containers.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or void for any other reason.

Section 4. Effective Date. This ordinance shall be effective and of full force and effect at 12:01 a.m. on the 31<sup>st</sup> day after its passage.

\* \* \* \* \*

**SECOND AMENDMENT TO AGREEMENT**

**FOR THE COLLECTION, TRANSPORT, AND RECYCLING SOLID WASTE SERVICES FOR  
THE CITY OF MADERA**

This AMENDMENT TO AGREEMENT FOR THE COLLECTION, TRANSPORT, AND RECYCLING SOLID WASTE SERVICES is entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between City of Madera, hereinafter called "CITY" and MID VALLEY DISPOSAL hereinafter called, "FRANCHISE HAULER".

WITNESSETH:

WHEREAS, CITY AND FRANCHISE HAULER Sunset Waste Systems entered into an agreement dated April 18, 2012 to contract with FRANCHISE HAULER to provide collection and transport solid waste services (the "Agreement"); and

WHEREAS, on September 24, 2014 the CITY AND FRANCHISE HAULER Sunset Waste agreed to assign the AGREEMENT for solid waste services to Mid Valley Disposal; and

WHEREAS, on September 2, 2015 the CITY AND FRANCHISE HAULER Mid Valley Disposal agreed to amend the AGREEMENT for solid waste services to modify the scope of work; and

WHEREAS, the CITY AND FRANCHISE HAULER Mid Valley Disposal desire to amend the schedule of charges for services.

NOW THEREFORE, it is hereby agreed that effective March 1, 2017, the Agreement between the parties is amended in the following particulars only:

1. Section 4 of the Agreement is hereby amended to add the following: the Franchise Hauler agrees to provide additional services at the rates listed in Exhibit "A", attached hereto and incorporated herein by reference.
2. All other sections not in conflict herewith shall remain in full force and effect.

\*\*\*\*\*

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective offices duly authorized on the date first written above.

CITY OF MADERA

MID VALLEY DISPOSAL

By: \_\_\_\_\_  
Andrew J. Medellin, Mayor

By: \_\_\_\_\_  
\_\_\_\_\_  
(Print name & title)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Sonia Alvarez, City Clerk

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Brent Richardson, City Attorney

Date: \_\_\_\_\_

## Second Agreement Amendment Additional Services and Rates

*Types of Customer/Services**Monthly Rate*

### Residential Rates

Each Blue Recycling 96 gal container once a week	\$ 2.13
--	---------

### Commercial Rates

Each blue container once a week	\$ 2.13
Commercial carryout service once a week for each additional container	\$ 5.41
2 yd. bin four times a week pickup	\$ 186.45
2 yd. bin five times a week pickup	\$ 262.67
3 yd. five times a week pickup	\$ 310.75
4 yd. bin four times a week pickup	\$ 399.07
4 yd. bin five times a week pickup	\$ 442.68
5 yd. bin twice a week pickup	\$ 176.66
5 yd. bin three times a week pickup	\$ 272.31
5 yd. bin four times a week pickup	\$ 360.69
5 yd. bin five times a week pickup	\$ 449.02
6 yd. bin four times a week pickup	\$ 393.61
Recycling 2 yd. bin three times a week pickup	\$ 88.09
Recycling 3 yd. bin three times a week pickup	\$ 128.66
Recycling 4 yd. bin three times a week pickup	\$ 179.51
Recycling 6 yd. bin three times a week pickup	\$ 188.41
Organics 96- gallon container once a week	\$ 10.16
Organics 96- gallon container twice a week	\$ 20.32
Organics 96- gallon container three times a week	\$ 30.48
Organics 96- gallon container four times a week	\$ 40.64
Organics 96- gallon container five times a week	\$ 50.80
Organics 2 yd bin once a week	\$ 41.66
Organics 2 yd bin twice a week	\$ 76.20
Organics 2 yd bin three times a week	\$ 116.84
Organics 2 yd bin four times a week	\$ 152.38
Organics 2 yd bin five times a week	\$ 187.96
Organics 3 yd bin once a week	\$ 51.82
Organics 3 yd bin twice a week	\$ 96.52
Organics 3 yd bin three times a week	\$ 147.32
Organics 3 yd bin four times a week	\$ 193.04
Organics 3 yd bin five times a week	\$ 238.76
Lost Lock Fee	\$ 15.24

