

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

**NOTICE AND AGENDA**

**Wednesday, March 21, 2018  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

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

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

**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**

1. Relay for Life Proclamation
2. Proclamation Recognizing the Week of the Young Child
3. Proclamation Recognizing the United Way of Fresno and Madera Counties Free Tax Preparation Services (VITA)
4. Presentation by CASA (Court Appointed Special Advocates for Children) (Nathan Lee, Executive Director CASA of Fresno and Madera Counties)

## **INTRODUCTIONS**

There are no introductions.

### **A. WORKSHOP**

- A-1 Workshop with Compensation Study Consultant
  - a. Report by Ron Manfredi
  - b. Presentation by Koff & Associates

### **B. CONSENT CALENDAR**

- B-1 Minutes – 5/03/17
- B-2 Warrant Disbursement Report 2/27/18 – 3/12/18 (Report by Tim Przybyla)
- B-3 Consideration of a Resolution Rescinding Resolution No. 17-161 and Approving the Amended Applications for Transportation Development Act - Local Transportation Funds for FY 2017/18 with FY 2016/17 Carryover Balances, and the State Transit Assistance Funds for FY 2017/18 and Authorizing the City Engineer to Execute the Applications (Report by Keith Helmuth)
- B-4 Consideration of a Minute Order Approving Settlement Authority of a Claim Filed with Madera County for Property Damage and Authorizing the Mayor to Execute the Release of all Claims, Past and Future (Report by Wendy Silva)
- B-5 Consideration of a Resolution Approving an Agreement for Outside of City Water Service for an On-Site Fire Hydrant Located at 24341 Avenue 14, Approving a 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 David Merchen)

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

- C-1 (A) Consideration of a Resolution Approving a Contract with Raftelis Financial Consultants, Inc. for Consulting Services Related to Updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan and Authorizing the Mayor to Sign the Contract on Behalf of the City; and  
(B) Consideration of a Resolution Approving Amendments to the City of Madera 2017/2018 Water Fund Budget to Appropriate Funds for Consulting Services Related to Updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan (Report by Tim Przybyla)
- C-2 (A) Second Reading and Consideration of Adoption of an Ordinance Adding Title X, Chapter 2, Section 1300 et seq. to the Madera Municipal Code Pertaining to Acquisition of Park Lands as Provided by the Quimby Act; and  
(B) Consideration of Adoption of a Resolution Providing for Determination of the Fair Market Value Per Buildable Acre Consistent with Section 10-2.1307(A) (Report by Chris Boyle)

### **D. WRITTEN COMMUNICATIONS**

- D-1 Request from the Madera County Arts Council to Discuss Leasing Space at the Madera Redevelopment Agency (Rochelle Noblett)



**E. ADMINISTRATIVE REPORTS**

- E-1 Consideration of a Minute Order Approving the Madera County Economic Development Commission 2018/2019 Annual Basic Service Level Budget (Report by Bobby Kahn)
- E-2 Review and Direction Regarding Responses Received for RFP No.: 201718-09 for Executive Recruitment Services for City of Madera City Administrator (Report by Wendy Silva)
- E-3 Presentation of the Preliminary City of Madera Capital Budgets for Fiscal Year 2018/2019 (Report by Tim Przybyla)
- E-4 Schedule Governance Workshop (Report by Sonia Alvarez)

**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) – 1 case: William Spears WCAB No. ADJ10756443
- G-3 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2) – 1 case
- G-4 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2) – 1 case
- G-5 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code §54956.9(d)(2): 1 case
- G-6 Closed Session Report – City Attorney

**ADJOURNMENT** – Next regular meeting April 4, 2018

*[continued on next page]*

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- 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.
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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 21, 2018, near the front entrances of City Hall at 4:30 p.m. on March 15, 2018.

  
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Sonia Alvarez, City Clerk

## **INPUT AND RECOMMENDATIONS REGARDING METHODOLOGY TO BE UTILIZED IN THE CITY OF MADERA'S CONTRACTED MANAGEMENT COMPARABILITY STUDY**

### **PURPOSE**

The City of Madera has retained Ron Manfredi to provide written and verbal feedback and provide direction to the City Council and Koff & Associates (contracted firm to conduct Management Compensation Study) to evaluate and determine comparable agencies and define the elements of total compensation to be included in the study. This includes the application of the methodology (a system of study used in a particular area of study or activity) and how each element will be valued for comparison purposes.

The following only addresses Part 1 of three (3) separate components of the Manfredi contract. This report addresses Phase One of Part One of the Manfredi agreement. It is recommended that any consideration to consider adjusting compensation and/or benefits should be addressed only after the "Compensation Study" is concluded and deliberation of any results and potential impacts are weighed by the City Council.

**The first phase of Part I is as follows:**

***Provide written and verbal feedback and recommendations to the City Council during the workshop to be held during open session with Compensation Consultant hired through City's RFP process to evaluate and determine comparable agencies and define the elements of total compensation to be included in the study, including methodology and how each element will be valued for comparison purposes.***

The following report is rather lengthily because it not only encompasses recommendations addressing the methodologies to be utilized in the Study; but also will serve as an educational outline for the City Council as it evaluates the study and addresses the potential impacts, results and consequences of salary/benefits adjustments.

### **GOAL**

The goal of this compensation study is to assist the City in developing a fair competitive pay and benefit structure, which is based upon market data to ensure that the plan is fiscally responsible, provides adequate balance between classifications and meets the long-run needs of the City with regards to recruitment, retention and desired results from qualified staff.

Recently community members have expressed indignation regarding City of Madera Management total compensation and made claims that these positions were compensated at a higher rate than most municipalities in the region. The City Council became concerned and elected to go forward with a "Management Compensation Study" to further explore these claims. In an effort to ensure objectivity and a balanced, fair and independent approach, the City Council obtained the services of Manfredi to advise them and make recommendations to

Koff, the firm selected to do the study, concerning the elements and methodology to be utilized.

## METHODOLOGY

The methodology or the “system of study” applied to this field is extremely important. This is because these types of reviews are more complex than meets the eye. For example, it is not realistic to compare most municipal jobs with private sector positions. However, having information regarding the City’s ability to pay based on other comparable statistics can be valuable information for the Council to consider when selecting “Comparable Municipalities” and methods of enacting or not going forward with the findings of such studies.

Therefore, it is very important to begin with a well defined “Model and State the Elements of this Model”

## CATERGORIES/ELEMENTS OF THE MODEL

### CATERGORY I. - COMPARABILITY

1. **Organizational Type and Structure** — Similar size cities and geograpy is a good beginning point. This is one of the most importatn distincitons when to compare or not to compare with a particular city.

However when it comes to technical classes, the size of a municipality is not as critical as these classes perform fairly similar work. For example everyone in the industry understands that it is difficult to attract certified Wastewater and Water staff. The responsilbiites across municipal lines are very similar. ***The difference in size of an organization becomes more important when comparing classifcations at the management level. The scope of work and responsibility for management and mid-management becomes much larger as an organization grows. Therefore regarding managment positions, it is unwise to utlitze cities of a much larger size (Fresno) if there are such, population wise, similar size cities in the region.***

Also, “Scope of Services” being provided, while not necessarily elimitating cities, should be considered when evaluating compensation. For example: **Some cities do not operate their own water system (Selma and Visalia). While others like Turlock also provide water utility services for the City of Ceres and other near-by unincorporate communities. The cities of Selma, Kingsburg, and Fowler form a JPA which is an independent agency (SKF) providing Wastewater Treatment services for these communities.**

### 2. Population, Staffing , Budgets

These elements are easy to research and provide good secondary sources of background to judge the comparabiity of various services and managment. When examining these elements, especially regarding budgets, it is good to look at several different factors: General Fund Operatonal Budget, Total City Wide Operational Budget, and Capital



Budgets (which should be averaged-out over a three year period because of dramatic annual fluctuations).

3. **Labor Market and Location** – Because of the distance between cities in the Valley, labor market and location can be a tricky issue. While Fresno and Clovis may be in our region so are Chowchilla and Kerman. While substantially smaller they are both full service cities. The goal is to gather information for comparability for a balanced approach; therefore, some of the agencies will be larger and others somewhat smaller.
4. **Tax Base, Per Capita Income and Cost of Housing** - While size and location in proximity to Madera is important; another factor, sometimes ignored in such studies, is “where” in the greater Valley is the city located. In the industry it is commonly understood that northern valley cities above Merced experience higher housing costs, generally higher salaries and have stronger per capita sales tax than central and southern Valley communities (Clovis is the exception). This does not necessarily mean that no such cities should be included; but it should be understood that a Clovis, Manteca, and others to the north will almost always be in the higher end of these categories.

*Unfortunately, Madera falls at or near the bottom of similar size cities in most categories measuring the wealth of the community (housing prices, per capita income) and wealth of the City (sales & property tax).*

**All of the above elements should be considered in selecting the group of comparable cities. Cities under consideration should include: Delano, Porterville, Hanford, Tulare, Sanger or Reedley, Merced, Turlock, Ceres and possibly even Visalia (although well over 100,000) could be considered.**

What is important is that the Study should provide some of the statistical information listed above to properly inform the City Council of the economic status of these “comparable” agencies.

## **CATEGORY II. BENCHMARK CLASSIFICATIONS**

1) **Benchmark Classifications** are those classifications that are connected to the information collected in the Comp. Study. These classifications are used as a means of anchoring the City’s overall compensation plan of the labor market studied. Classifications not surveyed would be aligned on the proposed compensation plan using internal equity principles.

Because this study is “only” studying fourteen (14) Management Classifications, there is no need of “Benchmark Classifications” since all departmental management classifications will be studied. However, the issues of alignment and internal equity matters may become problematic if any compensation adjustments at this level are eventually made.

*Because the Study Group (14 Management Positions) is very small the review should be able to provide a more in-depth report on and compare a number of variables that may eventually impact the level of benefits, pay and take home pay.*

The position of City Attorney could be problematic for comparisons because few cities, in the region, the size of Madera employ a full-time attorney as they normally contract out for this service. However, the City Attorney, who reports directly to the City Council, should probably be only slightly below the base salary of the City Manager.

**2) Differential Pay Between Positions** – This is important because if eventually some but not all classifications are adjusted and not others (Up Or Down) salary compaction could be the result. If this is not properly addressed the salary difference between line staff, lead worker or supervisor may cause serious unintended consequences. The only area of immediate concern is the differences between Dept. Manager, Dept. Head and City Administrator. However, any changes in compensation which, in the future, may be instituted should be considered in light of existing pay/benefits of positions serving below these.

### **3) Scope of Authority**

There are basically three (3) levels of Management positions in the City's hierarchy:

1. Reports Directly to City Council: City Administrator, City Attorney, City Clerk
2. Dept. Heads report directly to City Administrator
3. Division Managers who report to Dept. Heads.

The Study should consider job descriptions and organization charts to determine scope of authority both within the organization and for comparison purposes. Information regarding number of full-time employees within the City as a whole and in each Department and Division is important to gather.

### **4) Median and Average (Mean)**

The mean (average), and median (midpoint), should both be presented. However, this becomes problematic with classifications such as City Attorney where you may not have many matches. While the median is the exact midpoint of all the market, with 50% of market data below and 50% of comparison above, the City is not bound to implement any fixed formula of measurement. The mean or average presents problems because it may be skewed by extremely high or low salary values. But the consideration of averages may be helpful if it becomes difficult to compare certain compensation such as "leave cash-out" terms prevalent in Madera's total compensation.

## **CATEGORY III. SALARY & WAGE**

While the process of salary comparison may seem simple; there is usually more to evaluate than meets the eye. Below are some important items for the potential collection of salary data:

**1. Salary Pay Range & Steps** – Most California Cities maintain a Salary Classification Schedule indicating which "Salary Range" is affixed to which pay Classification (Job Title). Each "Range" normally includes 5 to 7 salary steps, approximately 5% or more separating Step A from B and so on. While the number of Steps and the dollar difference is NOT UNIVERSAL; it certainly is, by far, the most common method utilized. Therefore, while it is

preferred for comparability measuring purposes to utilize the Top (highest) Step to compare salaries; it is also beneficial, for background purposes, to understand the entire Salary Range and the number of Steps and years service to achieve the top Step.

**2. Longevity Pay** - While many cities in the past have augmented salary by offering pay hikes based on time in service, a majority have discontinued or phased out such pay. A few like Madera, have maintained the practice. Therefore longevity pay, if available to all classifications being studied, must be included in the "base" pay analysis and not simply referenced in a footnote. Madera offers generous longevity pay salary augmentation to its basepay and therefore should be indicated as a part of base pay.

**Longevity Pay is important when considering that Madera's first increment of Longevity Pay kicks in at five years, is universal in timing (2.5% @ 5 yrs.) and the first increment coincides with the top step of the salary scale.**

**3. Routine Pay Not Included in Classification Salary Chart** - Cities frequently pay "Extra" for the attainment of various levels of educational, technical certification, POST certification pay for police officers, etc.. This is a good practice. However if such achievement is necessary and required to secure the position classification; this extra amount of pay should also be included in the base pay calculation comparisons. Other pay that is available to all employees in the classification but is "Not Required" of the Class and other occasional compensation varying from time to time (overtime, shift pay, temporary pay for "out of class" compensation) is not necessary to calculate into base pay; but should still be referenced as "available" compensation.

**While this later type of occasional compensation pay should be referenced in a City wide study it would not normally apply to Management Compensation.**

**Therefore, "base pay" should include longevity pay if universally applied to all classifications and must be "added on top" of the City's Salary/Range Classification Schedule dollar amount because it is a constant and regular part of the routine monthly pay received.**

**4. Other Pay & Compensation** - This area of review is an extremely complex aspect of compensation for the City of Madera. Items such as an assigned vehicle or monthly compensation for use of employee's vehicle and cell phones should be accounted for elsewhere and not under Salary. However, Madera Management positions potentially receive several wage compensation boosts based on contractual factors that often have resulted in major salary compensation for senior staff (seniority in time as well as rank). These are:

- a. Longevity** (noted above) is automatic @ 2.5% for every 5 yrs. (compounded) of service up to 20yrs.
- b. Management Incentive Pay** (2.7%) calculated with a reduction in leave time
- c. Annual Leave Payout** (most difficult for comparability purposes; because it varies from year to year and is minor in most cases but significant in others.).

Because Madera's system of accumulation and payout of "Leave Time" is both complex and unusual; it can and has resulted in significant additional wage compensation for some management personnel. Therefore, the results should be considered into the calculation for total wage compensation. While most cities keep various leave hour accumulations in separate categories; Madera essentially lumps all these "hours" into one pot. ***Because the City maintains a complex system for the allocation, use and sometimes payment of various leaves i.e. vacation earnings, sick leave, management leave and holidays, it will be necessary for Koff to consider Madera's management employee contracts and in some cases seek clarification from the City's Human Relations Director as regards the method of allocating Leave Time hours annually.*** This process is further complicated when comparing value because in the case of Management Incentive and Leave Cash-Out the employee is forfeiting leave time for this payment.

This is a significant element as it relates to income because management staff may annually cash-out these **unused** "leave hours" with a low for some employees of couple hundred dollars annually to upwards of \$20,000 plus in some years for others (rough estimates over a several year period). **It must be stressed that vacation time for ALL EMPLOYEES is a property right and any time remaining on the books is cashed out at the new or current value upon resignation, termination or retirement. And all employees have the right to time off for holidays.**

**While the thinking some 15 plus years ago, when this was instituted, was most likely to lessen the City financial burden upon departure from employment of vacation cash-outs; the policy should be further examined. Regardless of the merits of the program; the monetary impact for employees and City should be considered when judging total compensation comparability.**

This Element is difficult to compare because one may select to cash out a very high amount one year and very little or nothing the next. Also, one must be careful when measuring such programs because of the varying policies cities may have on the use and/or payment of accumulated leave hours. Nonetheless, it does demand consideration and some type of comparison and comment. While this may be considered a "Cash-In-Lieu" of benefits, there are measurable wage salary impacts under the Madera program. In some cases, a small percentage of such payments are "PERSABLE" (PERS is paid on the amount, which could effect retirement benefits).

The Consultant has at their disposal both the State Auditors Report and/or Transparent California to quickly review the amount of compensation that other cities include in "Other Pay".

#### **CATEGORY IV. HEALTH INSURANCE**

Employee benefits are a major costs item for municipalities and are a significant factor when calculating Total Compensation. This is especially important because of the soaring cost of Health Insurance and CALPERS Retirement. For a non-safety Department Head or Manager at a salary of \$125,000/yr. the city is paying in the neighborhood of 42% of salary for the combined costs of Health & Retirement (PERS) Benefits. For lower paid employees the percentage rate is even higher due to the fixed costs for health (when full family coverage is



applied\*). This would be much higher for senior police officer positions because of higher PERS' rates. Health Insurance includes (Medical, Dental, Vision, Long-Term Disability, & Life Insurance).

**\*Full family coverage for all insurances is approx. \$25,000/yr. Employee only coverage is approximately \$10,000. When Employee only health coverage is applied the benefit cost is 28%**

**There are three factors to examine when studying this benefit:**

**1. WHAT THE CITY PAYS OR COULD PAY**

*Currently City pays the total cost of the health premium whether the premium is for employee only or the entire family. There are no required employee contributions for dependents.*

**2. EMPLOYEE OUT OF POCKET**

A key point in any discussion regarding health ins. and disability benefits is how much, if anything, employees must contribute **"out of pocket"** for an "employee" share of monthly premium costs. This is a salient point because such employee health ins. "out-of-pocket" premium payment effect **"take-home pay"** a significant factor when discussing compensation. This "take home factor" calculates what out-of-pocket payments are made and should be factored into any review.

However, it becomes challenging when comparing classification comparisons because one employee may require from the city a higher premium for "family" coverage while another may cost the city far less with only "single/employee" health coverage.

**3. HEALTH INSURANCE OPTIONS**

Many organizations offer two or more plans (one, more expensive with wider coverage than the primary plan). Per employee option, if the more expensive plan is selected, the employee pays the difference in costs "out-of-pocket". It does not appear that Madera offers this option.

## **CATEGORY V. RETIREMENT**

**1. CALPERS**

The Council, staff and public are aware of soaring CALPERS cost. This is stressed in both the 2016/17 & 2017/18 City Administrator's Budget Message and notes the skyrocketing cost.

However, when comparability is addressed it is important to note that Management employees pay the entire "EMPLOYEE'S SHARE" (7, 8. OR \*9%), while the other employees' only pay 2.375 or \*3% of the employee's share. While PEPRA Employees (new to the PERS system) pay even a larger employee share (Ranging from Miscellaneous 6.25% to 11.5% for Safety)

This is significant when applied to potential compaction within the City Department as well as Comparability with other cities.

**\*Applies to Safety**

**A) Categories**

Similar to most cities in California, Madera is part of the CALPERS (PERS) defined benefits program. It is no secret that CALPERS rates have skyrocketed over the past eight or so years and municipal organizations have struggled to keep up. There are two separate categories: Public Safety (Sworn Police Officers & Firefighters\*\*) and Miscellaneous (all other classifications, including Non-Safety Management). In addition to these groups each category has three separate plans for employees basically determined by hire date.

**\*\* City contracts with CAL FIRE for fire protection services.**

**B) PERS PLANS**

**There are three (3) plans within each category:**

**I. PUBLIC SAFETY EMPLOYEES**

- **3% @ 50** - Hires prior to 2013 – Greatest Benefit – with highest percent factor paid by City
- **3% @ 55** - Hires after 2013 – Slightly reduced benefit (already member of PERS (Classic Status) – with lower percentage factor paid by City
- **2.7% @ 57** - Hires After 2013 (**PEPRA**) – Lowest benefit (Not in PERS at the time of employment) with the lowest percentage paid by City and highest by Employee

**II. MISCELLANEOUS**

- **2.5% @ 55** - Hires prior to 2013 – Greatest Benefit – with highest percent factor paid by City
- **2% @ 60** - Hires after 2013 – Slightly reduced benefit (already member of PERS (Classic Status) – with lower percentage factor paid by City
- **2% @ 62** - Hires After 2013 (**PEPRA**) – Lowest benefit (Not in PERS at the time of employment)

The important factor regarding the above is that the PEPRA employees pay all of the Employee contribution while the others only pay a portion (applies to all non-management employees).

**HOWEVER, AS NOTED ALL CITY MANAGEMENT EMPLOYEES PAY THEIR FULL SHARE OF THE PERS EMPLOYEE CONTRIBUTION.** This is significant because it relates to another factor of comparability. This “out-of-pocket” aspect should again be considered when analyzing the PERS benefit because it affects “take home pay”. It also must be considered later in any discussion of management compensation adjustments because salary compaction could be an unintended consequence if changes are made.

In addition Management Employees pay 2.37% of the Employer’s (City) PERS share. Which requires another Out-of- Pocket contribution or forfeiture of leave time.

Therefore, not only should the Koff Study review each City’s percentage and dollar contribution to PERS but the following items should also be noted:

- **Retirement Benefit Plans in place with each city (2.5% @ 55 vs. 2% @ 60, etc.)**
- **Percentage paid by Employer and Employee % Share Paid by City**
- **Impact of Out of Pocket % paid by Employee**

## **2) DEFERRED COMPENSATION**

City provides a 4.2% contribution to the employee selected 457 plans. This applies only to all non-management, miscellaneous employees and not to Safety Employees (because of their higher PERS costs) and management employees. **However, Management staff does not receive this additional deferred compensation City contribution. Another factor to consider later when discussion of any changes to compensation is under consideration.**

## **3) SOCIAL SECURITY**

Except for an equal Employer/Employee contribute to Medicare the City of Madera does not participate in FICA.

**SUMMARY: Management Out-of-Pocket costs and benefits only available to non-management:**

- a) PERS – 7, 8 or 9% - Full Employee's Share – Non-Management pays only 2.375 or 3%)**
- b) Consideration of EMPLOYER'S PERS contribution of 2.37%**
- c) Does not receive the 4.2% miscellaneous Differed Comp. City Contribution**

## **CATEGORY VI. ACCUMULATION & PAYMENT OF LEAVE TIME**

Municipal institutions enjoy a number of leave time accruals and usage: Compensation time, holidays, vacation, sick leave, management leave, disability and bereavement. Management earns neither overtime pay or compensation time. However, for the 14 management classifications Madera has taken holidays, vacation, sick leave, and management leave and combined these hours (this grand total does not equal the sum of the individual parts) into one single, large amount of hours and instituted a unique way of accumulating and accounting for this time.

***The problem is that it may be difficult for a comp study to summarize and compare to other agencies. But because substantial dollar amounts have annually been paid-out to senior management staff, it does warrant review both from a Comparability perspective and a policy review consideration.***

## **CATEGORY VII. TOTAL COMPENSATION**

It is important to demonstrate all the elements that make up "Total Compensation" (Wages, Benefits & Other Pay). The base pay for Employee from City A may be several hundred dollars per month greater than the pay of Employee from City B. However, if City A requires the employee pay considerable dollar amounts towards health insurance premiums and retirement contributions; then the "take home" for Employee (City B) may be substantially higher. This also applies to the consideration of calculations for Other Pay. Therefore a Comparability Study should include an analysis of such impacts.

In addition the impact of Madera's substantial "cash-outs" for several management classifications must be considered.

**The small control group of only 14 positions allows for this more in-depth review.**

## **CATEGORY VIII. FLEX SCHEDULE**

A number of cities have gone to a flex schedules with a longer workday and extended or longer weekends off days. This is most common in Police Departments with a 10 or 12-hour work shift.

The Study should note what cities DO and DO NOT employ such schedules and what type of flex schedules apply to various employee groups

## **SUMMARY OF CATEGORY ELEMENTS FOR MANAGEMENT COMPENSATION**

### **PURPOSE**

*Provide written and verbal feedback and recommendations to the City Council during the workshop to be held during open session with Compensation Consultant hired through City's RFP process to evaluate and determine comparable agencies and define the elements of total compensation to be included in the study, including methodology and how each element will be valued for comparison purposes.*

### **GOAL**

The goal of any compensation study is to assist the City in developing a fair competitive pay and benefit structure, which is based upon market data to ensure that the plan is fiscally responsible, provides adequate balance between classifications and meets the long-run needs of the City with regards to recruitment, retention and desired results from qualified staff.

### **METHODOLOGY**

It is very important to begin with a well defined "Model and State the Elements OR Categories of this Model"

## **CATERGORIES/ELEMENTS OF THE MODEL**

### **CATEGORY I. - COMPARABILITY**

1. **Organizational Type and Structure**
2. **Population, Staffing , Budgets**
3. **Labor Market and Location**
4. **Tax Base, Per Capita Income and Cost of Housing**

### **CATEGORY II. BENCH MARK CLASSIFICATIONS**

- 1) **Benchmark Classifications** (not necessary for this study)



## **2) Differential Pay Between Positions**

## **3) Scope of Authority**

## **4) Median & Average (Mean) - Median in the middle vs. Average (see both)**

### **CATEGORY III. SALARY & WAGE**

- 1. Salary Pay Range & Steps**
- 2. Longevity Pay**
- 3. Routine Pay Not Included in Classification Salary Chart**

**While this later type of occasional compensation pay should be referenced in a City wide study it would not normally apply to Management Compensation**

- 4. Other Pay & Compensation**
  - a) Longevity**
  - b) Management Incentive Pay (2.7%)** calculated with a reduction in leave time
  - c) Annual Leave Payout** (most difficult for comparability purposes; because it varies from year to year and is minor in most cases and significant in others.

### **CATEGORY IV. HEALTH INSURANCE**

#### **1) WHAT THE CITY PAYS OR COULD PAY**

*Currently City pays the total cost of the health premium whether the premium is for employee only or the entire family. There are no required employee contributions for dependents.*

#### **2) EMPLOYEE OUT OF POCKET**

#### **3) HEALTH INSURANCE OPTIONS**

### **CATEGORY V - RETIREMENT**

#### **1. CALPERS**

##### **A) Sworn & Miscellaneous**

##### **B) PERS Plans**

**There are three (3) plans within each category**

#### **I. PUBLIC SAFETY EMPLOYEES**

- **3% @ 50** - Hires prior to 2013 – Greatest Benefit – with highest percent factor paid by City
- **3% @ 55** - Hires after 2013 – Slightly reduced benefit (already member of PERS (Classic Status) – with lower percentage factor paid by City
- **2.7% @ 57** - Hires After 2013 (**PEPRA**) – Lowest benefit (Not in PERS at the time of employment) with the lowest percentage paid by City and highest by Employee

## **II. MISCELLANEOUS**

- **2.5% @ 55** - Hires prior to 2013 – Greatest Benefit – with highest percent factor paid by City
- **2% @ 60** - Hires after 2013 – Slightly reduced benefit (already member of PERS (Classic Status) – with lower percentage factor paid by City
- **2% @ 62** - Hires After 2013 (**PEPRA**) – Lowest benefit (Not in PERS at the time of employment)

### **REVIEW & COMMENT**

- **Retirement Benefit Plans in place with each city (2.5% @ 55 vs. 2% @ 60, etc.)**
- **Percentage paid by Employer and Employee**
- **Impact of Out of Pocket % paid by Employee**

## **2) DEFERRED COMPENSATION**

## **3) SOCIAL SECURITY**

**Summary:** Management Out-of-Pocket costs (expenses) or lack of benefits available to non-management Non-Safety:

- a) PERS – 8% - Full Employee's Share – Non-Management pays only 2.375 or 3%
- b) Employer PERS Paid by Management Employee – 2.37%
- c) Not Eligible for 4.2% Deferred Comp (all miscellaneous employees receive this benefit)

## **CATEGORY VI. ACCUMULATION & PAYMENT OF LEAVE TIME**

*Because of the complicated City of Madera accumulation and payment of leave time provisions in management contracts there is a concern that it may be difficult for a compensation study to summarize and compare these benefits and compensation to other agencies. But because substantial dollar amounts have annually been paid-out to senior management staff, it does warrant review both from a Comparability perspective and a policy review consideration.*

## **CATEGORY VII. TOTAL COMPENSATION**

The small control group of only 14 positions allows for this more in-depth review.

**CATEGORY VIII. FLEX SCHEDULE** - Existing Programs should be reported.

## **COMMENTS, OBSERVATIONS AND RECOMMENDATIONS**

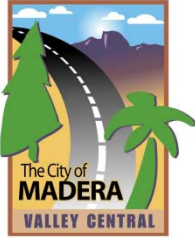
1. *The purpose of this report is to make recommendations regarding the methodology and elements of consideration to determine comparable agencies and define the elements of total compensation to be included in the Management Compensation Study. This report, in and of itself, is NOT a Compensation Study*
2. *Nor is it a recommendation to adjust or make changes in the compensation and benefits of management personnel.*
3. *However, the findings of the proposed study should provide the City Council*

**valuable information upon which to make changes, if any, it deems necessary based on the information obtained.**

- 4. In the months to follow the City Council should take into account the following:**
  - a. If any compensation/benefit changes are taken under considerations, they should be evaluated per the available facts, not rumors or unfounded accusations.**
  - b. It must be understood all such decisions have consequences both in the short and long run.**
  - c. Impacts on pay differentials between managers and subordinates should be considered as well as the City's long-term ability to attract quality employees**
  - d. Total compensation/benefits costs, and ability to pay should always be a guiding factor considering any decision involving compensation.**
  - e. Logical, fair and consistent practices should be adhered to. Process is important.**
  - f. Current management contracts DO NOT expire at once. Several of these contracts are due for consideration of renewal in the near future. Others may not be due for several months or longer.**
  - g. Section 14 – Reduction of Benefits - of City of Madera Management Contracts contains specific language regarding reducing compensation or financial benefits of the employee.**
- 5. It is imperative that the City Council understands what any new or renewed management contracts will entail. If any compensation/benefit changes are to be made they should be applied to these contracts (This should not apply to City Administrator's contract because the employment agreement is short term (less than a year) and other management contracts vary from three to five years) and his contracted compensation is substantially less than previous City Administrator contract.**
- 6. Therefore, it is problematic to make management hires or fully extend contracts until Council has digested the results of the Management Compensation Study and determined if any compensation changes need to be adjusted or Management contracts amended.**
- 7. When the information is available and decisions are made a fair and equitable strategy of implementation should be determined and implemented.**

**Respectfully Submitted,**

**Ron Manfredi  
March 12, 2018**



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

**May 3, 2017  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The regular meeting of the Madera City Council for 05/03/17 was called to order by Mayor Medellin at 6:00 p.m.

**ROLL CALL:**

**Present:**

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

**Absent:**

**Council Member Donald E. Holley, District 6**

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, City Engineer Keith Helmuth, Director of Human Resources Wendy Silva, Planning Manager Chris Boyle, Director of Financial Services Tim Przybyla, Unit Fire Chief Nancy Koerperich, Police Chief Steve Frazier, Public Works Operations Director David Randall, Community Development Director David Merchen, Grants Administrator Ivette Iraheta, Chief Building Official Steve Woodworth, Information Services Manager Mark Souders, Commander Dino Lawson.

**INVOCATION:**

Pastor Fred Thurman, New Life Assembly

**PLEDGE OF ALLEGIANCE:**

Mayor Medellin 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.

**INTRODUCTIONS**

Mark Souders, Information Services Manager

David Tooley, City Administrator introduced the City's new Information Services Manager, Mark Souders who served as the Director of IT and Operations for Vast Networks where he designed a new 800 mile fiber optic network from Bakersfield to Colusa. This network supplies bandwidth and connectivity to schools, colleges and libraries up and down the Central Valley.

Mr. Tooley stated that Mr. Souders' prior position included service as the Information Services Supervisor for the City of Fresno where he worked within that division to serve most major departments as well as playing a major role in the Traffic Operations Department. Mr. Souders helped with Public Works Information Service and the Police Department in utilizing the fiber infrastructure.

Mr. Tooley asked that Council welcome their new employee.

Mark Souders, Information Services Manager thanked them and stated that he looks forward to working for the City of Madera, working for and with all of them and working for the citizens of this great community.

Mayor Medellin welcomed Mr. Souders aboard.

**A. WORKSHOP**

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

Steve Frazier, Police Chief welcomed Mr. Souders and stated that when he was introduced he had to give a 10 minute speech and he doesn't know how Mr. Souders got off so easy.

Chief Frazier stated Council has had the report for at least a week and he apologized that they are in May and just receiving it. He stated they did their best to put it together and get it out as quickly as they could.

Chief Frazier stated that one reason they have an Annual Report is to build community trust. He stated that transparency is key in a law enforcement agency and when they took over the department that was one of the goals that they had. They wanted to make sure they were putting information out to the community and that the community knows who they are.

Chief Frazier stated that the Annual Report encapsulated what occurred in the past year. It is also a way for them to connect with the community and make sure that they are keeping in touch with them.

Chief Frazier stated that the Annual Report has a picture of every officer and every employee is listed. They want people to be able to put a name to a face.

Chief Frazier stated it provides an opportunity for dialogue about the crime, the programs they have and other things. Chief Frazier stated that when their Police Department and the community are talking, they all win.

Chief Frazier stated there is statistical information, program information and information about things that they want to do with the community down the road in the Annual Report. He stated that is all spelled out in their Annual Report.

Chief Frazier stated there were 51,427 service calls, 29,000 reports processed, 60,000 pieces of evidence and 705 detective cases which are all felonies because they don't have the time or personnel to really pay a whole lot of attention to misdemeanors. He stated that while they realize there is still a community problem, they have enough felonies to focus their time on that from a detective standpoint.

Chief Frazier stated this workshop focuses on their crime statistics and what that looks like as a community. He stated that in the Annual Report opening remarks he talks about walking uphill underwater in snow boots as that is what the State has put up against law enforcement.

Chief Frazier stated that Proposition 47 and Proposition 57 which passed last year created an environment that is more advantageous to the criminals than it is to victims and to community. Chief Frazier stated that Proposition 47 in particular which reduced drug possession felonies to misdemeanors has arguably been the biggest hurdle for them.

Chief Frazier stated violent crime is up fairly significantly. He stated they've had an impact on property crimes. It is a little easier for them to deal with property crimes. They can be progressive if they see they are trending. Burglaries are up. They can put together plans to go out and deal with that. They did that and they brought those down significantly.

Chief Frazier stated it was a little more difficult to deal with the violent crimes. He stated those most typically occur within a household. He stated it is much more difficult to determine when and where those will occur so it's a little more difficult to get a handle on that.

Chief Frazier stated that overall they were able to reduce their statistical area in four categories which is a good thing but obviously there is still work to be done and they recognize that. They have some programs on the horizon that they think will impact the violent crime and juvenile crime in particular. He stated he looks forward to bringing that back to Council down the road and sharing with them what that is.

Chief Frazier stated they should just know that their Police Department is working diligently to get all crimes under control and reduce those levels of Part 1 Offenses. He stated he would answer any questions.

Council Member Rodriguez stated he looked at the Rape category and asked if that was mainly people that lived with each other or other cases.

Chief Frazier stated it was probably split equally. He stated there were 16 occurrences of rape and it is both familial as well as stranger.

Council Member Rodriguez stated that Chief Frazier said that when it comes to theft there's a lot of focus on that but that it is harder to get the more violent...

Chief Frazier stated they try and handicap crime and it's a little easier to do that on property crimes than it is crimes of violence. He stated that domestic violence is a problem in the community and while they can trend that, tempers don't always go with time of day, day of week and those kinds of things so it's far easier to do property crimes in that fashion than it is crimes of violence.

Council Member Oliver thanked Chief Frazier for his report. He stated that there was obviously always room for improvement in some of the categories but he thinks that the Chief and his department certainly represent the undercurrent of positivity and momentum that's felt through the community. He stated that's a testament to the Chief's work especially reflected by voters' sentiments through Measure K.

Council Member Oliver stated he had a question regarding calls from the community. He stated that through Neighborhood Watch especially in areas on the east side they were often reiterating to folks the importance of calling in any suspicious activity even if they don't see a crime that is occurring right then and there. Council Member Oliver asked if he could shed any light as to any increase in those types of proactive calls from the neighborhoods or.... He stated he's sure that they probably have a lot more work to do.

Chief Frazier stated there's always work to be done both in getting people to understand that they do want them to call. He stated it's tough to differentiate necessarily an increase or decrease relative to the work they are doing with Neighborhood Watch. He stated they don't keep a statistical number associated with that. He stated a call is a call and they respond to that.

Chief Frazier stated that clearly if they can continue to make inroads with that partnership with the community and they get people to buy in and understand who they are and what they are about....

Chief Frazier stated their biggest obstacle to date is dealing with immigration issues and people's fear associated with that. They've made a point and the Mayor's made a point to gather community members together and go in and talk with ICE [Immigration and Customs Enforcement] and they explain that the average citizen is not in jeopardy of being deported and in that, they hope they can begin garnering trust and begin having more calls. Chief Frazier stated he thinks there are a significant number of unreported calls in this community based upon their demographics and it's important for them to make inroads so that they feel comfortable enough to call.

Mayor Medellin stated that when they talk about transparency and trust and he's heard him speak a number of times in the community, Chief Frazier as well as his officers and all of his staff use words like us and we and that really resonates with the community and it's also a stat that they can't keep. There's not a trust stat but as his colleague just mentioned Measure K was a little bit of a stat as to the trust and transparency that he and his department have shown this community.

Mayor Medellin stated that Proposition 47 and Proposition 57 has handcuffed them but it has not defined them and they keep plugging away. He applauds Chief Frazier's efforts and his staff. He really appreciates everything that he's done in this community through Neighborhood Watch and the countless meetings that he's had in the community; it's really shown. Mayor Medellin thanked Chief Frazier and his staff.

Chief Frazier stated that the passage of Measure K was indeed a humbling experience. It was phenomenal.

## **B. CONSENT CALENDAR**

- B-1 Minutes – There are no minutes for consideration.
- B-2 Information Only – Warrant Disbursement Report
- B-3 Bi-Weekly Water Conservation Report for 4/10/17 - 4/23/17 (Report by Dave Randall)
- B-4 Consideration of a Minute Order Acceptance of the Construction of Thomas Jefferson Middle School Safe Routes to School Along Sunset Avenue, Pine Street to Schnoor Avenue Project Number SR2SL 5157-091 City Project No. ST 14-06 (Report by Keith Helmuth)
- B-5 Consideration of a Resolution Approving Amendment No. 1 to the Professional Engineering Design Services Agreement with Giersch & Associates Inc. for Sewer Main Replacements at Sherwood Way and Wessmith Way Near Lake Street (Report by Keith Helmuth)
- B-6 Consideration of a Resolution Approving an Agreement with Nan McKay and Associates, Inc. to Provide Community Development Block Grant Fair Housing Education/Training and Auditing Services and Authorizing the Mayor to Execute the Agreement (Report by Ivette Iraheta)
- B-7 Consideration of a Resolution Approving an Amendment to the 16/17 Fiscal Year Budget to Appropriate Funds for the Acquisition of Real Estate and Easements for the Sharon Boulevard Infrastructure Improvements (Report by Dave Merchen)
- B-8 Consideration of a Resolution Approving a Contract with Sam Balbas Painting for Exterior Painting Services at the John W. Wells Youth Center and Authorizing the Mayor to Sign on Behalf of the City (Report by John Scarborough)

Mayor Medellin stated that Staff has asked that B-6 be removed from the calendar.

Mayor Medellin asked if any council members would like to pull items from the consent calendar for further discussion or questions. He entertained a motion for action.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, THE CONSENT CALENDAR EXCLUDING ITEM B-6 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.**

**RES. NO. 17-59      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING DESIGN SERVICES AGREEMENT WITH GIER SCH & ASSOCIATES INC. FOR SEWER MAIN REPLACEMENTS AT SHERWOOD WAY AND WESSMITH WAY NEAR LAKE STREET**

**RES. NO. 17-60      A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AMENDMENT TO THE 16/17 FISCAL YEAR BUDGET TO APPROPRIATE FUNDS FOR THE ACQUISITION OF REAL ESTATE AND EASEMENTS FOR THE SHARON BOULEVARD INFRASTRUCTURE IMPROVEMENTS**

**RES. NO. 17-61      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A CONTRACT WITH SAM BALBAS PAINTING FOR EXTERIOR PAINTING SERVICES AT THE JOHN W. WELLS YOUTH CENTER AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY**

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

C-1      A Continued Public Hearing to Consider an Appeal by Mr. David Delawder of Planning Commission Approval for Conditional Use Permit 2017-07 and Site Plan Review 2017-08, which Allows for Three Outdoor Automotive Sales Events to be Held by 365 Autos in the Madera Marketplace Walmart Parking Lot during 2017 and;

Consideration of a Resolution of Determination on Appeal (Report by Chris Boyle)

Chris Boyle, Planning Manager stated this item is an appeal of a Planning Commission approval of a Conditional Use Permit [CUP] which allowed for three temporary outdoor used car sales events to occur in the Madera Marketplace Shopping Center on a component of the property owned by Walmart.

Mr. Boyle stated he spent some time on research in his staff report looking at the relationship between the two projects. He stated he called them Phase I and Phase II with Phase I being the initial development of the Walmart. Phase II being the development of the remainder of the site with the JCPenney at that time, the Pak N Save and the various tenants that filled out that retail mix.

Mr. Boyle stated he spent that time because in part although there are opportunities for the site to have collaborated in the past with outdoor activities, they largely haven't.

Mr. Boyle stated that Walmart has gotten their annual use permits and had specific events utilizing the use permit for outdoor sales activities and the same can be said for the Safco [Capital] property as well wherein they've used the site for annual use permits for sidewalk sales especially when the JCPenney was in place and the complex was new.

Mr. Boyle stated that his point would be that although the two sites look, act and integrate as one, in essence in terms of the outdoor activities that have been entertained on the site over time, they really have operated as two separate entities.



Mr. Boyle stated that the request for the CUP which was made by 365 Autos and Mr. Jim Estes came to them in a roundabout way. He stated that initially a sales event was initiated without the benefit of a use permit and the Code Enforcement Division responded to that and ultimately the applicant made application for that use permit after beginning that sales event on the next day and staff being a pro-business City allowed for the completion for that activity albeit in a shorter timeframe. Mr. Boyle stated that subsequent to that the applicant made the first available Planning Commission hearing and was approved.

Mr. Boyle referred to a slide of a location map. He stated that it's a site that's been used in the past by most recently Gill Auto that provided for and worked reasonably well with an outdoor used car sales event and ultimately the Planning Commission approved three specific additional dates along with 24 conditions of approval which guided the on-site activities and mitigated any potential nuisances. It worked.

Mr. Boyle stated they are almost identical with the exception of dates to other activities that have occurred on the site for used car sales. He stated there hadn't been a lot of used car sales on this site in the past in part because the [Madera District] Fairgrounds used to host used car sales events prior to the Lowe's site being developed and wherein they would have used car sales events within the City they would largely be on the State's Fairground property.

Mr. Boyle stated the appeal calls out a rationale. He stated that he included the actual appeal document within the staff report. He stated it provides for several rationales for a reason to appeal the decision for approving the use permit. He stated the first rationale which has several components within the appeal are the CC&Rs [Covenants, Conditions and Restrictions] which govern the two properties. Mr. Boyle stated that staff has not seen those CC&Rs. They've inquired about their availability but they've never been volunteered to them so he can't really speak to them. Mr. Boyle stated it is his understanding that the appellant has provided those CC&Rs within a packet that he will distribute at the end of this presentation.

Mr. Boyle stated that the ascertains of the appeal are that the CC&Rs don't specifically allow for an event of this type, that parking is restricted for only customers and vendors to the property, and there are restrictions on what tenants can sell outside of the site. He stated that is the first rationale within the appeal.

Mr. Boyle stated the second rationale is the time of year. He stated there is one event that coincides with the 4<sup>th</sup> of July week and the third event is the five days which span from December 26<sup>th</sup> till New Year's Eve. Mr. Boyle stated that the appellant would assert that those are high traffic demand periods during the course of the year. Mr. Boyles stated that staff would note though that this shopping center has been developed with ample, great amounts and overabundance of parking beyond what would normally be required for the uses on the site including the three schools that now house the Phase II portion of the site.

Mr. Boyle stated that the last component would be that there is no limitation on the number of cars. He stated that staff's position would be that in essence there's a limitation on the area which inherently limits the number of cars that might be on display for sale at any given time. They felt that although they are not requiring that x number of cars be incorporated into the event, the dimensional restrictions of the site by themselves restrict the number of cars that might be able to be sold.

Mr. Boyle stated that when looking at the ordinance as it relates to an appeal, the highlighted and underlined section really is where the Council must look for in their decision making powers and it says that the Council shall make a written Finding of Fact setting forth wherein the Planning Commission's findings were in error. Mr. Boyle stated that staff's analysis finds it very difficult to make a finding where the Planning Commission erred in their analysis during the Planning Commission process. He stated that within that process there was only one opponent to that use and staff received no additional support or opposition via written or telephone and with that record in hand the Planning Commission acted favorably in approving the use permit.