\*\*\*\*\*

## **City of Madera - Public Works Department**

### **Organic Waste Recycling Program – Education & Enforcement Policies**

Purpose: These provision are being described to provide informal administrative direction to City staff to enable consistent and reasonable implementation and/or enforcement of the provisions regarding organic waste recycling, as called for in the Madera Municipal Code §5-3.02(A).

#### Directive 1:

While violation of the provisions requiring segregation of organic waste from other waste streams and requirements for City organic recycling services based on the volume of waste generated is punishable as an infraction per §1.9.06(B), **the primary tool for gaining compliance shall be education and encouragement.** Only after these means fail are the following measures to be documented and further action taken to gain compliance. City staff and the City's waste hauler shall focus on providing customers informational material and onsite explanations and guidance for segregation of organic waste.

#### Directive 2:

Upon City staff learning of a customer that may exceed the thresholds of organic waste generation quantities, as designated by the State, staff shall contact the waste generator and provide them with information on the requirements, the means of determining that they are subject or exempt from the requirements and means to comply with the organic waste program. The approach shall endeavor to focus on being a facilitator for the customer to gain compliance while being considerate that the customer may be unfamiliar with the provisions and these may not be a priority for their business operations. Only if documented, repeated attempts to assist the customer to come into compliance fail should staff proceed to the steps in Directive 5 to mandate compliance.

#### Directive 3:

Failure to segregate waste or contamination of organic waste with non-organic material shall not be considered to occur unless, by a reasonable visual estimate, it is apparent that more than 10% of the refuse in a waste collection container is incorrect material.

#### Directive 4:

Upon being notified by the waste hauler or others that organic waste is not being properly segregated, City staff shall contact the customer and provide them information on what the concern is and what is needed to correct the issue. Staff may monitor the user and coach them, if needed, to help them properly segregate the material. Staff may enlist the hauler's collection crews to tag containers with contaminated organic waste and distribute information on identification of appropriate organic waste material.

#### Directive 5:

If repeated contact and coaching fails to change the situation, staff shall issue a Notice of Correction that calls for the situation to be corrected (within 10 days minimum). The notice shall include clear information on what must be done to correct the situation and contact information for City staff to assist them with compliance. Also it shall have a clear warning that failure to resolve the issue within the specified time will result in a fine, and subsequent violations could result in increasing fines and penalties. Unpaid fines and penalties could lead to collection mechanisms including a lien being placed on the property. Staff shall document all contacts and attempts to assist with compliance and endeavors to fully disclose the customer's options, the enforcement process, appeal procedures and the City's preference to assist them in finding a solution to their situation rather than levying fines.



**Return to Agenda**

**Madera Association of Realtors**  
411 North "I" Street Suite B, Madera California 93637  
Telephone (559) 673-2218, FAX 559-673-9050

February 15, 2017

Madera City Council

Dear Sonia,

We are requesting a hearing before the city council on the March 1<sup>st</sup> calendar to approve an investment of \$1750 by the City of Madera toward a strategic planning session with a well-seasoned facilitator planner, Janet Tharpe. The Madera Association of Realtors® will be bringing in \$13,000 of the \$14,750 budget.

Our objective is to interview stakeholders from a group of civic leaders as well as Realtor® representatives through workshops and phone interviews to formulate a direction to move Vision 2025 forward toward a mutual goal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Beth Maree'.

Beth Maree

RECEIVED

City of Madera City Clerk

By: D Alvarez

Date: 2/13/17

C: City Administrator

City Attorney

Comm. Dev. Dir.