Mr. Boyle stated that staff would also recommend that City Council adopt a resolution affirming the Planning Commission decision approving Conditional Use Permit 2017-07 and Site Plan Review 2017-08.

Mr. Boyle stated that concluded his presentation and that the appellant was in the audience. Mr. Boyle stated that barring any questions from the Commission, he could hand out the appellant's packet.

Mayor Medellin stated that the sooner Mr. Boyle handed that out the better.

Council Member Rigby asked how many used car sales had been hosted in that parking lot in the past.

Mr. Boyle stated he didn't have that specific number.

Council Member Rigby stated he would ask the question in a different way. He asked if yes or no there have been car sales on this lot before.

Mr. Boyle stated there have.

Council Member Rigby asked if the City of Madera is an enforcement mechanism for CC&Rs.

Mr. Boyle stated the City of Madera isn't an enforcement mechanism for CC&Rs. He stated CC&Rs are oftentimes provided to staff for their review but staff's review is really defined by two components. One that the City isn't obliged within those CC&Rs to act as an enforcement agent to the CC&Rs. Two that any of the provisions of the CC&Rs can't be less restrictive than the code of the City of Madera. Mr. Boyle stated they can't be in violation of the code within the CC&Rs and those are the only two components of the CC&Rs where staff would look to make certain or have an opportunity to review.

Council Member Oliver stated that 365 Auto Sales are proposing to operate for about 30 days, maybe 26 approximately so it is a temporary use in nature. Council Member Oliver asked what sparks a permanent use as far as the City standards.

Mr. Boyle stated there is nothing in the ordinance that says specifically that a particular timeline passes over this threshold from permanent to temporary. Mr. Boyle stated that it's staff's policy per se that they wouldn't entertain a use permit for a temporary event that would span more than one-twelfth or 30 days of any calendar year so whether that be virtually any temporary outdoor event, they would restrict that to a 30 day period.

Mr. Boyle stated that when they did the last used car event with Gill, there was a restriction for a maximum amount of 30 days and in this particular event including the event that occurred prior to approval by the Planning Commission, there's a total of 30 days entertained. Mr. Boyle stated beyond that he thinks it wouldn't be prudent to say that the event was temporary in nature if it was lasting more than 30 days cumulative.

Council Member Oliver stated that Mr. Boyle had said there was a previous event that had occurred but was interrupted by staff. He asked how long that event lasted.

Mr. Boyle stated he believed it lasted 4 days in total.

Council Member Oliver stated so about 30 days and asked if this was something that is codified or is it just something that staff exercises by their discretion as far as a temporary versus a permanent use.

Mr. Boyle stated he doesn't believe it is codified. He stated they've taken it as a policy decision.

Council Member Oliver stated so basically with this proposed use it being in a properly commercially zoned property..... He asked if he had a t-shirt outlet and wanted to compete with Andy Sport Design and locate on that shopping center and he had an agreement with the property owner and wanted to do it in the 15 days right before Christmas that could potentially be ok.

Mr. Boyle stated yes, that could potentially be ok.

Council Member Oliver asked if they required at all any modified exhibit maps to the site plan because looking at what has been depicted there he can't delineate how many parking spaces exactly are going to be utilized. He stated it looks like there's a brief rectangle and square depiction on there and asked if they require that.

Mr. Boyle stated that part of those conditions of approvals and the set-up itself is confirmed at time of set-up. He stated the Fire Marshal is required to go out, make inspections to make sure that the Fire Code is amply addressed. If their tents are set-up, there is a building permit that is required for the erection of temporary tents and they must be fire stamped as being fire retardant and the like.

Mr. Boyle stated that Planning Department staff goes out and makes sure that things like trashcans and the overall boundaries of the site are in place. He stated that the Fire Department and Building also confirm that safety measures are in place so that they are not going to see potential pedestrian/vehicular conflicts and the like. Mr. Boyle stated that although there isn't a specific site plan like the construction of a home with a floor plan and elevations and the like, the set-up itself is confirmed at the time it occurs.

Council Member Oliver stated but not before. He stated that personally his concern is that this is obviously a prolific shopping center and commercial corridor and certainly they want to invite business and attract those sales and job opportunities.... It's hard for him to wrap his head around a tent pop-up style temporary auto sales event. He doesn't want to say cherry picking off of the hot spots of the year for that industry but for him he is sensitive to that detriment that it might have on the existing businesses that are there in their community and invest a great deal especially in it being a temporary use and then not really having many policies in place to regulate those temporary uses. He thinks that is something that they need to look at.

Council Member Oliver stated he understands the relationship between the CC&Rs and the City having an active role in that which they don't but if it were to be proved true and the appellant was correct in that this was a clear violation of their land use covenants..... He asked if they can really go to say that they can make the finding that as conditioned the outdoor sales events would be compatible with surrounding properties and the operation would not negatively impact those adjoining properties and businesses. Council Member Oliver asked if they can confidentially say that.

Mr. Boyle stated that in light of the overall history of the events in this site, staff's analysis would be that the site has actually seen greater visitation. He stated the applicant himself speaks to the gift cards to Walmart that he passes out for test drives, for example and the additional sales tax is generated by a \$5 gift card in the terms of the average sales that occur there. Mr. Boyle stated there is an opportunity for the individual businesses in the shopping center themselves realizing benefits from a temporary event occurring there. Mr. Boyle stated that in light that they haven't had any complaints in the past over the event occurring, he felt it hasn't been a hardship on the shopping center. He thinks the record would show that it hasn't been a hardship and perhaps even a benefit on the shopping center.

Mayor Pro Tem Foley Gallegos stated she had a couple of questions. She stated the one date is for the day after Christmas and asked if that was correct. She stated that Workforce is also in there, a new sushi restaurant went in there and she knows that a couple of more businesses are going in there and her concern is safety for the residents. She stated that getting in and out of that shopping center the day after Christmas is crazy and putting a used car lot sale there she thinks may be something to look at. Mayor Pro Tem Foley Gallegos stated she is there after Christmas. The sales are there. She stated everybody in Madera seems to be there and not including all the other businesses that have gone in that shopping center. She stated she is concerned about residents coming in and out of that facility. She stated that is something that she had the question and asked if they look at the day after Christmas that would be not the perfect time to go in there.

Mr. Boyle stated they contemplated that date and when they looked at the overall parking that is available on that site and that's just on the Walmart site which has additional parking, the Walmart site is actually built to accommodate an expansion of the property which hasn't occurred and the parking is really built to

house a Christmas Eve where they have enough parking to satisfy demand on the site and in light of that they felt that there was sufficient parking to retire some parking stalls as it relates to that event but certainly December 26<sup>th</sup> is a high traffic day.

Mayor Pro Tem Foley Gallegos asked how many stalls they were looking to occupy for this event.

Mr. Boyle stated there's probably 80 stalls and that's his mind's eye.

Mayor Pro Tem Foley Gallegos asked if 360 was going to locate by Walmart again; not by the Chase area.

Mr. Boyle stated that was Walmart property right there so it's in a location where it isn't a high parking demand location for the overall shopping center. It has sufficient separation from the primary users of the site and it's functioned adequately in the past for other vendors to hold events there so in light of the fact that they haven't seen any real crisis or any real problematic events occur in this particular location they've largely relied on it for these types of events.

Mayor Pro Tem Foley Gallegos asked if the event in September was going to be held for 12 days; a little longer.

Mr. Boyle replied affirmatively and stated the dates are firm and that includes set-up and tear-down.

Mayor Pro Tem Foley Gallegos asked if there was a reason that it was a 12 day and not a five day event.

Mr. Boyle stated that staff would only restrict any Temporary Use Permit being permitted for more than 30 days and the applicant chose those particular days within his request.

Mayor Pro Tem Foley Gallegos stated there are many people in their City or residents that do have their own business, apply for business permits and go and follow the rules, and she sees that this event that happened in February went in without a permit. She asked if that was correct and Mr. Boyle responded affirmatively. She stated that they ran business as usual without a permit.

Mr. Boyle stated the business was identified not operating this location and Code Enforcement responded very quickly. It was originally identified by someone who called the Code Enforcement Division who responded very rapidly to the site. Mr. Boyle stated that ultimately the completion of the event occurred. Mr. Boyle stated the first location was along the primary Cleveland Avenue frontage. It was very problematic. It did not work in that location. Those were prime parking stalls. Mr. Boyle stated ultimately the applicant moved the site over to this location to complete that event.

Mayor Pro Tem Foley Gallegos stated there were concerned citizens who called her as when they were unloading the vehicles they were blocking Cleveland [Avenue] a main entrance into that area.

Mr. Boyle stated he is not certain but he believes the applicant is in audience and is available to answer those concerns.

Council Member Robinson stated that he remembers they had a used car sales in the same location and he didn't see any problem with it plus competition will be great. They will not have to go to Fresno. They have hundreds of used car sales. They have lower prices. Council Member Robinson stated they can keep the sales in Madera and more traffic for existing business. They have to eat and shop and he thinks it's more conducive to the City to have a type of venture like this.

Council Member Rodriguez stated that Mr. Boyle had mentioned earlier that there had been other events and asked if there had been events in similar holiday seasons; 4<sup>th</sup> of July. He stated that Mayor Pro Tem Foley Gallegos mentioned Christmas days and asked if in the past they'd seen any other events similar to this in those types of days.

Mr. Boyle stated there are periods of the year where sales may be more opportunistic for car a sales event and it's really up to the dealer to discern what days those might be. He stated he can't recall the last events that occurred as it relates to the Gill event so he can't say with certainty as to whether they conflicted with any holiday sales event or they aligned or were similar to the dates that were requested here. Mr. Boyle stated he could say that the last event that occurred there was on a Veteran's Day weekend in November. He stated there wasn't a request for a Christmas period sales event as it related to the Gill use permit. It was one summer event, one early fall and then the November event.

Council Member Rodriguez asked if Mr. Boyle would say traffic caused chaos in the area where they are locating these events.

Mr. Boyle replied not at all.

Council Member Rodriguez asked what drove the appellant to come before the Council. He asked for the appellant's motive. Council Member Rodriguez asked what the reasoning behind the appeal was if it didn't happen in the past; if these sales events were happening.

Mr. Boyle stated the appellant was in the audience and he thought that might be a question best directed to the appellant.

Council Member Rodriguez stated he's seen that events of this nature have happened in the past and he's just curious as to why it is brought up now and not when other events of similar nature occurred.

Mr. Boyle stated he can only say that staff has had positive relationships with Mr. Delawder on every other permit that has been required within the Phase II component of the site.

Mayor Medellin stated he had a couple of questions and some have been answered but he wants to take it a step further.

Mayor Medellin stated Mr. Boyle seems comfortable with the number of parking stalls; the 80 or so at mind's eye. Mayor Medellin stated the question was also asked about similar dates and also the congestion, the last time, when somebody had done a car sales it was along Cleveland. Mayor Medellin asked if it was working in conjunction with Planning and/or Code Enforcement to decide if something needs to be changed due to dates/congestion or is it totally incumbent upon the car dealer to decide if they need additional parking spaces or less or to move their operation off of Cleveland.

Mr. Boyle stated staff monitors the events both at set-up so that prior to the use opening up and beginning to promote the sale of cars staff approves the overall setup but it monitors it throughout the event. Mr. Boyle stated he is sure if there were issues with circulation, and the like, Code Enforcement, the Police Department or other responding departments that might just be doing general inspection would bring that to their attention.

Mr. Boyle stated that as an example, they've issued permits for a furniture tent sale in the Hallmark Shopping Center wherein the tent was set-up in an inappropriate fashion and blocked pass of travel and that particular event had to stop and make all the necessary corrections to the site prior to staff allowing them to continue so there is a lot of collaboration between various departments in making sure the event operates in a sane and safe fashion.

Mayor Medellin stated he was just trying to determine if it would just be a suggestion or if the City of Madera would not issue a permit based on previous issues such as congestion, parking and things of that nature.

Mr. Boyle stated he thinks that if there were previous issues they would certainly be looking to at least provide conditions of approval that would better address making sure those issues didn't arise again.

Mayor Medellin asked if it was being proactive or was there a complaint issued when the used car sales event was unpermitted and Code Enforcement did their due diligence. He asked if Mr. Boyle knew of that.

Mr. Boyle stated that he thinks that the observation on the part of the Building Official was that it was in an inappropriate location with which to set-up. It was directly in the drive aisles along the frontage with Cleveland Avenue. Mr. Boyle stated the applicant uses a large 5<sup>th</sup> wheel trailer as a sales center and what have you and so combined with those being primary parking stalls on the site it certainly was an inappropriate location to set-up.

Mr. Boyle stated that just to give all the information that he has at his disposal, it is his understanding that the arrangement that was made between 365 Autos and Walmart came out of their corporate offices and the local management wasn't fully aware of where and how the event was going to transpire so it was prudent for Code Enforcement to step in and look to resolve the matter through their formal application process and fix the location immediately.

Mr. Boyle stated the applicant had made a tremendous investment in that event and staff acknowledged that and provided the event to be completed because of that fact. Mr. Boyle stated that if the application for Conditional Use Permit hadn't been received the very next morning, which it was, they wouldn't have allowed the event to continue.

Mr. Boyle stated Code Enforcement was prepared to stop the event if an application wasn't received.

Mayor Medellin stated they did it the very next morning.

Mayor Medellin asked if they were exempt from the Sign Ordinance as far as displays, balloons, signs and things of that nature in that parking lot.

Mr. Boyle stated there are specific conditions of approval that speak to that. He stated because it is a temporary event they want to provide an opportunity for visibility but signs located in prohibited locations like in the public right-of-way, the center medians, waivers and things along those lines couldn't be provided for so those are the kinds of things they would look for as a component of the use setting up.

Mayor Medellin stated just to be fair to the existing tenants especially during those holiday times... and asked if the existing tenants were notified individually; the business owners or those tenants as well or was it just one person/the management company in charge.

Mr. Boyle stated that only property owners are noticed per their public hearing notice protocols as well as a 10 day notice in the paper.

Mayor Medellin stated that it's been requested if someone from the Planning Commission is available to answer questions.

Mr. Boyle stated that Chairperson, Kenneth Hutchings was in the audience at this time.

Mr. Boyle stated he would distribute an item to Council.

Mayor Medellin thanked Mr. Hutchings for being there and asked if he had anything to add.

Mr. Hutchings stated that he doesn't think it was mentioned in the report but they happened to have six Commissioners there that day and three of them were concerned about what Mr. Delawder had brought up. Mr. Hutchings stated that initially there was a motion to deny the use permit and it failed on a 3 to 3 vote. Mr. Hutchings stated that when they went to the second motion, he was expecting another 3 to 3 but one of the previous three had changed his vote so it carried on a 4 to 2. Mr. Hutchings stated there was division amongst the Commission on that.

Mr. Hutchings stated that speaking personally he felt that the applicant for the CUP had done everything that was expected of them and his personal opinion was that he did not feel that the Planning Commission should get to be an arbiter of what was in the CC&Rs which by the way they did not even have a copy of so he was reluctant to want to deny the CUP for that reason.

Mayor Medellin asked if there was anything else brought up by the Planning Commission other than what he'd already heard by the Council as far as questions or concerns or pretty much the same.

Mr. Hutchings stated he thinks it was pretty much the same issues that were brought up. They had concerns about whether there was enough area to satisfy for it but he thinks their concerns were all resolved. He thinks most of the reservations basically went along with the appellant's concern regarding the CC&Rs.

Mayor Medellin asked if there were any questions for Mr. Hutchings. No questions were asked.

Mr. Richardson stated he would address the concern on the CC&Rs that Council Member Oliver had. He stated he scanned it and some of the stuff was highlighted at least in his copy and he assumes it is in theirs. He directed them to look at Page 9, Sub-section B(iii) about halfway down. He stated that it says that nothing contained herein shall prohibit the rights of any owner/lessee to conduct promotional sales in the parking area of its tract or on the sidewalks located in its tract provided that the owner or lessee does not block the flow of traffic in the common area between Tracts 1 and 2 or adjacent roadways. Mr. Richardson stated he thinks that speaks to the lack of prohibition in this document and he'd also add that the Planning Commission did not have it nor did anybody have it till tonight so it'd be kind of hard to find that they erred in something relative to this when it wasn't presented and could have been.

Mayor Medellin stated exactly.

Mr. Richardson stated Council could make the call on that but he just wanted to direct their attention because it looked like it spoke to it.

Mayor Medellin thanked Mr. Richardson and called on Mr. Delawder and asked him to supply his name and address for the record.

David Delawder Property Manager for Madera Marketplace introduced himself and stated he works for Safco Capital. Mr. Delawder stated his wife, Valerie Delawder will be doing some reading of this.

Mr. Delawder stated the CC&Rs that they have are from 1990 when the shopping center was developed between Walmart and the developer at that time which is now Madera Capital. It talks about Tract 2 and Tract 1. He stated that in there he gave them two site plans. One is a site plan as they see it and it also gives a broken line. It gives the Walmart property and the property that belongs to Madera Capital. Mr. Delawder stated the other site plan he gave them is the exhibit from the back sides. It shows how the CC&Rs define Tract 1 and Tract 2 which is the same layout.

Mr. Delawder stated that he is legally blind and he can see to walk around without a cane or a dog but he can't read this so he will have his wife read this for them if they like. Mr. Delawder stated they highlighted those areas.

Mr. Delawder stated they did see the area that the gentleman read about those different things. He stated that the auto sales in their opinion of determining what the CC&Rs talk about is that the parking lots are used for the sales and promotions of the stores that are existing not bringing outside businesses that are not associated with the shopping center. He stated that auto sales are not a part of the shopping center to their opinion however community events which a lot of shopping centers do have... He comes from 40 years of shopping centers and he's handled up to 200 shopping centers. He's handled up to the Mississippi River to both borders and the ocean for Ole McRoy and Newberry stores. He had a Newberry store here for years. He had a lot of the valley.

Mr. Delawder stated that in the shopping centers that he's had they've had auto shows with brand new cars. It would be on display in strip centers and interior malls but they weren't sold at the shopping centers. They were close to the buildings that put them on so that people could see them and then go to the dealerships in the community.

Mr. Delawder stated that this event is an outside city business coming into the City. He stated the first event that they knew about was with Gill's Auto. They found that out because of their security. They are sort of an absentee landlord at times. They are trying to be more active. When they found this out, that is when they made the appeal on this one. The other one they found out later but they sort of considered it to be a local event with the local car dealerships and there's a difference between promotional events within the communities and bringing other outside businesses to compete with their local communities.

Mr. Delawder stated they do the same thing. They don't allow street vendors to come in and sell food trucks in the shopping centers when they have restaurants because that's in opposite of direction they want to go.

Mr. Delawder stated art shows are different. He stated that events that are outside communities or outside people that don't have anything for the community, that's a different event too.

Mr. Delawder stated that in this situation it is an auto sale from another city coming in that is not part of the community like the last one was.

Mr. Delawder asked if they would like his wife to go through the different sections because the shopping center....

Mayor Medellin stated that his wife was saying no.

Mr. Delawder said that was fine.

Mr. Delawder stated that the agreement with the developer and Walmart talks about outparcels which would be Chase Bank, IHOP and the tire store. He stated each one of those are separate parcels. He stated Chase Bank contributes to the expenses of the shopping center. IHOP does not nor does the tire store but they had to comply with the CC&R standards along with the City for designs, height and all that stuff. Mr. Delawder stated it was the same with all signs. He stated the shopping center has its own sign ordinances. They can't block different things. They can't erect buildings or block visibilities.

Mr. Delawder stated that the events when they occur in the parking lot which are allowed to occur, he believes there is a section in there under the parking lot use, that when the parking lot is used for promotional sales there is not to be a charge for it and in this case they are charging. Mr. Delawder believes it is \$7 or \$8,000.

Mr. Delawder stated he doesn't know who is giving the \$5. He stated a lot of retailers because they do come from the retail side too, will provide their own promotional event. They say they are going to knock off \$5 of your sale if you come to this. He asked is it really the auto sales person giving the \$5, the 50, 60, \$80,000 extra or is it Walmart just knocking off with a coupon and saying they are just going to write it off. He stated he doesn't know which it is.

Mr. Delawder stated he didn't know it was going to be 80 cars. That's a lot.

Mr. Delawder stated they don't mind community events as long as they fall within standards.

Mr. Delawder stated they recognize that Walmart has the right to do what they want to do in a lot of things but they still have their CC&Rs that try to do..... Mr. Delawder stated they have approved and they have no issue with Walmart doing their storage containers. He's had the City call him in the past saying he has to sign something because they want to put a storage... he doesn't own Walmart's property. They do. So he goes back and tells Walmart and they say they own it and he says yeah they do and they have to do



that themselves. Mr. Delawder stated the storage container issue that was brought up at the Planning Commission to them is on the back side of Walmart. It's storage for their sales. That's fantastic.

Mr. Delawder stated that they are not in favor of turning their shopping center into a used car parking lot sales. They would like to keep their image. They talked to different tenants. Pak N Save controls their parking lot and everything that goes on.

Mr. Delawder stated that this parking lot is adjacent to it. The manager there and the people he's talked to don't care. They feel the parking lot sales like Gill's or some other events are fine because they bring in community stuff. Mr. Delawder stated that 4<sup>th</sup> of July and Christmas are their peak seasons and that's close enough where people will park in their parking lot; maybe not shopping. It's hard to say if they will shop there or not.

Mr. Delawder stated that in looking at the site plan, the property line by the Goodwill gets very narrow and it gets very full during the Christmas season so if people park in the other parking lots then that ties up parking into the other section of their shopping center.

Mr. Delawder stated they don't like auto sales period but if they're community that's a different story. He stated if they bring outside businesses that are going against stuff that's a total different issue which they will appeal.

Mayor Medellin stated he wanted to make sure he was correct in hearing him. He stated generally no auto sales but to be part of the community he doesn't mind auto sales if they are a local auto dealer.

Mr. Delawder replied affirmatively and stated that is a different story because they are dealing with the community. He stated shopping centers are there for the community but he cannot bring in food trucks...

Mayor Medellin stated no competing businesses and there's no existing auto dealers. Mayor Medellin stated he wanted to distinguish between having them there as long as it's local and being part of the local economy versus an outside out of Madera business.

Mr. Delawder stated he's had shopping centers that were three million square feet interior malls, part of big cities/small cities. He stated he's been across the whole country in different places. Community events are good. Sometimes a shopping center is a great draw for everybody. Sometimes they do local communities to bring in and these businesses are there too. He stated that's fantastic. It helps everybody.