Planning Manager

Madera Strategic Planning  
Tackling Vision 2025  
Facilitator/ Planner: Janet Tharpe

Game Plan

Task 1: Review plans and documents, research existing conditions, review maps, and conduct initial interviews.

- 1.1 Review at a minimum the following documents: VISION MADERA 2025 update for all departments, 2014  
VISION MADERA 2025 (need to get a copy of complete plan)  
VISION MADERA 2025 Vision and Action Plan Annual Report, 2010  
(Prepared by: Vision Implementation Committee for the Madera City Council January 5, 2011)  
City of Madera VISION MADERA 2025, Achieving the Vision, Three-Year Report to the Community, December 9 City of Madera General Plan, 2009
- 1.3 Conduct up to five phone interviews to understand process, issues, relevant trends and available documents. Interviews could include:  
Madera Association Realtors® members  
City of Madera planning, economic development and neighborhood staff  
Representatives from the city staff and city council, county staff and council, and others identified by the association.
- 1.4 Prepare workshop presentation and facilitation materials
- 1.5 Provide to appropriate city staff for review

Task 2: Kick off meetings and tour, workshop preparation

- 2.1 Meet with Association members and tour city to understand issues and concerns
- 2.2 Meet with planning, economic development, and neighborhood staff prior to workshop
- 2.3 Revise workshop presentation and facilitation materials as needed. Print copies.

Task 3: Facilitated workshop: Prioritizing Goals and Actions in Vision 2025 and the Madera General Plan

- 3.1 Conduct a 3-hour workshop to discuss Madera Vision 2025 actions and prioritize action items
- 3.2 Invite Stakeholders and decision makers who bring a range of perspectives, including:  
Association members  
Mayor, city council, city manager, city staff and appointed officials  
County board of supervisors and county staff

School Board Trustees and staff

Economic development professionals

3.3 Use power point presentation, keypad polling, and other methods to identify priority actions and develop a consensus for high priority actions.

3.4 Hold a separate one and a half-hour briefing with the Madera Association of Realtors® executive board following the workshop.

Task 4: Follow-up interviews: Conduct up to four additional phone interviews to follow up on issues, talk to leaders unable to attend workshop, etc.

Task 5: Prepare draft priority action strategy for association review

5.1 Strategic action plan to include priority strategies identified during workshop

5.2 Recommended ways to implement action

5.3 Identification of potential partners

Task 6: Revise materials, based on input from association members

Task 7: GOTO meeting to review recommendations with association members and if desired three to four city or stakeholder representatives

Task 8: Make one-hour presentation to workshop participants

As Realtors®, we have a vested interest in our community particularly in these areas:

- Create a range of housing opportunities and choices-
- Ensure adequate supply of affordable, accessible and barrier-free housing city-wide.

As the association of Realtors®, we want our voice in the community to represent the needs of property owners.

- Create an assessment of existing housing inventory to determine the gap between affordability and income.
- Promote development and redevelopment of low- and moderate cost housing. Promote development of new affordable housing oriented toward the senior market.
- Ensure adequate supply of affordable housing by promoting programs to assist in home ownership.
- Through the previous City Action Plans, providing all types of housing.



In addition, we are motivated to:

- Create walkable neighborhoods-
- Create well –planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities and commercial components.
- Connect Madera’s neighborhoods through streets, trails, and walkways that promote community interaction.

The action plan for Madera is strongly influenced by the need to provide walkable neighborhoods. The layout of our city is designed to establish and maintain seven of those neighborhoods. Any strategic planning must keep this goal in mind.

As Realtors®, we desire to foster distinctive, attractive communities with a strong sense of place. Madera doesn’t have any of the features our competing communities have. Due to lack of population, we have not been able to attract major shopping centers or stores. This ties in to the plan to develop more housing, so our goal of creating an attractive community is attained.

We support:

Strengthening development towards existing communities-

Preserving historic structures and sites.

Promoting the comprehensive revitalization of downtown Madera including updating the City of Madera General Plan to encourage retail, mixed retail/residential, entertainment, and cultural business development. Develop / expand and promote community and stakeholder collaboration in development decisions.

In 2005, our city spent a large sum of money on a strategic plan. It involved stakeholders from all facets of government. Some of it had moved forward, but there seems to be a boulder in the way. As an essential aspect of community growth, our association wants to be a pivotal player in reigniting the strategic plan.

Madera Association Coalition Task Force, Mayor, city council, city manager, city staff, and appointed officials. County Board of Supervisors, county staff, School Board Trustees and staff, Economic Development professionals.

<b>Revenue from MAR</b>	<b>\$13,000</b>
<b>Revenue Required</b>	<b>\$ 1,750</b>
<b>Total Revenue</b>	<b>\$14,750</b>

<b>Expenditures</b>	
Venue rental	<b>\$420</b>
Catering / refreshments	<b>\$480</b>
Marketing	<b>\$300</b>
Speaker fees	<b>\$</b>
Speaker expenses ( travel, lodging, meals)	<b>\$3000</b>
Printing (training manuals, handouts, etc.)	<b>\$500</b>
Other (such as consultant, specify role in Budget Notes below):	<b>\$10050</b>
<b>Total Expenditures</b>	<b>\$14750</b>

Budget to Provide Scope of Services Task Hours Cost\*

1. Review plans and documents, research, census data, etc.	12	\$1800
2. Kick of meeting and tour, workshop preparation	8	\$1200
3. Facilitated workshop: Prioritizing Goals and Actions in Vision 2025 and the Madera General Plan	8	\$1200
4. Follow-up interviews	4	\$600
5. Prepare draft priority action strategy for association review	20	\$3000
6. Revise materials, based on input from association members	3	\$450
7. GOTO meeting to review recommendations with association members and if desired three to four city or stakeholder representatives	2	\$300
8. Make one-hour presentation to workshop participants	8	\$1200
9. Meet with association executive committee, if desired	2	\$300
<b>Total Professional Fees (65 hours x \$150/hour)</b>		<b>\$10050</b>

Plus expenses for 2 trip reimbursed at cost (approximate maximum)	\$3000
Printing and supplies reimbursed at cost	\$500

---

#### EXPERTISE & EXPERIENCE

Janet Tharp is a smart growth instructor for the National Association of Realtors. She also provides professional planning services to clients in need of creative, effective solutions to issues related to urban growth and development. She has worked for over 30 years for both public and private sector planning organizations. Her public sector experience includes leading city planning divisions in Dallas and Arlington, Texas. As a planning consultant, Janet has successfully completed a range of planning and development-related projects in urban and rural communities across the country. In Louisiana she has managed smart growth plans in numerous communities and worked with the Center for Planning Excellence and the Louisiana Realtors Association to conduct workshops on implementing smart growth principles in planning and coastal development. Janet believes that planning must be based on local values and traditions. She seeks to understand diverse community guiding principles and viewpoints and incorporate them into her work.

---

#### SELECTED EXPERIENCE

Instructor, Smart Growth Class, Texas, Louisiana, Oklahoma, Alabama, Indiana, Pennsylvania, New York, Michigan and New Mexico (2013-2017)

Project Manager, Imagine Irving Comprehensive Plan, Irving, Texas (2015-2016)

Management Team, Neighborhood Plus Plan, Dallas, Texas (2014-2015)

Project Manager, Jean Lafitte Louisiana Building and Elevation Standards (2015)

Project Manager, Zoning Implementation, East Baton Rouge City-Parish, Louisiana (2013-2015)

Project Team, Heartland 2050 Regional Plan, Nebraska and Iowa (2013 - 2014)

Zoning Implementation, Vernon Parish, Leesville, Louisiana (2012 – 2013)