Mayor Medellin thanked Mr. Delawder and stated he just wanted to make sure he was clear on that.

Mr. Delawder stated that in this they have standards for buildings. It talks about sidewalk sales. He stated that he looked over the different things that Mr. Boyle talked about that were put in 1996 on some prior things. Mr. Delawder stated it goes pretty much on the sidewalk sales and parking lot, can't block roadways; all that kind of stuff. He stated that's all understandable. They have no problem.

Mr. Delawder asked if his wife could read those to them or did they think it was a waste of time.

Mayor Medellin stated it was never a waste of time, but he would defer to his wife if she would like to or not.

Mrs. Delawder read a highlighted section of the handout.

Mayor Medellin asked Mrs. Delawder if it was her intent to read all the highlighted areas.

Mr. Delawder stated that is what he was asking.

Mayor Medellin stated maybe it was his fault and he misunderstood because for them to get this at the last minute was a little difficult. He stated that with all due respect he didn't want to be read to and he would really like to read it all.

Mrs. Delawder said that was fine.

Council Member Rigby asked for clarification from Mr. Richardson. He asked if this was considered new evidence in the appeal process being that the Planning Commission was not given the CC&R during its original review of the project.

Mr. Richardson stated it was true. It is something that the Planning Commission did not have. Apparently it was out there but they did not have it and again in spite of wondering where they were, this is the first time anybody has seen them. Mr. Richardson stated that if they have to decide that the Planning Commission made an error then they can kind of judge.....

Council Member Rigby asked if the Planning Commission's decision was solely based on not having this information available to them.

Mr. Richardson stated that was correct.

Council Member Rigby stated that what was being asked of them tonight is to oversee an appeal that was being made of a decision that was made without all of this information that has now been presented to them.

Mr. Richardson stated he was correct.

Council Member Oliver stated he had a question on the language that Mr. Richardson was able to find and it does reference any owner or lessee. His question to Walmart Realty Company, if they have any representatives here or the applicant is whether or not there is even a lease agreement for this particular purpose but his initial thoughts would be to allow for the Planning Commission to have the full opportunity to review the full... of this proposal with the CC&Rs in hand.

Council Member Oliver stated that reading through the record or the meeting minutes there was an inkling from some of the members to have that documentation at their ready so he thinks that is kind of what he is gravitating towards at this time especially given the new evidence that Council Member Rigby had just mentioned.

Council Member Rigby stated he wanted to go ahead and agree with Council Member Oliver.

Council Member Rigby addressed Mr. Delawder and offered his condolences on his loss. Council Member Rigby stated that he knows they had to postpone their hearing because of his loss. He stated that he considered this an olive branch or a second chance because when the Planning Commission asks for something as important as a CC&R he would suggest that next time he get that to them as soon as possible.

Council Member Rigby stated that barring any further discussion he was going to move.....

Mayor Medellin stated he has a public hearing and he does still have the public hearing open and he asked that Council Member Rigby hold on to that just one second if he didn't mind.

Mayor Medellin asked Mr. Delawder if he had anything further to add.

Mr. Delawder stated they are in favor of community events that benefit the community but it can't harm the appeal of the shopping center. He stated that the owners have it as a shopping center as they all know shopping centers. They aren't trying to downgrade it in any way. Mr. Delawder stated that he's been in shopping centers for a long time and he's never seen a shopping center with auto dealerships in them or

used auto sales. That's a whole different.... He stated he's had small town communities that do different things and he understands. That's fine. He stated that as the landlord, they are a small company. They have a lot of shopping centers. He is the one with many hats to get around and they see that they have to be here more often. There are some other things going on. They do want to paint the shopping center and do some other stuff.

Mr. Delawder stated that they'd mentioned there are schools there. He stated that they spoke up at that time, not an appeal, when the school was there. They wanted the parking in the back but it was put up front. He stated they are just correcting that with the school and the owner and the same thing here with the autos. They recognize that maybe there's a need for the community to do that. They would like to see that be a community event. They would not like to see it on Christmas or on the 4<sup>th</sup> of July because those are key times.

Council Member Rodriguez asked if Mr. Delawder's concern was in having vehicles in that center and asked why they would allow any type of promotional sales if they are against the CC&Rs.

Mr. Delawder stated that the promotional sales are for the tenants in the shopping center in their opinion and Walmart is part of the shopping center but Walmart does not run an auto dealership.

Council Member Rodriguez stated that neither does the other local one so why would.....

Mr. Delawder stated that's why he is saying that theirs is a community event though. When they do community events they recognize or help other community things, that's a whole different issue.

Council Member Rodriguez asked if this outside vendor came in and promoted community events would Mr. Delawder allow that.

Mr. Delawder stated they would have to understand all the circumstances. Everything has various variables to it.

Council Member Rodriguez stated he just wants to be clear on the CC&Rs that they have in front of them. He stated that if Mr. Delawder is claiming that these don't allow for that, then why allow any. Council Member Rodriguez stated that was just his concern and he wanted to be clear on that.

Mayor Medellin stated that it also sounds like they need to sit down with the Walmart Corporation and work some of those issues out; that it's not necessarily done here.

Council Member Rodriguez stated that he also agrees with his colleagues that obviously this is something that wasn't produced to their Commission and now the question is to the Planner or the Commission why was this not requested if it was an issue that could arise. When he says he couldn't get a hold of it..... Council Member Rodriguez stated CC&Rs can be obtained in different ways so he wants to ask why they have these.

Mr. Richardson stated that he doesn't believe that anybody was aware they existed till that very night.

Mr. Delawder stated a lot of the reasons he didn't bring it... He handles many projects. He's been doing a lot of different construction projects as well and when he heard about this, the meeting was coming up. It was a last minute for him to even show up and he really wanted to take the time to bring it but did not. He stated that is his excuse.

Council Member Rodriguez stated he doesn't know if it's Mr. Delawder's obligation to produce them. They are out there. Obviously it is a public record. Council Member Rodriguez asked isn't it. So he was just wondering why that wasn't brought before the Commission.

Mayor Medellin asked if there was anyone else wishing to speak to please come forward. Mayor Medellin reminded that they should state their name and address.

Jim Estes of Fresno, California introduced himself and stated he's been heavily involved in the community; Fresno, Madera and Merced County. He stated he's been an auto dealer since 1997. He was a Ford dealer in Sanger, Merced Hyundai, Hayward Hyundai in Hayward, California and he had a previous large used car operation in Fresno.

Mr. Estes stated they have signed a national agreement with Walmart where they do special events and they bring great economic value to local cities and the way they do that is they have direct mail that is sent. They have digital, social and direct mail pieces and most of the mail is targeted to different zip codes outside of the city so their events will generate in revenue to the City probably \$1 million or so in vehicle sales.

Mr. Estes stated they are not targeting other auto dealers. He stated that in the prior event that they did in Kerman, Chowchilla and Merced and if he showed them a sales report, over 60% of the sales that were generated came from outside of the local 93678. He stated that what is interesting is that these events they gave out over 2,000 \$5 Walmart gift cards and VPA is the company that makes these contracts that they honor and travel up and down the state in California and Nevada that they are servicing right now.

Mr. Estes stated they are booked pretty much the entire year. They can alter their dates and they are not set they have to be there the day after Christmas. That was not intentional. They are just trying to fill their calendars for logistical reasons so that they can make it flow.

Mr. Estes stated that the important thing to note is that Walmart has over 1,200 events planned nationally this year up from 700 last year and what they are finding is that the average spend on a \$5 gift card translate into \$47 at the cash register. Mr. Estes stated that if he comes from Chowchilla or Kerman and he walks in and gets his card, he goes in and gets his bread, milk and whatever needs he has.

Mr. Estes stated one of the things that comes along with this is that there are additional prizes or give-outs that are insured by an insurance company. People come in \$1,000, \$100 but everybody gets a minimum of a \$5 gift card. What they've seen is that the benefit is not only to Walmart but to the restaurants because they stop and have lunch. It takes an hour to buy a car. They can go to the restaurant to the IHOP. They go to the Chase Bank to get their down payment out. It's a community event.

Mr. Estes stated they've done numerous managed events across the street at the Fairgrounds in the past with Scott Sample, Mexican concerts and bringing in bands. They are very involved in the Hispanic community. Mr. Estes stated they sell late model cars, not damaged cars. They sell mostly late program model cars that provide daily transportation to an average family. He stated that is just what they are trying to do is to bring economic value. He stated that obviously they are in it for their profit but the benefit they are doing creates an environment where people get excited and everyone wins. Walmart wins. The restaurants wins. The bank wins. He stated that is what they are trying to accomplish.

Council Member Oliver stated he appreciated the interest in the community and he admitted that at first glance seeing the prospect of additional auto sales captured his attention as auto sales reflect a significant part of the City sales tax generation. Council Member Oliver stated that Mr. Estes stated that at previous sales events 60% of the activity came from outside communities.

Mr. Estes stated from outside zip codes of the local City.

Council Member Oliver asked if Mr. Estes reckoned it could be true for the Madera market as well.

Mr. Estes explained that in the auto industry they call it pump in and pump out. If he is an auto dealer and he markets surrounding communities and he's in Madera, he wants to get as much pump out as he can. The reverse if he comes in they want to bring them into the area and that is the concept behind it.

Mr. Estes stated that if they looked at the mail piece it is very specific where zip codes are dropped. They are spread out intentionally because they don't want to saturate any one local area. He stated they are going to get the guy on the corner who drives by and sees it but they want to get the guy 10 miles away and it becomes a destination event.

Council Member Oliver stated he had a question for staff. He asked if sales tax generated from an outside community stayed in our community or if it went back home with them.

Mr. Tooley responded that from his understanding it goes to the community of the person's address so by way of an extended answer if someone from Madera buys a car in Fresno the sales tax actually comes back to Madera.

Council Member Oliver thanked him for the clarification. He asked where the restrooms would be depicted on the site plan.

Mr. Estes stated in that past they've used the Walmart restrooms with an agreement with them in the contract. He stated they could provide temporary restrooms. That would not be an issue. He stated they have probably a 10 page agreement of the do's and don'ts that pretty much coincide with the conditions of approval of the CUP and that's what they've done in the past.

Council Member Oliver stated he didn't see a condition of approval with regards to restrooms and asked Mr. Boyle if he'd missed it. He stated this is 30 days of commercial retail activity.

Mayor Medellin stated that while he was looking that up..... Mayor Medellin stated he is in retail himself, not in the car business, but in retail and anything they can do to promote is big. Anything they can do to bring in customers is big regardless of the season so if they can generate sales and have people come in and either chose his restaurant or somebody else's or Walmart versus a grocery store that's kind of the chance they take. Just get them here and it sounds like this is what's trying to happen but he wished there was some sort of way to measure that in that the retail places that are existing would say that the last time they had this their sales were up 20% or 30% or it wasn't worth it. Their sales were pretty stagnant other than them using their restrooms and parking in their stalls it wasn't worth it to them. Mayor Medellin stated that may be something that the tenants could help in that yes, they like when they do car sales because it definitely generates those sales that they're looking for and just throwing it out there and Mr. Estes doesn't have to answer.

Mayor Medellin stated but in the spirit of non-competing as he'd said with the cars Mayor Medellin asked if he would be opposed to or interested in working with the local car dealers and instead of all 80 stores to do a mini auto mall so that they can all pass out their card and all share in the wealth so to speak.

Mr. Estes stated that Mr. Boyle has been saying that they should develop an auto mall there at the freeway and 99. He loves the Madera community. He loves the Hispanic community. He loves the local valley. He grew up here; the farming. Since he was born, he's been here. Mr. Estes stated if there's an opportunity he would absolutely be there.

Mayor Medellin stated he appreciated that and thanked Mr. Estes.

Mr. Boyle stated there is not a requirement for restrooms perhaps in light of the fact that there is a requirement that doesn't allow for food or drink to be served on the site but there is not a requirement for portable restrooms.

Council Member Oliver asked for the average time for a sales transaction and Mr. Estes responded that it was under 60 minutes.

Mayor Pro Tem Foley Gallegos asked how many years he's been selling cars and Mr. Estes responded since 1997.

Mayor Pro Tem Foley Gallegos asked if he'd been selling cars at other shopping centers and Mr. Estes responded that they've done events all over the state.

Mayor Pro Tem Foley Gallegos asked that he would know that they would need a use permit to do that in the City.

Mr. Estes stated he would clarify that point. They coordinate through VPA and VPA has staff and evidently they contacted the County and they told them they didn't need one and so as soon as he found out there was a problem he was on site. He talked to the Code Enforcement and they made direct contact the same day with Mr. Boyle to find out what they had to do to fix this. Mr. Estes stated that at the point when they started before they even came every contract was in place. The DMV licensing permit was issued and they'd spent over \$40,000 in advertising to get there.

Mayor Pro Tem Foley Gallegos stated that was just a concern knowing that he's been in this profession for years knowing that, to call the County, this is a City event. It doesn't make sense to take it ok from the County that it was a no.

Mr. Estes stated he has staff that does that so it's not something that he was directly involved in but when it was brought to his attention he immediately addressed it.

Mayor Medellin asked if anyone else wishing to speak to step forward and reminded them to state their name and address.

Amer Muhar of Gill Auto Group located at 1100 S. Madera Avenue, Madera, California introduced himself and stated they did three sales there with the community and with Mr. Boyle. They applied for their permits, spent the two months before the sales and DMVs. He stated they were required to have restrooms out there and they had restrooms but this isn't that.

Mr. Muhar stated they are a local business. They have 44 employees. Thirty-three live here in Madera that belong to sales, service to all the departments. Mr. Muhar stated that two years ago they spent \$2 million on a brand new building that the permits alone for the City of Madera were probably over \$100,000 and they haven't done these sales in three years.

Mr. Muhar stated at that time the economy was very slow. There were hardly any used car lots in town. Now they see Madera Auto Plaza and Frontline Cars. Mr. Muhar stated there are plenty of used car in Madera that stay in Madera.

Mr. Muhar stated that when they took over the dealership which was Pistoiresi it was 30% to 35% Madera residents. He stated his numbers today are close to 70% Madera residents. He stated all the sales people are from Madera except for their management. He stated there are not enough qualified sales managers in new car/used car business. They are not from here. They are from Fresno or Madera Ranchos.

Mr. Muhar stated to allow somebody else to come in and do these sales it's going to affect his employees. If it's 30 or 40 cars that weekend, it's all local Madera residents and like they said if Madera residents go anywhere that sales tax comes back here. He stated that every month they cut \$150 to \$160,000 in sales tax not counting DMV. If they take 70% of that, that stays in Madera.

Mr. Muhar stated that in his experience, he'd done these mailers, they do the \$5 Walmart gift card, when people are leaving they're mad. He doesn't know if anybody in the audience have gone to these sales. They are mad. That's only for Walmart. These aren't the other 12 businesses they have in that shopping center. Mr. Muhar asked what the guarantee is that the person is going back into that Walmart and not back to Kerman or Fresno to spend that money there.

Mr. Muhar asked what the chances were that they would put gas here if they are traveling 12 miles from Kerman. He stated that is his only concern.

Mr. Muhar stated he doesn't know Mr. Estes personally but if they did a little research this is probably his fifth or sixth used car outfit and he would do a little bit more research on sales tax with his other businesses involved. Mr. Muhar stated it's real simple, go on to the corporations and see why they were suspended, not paying sales tax and that's what the City's after.

Mayor Medellin asked if anyone else wishing to speak to step forward and reminded them to state their name and address.

Camille Nahoul of Frontline Cars located at 16594 Road 26 introduced himself and stated that business has been slow for them like the Chief of Police mentioned earlier about immigration or what have you and it did affect their business and to have another dealer from out of town and comes in and takes whatever is left it is kind of hard.

Mr. Nahoul stated he did a little numbers and he doesn't know if they are too familiar with the car business... He stated if they took 40 cars at each event now they are looking at 160 cars that were sold to another dealer from outside of the area. He stated that at \$3,000 each car they are talking about \$480,000 in money that is going to leave the area. That is not going to stay here. Mr. Nahoul stated that is not including what the commissions are on that \$480,000 that employees in the Madera area would benefit from. He asked how much are they benefiting from bringing another dealer into the area as far as the City but yet they are hurting the local businesses and the local sales people. He stated that was all he had to say.

Mayor Medellin thanked him for his comments. Mayor Medellin asked if there was anyone else wishing to speak on this item to please come forward.

Janice Gomes of Madera, California introduced herself and stated that during the July 4<sup>th</sup> weekend their Madera Speedway usually has a lot going on and the racers or whatever usually get to park in that area with their racecar where you've got those guys spending money here in town. Ms. Gomes stated she is just saying to think about Christmas holidays and stuff and she agrees with them. Keep the money in Madera, people.

Mayor Medellin thanked her. Mayor Medellin asked if there was anybody else wishing to speak. Someone spoke from the audience and Mayor Medellin instructed the person to come to the podium and tell them his name and address again for the record.

Camille Nahoul stated that if he wasn't mistaken, at the last meeting, it was mentioned that only three events of such event is allowed as far as City code. He stated that if he is not mistaken if they accept this they are basically giving him four events.

Mayor Medellin stated that with barely having the CC&Rs in front of them and issues like that it would certainly be something they would have to consider so he appreciates that.

Mayor Medellin asked if there was anyone else wishing to speak on this item. Seeing none, he closed the public hearing and stated he would bring it back to Council for further discussion.

Mr. Richardson stated he wanted to interject because he senses a direction that he doesn't think was allowed for in the code. He stated there are three options. They can either affirm the decision of the Planning Commission. They can overturn it and if they do that then they have to have findings as to where the Planning Commission erred or they can modify the decision. In other words, they might change a parameter of it or something to that affect. Again they would have to have error findings. Mr. Richardson stated he just wanted to throw that out there in case that was the direction they were going. He wasn't quite sure.

Mayor Medellin stated he is going to listen to his colleagues and he is not sure if error is the word but it certainly seems like there was missing information.

Council Member Rodriguez stated the applicant mentioned thousands of dollars for promotional and asked staff if that was already done or if that is something that will be spent once approved.

Mr. Boyle stated that for the first event that occurred prior to permits he believes those monies have been expended. He doesn't believe any mailings have occurred since that time but he can't confirm or deny that.

Council Member Oliver stated he appreciates the City Attorney's feedback and direction. Council Member Oliver stated as far as the findings with regards to detriment to general welfare of the neighborhood or the community or to the City with some of the figures that the applicant presented this evening especially with regard to the potential leakage that could occur to outside communities and asked if there have ever been instances where that nexus has been form, so to speak, with, if they were to find error in that particular finding because of the information that was shared tonight. He stated he realizes that they didn't have that information either from what he could read in the meeting minutes.

Mr. Richardson asked if Council Member Oliver was saying that the error would be that it was detrimental due to competition.....to providing competition to local.

Council Member Oliver stated that it would in part to the sales tax leakage if they were to have 60% of folks coming from out of town buying vehicles that sales tax leaves the community and goes back with them and he thinks that is kind of the angle he was drawing.

Mr. Richardson stated he thinks he would caution him from going at it strictly from a competitive business angle as far as the detriment. He thinks when it talks about detriments it's is it disrupting traffic, is it causing excess noise, is it creating some sort of nuisance, things like that. That is what he believes is going to be the court's interpretation of detrimental and if they go down the road from a competition basis or leakage he thinks the court would be probably not real quick to jump on that band wagon. Mr. Richardson stated that would be his advice is to stay away from that if that's where he's going with that term.

Council Member Oliver stated he appreciated that clarification. He stated he knows that they kind of stay within the lane so to speak when looking at....

Mr. Richardson stated that may be where he wants to go but he's just telling him where he thinks the court would go.

Council Member Oliver stated he wanted to state for the record where he'd like to go. He thinks it would be to go back to their existing policies with respect to temporary uses. He stated that for him 30 days is an awfully long time and he thinks they should have something in place that allows for less discretion and more structure in entertaining these proposals and he is very sensitive to the existing business community that invest a tremendous amount of money in the community and he thinks this would potentially have a detriment on them however he is also cognizant of the rules that are in place and the appeal decision that they have this evening.

Council Member Oliver advised Mayor Medellin that he would certainly suggest at this time that he could not move forward with a vote or decision on this item. He stated he would like the Planning Commission to have a record of the meeting minutes this evening especially with the testimony from some of the business owners that were there in attendance as well as the applicant and some of those sales figures and he thinks it would be prudent for the Planning Commission to take another look at that especially given the CC&Rs and other developments. Council Member Oliver stated he didn't know what process whether it be through a motion or how they might direct that if they can but....



Mr. Richardson stated there is really no mechanism that sends it back to the Planning Commission. Mr. Richardson stated that in other words this one pretty much rests in their lap because basically the appeal process only identifies the three options.

Mayor Medellin stated what he was going to ask and again he hates to use the word error towards the Planning Commission because he thinks they did their due diligence based on information they had but if they would consider either not asking or not being presented the CC&Rs he's not sure how a decision could be made without that. He asked how do they use the CC&Rs as a basis for what should or should not be clarified without a copy of that.

Mr. Richardson stated he didn't understand that question. Mr. Richardson asked if he was asking if it could be used as error.

Mayor Medellin stated there is a fine line there. He stated they are using the CC&Rs as a measuring stick as to what can or cannot be allowed and during the testimony of the Planning Commission the CC&Rs were brought up. It just depends on the interpretation. Mayor Medellin asked how that could be determined without a copy of that.

Mr. Richardson stated they were brought up but he would remind.....

Mayor Medellin asked if that would be considered error.

Mr. Richardson asked that they didn't suspend/continue it and ask for them. He stated he supposed... Mr. Richardson stated he was trying to remember. He didn't have the record in front of him so he didn't know what the language was.

Mayor Medellin stated that he thinks that to follow his colleague Council Member Oliver he thinks that's kind of what he's trying to go after that given the testimony there and he's not sure of all the testimony that evening but given the testimony there and the lack of CC&Rs he felt the same way. Mayor Medellin stated that with that prudent information that there might be at least a better more fact based determination.

Mr. Richardson stated he would just clarify too where the path would lead them. Mr. Richardson stated that if they decided they errored and that was the error this thing gets overturned and the permit is denied and then it would be up to the applicant to decide if he wanted to try another bite at the apple in light of that. Mr. Richardson stated it doesn't really in effect send it back to the Planning Commission. In other words there's no provision for that. Mr. Richardson stated that again he would remind the Council that the CC&Rs are basically between the two property owners and as he reads them he doesn't see anything in there that would necessarily outright preclude them.

Mayor Medellin stated so they affirm the Planning Commission, they can over turn based on error and that is exactly what this hearing is to determine that the Planning Commission made an error in their determination.

Mr. Richardson stated did they miss something.

Mayor Medellin stated or they could modify.

Mr. Richardson stated that modification would be something like possibly changing the dates they are allowed or something like that. That is what he would consider a modification.

Council Member Rigby stated he is cautious at moving in the direction that he, the Mayor and his colleague Council Member Oliver are moving towards. He definitely shares their sentiments. He feels like this was a valuable piece of information and because it was withheld it put their Commission in a tight spot and more importantly it puts them in a more difficult position. Council Member Rigby stated that he believes that the Planning Commission, had they wanted to seek out the CC&Rs, should have withheld the hearings for a

later date until more information was given. He stated that more importantly the Madera Capital Group including Mr. Delawder should have provided this information. He stated had they been as spirited as they were tonight early on in the process perhaps they wouldn't be here.

Council Member Rigby stated that the unfortunate thing is that he doesn't want to put the City in the position of further litigation if this does go back and is found to somehow be... or the permits are revoked or something is done. It seems like Mr. Estes when you think of his position good or bad has done his due diligence to go to the VPA and get proper paperwork done. Council Member Rigby stated this is decision that he thinks needs to be made at a table that isn't theirs.

Council Member Rigby stated that if the Madera Capital Group is so spirited on events that are being held within the parking lots of their property then he thinks they need to do everything they can to sit down with those properties that are involved specifically Walmart. Council Member Rigby stated they are not the governing board tonight unfortunately. He stated if he was there would probably be a different tune.

Council Member Rigby stated that being that their hands are cuffed to affirm, to modify or to find an error of their Planning Commission he is not sure he is seeing any position where they are going to be able to send this back to the Commission with the CC&Rs in play and he's left with possibly leaning towards affirming the decision that was made that evening based upon all of the testimony that was given and all of the information that was given in order to protect the City from further litigation down the road.

Mayor Medellin thanked him for his input.

Council Member Oliver stated he wanted to pivot back to one of the findings and that would be that these outdoor sales events would be compatible with surrounding properties because its operation would not negatively impact adjoining businesses within both the Marketplace Shopping Center and adjacent properties. He stated that he knows that was discussed briefly at the Planning Commission and it was made note by Mr. Delawder as far as a concern with their respective businesses. Council Member Oliver stated that he thinks that with the testimony that they received this evening he asked could they not make that conclusion that there was and he hates to use the word too error but there was an error in that decision as far as finding that finding so to speak.

Mr. Richardson stated he would caution him to the extent that he was saying it disrupted them or interrupted them he thinks is the wording on it.

Council Member Oliver stated that is part of the findings as documented in the staff report is that the outdoor sales events would be compatible with surrounding properties because its operation would not negatively impact adjoining businesses within the Marketplace Shopping Center and adjacent properties.

Mayor Medellin asked if Council Member Oliver would consider that those particular dates and those traffic patterns would adversely affect the surrounding businesses.

Mr. Richardson asked if that was in the actual staff report or was that in a finding made.

Council Member Oliver stated it was one of the findings that was a part of the Planning Commission action.

Mr. Richardson asked it was a finding then.

Council Member Oliver replied affirmatively and stated it was one of five.

Mr. Richardson stated it is up to them. They have heard the evidence and again they've heard his cautionary tale of what he would consider detrimental or that type of thing. They've heard the evidence and it's their call based on that.

Council Member Rodriguez stated he too shares the sentiment of a lot of the business owners there but he is also concerned and cautious of the decisions they make. He stated that again he doesn't think this is a decision that came before the Council but yet an appeal. He stated that in the future he would hope that this Council would set direction for what can be proposed in these areas so that they don't have these issues arise again. Council Member Rodriguez stated he feels that this has really brought up very interesting questions. He stated that the fact of the matter is he brought in CC&Rs and obviously it puts the Council in a tough situation especially with litigation that could potentially be involved. Council Member Rodriguez stated that if they are to set the direction he thinks the Council should consider in the future really adding some restrictions and what have you so that when it's presented again to the Planning Commission they don't go through that process again.

Mayor Medellin thanked him and stated that he sees they all have their thinking caps on so he's not going to pressure anybody.

Council Member Rigby asked Council Member Oliver if a modification of the time might help him....

Mayor Medellin asked if with the dates or actual time.

Council Member Rigby stated the dates with traffic congestion.

Mayor Medellin stated he was going to go there.

Council Member Rigby stated that he knew for a fact that during the 4<sup>th</sup> of July week there are going to be two fireworks stands somewhere inside that shopping center. He stated one is usually on the south corner caddy corner of the Chase Bank and the other one is somewhere in the Pak N Save parking lot and he knows that is going to change parking because the Fire Marshal requires x amount of space and he doesn't know if Mr. Estes was aware of that. He doesn't even know if the City was aware of that. Council Member Rigby stated that's going to require x amount of space for parking to be taken away because if the parties do decide to store their fireworks on that lot which they have every right to do that changes the game when it comes to parking and availability.

Council Member Rigby stated he didn't know if Council Member Oliver was saying that no matter when this thing was going to be the pedestrian safety, the loitering, the blight and traffic congestion all play a part into what he's considering to be detrimental to the safety or peace or.....

Mayor Medellin stated that before he answers that he wants to go back to Mr. Richardson. He asked that as far as modifications, Mr. Richardson had mentioned dates. He asked if this Council felt that 28 days or 30 days was too long for a non-permanent, they could make it 10 days if they felt, they could change dates or they could reduce the number of consecutive days.

Mr. Richardson stated that would be a modification supported by some sort of finding as to why.

Council Member Rodriguez stated that the argument that they have before them is that it's going to affect their local business and asked if in modifying that it was going to resolve the issue at hand which is affecting their local business.

Mayor Medellin stated no.

Council Member Rodriguez stated that again his concern is what is it they are trying to modify. He asked if they're trying to modify the fact that they're just going to change the event but yet still affect their local business because it's still a competing outside vendor.

Mayor Medellin stated that is a good point and that is the point that Council Member Oliver brought up that regardless of the number of days it's going to have a negative impact on their local existing businesses.

Council Member Rodriguez asked if they are fighting that then he doesn't think the modification would be the wise thing to do because it still would not remove the competition issue.

Council Member Rodriguez stated that at this point, again, he kind of shares the sentiment of Council Member Rigby that what is presented before them today really caught them off guard and it caught the Commission off guard so he doesn't know if that would signify or become an error and he thinks they expressed that so that puts him a little cautious in the position they are in now and he knows there is money invested on one side of the group and there are not very happy local business owners and/or property managers on the other side so that smells like litigation to him.

Mayor Pro Tem Foley Gallegos stated that she's looking at the safety aspect of the shopping center and when the Planning Commission looked at it, Workforce hadn't gone in there. She stated it is crazy on that side and they have restaurants around there. They have a nail salon that brings in several residents and just that area alone all the parking has been pushed back to go to those venues that are in that shopping center so her thing is just safety. Mayor Pro Tem Foley Gallegos stated they have more residents coming into the shopping center to do business, buy groceries and now instead of being able to park in front of the venue they are at they are having to go a distance. She stated she knows that there are other businesses that will be going into that shopping center in the next few months which means more vehicles so her thing is really just safety for their residents.

Mr. Richardson stated that it's their call if they think that the Planning Commission didn't consider that completely or give it the weight they thought then that would be the area that they identify but if it's something where they decided they want to overturn their decision then they need to identify that specific error that way those will get reduced to writing after.

Mayor Pro Tem Foley Gallegos stated it is stated on the CC&Rs on page 9 about the in and out of the Tract 1 and 2 area.

Mr. Richardson stated that it just says they can't block it. He doesn't know that this does that or not but...

Mayor Pro Tem Foley Gallegos asked if he'd tried getting out of that parking lot area.

Mr. Richardson stated that he thinks it says between Tract 1 and 2 and he doesn't know where Tract 1 and 2 .....

Mayor Pro Tem Foley Gallegos stated it is on the second map.

Council Member Rodriguez stated that with that same concern regarding the safety aspect of it he is still going back. He is trying to help define where the error is at and is that the error that they are going to stick by. Safety must have been some concern to the Planning Commission at their time of deciding whether they were going to approve that or not.

Council Member Rodriguez asked if these issues were brought up in the Planning Commission in regards to safety and what have you. He stated that obviously some of those issues are in the CC&Rs but safety blockage, traffic.... He stated he is sure all those things are elements that are brought into the conversation.

Mr. Boyle stated he didn't believe there was any direct dialogue as it relates to safety of the use on the site in light of the fact that there hadn't been issues in the past and the conditions of approval had worked in the past.

Council Member Rodriguez stated he guesses that is his concern: safety and error. He stated that again, he just wants to make sure that they eliminate all the potential litigations.

Council Member Oliver stated he agrees and shares that sentiment and they certainly don't want to be on that side of things. He stated that he has some deep concerns as far as restroom use. It would be required

to use the Walmart facility. He asked if there was any conversation as to that path of travel between those that would be frequenting that site and going to the Walmart facility to use the facilities there or...

Mr. Boyle stated there was no dialogue along those lines.

Council Member Oliver stated he knows they had one local business owner also raise that they were required to install such facilities. He asked Mr. Boyle if they knew off the top of their head if that was particular the case for.....

Mr. Boyle stated that may have voluntarily been provided on the part of the Gill Auto Group but there was not a condition of approval that mandated it.

Council Member Robinson stated it's already been cemented and affirmed by the Planning Commission. They talk about safety but for instance they are going to have more people coming into the City and before they know it.... He comes from the Bay Area and the Bay Area is overpopulated and that's a sign of success of the City growing. Council Member Robinson stated they can bring in portable restrooms to make up for more clientele. He stated that if they want to make a point next year not to go that way then they should put in their guidelines.

Mayor Medellin stated that again he just wanted to clarify modification with Mr. Richardson. Mayor Medellin stated that basically what was before the Planning Commission and now before the Council in the form of an appeal they can modify any of those terms and conditions of the agreement.

Mr. Richardson stated modifying the terms of the permit is one of the options.

Council Member Rigby asked if in modifying they have to find error in order to support the modification.

Mr. Richardson stated they want to find some basis for the modification. Some error like they didn't look at this so they need to do x, y and z. He stated they want to identify that as the basis for the modification as well.

Council Member Rigby asked if it is speculative such as is it the seasons of the shopping center.

Mayor Medellin commented because they are not sure if it's busy the day after Christmas.

Mr. Richardson stated that if it's what they thought was the error and there's a reason such as they didn't consider this and these things typically do have these effects they can identify that. He thinks anything going into the future is considered speculative.

Council Member Rigby stated he just wants to cross his T's and dot his I's.

Mr. Richardson stated they have to define what they didn't consider or what they didn't take into account; what kind of error they made that would warrant the change.

Mayor Medellin stated that is exactly what he is thinking. First, he understands completely what's before them this evening and trying to find error on a difficult decision made by the Planning Commission made on a 3/3 vote. He stated that is what they have to determine if that error was made and at the same time going through all the testimony and going through the minutes of the Planning Commission meeting and staff's report, it seems as though they have those same questions that show that these are dates that have not been used in the past so they don't have history to show that they've been doing this before and everything works out fine.

Mayor Medellin stated they haven't been there on the 4<sup>th</sup> of July weekend nor have they been there the day after Christmas when everyone returns and so on and so forth so he is not sure if that is speculative or not.

Mayor Medellin stated they are still not sure if this is its intended use: to bring business into Madera. He stated that is the whole point.

Mayor Medellin stated Mr. Estes is a businessman and he wants to make money and at the same time partner with those businesses in Madera and so to try to determine if this is detrimental or not is a very fine line and so possibly modifying this particular agreement is maybe something they can do and as Council Member Robinson said use it as a measuring stick as to where they go or actually where the two parties go from here. Mayor Medellin stated he is not giving them any of those modifications. He just wants to make sure that they've looked at everything clearly.

Mayor Pro Tem Foley Gallegos stated that a resident brought up that there are three additional, and he's already had one, so that is four and asked Mr. Boyle how many are allowed a year.

Mr. Boyle stated they look at it from a 30 day total perspective. In this case they provided those 30 days to be spread between four events mindful that the first event occurred without permitting being in place.

Mayor Medellin stated that is not necessarily an ordinance. It is kind of a guideline that they use.

Mr. Boyle stated he would term it a guideline. He stated the outdoor sales component of the ordinance doesn't provide any specificity.

Mayor Medellin asked if it also goes for food vendors that have licenses and fruit vendors along the same guidelines.

Mr. Boyle stated that was correct. He stated that he would note that the Walmart site is unique in that these are annual permits so as whereas the SaveMart or the Rancho SanMiguel might secure an outdoor sales event use permit to display cases of soda outside their building, that's a one-time permit and it stays in place so long as it is utilized. In the case of the Walmart and for that matter the Safco properties, their requirements are for annual permits to be secured so note the storage containers is an annually secured permit. Outdoor sales events of any type on either side of the two phases requires permits to be secured annually per the original agreements.

Mayor Medellin asked if Mr. Boyle was saying that they will go before the Planning Commission every year.

Mr. Boyle stated every year.

Mayor Medellin thanked him.

Council Member Oliver asked if they had a wet signature from the Walmart realty company for this application.

Mr. Boyle stated they have a signature from the local manager.

Council Member Oliver stated not from the owner just its representative.

Mr. Boyle stated not from Fayetteville.

Council Member Oliver asked if he'd seen the lease agreement.

Mr. Boyle stated he thinks they do have a lease agreement in the application file.

Council Member Oliver stated that if they were to move forward with the modification and especially based on some of the suggestions that Council Member Robinson recommended he might propose some modified dates that would allow them to look at this time period as a measuring stick. He stated that he might propose June 30<sup>th</sup> through July 2<sup>nd</sup>, September 22<sup>nd</sup> through the 24<sup>th</sup> and December 29<sup>th</sup> through the 31<sup>st</sup> if

it was at all possible. Council Member Oliver stated he thinks that could partially brunt some of the impacts that it may have on surrounding businesses or those that are tenants in the larger shopping center. Council Member Oliver stated he is sure Mr. Richardson is going to jump in any second in regards to that recommendation but he would put that out there as a potential modification.

Mayor Medellin asked that he repeat those dates again.

Council Member Oliver stated June 30<sup>th</sup> through July 2<sup>nd</sup>, September 22<sup>nd</sup> through the 24<sup>th</sup> and December 29<sup>th</sup> through the 31<sup>st</sup>.

Mayor Medellin stated that he is saying essentially in three day increments.

Council Member Oliver stated that was correct.

Mr. Richardson asked what that was based on.

Council Member Oliver stated that was based on the public testimony that they've received this evening. It's based on the CC&Rs that have been presented that were acknowledged as part of the meeting minutes of the Planning Commission's decision so he would err on that fact.

Mr. Richardson stated he is just trying to clarify the record and stated that the error that the Planning Commission didn't find.... He stated he is just trying to clarify the basis for the modification. He asked if Council Member Oliver was saying that the impact.....

Council Member Oliver stated that the impact based on the testimony that they have received would have a negative impact on adjoining businesses both within the center and surrounding areas.

Mr. Richardson asked if the reduced dates would be geared towards reducing that impact.

Council Member Oliver stated that was correct.

Mr. Richardson stated ok, he just wanted to get something clarified.

Mayor Medellin stated that he knows the previous dates included set-up and tear-down which seems like it's a lengthy process so he's not sure if he's specific on that or not.

Council Member Oliver stated he would be amenable to what the previous arrangement was. He believes it was it was the day before at noon. Twelve o'clock was the earliest the day before.

Mr. Richardson asked if he wants to leave the existing set-up and tear-down provisions in place.

Council Member Oliver stated that was fine.

Mayor Medellin asked if he was saying those would be the sale dates.

Council Member Oliver replied affirmatively.

Mayor Medellin stated that while Mr. Boyle was looking that up he would go over to Council Member Rodriguez.

Council Member Rodriguez stated he is still confused here as far as are they going based on the emotions that they heard from the public regarding dates or was into the business because what he heard was local business. He just cautioned that they don't move on something emotionally but they do it rationale and he defers back to Mr. Richardson since he is counsel and asked if that was an error at finding as far as those dates. Council Member Rodriguez stated he appreciates the comments from all their Council there and it's

emotional because they have some of their local businesses there and he shares that sentiment with them but that's not what is brought before them. That's something that the Commission could have definitely handled. He stated that now that it's here, their decision is if they'll be able to, one of the three options. He asked if they have sufficient evidence or facts to be able to prove that its error and that is his concern. Council Member Rodriguez stated he shares the emotions of their local business owners but that's not the decision that they have before them. It's can they find error and he wants to defer that back to Mr. Richardson.

Mr. Richardson stated that basically what they have to do is identify what the actual problem is and if they decide that the Planning Commission didn't adequately identify that as a problem in other words as a detriment, somebody threw out the word safety, then does the modification of the dates help to alleviate that. He stated if that's what they are finding, they need to modify it in a way that addresses that then, that's what they can order but it does need to be articulated in such a way: they missed detrimental impact a) which is whatever they identify and for that reason they think in order to mitigate that they need to make certain modification. Mr. Richardson stated he doesn't want to make the decision for them because he's not the decision maker but that is what they need to articulate.

Mayor Medellin stated he understands completely. He stated he could agree with Council Member Oliver in the sense that the Planning Commission missed the fact that these dates are the most high traffic times in the Walmart shopping center and they should have been cognizant of that fact. Mayor Medellin stated that allowing for more than three days at a time for sales; seven, eight or 12 days in some of these cases is also detrimental so he can certainly support that.

Council Member Rigby stated that he might even add that one of the findings is that there is adequate parking and site features to allow for the proposed outdoor sale event and he thinks that Council Member Oliver's modification specifically to the June 28<sup>th</sup> to July 5<sup>th</sup> time because they are not really sure of where the location of the fireworks booths are going to be and the type of requirements that are going to be put on them because of storage of flammable products by the Fire Chief or Fire Marshal, he would exclude that week altogether just because he believes if he is correct they can begin sales seven or 10 days prior to the 4<sup>th</sup> of July and actually can sell three to four days after so that could change the parking situation and the finding is there's adequate parking for site features that could be jeopardized by the location of the fireworks' stands within that parking lot so he would concur that modifying that week of sales would be imparable.

Mayor Medellin asked if he was proposing other dates other than what Council Member Oliver had proposed.

Council Member Rigby stated he doesn't have a calendar in front of him but he might make a suggestion that 365 Auto be willing to find new dates rather than somewhere around that week. He didn't know, if Council Member Oliver, noting he seemed to have a calendar rocking and rolling over there...that maybe just the week before.

Council Member Rodriguez asked if those dates are modified does that then go back to the Commission or does that go back to the vendor and agreed upon.

Mr. Richardson stated that basically in essence no. He stated basically in essence what they are doing is changing the terms of the Planning Commission decision. Changing the nature of their approval by modifying it and those would be the new dates.

Mr. Boyle stated that in reference to set-up and tear-down it begins at 12 noon before and ends 12 noon the day after per Condition #8.

Council Member Rigby stated he might also add to the modification that the dates be the week before so that would be June 28<sup>th</sup> and then asked Council Member Oliver what the dates were.



Council Member Oliver stated June 28<sup>th</sup> was the first day that they had proposed for the first period the week before: June 28<sup>th</sup> to June 30<sup>th</sup>.

Council Member Rigby stated June 28<sup>th</sup> to June 30<sup>th</sup> sounded right. He stated he might also make an addition to that modification. He stated sending people to Walmart, they would have to cross that major, they'll call it an, arterial pathway of traffic that separates Tract 1 from Tract 2 in reference to the CC&R map; the display area. Council Member Rigby stated that could be difficult so he might suggest that 365 Autos provide temporary restrooms for patrons during their sales periods.

Mayor Medellin asked again, that would be based on the safety issues of pedestrians walking through the parking lot to Walmart.

Council Member Rigby stated he thinks so.

Mayor Medellin stated that is just restroom use. They are not trying to keep them from Walmart by any means. They have a \$5 gift card. It's just for the safety of.....

Council Member Rigby stated that according to testimony they heard that \$5 gift card is going to take people to Walmart.

Mayor Medellin asked if there were any other suggestions and if not he would look for a motion.

Mr. Richardson stated that the motion should articulate fairly specifically everything.

**ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-1, RES. NO. 17-62, TO MODIFY DATES OF OPERATION TO JUNE 28, 29 & 30, SEPTEMBER 22, 23 & 24 AND DECEMBER 29, 30 & 31; ADDING THE CONDITION OR REQUIREMENT TO ADDING RESTROOMS ON-SITE GIVEN THE CONCERN WITH PATRONS HAVING TO CROSS THE PARKING LOT TO USE THE FACILITIES AT WALMART; SET-UP AND BREAKDOWN TIME TO CONTINUE CONSISTENT WITH THE PROPOSED USE PERMIT; AND FINDINGS FOUND IN ERROR TO BE IMPACT OR DETRIMENT ON THE SURROUNDING BUSINESSES AS PRESENTED AND ISSUES WITH PATH OF TRAVEL FOR PATRONS REQUIRING ON-SITE RESTROOM USE; MOTION WAS ADOPTED BY A SPLIT VOTE OF 4-2. ROLL CALL: AYES: COUNCIL MEMBERS OLIVER, RIGBY, ROBINSON AND MAYOR MEDELLIN. NOES: COUNCIL MEMBER RODRIGUEZ AND MAYOR PRO TEM FOLEY GALLEGOS. ABSENT: COUNCIL MEMBER HOLLEY.**

**RES. NO. 17-62            A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING A DETERMINATION AFTER HEARING AN APPEAL OF THE PLANNING COMMISSION DECISION APPROVING CONDITIONAL USE PERMIT 2017-07 AND SITE PLAN REVIEW 2017-08**

Council Member Rigby stated he seconded the motion but he felt like their hands were tied tonight because of the lack of information being made available by Mr. Delawder not having the CC&R available to the Planning Commission at the appropriate time. He wishes they could support local businesses more like Mr. Gill by abiding by things that he's done to improve their community. He is grateful for that but again, unfortunately their hands are kind of tied at this and hard lesson learned but he does thank the Planning Commission for doing their due diligence with what information was provided.

Council Member Rodriguez stated that just for the record his no was based on the fact that he doesn't see an error in the modification and although he is very sentiment to the local businesses he is just afraid that this could lead to some litigation.