Project Manager, Lafourche Parish Comprehensive Plan, Lafourche, Louisiana (2012 - 2013)

Lead Planner, Farmersville Comprehensive Plan, Farmersville, Texas (2012 - 2013)

Project Manager, Dallas Complete Streets Initiative, Dallas, Texas (2011-2012)

Planning team member for Transit-Oriented Development and Affordable Housing, Dallas, TX (2012)

Lead Planner, East Feliciana Comprehensive Resiliency Plan, Louisiana (2011-2012)

Co-Project Manager, FuturEBR: East Baton Rouge Comprehensive Plan, Louisiana (2009 – 2011)

Planning team member, Best Practices Manual for Coastal Development, Center for Planning Excellence, Louisiana (2010-2011)

Project Manager, PLANiTULSA: Tulsa Comprehensive Plan, Oklahoma (2008 – 2010)

Planner and Outreach, Louisiana Land Use Toolkit, Center for Planning Excellence, Louisiana (2009-2010)

Lead Planner, Northlake Comprehensive Plan and Industrial Sector Plans, Texas (2008 and 2012)

Project Manager, Pointe Coupee Comprehensive Plan, Louisiana (2008-2009)

Project Manager, West Feliciana Comprehensive Plan, Louisiana (2007-2008)

Lead City Planner, forwardDallas! Comprehensive Plan, Dallas, Texas (2004-2006)

Code Writer, various communities in Texas, Louisiana and Nevada (1994 – 2014)

## EDUCATION

---

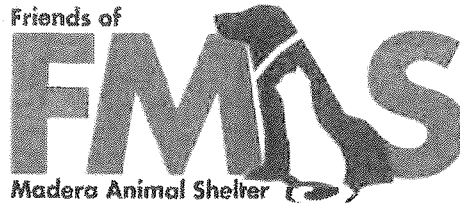
**Masters in Urban and Regional Planning**, University of Oregon, Eugene, Oregon. 6/1982

**BA in Geography, University of Texas**, Austin, Texas. Emphasis in urban and environmental studies.  
5/1979

## COMMUNITY INVOLVEMENT

---

Janet has served in leadership roles in regional and state planning organizations, is on the board of the Greater Dallas Planning Council, has served two terms on Dallas' Landmark Preservation Commission and is an active volunteer with several nonprofit organizations. For over 15 years she served on several PTA boards and supported education initiatives. She served as President of the Board of Trustees for her church and remains active in leadership roles in the church. Janet is a member of the American Planning Association, the Texas Chapter of the American Planning Association, the National Trust for Historic Preservation, and the Dallas Architectural Forum.



[Return to Agenda](#)

*Dear Members of the City Council,*

*Please consider the following objectives for your March 1<sup>st</sup> City Council meeting.*

- To inform the council of the work and significant amount of effort and resources the Friends volunteer group has provided to alter dogs and cats for city residents, along with the efforts and funds now spent for out of state transports, which saves lives and reduces the amount of euthanasia.*
- Discuss recent animal population increases and current funding shortfalls, and how the efforts of the Friends group benefits the city of Madera and saves city resources, along with the benefits of consistent effort to reduce the local unwanted animal populations.*
- How reducing stray animals improves public safety, reduces dog bites, improves quality of life and promotes walkable neighborhoods. Community Cat altering program and other adoption discount specials costs as funded by the Friends group. Provide information from the recent Grand Jury report on the underfunding and substandard size and condition of the current Madera County animal shelter facility.*
- Discuss how one dollar spent in prevention, spay and neutering, and or licensing saves at least \$15 in subsequent enforcement costs, especially in the case of unwanted animals.*
- Request that the city consider increasing dog licensing education and licensing enforcement efforts, review the number of animal control calls and consider funding the addition of one or more animal control officers positions.*
- Request the council consider our request that the city participate financially, partner with and or reimburse the Friends volunteer group so these efforts for low income city residents can continue.*