Mayor Medellin thanked him for his input and asked if Mr. Estes had something else to add.

Mr. Estes stated that a three day event is just not economically feasible because of logistics however they are very flexible on the dates. He stated those dates were picked but works for the neighboring tenant and Walmart.... He stated they just need to book their calendar out for the 12 months and those are the two main issues that he would have. Mr. Estes stated he would ask them to reconsider because they have a large investment and again, what works for the City, for the neighboring tenant and for Walmart as far as adding restrooms and the site things are not a problem. They just need lead time. Mr. Estes stated that if they look at just the logistics of moving 70-80 cars and making that kind of investment, they cannot get the return in three days. It just does not work.

Mayor Medellin thanked him and stated he doesn't know if there is any further comment on that. The motion has already passed 4 to 2.

- C-2      Consideration of a Resolution Approving a Second Amendment to the City Clerk At-Will Employment Agreement Relating to Ceasing Receipt of a Technology Allowance and Authorizing the Mayor to Execute the Amendment (Report by Wendy Silva)

Wendy Silva, Director of Human Resources stated that the City Clerk would like to cease receiving the cell phone allowance and have a City issued cell phone. The amendment as written would provide for that to occur effective June 1.

Mayor Medellin asked if he had an announcement that he had to read and Ms. Silva responded affirmatively.

Mayor Medellin asked if it was time to read it and Ms. Silva replied that he could read it now.

Mayor Medellin announced that for Item C-2 after oral report given by Wendy Silva pursuant to Government 54953 prior to taking action on this item the Council must publically announce a summary of the action being considered. If approved, the proposed amendment to the City Clerk's At-Will Employment Agreement would stop her receipt of a \$75 per month Technology Allowance and provide for issuance of a City cell phone for business use effective June 1, 2017.

**ON MOTION BY COUNCIL MEMBER RIGBY, AND SECONDED BY MAYOR PRO TEM FOLEY GALLEGOS, ITEM C-2, RES. NO. 17-63, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER HOLLEY.**

**RES. NO. 17-63      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SECOND AMENDMENT TO THE CITY CLERK AT-WILL EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**

**D.      WRITTEN COMMUNICATIONS**

There are no items for this section.

**E.      ADMINISTRATIVE REPORTS**

- E-1      Presentation of the Preliminary City of Madera Enterprise Fund Budgets for Fiscal Year 2017/2018 (Report by Tim Przybyla)

Tim Przybyla, Director of Financial Services stated he does not have a slide presentation for the preliminary Enterprise Fund budgets but he will have one for the preliminary General Fund budgets. Mr. Przybyla stated this is the second of four preliminary fund budget presentations.

Mr. Przybyla stated the General Fund preliminary budget will also be presented this evening and all other preliminary budgets will be made at the second meeting in May. He stated that a special budget workshop

will be held on a date of choice by the Council which they will find out later this evening. He is hoping to present the Final Budget on June 21<sup>st</sup> or July 5<sup>th</sup> for their consideration of approval.

Mr. Przybyla stated that at this point they are preliminary budgets and they are working feverishly to bring together accurate and adequate budget presentations for them.

Mr. Przybyla stated the major Enterprise Funds are reflecting \$35.9 million of expenses which is 86.8% of the total projected Enterprise Fund expenditures for FY 17/18 with the projected \$9.3 million deficit for that same fiscal year. That includes \$13.6 million of the capital outlay. He stated that in total the Enterprise Fund project an \$11.5 million or 27.8% deficit for FY 17/18 but that includes \$16 million of the capital outlay.

Mr. Przybyla stated he had mentioned they would have information regarding the Water Fund, Sewer Fund of the Enterprise Funds fund balances or reserves at this meeting. He stated the Water Fund balance is \$7.2 million. The Sewer Fund is \$6.7 million and the Solid Waste is \$3.2 million. The Drainage Fund actually has a slight deficit or fund balance of about \$100,000.

Mr. Przybyla stated Public Works Department staff are here and others that have Enterprise Fund budgets and they would answer any questions Council may have regarding the preliminary Enterprise Fund budgets that are presented there that evening.

Mayor Medellin stated that they don't have any numbers in front of them and asked if the Drainage Fund is something that was normally in the red.

Mr. Przybyla stated that is something that just recently went in the negative and they are taking measures to correct that and Dave Randall from the Public Works Department may want to respond to that.

Dave Randall, Public Works Director stated that Storm Drainage is a lot more difficult to keep their balance than Sewer and Water. The difference is that they don't have the ability to adjust the fees. They technically could but it would take a positive vote of the electorate versus a protest hearing. So they have seen a depleting fund balance over the years.

Mr. Randall stated what they have done to try to offset that is some of the more creative things where they've taken the storm drain basins and looked at them and are actually improving them a little differently so they are now an asset of the Water Fund. They maintain those and deal with those and those costs get shifted to the Water Fund where they can recoup those costs. Mr. Randall stated that is sort of what is happening.

Mr. Randall stated that on the other end there is nothing new. They keep increasing requirements for storm drainage requirements and other things that drive costs up as well as just the normal inflationary things.

Mr. Randall stated there was an effort two years ago to try to change that law to make it so that they could adjust fees based upon a simple protest hearing. It didn't go anywhere. They didn't find that they could have adequate support for the bill so it didn't happen. Mr. Randall stated there is currently one piece of legislation that has the potential to affect that where they would classify storm drainage as a component of sewer and thereby effect the same thing but it's anyone's guess whether or not that will happen.

Mr. Randall stated that staff has been trying to look at ways to try to economize and do things. This year from some shifts in economies they've sort of been able to address that so they're actually not in the negative. They're going to have a positive revenue to expenditure ratio but it won't maintain itself.

Mayor Medellin thanked them.

Council Member Rodriguez stated that obviously the summary shows that there is an \$11.5 million deficit for the year ending 17/18. He asked what they can project especially with the presentation that Mr. Tooley presented to them weeks back in regards to the CalPERS [California Public Employees' Retirement

System]. Council Member Rodriguez asked if this has some type of effect into that if they have those draconian cuts. He asked how they would address that through this type of fund.

David Tooley, City Administrator stated that a loss in the Enterprise Funds when driven by capital purchases is not a basis for concern. He stated they can control that through the amount of investment they put back into the capital program every year.

Mr. Tooley stated that directly to Council Member Rodriguez's point, there are going to be increases in operating costs that are driven in part by the CalPERS increases. They are at the end of their five year cycle on rate increases and he would think that in advance of a year and half they're going to have to be in the planning process where they reevaluate their rates and Council will have to go through that process again. Mr. Tooley stated it is driven a little by the cost of personnel but it's a larger issue in terms of cost of operations and on about a five year cycle they come back and have that discussion with Council.

Council Member Rigby addressed Mr. Randall and stated that he remembers their process of talking about capital projects and some other things. He stated that he thought some of those projects were being pushed back to 2019 but then he saw the proposed budget of the capital outlays with sewer going up 241% and water going up 220%. Council Member Rigby asked to be reminded again of what those projects are.

Mr. Randall stated that all the projects are within the CIP [Capital Improvement Project] and Mr. Helmuth can maybe speak to some of them. Mr. Randall stated he couldn't really articulate all of them.

Council Member Rigby stated that he can go back and look at that and he should have. He apologized. Council Member Rigby stated he meant to send an email to Mr. Randall earlier this week.

Mr. Randall stated there are more recent items that he is more familiar with particularly at the Waste Water Treatment Plant to address some issues.

Council Member Rigby asked if that was just regular maintenance.

Mr. Tooley stated that they will be bringing back a report to the Council as part of the budget process. He stated they see some maintenance issues that are going to be fairly large dollar expenditures at the Waste Water Treatment Plant. He stated they should think of the Waste Water Treatment Plant just like their cars; parts wear out over the course of time. Mr. Tooley stated the difference is they are a lot more expensive in the Waste Water Treatment Plant.

Council Member Rigby stated he was going to wait for that report.

Mayor Medellin instructed Mr. Przybyla to continue.

Mr. Przybyla stated that concluded his presentation.

## E-2 Presentation of the Preliminary City of Madera General Fund Budgets for Fiscal Year 2017/2018 (Report by Tim Przybyla)

Tim Przybyla, Director of Financial Services stated this is a work in progress. This information is presented at a high level overview of the anticipated budget at this time with no major changes over the FY 16/17 budget except for inclusion of Measure K revenues and expenses.

Mr. Przybyla stated that a specific budget workshop will be scheduled where individual pieces of the budget will be addressed in detail. Mr. Przybyla stated that prior to the budget workshop the City Administrator and the Director of Financial Services will meet with each department to review their anticipated revenues and expenditures requests for FY 17 and 18.

Mr. Przybyla stated that in summary this is the third of the four preliminary budget presentations. This General Fund budget request represents a 17% increase in expenditures, 8.4% increase in total General Fund personnel costs, Maintenance Operations costs are up 18.7% and Capital Outlay is up 272% but that is before they move the police vehicles over. He believes that it reflected a 390 some percent increase once they move that over there. Mr. Przybyla stated there are a lot of pieces they are still solidifying and trying to move forward with the budget and that's just one of them.

Mr. Przybyla stated the General Fund revenue projects increase 11% due primarily to the \$3.5 million of Measure K revenue and there should actually be a slight decrease in revenue without Measure K with the projections they are looking at from this point going from 16/17 to 17/18. Mr. Przybyla stated there is a projected deficit of \$3.1 million with roughly \$35.4 million in revenue and \$38.5 million in expenditures.

Mr. Przybyla stated the adopted budget for 16/17 included a deficit of slightly over \$1.4 million for the current year and yet they may finish FY 16/17 with \$1.4 million deficit but that would be including the \$800,000 of ERP and fire truck costs. Mr. Przybyla stated that they may recall that last year they basically balanced their budget by getting that \$1.5 million of financing revenue well this year they're expending part of that \$1.5 million. Mr. Przybyla stated that if they exclude that they would be looking at their best guess at this point is possibly a \$600,000 deficit in the General Fund for the current fiscal year.

Mr. Przybyla stated they are still fine tuning those and getting the best guess from the departments on their projections for the current fiscal year.

Mr. Przybyla stated that the addition of Measure K funding will increase the minimum reserve balance also and they'll need to work within those boundaries so because they've increased the expenditures by \$3.5 million, the 30% will need to be applied to that also because that's considered part of the General Fund.

Mayor Medellin stated that just to be clear, that Measure K money albeit General Fund money, it's already been discussed to be public safety money.

Mr. Przybyla replied affirmatively. He stated the next point says that the Measure K funds are budgeted for safety.

Mr. Przybyla stated in this budget they've included exact expenses matching to exact revenues with 50% going to police and 50% to fire in this budget. They are not making the General Fund look like it's better than it would be by saying they're going to bring \$3.5 million and only spend two and say they are off-setting the General Fund by \$1.5 million because it doesn't work like that and they will account for those funds separately in its own fund grouped together as part of the General Fund for presentation purposes.

Mr. Przybyla stated this is what they are looking at and that is what is included in the report: nearly \$2 million of deficit is related to the regular General Fund 1020. He stated that when they moved over to Munis they included the Code Enforcement as part of the General Fund 1020 because by nature it is part of the General Fund but for presentation purposes tonight, he's kept it separate so they can see what their share of the deficit is. Mr. Przybyla stated that in total they are looking at \$1.97 million in the 1020 Fund excluding Code Enforcement. Mr. Przybyla stated they budgeted for CDBG to balance; no deficit, no surplus. Code Enforcement is projecting a \$630,000 deficit in expenses in excess of revenues. The Insurance Fund this year, they are anticipating a hit related to retrospective adjustments which causes \$412,000 deficit in the projected budget for 17/18 at this point. Mr. Przybyla stated that in total they are looking at a \$3,012,821 deficit and the chart included in the staff report shows the breakdown of that with the percentages by department.

Mr. Przybyla stated that the points to consider this evening and as they prepare for the final budget or the budget workshop presentation are that they have a long way to go to balance this General Fund budget between now and their workshop and staff will be working feverishly to come together, to work as a team to see where they can cut cost, increase revenues, whatever they can to improve this projection.

Mr. Przybyla stated revenue trends are flattening and they had some bump ups in FY 16/17 mostly due to timing because certain revenues came in after it was too late to recognize them in 15/16 so it's making this year's budgets come down from, in actual, what they received in 16/17 but a lot of that's at fault basically just due to timing and he should keep it at that.

Mr. Przybyla stated Facility Maintenance costs are increasing. That's one of the things that's increasing these costs. Fleet replacement funding has been returned. Mr. Przybyla stated they may recall that last year they didn't contribute for the replacement of their General Fund vehicles. They decided they could push that out by one year so they did but they're returning that funding this year so they can have vehicles to replace their General Fund fleet vehicles as they expire.

Mr. Przybyla stated the ERP and fire truck costs are one time but roughly \$800,000 and will hit in FY 16/17. Mr. Przybyla stated if they are projecting there could be a \$1.4 million deficit, that's not an operational deficit. He stated that if they take out those capital expenditures which are not on-going expenditures such as personnel and regular maintenance and operations cost, they could have a \$600,000 deficit which is not nearly as bad as the \$1.4 million deficit.

Mr. Przybyla stated they need to find ways to increase revenues and maintain operational costs.

Mr. Przybyla stated looking forward things they need to consider are what the future increases to CalPERS and healthcare costs will be. They know they are going to be higher. The MOU [Memorandum of Understanding] does call for a 3% COLA [Cost of Living Adjustment] in next fiscal year after that he believes that is the end of that round of that MOU. Mr. Przybyla stated self-insurance adjustments could cost the General Fund nearly \$1 million over the next three years. He believes that is \$425,000 they are looking at in 17/18 so the \$1 million would be three subsequent years after that. Mr. Przybyla stated that in speculation he asked if they are going to have more revenue coming from a casino. He stated that's going to be down the road a ways but hopefully a travel center.

Mr. Przybyla stated that to be frank they are concerned at this point but staff will work diligently to reduce the FY 17/18 projected deficit before the budget workshop.

Mr. Przybyla stated that concluded his presentation on the General Fund preliminary budget and he would answer any questions or take any comments.

Mayor Medellin asked how much longer they had to pay off the balance of the John Wells Center.

Mr. Przybyla stated he wanted to say that would be paid off this year. He stated he knows they are reaching the end of that if they haven't reached it already.

Mr. Tooley stated they are getting close and if he recalls correctly the source of funding for the payment there are impact fees so they've had sufficient impact fees set aside for that purpose so that discussion does not affect their General Fund per se.

Mayor Medellin stated they are just full of good news. Mayor Medellin asked if there were any other questions regarding the General Fund discussion.

Mr. Przybyla stated the good news was they were going to try real hard to come back with a better General Fund budget by the time of the workshop.

Mayor Medellin thanked him.

E-3 Council's Selection of a Date for the 2017/2018 Budget Workshop (Report by Tim Przybyla)

Tim Przybyla, Director of Financial Services stated they are looking for a date selection for the Budget workshop. He stated they have the suggested dates and times of Monday, June 12<sup>th</sup> from 4:00 p.m. to 8:00 p.m. or Friday, June 22<sup>nd</sup> from 4:00 p.m. to 8:00 p.m. or another date and time of the Council's choice.

Sonia Alvarez, City Clerk asked Mayor Medellin if she could make a quick comment.

Mayor Medellin replied affirmatively.

Ms. Alvarez addressed Mr. Przybyla and stated that the second date in the report he says Friday, June 16<sup>th</sup> and the PowerPoint says June 22<sup>nd</sup>.

Mr. Przybyla stated he would fix that.

Mayor Pro Tem Foley Gallegos suggested June 12<sup>th</sup>. She will not be available on the 16<sup>th</sup> as she will be moving her daughter back from Cal Poly [California Polytechnic State University] that day.

Mayor Medellin stated he says Monday because he doesn't want them to ruin his weekend.

Mayor Medellin asked if anyone else was going to be available on Monday, June 12<sup>th</sup>.

Council Member Rigby stated he won't be there. He doesn't think he will be there. He stated he knows they don't want to go on the 16<sup>th</sup> and neither does he because he won't be there on that day either.

Mayor Medellin asked that since Council Member Rigby was not going to be there either day would it be fair to say the 12<sup>th</sup>.

Council Member Rodriguez asked if he meant the 13<sup>th</sup>.

Mr. Przybyla stated they went through all of the dates that were available and when the City Council Members told them they were not available because of graduations and certain things. He stated he worked closely with the City Clerk and basically those two dates were all that they could find. He stated of course staff was willing to entertain any other date but he believed those are really the two dates with the most potential.

Mayor Medellin commented Tuesday the 13<sup>th</sup>.

Ms. Alvarez through the Mayor addressed Council Member Rigby and stated that he'd mentioned he was going to be out the week that includes June 7<sup>th</sup> and she asked if he was referring to the same time period.

Council Member Rigby replied affirmatively. He stated he would be on a Red Eye on the 12<sup>th</sup>.

Ms. Alvarez reiterated he would still be out on the 12<sup>th</sup> and thanked him for the clarification.

Council Member Rigby stated he would be back on the 13<sup>th</sup>.

Mayor Medellin asked if Council Member Rigby was coming back on the 12<sup>th</sup> and Council Member Rigby replied affirmatively. Mayor Medellin asked the City Attorney if that is what he said that Planning Commission was on the 13<sup>th</sup>.

Council Member Oliver commented about doing it earlier in the day.

Mayor Pro Tem Foley Gallegos suggested the 19<sup>th</sup>, the following Monday.

Mr. Tooley suggested doing it at an alternate site meeting place.

Mayor Medellin asked if alternate meeting place or alternate time.

Mr. Tooley stated that the City Clerk is giving him a “no” look so he will shut off his mic.

Ms. Alvarez apologized and stated that her concern is that the recording system is available here and she wants to make sure they get it on record but it is up to the Council.

Council Member Rigby asked Mr. Boyle if they could postpone Planning Commission.

Mayor Pro Tem Foley Gallegos asked Mr. Przybyla if the following Monday, the 19<sup>th</sup> was not available.

Mr. Boyle stated that the Planning Commission would be on the 13<sup>th</sup>.

Mr. Przybyla asked Ms. Alvarez if she could recall what was happening on the 19<sup>th</sup>.

Mayor Medellin suggested Monday the 19<sup>th</sup>.

Ms. Alvarez stated that she believed the conversation was that the plan was to come back to consider adopting the budget at the second meeting in June so she didn't think that would preclude them from actually scheduling a date during that time and then it just rolls over to a July meeting.

Mayor Medellin stated that she was right, they are really pushing it.

Mr. Przybyla stated they could certainly approve it in the first meeting in July if they so direct.

Mr. Tooley stated they really don't want to extend the.... He stated this is going to be a less pleasant experience but on the other hand there is nothing that limits their ability if they had to push the actual adoption into July they can do that. Mr. Tooley stated if it gets a little bit long they do a Continuing Budget resolution. Mr. Tooley stated he would very much prefer to have all the Council present for the discussion.

Mayor Medellin asked if they were still looking at that week of the 12<sup>th</sup> through the 16<sup>th</sup> is there another date that week. He asked about Thursday the 15<sup>th</sup>.

Ms. Alvarez stated she believes that is the evening of the Business Extravaganza at the Fairgrounds and that was one reason they thought Council might be attending that.

Mayor Medellin stated that's their regular meeting day or RDA meeting.

Council Member Rodriguez stated Mayor Pro Tem Gallegos proposed the 19<sup>th</sup> and Mr. Tooley had mentioned that would go too deep into the month or would that not be.... Council Member Rodriguez asked if the point is to try to get all their members there.

Mr. Tooley stated he thinks it's important that the Council be present as a group for that discussion. He stated the adoption of the budget has a number of required elements and steps before they actually adopt. He stated they have to go through the Appropriations resolution, the Limitation resolution and all that stuff he chooses not to recall. He stated his point is if they push the actual adoption a little bit into July, he doesn't want to go too far, it's not the end of the world.

Mr. Przybyla stated that the idea of the June 19<sup>th</sup> date would probably work. He stated they could just push back the Final Budget approval to the first meeting of July if June 19<sup>th</sup> is a good date for all the Council Members.

Mr. Tooley stated that's assuming they can get through it in one night.

Mr. Przybyla stated then they're back on the 20<sup>th</sup>.



Mayor Medellin stated he's looking at the four hour window that they have so they wouldn't coincide it with an existing meeting, it would be lengthy. Mayor Medellin asked if they were saying the 19<sup>th</sup>.

Council Member Rigby asked if they were already pushing it back to July why would they take a Friday night. He asked why they wouldn't take another night.

Mayor Medellin stated it is Monday, June 19<sup>th</sup>.

Council Member Rigby stated he was still in May.

Mayor Medellin stated Monday the 19<sup>th</sup>.

Mr. Przybyla stated that would work well for staff if that was convenient for the Council.

Two Council Members said four o'clock.

Mayor Medellin stated they would expect a confirmation e-vite, email or something tomorrow or the next day.

Ms. Alvarez stated she would send an email.

Council Member Rigby apologized for having to .....

Mayor Pro Tem Foley Gallegos stated she wanted to know if Council Member Holley has a .....

Mayor Medellin stated that when they miss a meeting that's what they get. That's the rule.

Mayor Medellin stated it looked like they had the 19<sup>th</sup> and thanked Mr. Przybyla.

## **F. COUNCIL REPORTS**

Council Member Robinson stated that on the 22<sup>nd</sup> he had dinner with Antonio Villaraigosa who is running for Governor of California and they discussed the needs of the Central Valley. Council Member Robinson stated he mentioned housing, water, the poor and homeless. Council Member Robinson stated that Mr. Villaraigosa stated he was about getting things done and that the valley was special to him.

Council Member Robinson stated he attended the Madera Republican Women's dinner and the DA [District Attorney] from Tulare spoke concerning child trafficking and prostitution and how they are bringing young girls from 14 years of age to different cities and they exchange them to other child molesters.

Mayor Pro Tem Foley Gallegos stated she had the pleasure of attending two open businesses in Madera and a ribbon cutting. She stated they have Madera Cross Fit that just opened their business behind Madera Unified School District and Brandon Baker on Howard Road opened a photography business. Mayor Pro Tem Foley Gallegos stated that two local residents that were born and raised in Madera opened up businesses. It was really exciting.