*Sincerely,*

*Velvet Rhoads, President*

**MEMO**

RECEIVED

City of Madera City Clerk

By: *[Signature]*Date: *2/17/17**C. City Administrator  
City Attorney  
Comm. Dev. Dir.  
Finance Director*

DATE: March 1, 2017

TO: Madera City Council

FROM: Bobby Kahn, Executive Director  
Madera County Economic Development CommissionRE: Madera County Economic Development Commission  
2017/18 Annual Basic Service Level Budget**I. RECOMMENDATION**

The Madera County Economic Development Commission (MCEDC) recommends the Madera City Council (Council) adopt a minute order approving the 2017/18 Basic Service Level Budget as submitted.

**II. BACKGROUND**

MCEDC was created by the County of Madera and the cities of Madera and Chowchilla (PARTIES) through a Joint Powers Agreement (JPA). MCEDC is required by the JPA to submit a Basic Service Level Budget to the PARTIES on an annual basis. Once approved the budget is divided between PARTIES proportionally based on population. Through the past several years MCEDC has worked diligently on attraction of new business, expansion and retention efforts with local businesses throughout the County. MCEDC also acts as the lead agency on a county-wide basis for several agencies, organizations and programs such as the Eastern Madera County Chamber Alliance, the Greater Madera County Industrial Association, the Central California Valley Economic Development Corporation, the Madera County Energy Watch Program; CalRecycle, the Madera County and City of Madera Revolving Loan Fund programs and others. MCEDC is also a leader in promoting Madera County with ongoing press releases, social media, daily blogs and serves as the Madera County representative on the Channel 30 ABC news community advisory committee.

**III. SUMMARY**

The 2017/18 Basic Service Level Budget has a small increase over the 2016/17 budget, which reflects anticipated operational costs. The Joint Powers Agreement states that each jurisdiction shall pay a pro-rated share of the MCEDC Basics Service Level Budget based on population. Starting last year MCEDC has begun an annual review of the State of California Department of Finance (DOF) most recent population numbers for the County of Madera, City of Madera and the City of Chowchilla. The DOF figures show that the City of Madera population represents 42.15% of the County. This equates to \$173,625.62 for the 2017/2018 fiscal year. This is an increase of \$1,816.62 over the 2016/2017 basic service level budget.

**IV. FISCAL IMPACT**

This request will have an impact to the General fund in the amount of \$173,625.62 MCEDC invoices the City on a quarterly basis.

EDC Projected Expenses	County	City	City	
(Exhibit B)	of Madera	of Madera	of Chowchilla	TOTAL

Staff Salaries/Other Compensation	104,421.15	87,991.84	16,345.81	208,758.80
Staff Benefits/Taxes	50,055.20	42,179.66	7,835.51	100,070.37
Subtotal	154,476.35	130,171.50	24,181.32	308,829.17

<b>Operating Expenses</b>	% to be applied	50.02%	42.15%	7.83%	100%
Audit	4,000	2,000.80	1,686.00	313.20	4,000
Auto Expense/Travel	3,000	1,500.60	1,264.50	234.90	3,000
Conference/Training	2,500	1,250.50	1,053.75	195.75	2,500
Staff Expense	2,000	1,000.40	843.00	156.60	2,000
Insurance/Surety Bonds	1,000	500.20	421.50	78.30	1,000
Office Supplies	1,000	500.20	421.50	78.30	1,000
Office Rent	31,000	15,506.20	13,066.50	2,427.30	31,000
Organizational Dues	1,500	750.30	632.25	117.45	1,500
Postage	1,000	500.20	421.50	78.30	1,000
Newsletter	2,394	1,197.48	1,009.07	187.45	2,394
Printing	1,000	500.20	421.50	78.30	1,000
Publications/Directories	500	250.10	210.75	39.15	500
Repairs/Maintenance	2,500	1,250.50	1,053.75	195.75	2,500
Telephone	3,000	1,500.60	1,264.50	234.90	3,000
Utilities	3,500	1,750.70	1,475.25	274.05	3,500
Commission Expense	200	100.04	84.30	15.66	200
Equipment Rental	3,000	1,500.60	1,264.50	234.90	3,000
Marketing	40,000	20,008.00	16,860.00	3,132.00	40,000
	103,094.00	51,567.62	43,454.12	8,072.26	103,094

<b>TOTAL Fiscal Year 17/18</b>	206,043.97	173,625.62	32,253.58	411,923.17
	County of Madera	City of Madera	City of Chowchilla	

## Summary of Staff Time

\*Based on population

Business Assistance/Office Manager

\*\* 15% to CDBG

Executive Director

\*\*1% to CDBG

County of Madera	City of Madera	City of Chowchilla	TOTAL
50.02%	42.15%	7.83%	100%

### Business Assistance/Office Manager

						CDBG
Salary	\$55,020.00	\$23,392.85	\$19,712.29	\$3,661.86	\$46,767.00	\$8,253.00
Retirement	\$4,126.50	\$1,754.47	\$1,478.42	\$274.64	\$3,507.53	\$618.98
Employer Taxes	\$4,209.03	\$1,789.55	\$1,507.99	\$280.13	\$3,577.67	\$631.35
Workers Comp.	\$704.25	\$299.43	\$252.31	\$46.87	\$598.61	\$105.64
Medical	\$17,887.05	\$7,605.04	\$6,408.48	\$1,190.47	\$15,203.99	\$2,683.06
Dental	\$931.52	\$396.05	\$333.74	\$62.00	\$791.79	\$139.73
Vision	\$116.28	\$48.43	\$42.50	\$7.91	\$98.84	\$17.44
Life/LTD	\$255.00	\$117.05	\$84.90	\$14.80	\$216.75	\$38.25
					\$70,762.18	\$12,487.45

### Business Development/Mktg Manager

Salary	\$49,805.00	\$24,912.46	\$20,992.81	\$3,899.73	\$49,805.00
Retirement	\$3,735.37	\$1,868.43	\$1,574.46	\$292.48	\$3,735.37
Employer Taxes	\$3,810.08	\$1,905.80	\$1,605.95	\$298.33	\$3,810.08
Workers Comp	\$637.50	\$318.88	\$268.70	\$49.92	\$637.50
Medical	\$25,217.54	\$12,613.81	\$10,629.19	\$1,974.54	\$25,217.54
Dental	\$1,432.99	\$716.79	\$604.00	\$112.20	\$1,432.99
Vision	\$184.32	\$90.32	\$79.26	\$14.74	\$184.32
Life/LTD	\$235.56	\$115.42	\$101.29	\$18.85	\$235.56
					\$85,058.36

### Executive Director

						CDBG
Salary	\$113,320.00	\$56,115.84	\$47,286.74	\$8,784.22	\$112,186.80	\$1,133.20
Retirement	\$16,998.00	\$8,417.38	\$7,093.01	\$1,317.63	\$16,828.02	\$169.98
Employer Taxes	\$8,668.98	\$4,292.86	\$3,617.44	\$671.99	\$8,582.29	\$86.69
Workers Comp	\$4,736.77	\$2,345.64	\$1,976.58	\$367.18	\$4,689.40	\$47.37
Medical	\$9,723.12	\$4,814.87	\$4,057.31	\$753.71	\$9,625.89	\$97.23
Dental	\$545.42	\$270.09	\$227.60	\$42.28	\$539.97	\$5.45
Vision	\$74.88	\$36.32	\$31.88	\$5.93	\$74.13	\$0.75
Life/LTD	\$487.00	\$236.24	\$207.32	\$38.57	\$482.13	\$4.87
					\$153,008.63	\$1,545.54

\$322,862.16	\$154,474.02	\$130,174.17	\$24,180.98	\$308,829.17	\$14,032.99
--------------	--------------	--------------	-------------	--------------	-------------