Council Member Rigby stated he made some connections with the Consulate of Mexico and so he had a chance to visit their Fresno offices and they are going to be joining forces with them on a couple of projects just kind of influenced by Mayor Medellin and his work with ICE [Immigration and Customs Enforcement] as well as the Police Department and just kind of working on an event that they'll be able to bring back to Council soon for some talk and hopefully approval; an event that would take place in December. Council Member Rigby stated it was great to be able to meet the Consulate and be able to work with them over there.

Council Member Rigby stated he'd like to talk about something that he'd mentioned before a long time ago. He stated he thinks he got a really good answer then but he'd love to be able to maybe look into getting City of Madera email addresses for Council Members. Council Member Rigby stated he knows it was Brown Act and he knows it was a really good answer. He just doesn't remember why he's still telling people from the Mexican Consulate to email him at...

Council Member Oliver stated at his Hotmail.

Council Member Rigby replied affirmatively.

Mr. Tooley stated there were two issues and fundamentally they are in a position now if they are willing to allocate the funds, because this would be a Capital Fund project, they can set it up and make that happen. Mr. Tooley stated there will be a cost issue that goes with it.

Council Member Rigby stated excellent.

Council Member Rodriguez stated he doesn't have anything to report but he does share the same issue that Council Member Rigby brought before the staff in regards to a City email.

Council Member Oliver congratulated Mr. Tooley and staff for completing another successful Vision Leadership Academy. He stated he knows that a very diverse and dynamic group participated during this past session and there's a lot of great feedback and excitement that was shared online via Facebook from some of those attendees. Council Member Oliver stated he just wanted to give kudos to staff for carrying out another successful academy and he thinks, although he was unable to make it to the last session, it would be great to invite those folks back to a Council meeting and recognize them and may be a great opportunity to hear some of their experiences first hand.

Mayor Medellin stated it really was. He stated they had a lot of great dialogue, great input and as they mentioned in the very first meeting they get just a small glimpse of what they do and the dialogue and input on Monday was really incredible. Mayor Medellin gave kudos to Mr. Tooley and staff for stepping up. Mayor Medellin stated he doesn't know if Mr. Tooley let them know but, one of the comments was they felt that all the directors were kind of competing against each other and he said absolutely any chance they can take to one-up their colleagues, they are going to do it but it is also their pride in Madera. Mayor Medellin thanked all of them for their help and input.

Mayor Medellin stated that in recognizing all the great things that happen in Madera, just a kind of warning if they will, on the 17<sup>th</sup> they will have the Madera Robotics Team there and they are going to bring their robot to maybe do a demonstration. He stated he is looking forward to that and recognizing the great things that they do. Mayor Medellin stated there are quite a few kids and some parents that will be there so they might have to make a little room or an obstacle course or something but he is looking forward to that and recognizing them.

Mayor Medellin thanked his colleagues for all the graffiti program attendance and the Neighborhood Watch attendance. He stated it's just been fantastic. He thanked them all for their time in that.

Mayor Medellin stated that tomorrow is the Mayor's Prayer Breakfast and if they hurry maybe he can go write a speech or something.

## **G. CLOSED SESSION**

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

Brent Richardson, City Attorney announced that Council will adjourn to closed session in two items the first being Item G-2 Conference with Real Property Negotiators pursuant to Government Code §54956.8 for one parcel. The information is as set forth on the agenda. The second item, Item G-3, is Conference with Labor

Negotiators pursuant to Government Code §54957.6 and the parties and representatives are as set forth on the agenda.

Council adjourned to closed session at 8:37 p.m. ABSENT: Council Member Holley.

G-2 Conference with Real Property Negotiators - Pursuant to Government Code Section 54956.8

Property: 1 Parcel

City of Madera APN: 009-331-018

Agency Negotiators: David Tooley, David Merchen

Negotiating Parties: King Husein, Tim Mitchell, Julia Peña

Under Negotiations: Price and Terms

G-3 CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: David Tooley and Wendy Silva

Employee Organizations: General Bargaining Unit  
Mid Management Group  
Madera Police Officers' Association  
Law Enforcement Mid Management Group  
Management Employees

G-4 Closed Session Report – City Attorney

Council returned from closed session at 9:26 p.m. with all members present. ABSENT: Council Member Holley.

Mr. Richardson announced that Council met in closed session in two items. He stated the first, Item G-2, was Conference with Real Property Negotiators pursuant to Government Code §54956.8. Mr. Richardson stated no reportable action was taken.

Mr. Richardson stated the second, Item G-3, was Conference with Labor Negotiators pursuant to Government Code §54957.6. Mr. Richardson stated no reportable action was taken in that matter either.

**ADJOURNMENT**

The meeting was adjourned by Mayor Medellin at 9:26 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.

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SONIA ALVAREZ, City Clerk

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ANDREW J. MEDELLIN, Mayor

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Prepared by: ZELDA LEÓN, Deputy City Clerk

City of Madera

Council Meeting Of March 21st, 2018  
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: 03/21/2018

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

February 27th, 2018 to March 12th, 2018

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

General Warrant:	16759-16894	\$	1,289,565.54
Wire Transfer	Union Bank Payroll and Taxes	\$	657,955.88
Wire Transfer	SDI	\$	2,550.23
Wire Transfer	Cal Pers	\$	-

Respectfully submitted,



Tim Przybyla  
Financial Services Director

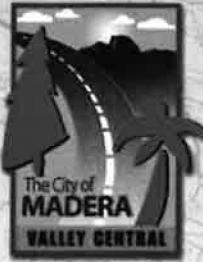
CITY OF MADERA  
REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT  
March 12th, 2018

CHECK	PAY DATE	ISSUED TO	DESCRIPTION	AMOUNT
16759	03/02/2018	ALL VALLEY ADMINISTRATORS	MEDICAL & CHILD CARE EXP ACCT 02/23/2018 PAYROLL	942.52
16760	03/02/2018	AMERICAN RIVER COLLEGE	FIELD TRAINING PROGRAM ADMINISTRATORS COURSE	76.00
16761	03/02/2018	ANTHEM BLUE CROSS	CITY PAID RETIREE MEDICAL BILL MARCH 2018	4,119.99
16762	03/02/2018	ARNOLD, JOSIAH	PER DIEM ASSET FORFEITURE SUMMIT	144.00
16763	03/02/2018	AT&T	01/18 CALNET 3 SVS 9391026390	2,562.55
16764	03/02/2018	BUSHONG, JASON	MILEAGE REIMBURSEMENT TO WWTP 02/08/18	15.06
16765	03/02/2018	CA DEPARTMENT OF CHILD SUPPORT	CHILD SUPPORT DEDUCTIONS FOR 02/23/18 PAYROLL	2,242.60
16766	03/02/2018	CANON FINANCIAL SERVICES	NASPO Contract 3091/7-15-70-23	3,494.46
16767	03/02/2018	CHIARAMONTE, GIACHINO	PER DIEM CAL CHIEFS	240.00
16768	03/02/2018	COLONIAL LIFE & ACCIDENT INSURANCE CO	E700482-3 FOR 02/23/2018 PAYROLL	994.79
16769	03/02/2018	COMCAST	CITY INTERNET CONNECTION 02/15- 03/14/18	1,372.25
16770	03/02/2018	COMCAST	02/22- 03/21 SVS 8155500320322006	86.13
16771	03/02/2018	COMCAST	02/18 SVS 8155500320092096	133.51
16772	03/02/2018	CONCENTRA MEDICAL CENTERS	PRE EMPLOYMENT PHYSICAL	340.50
16773	03/02/2018	CPS HR CONSULTING	DISPATCHER EXAM	532.40
16774	03/02/2018	CREATIVE COPY	FOIL EMBOSSED STOCK	75.78
16775	03/02/2018	ECONOMIC DEVELOPMENT COMMISSION	2018- STATE OF THE COUNTY LUNCHEON	360.00
16776	03/02/2018	ESTEVEZ, BRIAN	PER DIEM CAL CHIEFS	240.00
16777	03/02/2018	EVERGREEN LAWN CARE & MAINTENANCE, INC.	GRP 3 MEDIAN MAINTENANCE FEBRUARY 2018	14,720.00
16778	03/02/2018	FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION ENG SVS 02/15/18-02/28/18	8,437.50
16779	03/02/2018	FRAZIER, STEVE	PER DIEM CAL CHIEFS	240.00
16780	03/02/2018	HERC RENTALS	Misc equipment rental	1,586.95
16781	03/02/2018	KAISER FOUNDATION HEALTH PLAN	PRE-EMPLOYMENT EXAM	260.00
16782	03/02/2018	KER'S GAS & LUBE, INC.	PD CAR WASHES	192.50
16783	03/02/2018	LAWSON, DINO	PER DIEM CAL CHIEFS	240.00
16784	03/02/2018	LINCOLN FINANCIAL	LIFE AND LTD MARCH 2018	7,825.21
16785	03/02/2018	MADERA CO. ENVIRONMENTAL HEALTH DEPT	ANNUAL POOL PERMIT	556.10
16786	03/02/2018	MADERA COUNTY TREASURER	JANUARY 2018 PARKING PENALTIES	198.00
16787	03/02/2018	MADERA TRIBUNE	P.C. NOTICE MAR.	101.08
16788	03/02/2018	MADERA TRIBUNE	WWTP LEAD AD	127.32
16789	03/02/2018	MADERA TRIBUNE	WWTP LEAD AD	140.70
16790	03/02/2018	MARIN, RICHARD	PER DIEM WASTEWATER CERTIFICATION EXAM TRAINING	140.25
16791	03/02/2018	MONDRAGON, JUAN	PER DIEM WASTEWATER CERTIFICATION EXAM TRAINING	140.25
16792	03/02/2018	MUNISERVICES, LLC	SUTA SERVICES FOR TAX QTR ENDING 09/30/17	329.54
16793	03/02/2018	MUNOZ, ANTHONY	PER DIEM WASTEWATER CERTIFICATION EXAM TRAINING	140.25
16794	03/02/2018	N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-02 FOR 02/23/18 PAYROLL	2,286.96
16795	03/02/2018	N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-01 FOR 02/23/18 PAYROLL	8,903.68
16796	03/02/2018	NOLAN MCGUIRE CONSTRUCTION	14-CalHome-9862 909 E. Yosemite	23,193.00
16797	03/02/2018	PACIFIC GAS & ELECTRIC	02/18 SVS 9172110863-6	17,079.32
16798	03/02/2018	PHOENIX GROUP INFO SYS	CITATIONS JANUARY 2018	505.08
16799	03/02/2018	PRINCIPAL LIFE INSURANCE COMPANY	MARCH 2018 DENTAL INSURANCE	17,141.70
16800	03/02/2018	PROFORCE	Ammunition	7,881.46
16801	03/02/2018	REGENCE BLUECROSS BLUESHIELD OF UTAH	CITY PD RETIREE PRES BILL CHUMLEY MARCH 2018	148.50
16802	03/02/2018	REGENCE BLUECROSS BLUESHIELD OF UTAH	CITY PD RETIREE MED BILL CHUMLEY MARCH 2018	186.00
16803	03/02/2018	RUSSELL, CHRIS	PER DIEM WASTEWATER CERTIFICATION EXAM TRAINING	140.25
16804	03/02/2018	STATE OF CALIFORNIA	FRANCHISE TAX DEDUCTIONS FOR 02/23/18 PAYROLL	238.12
16805	03/02/2018	TESEI PETROLEUM, INC.	FUEL CHARGES 01/21-01/31/18	39,700.99
16806	03/02/2018	THYSSENKRUPP ELEVATOR CORPORATION	YOUTH CENTER ELEVATOR SERVICE - MAR	258.96
16807	03/02/2018	ALVARADO MARGARET	Utility Billing Credit Refund	178.29
16808	03/02/2018	BONANDER MATTHEW	Utility Billing Credit Refund	282.19
16809	03/02/2018	CITY OF MADERA OR GONZALEZ STEPHANIE	Utility Billing Credit Refund	151.88
16810	03/02/2018	MILLER LORAIN	Utility Billing Deposit Refund	538.24
16811	03/02/2018	PRETZER MICHELLE OR CITY OF MADERA	Utility Billing Credit Refund	151.33
16812	03/02/2018	ROMERO CELSO	Utility Billing Credit Refund	232.42
16813	03/02/2018	SHERIFF ANAMARIE	Utility Billing Deposit Refund	24.80
16814	03/02/2018	SINGH MALKIT	Utility Billing Credit Refund	355.11
16815	03/02/2018	VARGAS BILLALOM JAIME	Utility Billing Credit Refund	198.00
16816	03/02/2018	WIEBE JANE	Utility Billing Deposit Refund	106.14
16817	03/02/2018	UNITED HEALTHCARE INSURANCE COMPANY	CITY PAID UNITED HEALTH CARE MARCH 2018	275,956.24
16818	03/02/2018	VANTAGEPOINT TRANSFER AGENTS-457	PLAN #302351 CONTRIBS FOR 02/23/18 PAYROLL	23,418.37
16819	03/02/2018	VASQUEZ, RYAN	PER DIEM ASSET FORFEITURE SUMMIT	144.00
16820	03/02/2018	WATERTALENT, LLC	WWTP Temp Operator	7,200.00
16821	03/02/2018	WILLDAN FINANCIAL SERVICES	CFD FEES FOR MARCH 2018	1,178.42
16822	03/02/2018	ZEE MEDICAL SERVICE CO.	MEDICAL SUPPLIES	101.78
16823	03/09/2018	ALL VALLEY ADMINISTRATORS	ADMIN FEES FOR FEBRUARY 2018	150.00
16824	03/09/2018	ALL VALLEY ADMINISTRATORS	MEDICAL & CHILD CARE EXP ACCT 03/09/2018 PAYROLL	942.52
16825	03/09/2018	AT&T	PD PRIVATE LINE SVS 02/19 - 03/18	374.55
16826	03/09/2018	AT&T	01/18 CALNET 3 SVS 9391026401	1,138.64
16827	03/09/2018	BSK ASSOCIATES	WWTP PERMIT COMPLIANCE LAB 02/09/18	78.00

16828	03/09/2018	CA DEPARTMENT OF CHILD SUPPORT	CHILD SUPPORT DEDUCTIONS FOR 03/09/18 PAYROLL	2,136.41
16829	03/09/2018	CALIFORNIA CLIMATE CONTROL, INC.	HVAC MAINTENANCE - CITY HALL	1,120.52
16830	03/09/2018	CALIFORNIA DEPARTMENT OF JUSTICE	BLOOD ALCOHOL ANALYSIS JAN 2018	1,050.00
16831	03/09/2018	CITY OF MADERA	TOILET REBATE APPLY TO ACCOUNT 9922824	89.10
16832	03/09/2018	CITY OF MADERA	TOILET REBATE APPLY TO ACCOUNT 9894084	150.00
16833	03/09/2018	CITY OF MADERA	TOILET REBATE - APPLY TO ACCT 9912806	164.00
16834	03/09/2018	CITY OF MADERA	DISHWASHER REBATE APPLY TO 8578081	200.00
16835	03/09/2018	CITY OF MADERA	TOILET REBATE APPLY TO ACCOUNT 8597091	200.00
16836	03/09/2018	CITY OF MADERA	TOILET REBATE APPLY TO ACCOUNT 9919518	200.00
16837	03/09/2018	CITY OF MADERA	CLOTHES WASHER REBATE - APPLY TO ACCT 9907156	200.00
16838	03/09/2018	CITY OF MADERA	DISHWASHER REBATE APPLY TO 99141789	200.00
16839	03/09/2018	CITY OF MADERA	TOILET REBATE APPLY TO ACCOUNT 9400421	390.00
16840	03/09/2018	COLONIAL LIFE & ACCIDENT INSURANCE CO	E700482-3 FOR 03/09/2018 PAYROLL	994.79
16841	03/09/2018	CONCENTRA MEDICAL CENTERS	PRE EMPLOYMENT PHYSICAL	382.00
16842	03/09/2018	CORELOGIC INFORMATION SOLUTIONS INC	METRO SCAN 02/18	150.00
16843	03/09/2018	DATAPROSE, LLC	FEBRUARY 2018 STATEMENTS/ NEWLETTER/ 48HR	9,627.78
16844	03/09/2018	DIAMOND COMMUNICATIONS	TELEPHONE ANSWERING SERVICE - MAR	704.50
16845	03/09/2018	DIAMOND COMMUNICATIONS	PAN AM ALARM DOWNLOAD FEE	30.00
16846	03/09/2018	DIAMOND COMMUNICATIONS	YOUTH CENTER ELEVATOR FIRE ALARM CERTIFICATION	275.00
16847	03/09/2018	FOLSOM LAKE FORD	2017 Ford PD Interceptor SUV	32,712.20
16848	03/09/2018	FRESNO POLICE DEPARTMENT	FIREARMS INSTRUCTOR RANGE FEE - MATTHEW AUTRY	90.00
16849	03/09/2018	FRESNO POLICE DEPARTMENT	FIREARMS INSTRUCTOR RANGE FEE - CLAY HOOVER	90.00
16850	03/09/2018	GOLDEN STATE FLOW MEASUREMENT INC.	Annual Hosted Service Fee	16,000.00
16851	03/09/2018	LEANO, BIANEY	REIMBURSEMENT FOR WATER TREATMENT EXAM APPLICATION	65.00
16852	03/09/2018	M P O A	FEBRUARY 2018 MONTHLY DUES	7,530.92
16853	03/09/2018	M.C.E.A.	JULY 2017 MONTHLY DUES	410.00
16854	03/09/2018	M.C.E.A.	AUGUST 2017 MONTHLY DUES	410.00
16855	03/09/2018	MADERA CLEANERS AND LAUNDRY INC.	YOUTH CENTER MAT SERVICE	32.30
16856	03/09/2018	MADERA COUNTY AUDITOR	TAX SHARING AGREEMENT	50,000.00
16857	03/09/2018	MADERA COUNTY AUDITOR	TAX SHARING AGREEMENT - 3RD QTR ALLOCATION	64,785.36
16858	03/09/2018	MADERA RADIO DISPATCH, INC.	TOWER RENT	310.24
16859	03/09/2018	MADERA UNIFIED SCHOOL DISTRICT	CNG FUEL CHARGES FOR FEBRUARY 2018	302.77
16860	03/09/2018	MADERA UNIFIED SCHOOL DISTRICT	CNG FUEL CHARGES FOR FEBRUARY 2018 - TRANSIT	457.96
16861	03/09/2018	MARIN, RICHARD	REIMBURSE GRADE 1 EXAM FEES	290.00
16862	03/09/2018	MARIN, RICHARD	REIMBURSE WASTEWATER TREATMENT PLANT COURSE	119.55
16863	03/09/2018	MARZ, ROGER	REIMBURSE MECHANIC TECHNOLOGIST CERTIFICATION	165.00
16864	03/09/2018	MID VALLEY DISPOSAL INC.	WASTE DISPOSAL SERVICE JANUARY 2018	312,596.76
16865	03/09/2018	MONDRAGON, JUAN	REIMBURSE GRADE III DISTRIBUTION EXAM FEES	295.00
16866	03/09/2018	MOTOROLA SOLUTIONS INC.	RADIO COMMUNICATION EQUIPMENT	4,720.30
16867	03/09/2018	MUNOZ, ANTHONY	REIMBURSE OIT GRADE 1 CERTIFICATION	290.00
16868	03/09/2018	N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-02 FOR 03/09/18 PAYROLL	2,092.88
16869	03/09/2018	N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-01 FOR 03/09/18 PAYROLL	9,092.63
16870	03/09/2018	NOLAN MCGUIRE CONSTRUCTION	14-CalHome-9862 909 E. Yosemite	7,266.00
16871	03/09/2018	GLEICHWEIT, GREG	TURF REPLACEMENT REBATE	3,000.00
16872	03/09/2018	SALLY, ELIZABETH	TURF REPLACEMENT REBATE	2,085.00
16873	03/09/2018	WILIOUGHBY, DENISE	TURF REPLACEMENT REBATE	2,000.00
16874	03/09/2018	EDDINGS ATTORNEY SUPPORT SVCS, INC.	WITNESS FEES	825.00
16875	03/09/2018	OASIS BEAUTY SALON	REFUND ALARM REGISTRATION FEE - BILLED IN ERROR	50.00
16876	03/09/2018	RENANTE CAUSING	REFUND ALARM REGISTRATION FEE - PAID IN ERROR	50.00
16877	03/09/2018	PACIFIC GAS & ELECTRIC	01/18 SVS 3533032414-2	103,469.98
16878	03/09/2018	ESTRADA, ANDREW	PARK DEPOSIT REFUND	50.00
16879	03/09/2018	FLORES, SARAH	FACILITY DEPOSIT REFUND	50.00
16880	03/09/2018	LONGORIA, ALFREDO	CLASS CANCELLATION	42.50
16881	03/09/2018	THE WELL MADERA C/O AMY VARNEY	FACILITY DEPOSIT REFUND	100.00
16882	03/09/2018	PIERCE CONSTRUCTION	Remove and replace damaged asphalt	5,666.15
16883	03/09/2018	PRICE PAIGE AND COMPANY	PROFESSIONAL SVS FOR YR ENDED 06/30/17	24,390.00
16884	03/09/2018	RUSSELL, CHRIS	REIMBURSE GRADE 1 RE-EXAM FEE	85.00
16885	03/09/2018	SERVICEMASTER BY J&C BROWN	JANITORIAL SERVICE MARCH 2018	13,041.31
16886	03/09/2018	STATE OF CALIFORNIA	FRANCHISE TAX DEDUCTIONS FOR 03/09/18 PAYROLL	238.12
16887	03/09/2018	TERRAFORM POWER, LLC.	02/18 ELECTRIC UTILITIES SVS	71,638.92
16888	03/09/2018	SYNAGRO WEST, INC.	MISCELLANEOUS SERVICES, NO. 1	19,068.56
16889	03/09/2018	TESEI PETROLEUM, INC.	FUEL	641.55
16890	03/09/2018	THE ARC FRESNO	CITY CAN ORDERS FEBRUARY 2018	1,646.17
16891	03/09/2018	UNION PACIFIC RAILROAD CO.	COST INCURRED FOR PLAN REVIEW OF NEW TRAIL	413.81
16892	03/09/2018	VANTAGEPOINT TRANSFER AGENTS-457	PLAN #302351 CONTRIBS FOR 03/09/18 PAYROLL	23,236.37
16893	03/09/2018	VILLA GARDENING SERVICE INC	FEBRUARY GARDENING SVS	275.00
16894	03/09/2018	WATERTALENT, LLC	WWTP Temp Operator	5,200.00

Bank # 1 - Union Bank General Account Total	1,289,565.54
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## REPORT TO CITY COUNCIL

Approved By:

Department Director

City Administrator

Council Meeting of March 21, 2018  
Agenda Item Number B-3

**SUBJECT: CONSIDERATION OF A RESOLUTION RESCINDING RESOLUTION NO. 17-161 AND APPROVING THE AMENDED APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT - LOCAL TRANSPORTATION FUNDS FOR FY 2017/18 WITH FY 2016/17 CARRYOVER BALANCES, AND THE STATE TRANSIT ASSISTANCE FUNDS FOR FY 2017/18**

### RECOMMENDATION:

That the City Council approves a resolution:

1. Rescinding Resolution No. 17-161 and Approving the Amended Applications for Transportation Development Act (TDA) - Local Transportation Fund (LTF) for FY 2017/18 with FY 2016/17 Carryover Balances, and the State Transit Assistance Funds (STA) for FY 2017/18.
2. Authorizing the City Engineer to execute and submit the amended applications to the Madera County Transportation Commission (MCTC) for approval and adoption.

### SUMMARY:

The Madera City Council adopted Resolution No. 17-83 on June 21, 2017, for the use of FY 2017/18 Local Transportation Funds (LTF) and State Transit Assistance funds (STA) as required by MCTC. This resolution reflected the LTF application that included the projected amounts for 2017/18.

On July 19, 2017, MCTC staff requested that the City Engineer revise the 2017/18 LTF application correcting the placement of the funding amount for Transportation Services. A revised LTF application was submitted to MCTC by the City Engineer to coincide with the MCTC scheduled meeting.

### 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)

On October 18, 2017, the Madera City Council adopted Resolution No. 17-161 that ratified the 2017/18 LTF Application submitted to, received by and approved by MCTC on July 19, 2017. These allocations are used to fund transit first, and then other transportation related projects and programs.

The amended applications and new resolution formally incorporate the carryover amounts that were not included in the prior Council action. This is standard protocol, completed annually. However, the new resolution also incorporates changes reflecting higher costs associated with transit programs than were previously forecast. In order to adjust these higher costs, it's likely that funds supporting Engineering services will be reduced, which will have a negative effect on the general fund. The adjustments will also cause shifts in capital projects, including delays to pending projects such as the Lake Street Widening (R-000046).

The amended applications are required for proper accounting of the City's claim filed with MCTC for expenditures of the LTF and STA in FY 2017/18.

## **DISCUSSION:**

LTF and STA fund applications are prepared for funds apportioned to the City of Madera, County of Madera and City of Chowchilla by the MCTC based on population pursuant to the Transportation Development Act (TDA). Changes to this application by the local agency can be made through an amended application at any time. The original application was prepared to reflect the proposed expenditures for the 2017-18 fiscal year using only the allocation of funds provided by MCTC in June of 2017, and as required by statute. The amended application for LTF includes the current year revenue amounts and prior year carryover balances. The amended application for STA funds reflects the revised amount from MCTC.

This amended LTF application includes funding for programs and projects approved by City Council in the FY 2017/18 Budget Capital Improvement Program (CIP). This application also reflects the increase in projected expenditures to previously approved Transit projects that are being implemented, such as the purchase of new buses, the recently launched Route 3 fixed route to the college and bus shelter developments. These increases impact the LTF funding that is available for previously approved CIP transportation projects. More than \$550,000 of LTF will be shifted to transit projects from CIP projects for this current fiscal year (2017/18). This significant change is being incorporated into the CIP. This will require a re-prioritization of projects for which staff will seek Council review and approval. An example is the Lake Street Widening Project (R-000046) that is now projected to occur in 2022/23. Funding is also being shifted to Washington Street Project (R-000073) and Sunset Ave Median and Sidewalks (R-000066). The Olive Ave Widening (R-000010) project may need to be shifted to phases or delayed.

Engineering, recently, received notification from Union Pacific Railroad (UPRR) of intersections that are scheduled for repair. At present, we cannot project what the cost of their proposed improvements will be. Previous budgets annually earmarked \$80,000 to \$100,000 for these repairs. One option to assist in balancing LTF funds in 2017/18 includes decreasing the city's 2017/18 allocation to \$50,000 with the assumption that their proposed project costs will be minimized in accordance with their stated goal of doing so. Staff does not recommend reducing the annual assumed cost below \$50,000 as the City can expect costs to vary significantly from year to year as UPRR prioritizes the projects and repairs.



The Lake-Fourth-Central Intersection (R-000057) project is also being evaluated for cost savings choices. The roundabout option may be eliminated in favor of a traffic signal. Staff will be asking for direction from Council prior to finalizing such a decision.

The amended application includes a revised STA allocation of \$ 397,740 for FY 2017/18. This amount is an increase of \$152,266 from the original Madera County Transportation Commission (MCTC) notification this fiscal year. The increase in funds reflects projected revenues from the recently State approved SB1 program that are increasing due to the diesel sales tax. The use of STA funds is limited to transit related programs and is programmed for capital outlay and operations for the City of Madera Area Express (MAX).

The amended applications are required for proper accounting of the City's claim filed with MCTC for expenditures of the LTF and STA in FY 2017/18. The amendment to the LTF application is prepared and submitted to MCTC annually after prior year final expenses and claims have been processed, and the excess prior year funds and carryover balances have been confirmed by MCTC.

The attached Resolution No. 18 - \_\_\_\_\_ rescinds Resolution No. 17-161 that was adopted by the City Council on October 18, 2017. The previous 2017/18 LTF application ratified a correcting entry that was submitted to and approved by MCTC on July 19, 2017.

#### **FINANCIAL IMPACT:**

Currently, there is a potential adverse fiscal impact to the City's General Fund dependent on how project and Engineering operations are funded. Local Transportation Funds are used to support CIP projects, Engineering staff expenses for transportation and bicycle/pedestrian related projects, support programs and activities, as well as the match to Federal funds (FTA) and transit operations. STA funds are used to support transit operations and capital expenditures. With this amended application, the CIP reflects a decrease in Local Transportation Funds exceeding \$550,000 in the current fiscal year. Staff is currently projecting a reduction in the Engineering support services that are being budgeted for the 2018/19 through 2022/23 CIP. We have, tentatively, reduced the projected cost of living adjustment (reduction of 3% per year) for Engineering support services from LTF that might normally be assumed. If this assumption holds true, this may result progressively higher draws from the General Fund in these out years.

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

**Action 126** – This project supports the strategy for providing clean attractive streets that are safe and aesthetically pleasing.

Multi-modal Transportation: Strategy 121 – Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.

Including Sub-strategies:

121.1 – Provide needs assessment including all forms of transportation.

121.2 – Update the Master Transportation Plan.

121.11 - Investigate or delineate standards for enhanced transit facilities.

121.12 – Include expansion goals in Master Plan.

## RESOLUTION NO. 18 - \_\_\_\_\_

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RESCINDING RESOLUTION NO. 17-161 AND APPROVING THE AMENDED APPLICATIONS FOR TRANSPORTATION DEVELOPMENT ACT-LOCAL TRANSPORTATION FUND FOR FISCAL YEAR 2017/18 WITH FISCAL YEAR 2016/17 CARRYOVER BALANCES, AND THE FY 2017-18 STATE TRANSIT ASSISTANCE FUNDS, AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE APPLICATIONS**

**WHEREAS**, the City Council adopted Resolution No. 17-161 on October 18, 2017;  
and

**WHEREAS**, the Transportation Development Act (TDA), Local Transportation Fund (LTF) and State Transit Assistance funds is annually allocated by the Madera County Transportation Commission (MCTC) pursuant to the Transportation Development Act; and

**WHEREAS**, the City of Madera prepares an application outlining the intended uses for the TDA-LTF/STA funds each year and the applications may be amended as needed;  
and

**WHEREAS**, the unexpended balances of LTF funds in FY 2016/17 must be added to the FY 2017/18 application for proper accounting purposes; and

**WHEREAS**, the STA funds in FY 2017/18 was revised as reported by MCTC; and

**WHEREAS**, the amended TDA-LTF application with the actual 2016/17 carryover balances and the revised TDA-STA funds provided by MCTC is submitted to the City Council for its consideration.

**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. Resolution No. 17-161 approved on October 18, 2017 is hereby rescinded.
3. The Amended Application for Transportation Development Act-Local Transportation Fund for Fiscal Year 2017/2018, with the FY 2016/17 Carryover Balances, and the revised STA funds for FY 2017/18 is approved.
4. The City Engineer is authorized to execute the Amended TDA-LTF Application and submit it to the MCTC for adoption.
5. The Director of Finance is authorized and directed to adjust the FY 17/18 Budget to incorporate the FY 16/17 carryover balances and funding revisions as approved by the MCTC.
6. This resolution is effective immediately upon adoption.

\* \* \* \* \*

# Madera County Transportation Commission

## TDA Amendment Request

Agency: City of Madera

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

Fiscal Year: 2017-18

Amending: ☐ LTF ☒ STA

Type of Amendment: ☐ Carryover of PY Funds ☐ Reassign funds ☒ Other

Project	Approved Allocation	New Proposed Allocation	Difference
1 <b>State Transit Assistance Funds</b>	\$245,474.00	\$397,740.00	\$152,266.00
2			\$0.00
3			\$0.00
4			\$0.00
5			\$0.00
6			\$0.00
7			\$0.00
8			\$0.00
9			\$0.00
10			\$0.00
Total	\$245,474.00	\$397,740.00	\$152,266.00

### Notes

Keith B. Helmuth, PE - City Engineer \_\_\_\_\_ Date \_\_\_\_\_

MCTC Executive Director \_\_\_\_\_ Date \_\_\_\_\_

MCTC Use: \_\_\_\_\_

Month \_\_\_\_\_

Amendment No. \_\_\_\_\_

# Madera County Transportation Commission

## TDA Amendment Request

Agency: \_\_\_\_\_ City of Madera \_\_\_\_\_

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

Fiscal Year: **2017-18 with 2016-17 Carryover Balances**

Amending: ☒ LTF ☐ STA

Type of Amendment: ☒ Carryover of PY Funds ☐ Reassign funds ☐ Other

Project	Approved Allocation	New Proposed Allocation	Difference
1 <b>MAX, Dial-A-Ride, Intermodal</b>	\$337,000.00	\$1,061,301.00	\$724,301.00
2			\$0.00
3 <b>Misc. Ped.Bike Facilities, FRT</b>	\$32,643.00	\$32,643.00	\$0.00
4 <b>Fresno River Trail Projects</b>		\$91,139.76	\$91,139.76
5			\$0.00
6 <b>MCTC Regional Trans. Planning</b>	\$48,964.00	\$48,964.00	\$0.00
7			\$0.00
8 <b>Streets/Road Projects</b>	\$1,213,534.00	\$3,094,366.04	\$1,880,832.04
9			\$0.00
10			\$0.00
Total	\$1,632,141.00	\$4,328,413.80	\$2,696,272.80

### Notes

New proposed allocation includes the 2016-17 LTF Carryover Balances.

Keith B. Helmuth, PE - City Engineer \_\_\_\_\_ Date \_\_\_\_\_

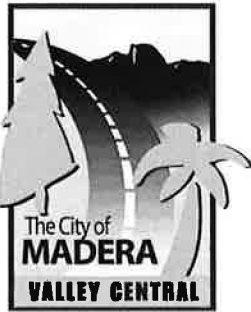
Patricia Taylor - MCTC Executive Director \_\_\_\_\_ Date \_\_\_\_\_

MCTC Use: \_\_\_\_\_

Month \_\_\_\_\_

Amendment No. \_\_\_\_\_

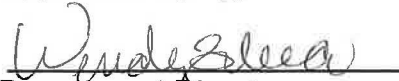
## REPORT TO CITY COUNCIL



Council Meeting of March 21, 2018

Agenda Item Number B-4

Approved by: \_\_\_\_\_

  
Department Director

  
City Administrator

### SUBJECT

**Consideration of a Minute Order Approving Settlement Authority of a Claim Filed with Madera County for Property Damage and Authorizing the Mayor to Execute the Release of all Claims, Past and Future.**

### RECOMMENDATION

It is recommended Council provide authority to settle a claim with Madera County in the amount of \$5,153.12 and authorize the Mayor to execute the Release of All Claims, Past and Future.

### HISTORY

On August 31, 2017, a County of Madera vehicle was involved in a collision with a City of Madera vehicle resulting in damage to a City vehicle.

### SITUATION

On August 31, 2017, a Madera County employee was driving a 2003 Jeep Liberty belonging to Madera County and collided during surveillance with a vehicle belonging to the City of Madera, a 2006 Toyota Avalon. Both individuals were working under supervision of the Special Investigative Unit (SIU) at the time. The Madera Police Department investigated the accident and determined the vehicle driven by the Madera County employee was at fault in the accident for violating 21650 CVC, failure to drive on the right side of the roadway. The City received a final invoice from Yosemite Paint and Bodyworks in the amount of \$5,153.12 to repair the vehicle belonging to the City.

The City is asking for Council's authority to settle the claim with the County of Madera in the amount of \$5,153.12 and authorize the Mayor to execute the Release of all Claims, Past and Future for the full amount owed to the City.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

Settlement of claims filed under Government Code §910 is not addressed in the vision or action plan; the requested action is also not in conflict with any of the actions or goals contained in that plan.

## RELEASE OF ALL CLAIMS, PAST AND FUTURE

Regarding Claim Number 18-013 (City of Madera)

For and in consideration of the sum of \$ 5,153.12-----Dollars,  
Five Thousand One Hundred Fifty Three and 12/100-----Dollars,  
receipt of which is acknowledged, I/We release and forever discharge the County of Madera and all employees of Madera County, his/her/their principals, agents, heirs, representatives, assigns, and insurance carriers, their agents and employees from any and all rights, claims, demands, and damages of any kind, known or unknown, existing or arising in the future, resulting from or related to personal injury, death, or property damage, arising from an accident/incident that occurred on or about the August 31, 2017, at or near Mace Street near State Route 145, Madera County, CA. To procure payment of this sum, I/we declare: I/we am/are more than eighteen (18) years of age: Further, that no representations about the nature and extent of said injuries, disabilities, or damages made by any physician, attorney, employee, or agent of any party released, nor any representations regarding the nature and extent of legal liability or financial responsibility of any of the parties released, have induced me/us to make this settlement. I understand that this release extends to all costs, including attorney fees.

I/we waive all rights which I/we now or may have by virtue of Section 1542 of the California Civil Code, which in part reads:

A general release does not extend to the claims, which a creditor does not know or suspect to exist in his favor at the time of executing the release, which, if known by him, must have materially affected his settlement with the debtor.

This release shall not destroy or otherwise affect the rights of persons on whose behalf this payment is made, or persons who may claim to be damaged by reason of the accident other than the undersigned to pursue any legal remedies they may have against the undersigned or any other persons.

I/we understand this is a compromise settlement of all my/our claims of every nature any kind whatsoever arising out of the accident/incident referred to above, but is not an admission of liability. I/We understand that this is all the monies or considerations I/we will receive from the above-described parties as a result of this accident/incident.

I/WE HAVE READ THIS RELEASE AND UNDERSTAND IT.

Signed this \_\_\_\_\_ Day of March, 2018.

At \_\_\_\_\_, CA

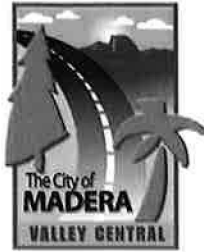
X \_\_\_\_\_ X \_\_\_\_\_

Signature

Witness



# REPORT TO THE CITY COUNCIL



**Return to Agenda**

COUNCIL MEETING OF:  
March 21, 2018

AGENDA ITEM NUMBER:  
B-5

Approved By:

  
COMMUNITY DEVELOPMENT DIRECTOR

  
CITY ADMINISTRATOR

**SUBJECT: Consideration of a Resolution Approving an Agreement For Outside of City Water Service for an On-Site Fire Hydrant Located at 24341 Avenue 14, Approving a 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:**

Staff recommends that the City Council adopt a resolution taking the following actions regarding the request to allow a water system connection for an on-site fire hydrant outside the City limits:

1. Approving an Agreement for Outside of City Water Service For an On-Site Fire Hydrant Located at 24341 Avenue 14;
2. Approving a Covenant To Annex;
3. Authorizing the Mayor to Execute the Agreement and Covenant on Behalf of the City;
4. Directing Staff to Record the Agreement and Covenant.

## **DISCUSSION:**

During the summer and fall of 2017, the City Council reviewed a request by BAPU Almonds to allow sewer and water connections to the BAPU Almonds nut processing facility at 24341 Avenue 14. Acceptable terms could not be reached between the City and the property owner. The owner ultimately installed a fire hydrant along the subject parcel's Avenue 14 (Howard Road) street frontage to assist with the provision of fire flow to the property. An encroachment permit was issued and water system connection fees were paid. The owner is now requesting allowance for the addition of an on-site (private) fire hydrant, as the street hydrant previously installed does not provide sufficient coverage to meet fire protection requirements at the rear of the property.

The recommended agreement allows the addition of an on-site fire hydrant along with a meter and backflow preventer. No domestic water or sewer services are included. In exchange for this enhancement to his property, the owner is consenting to the annexation of the property no earlier than 12 months from approval of the agreement. No street frontage improvements or other terms are recommended. The owner has expressed an interest in voluntarily completing street frontage and sidewalk improvements in the foreseeable future. If completed, those improvements would not be tied to a service agreement or annexation requirement.

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

Vision 2025 calls for a well-planned, healthy community with strong and carefully planned neighborhoods and commercial uses. Vision statements also support economic development and job creation for a range of business sectors.

**FISCAL IMPACT:**

The property owner will pay applicable encroachment permit and building permit fees. Water System payback (reimbursement) fees and impact fees have already been paid in conjunction with the street hydrant.

RESOLUTION NO. 18-\_\_\_\_

**A Resolution Of The City Council of the City of Madera, California, Approving the Agreement With Sohan and Mandeep Samran, Trustees of the Sohan and Mandeep Samran Family Trust Dated September 13, 2012, for Outside of City Water Service for a Fire Hydrant at 24341 Avenue 14, Approving the 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**

WHEREAS, Sohan and Mandeep Samran, Trustees of the Sohan and Mandeep Samran Family Trust dated September 13, 2012, desire a water connection to allow an on-site fire hydrant to serve APPLICANT'S property at said address;

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 a water system connection to allow a fire hydrant, by and between the City and Sohan and Mandeep Samran, Trustees of the Sohan and Mandeep Samran Family Trust dated September 13, 2012, owner of the property located on the north side of Avenue 14, west of Westberry Boulevard, known as 24341 Avenue 14, 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 A FIRE HYDRANT AT 24341 AVENUE 14**

AGREEMENT MADE AND ENTERED INTO this 28<sup>th</sup> day of Feb., 2018, by and between the CITY OF MADERA, a municipal corporation of the State of California, hereinafter called "CITY" and Sohan Samran and Mandeep Samran, Trustees of the Sohan and Mandeep Samran Family Trust dated December 13, 2012, hereinafter called "APPLICANT".

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

**WHEREAS**, APPLICANT is the owner of that certain property consisting of 5.56 acres, more or less, located on the north side of Avenue 14, west of Westberry Boulevard, known as 24341 Avenue 14, in the unincorporated territory of Madera County; and

**WHEREAS**, APPLICANT desires a water connection to allow an on-site fire hydrant 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 Avenue 14 to serve APPLICANT'S property located on the north side of Avenue 14, west of Westberry Boulevard, which property is more particularly described as follows:

85

PARCEL 2 OF PARCEL MAP NO. 3377, ACCORDING TO THE MAP THEREOF  
RECORDED JULY 2, 1993 IN BOOK 41 OF MAPS, AT PAGES 57 AND 58,  
MADERA COUNTY RECORDS.

APN: 045-090-066

2. APPLICANT agrees that connection at this time is for the sole purpose of providing the ability to construct a private, on-site fire hydrant to serve APPLICANT'S property and buildings. No domestic water service is permitted under this Agreement and any future water connection or use of the City water system is subject to written approval of CITY.

3. 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 to establish a utilities service account with the City.

4. 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.

5. CITY agrees not to initiate the annexation of APPLICANT'S property, or to require the APPLICANT to initiate annexation of his property, within the twelve (12) month period following the approval of this Agreement unless legally compelled to do so.

6. If, upon annexation of APPLICANT'S property into the CITY, CITY determines that any legally constructed building and/or any legally established use is inconsistent with the applicable zoning regulations established by the CITY, CITY and APPLICANT agree that said building or use shall be deemed to be a legal-non conforming ("grandfathered") use and shall be treated in the manner directed for all legal non-conforming uses by the CITY'S zoning ordinance in effect at the time.

7. CITY reserves the right to terminate fire hydrant 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 any 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.

8. 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

The Sohan and Mandeep Samran Family  
Trust, dated December 13, 2012

ATTEST:

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

Sonia Alvarez, City Clerk

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

Sohan Samran, Trustee

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

Mandeep Samran, Trustee

APPROVAL AS TO FORM:

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

Brent Richardson, City Attorney

NOTARY ACKNOWLEDGEMENT REQUIRED

ACKNOWLEDGMENT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:  
Covenant To Annex To The City Of Madera And Waive The Right To Protest Thereto

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Madera

On February 28, 2018 before me, C. Padilla, Notary Public,  
(here insert name and title of the officer)

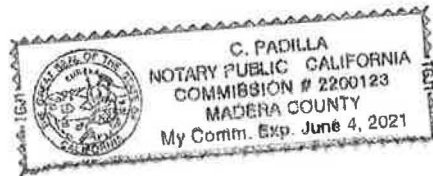
personally appeared Sohan Samran and Mandeep Samran,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

C. Padilla  
Signature

(Seal)





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

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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, Covenantor, hereby represents and warrants that they are the record owner of the real property (the "Subject Property") commonly known as 24341 Avenue 14 (APN 045-090-066), situated in the County of Madera, State of California, and more particularly described as:

PARCEL 2 OF PARCEL MAP NO. 3377, ACCORDING TO THE MAP THEREOF RECORDED JULY 2, 1993 IN BOOK 41 OF MAPS, AT PAGES 57 AND 58, MADERA COUNTY RECORDS.

APN: 045-090-066

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

## **COVENANTS**

NOW, THEREFORE, the Covenantor hereby covenants, promises and agrees with the City of Madera, for the benefit of said City its public property and the Subject Property, as follows:

1. The Covenantor hereby agrees 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, which shall occur no earlier than March 21, 2019.
2. The Covenantor hereby agrees to the annexation of the Subject Property and waives 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 Covenantor, 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 its 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

OWNERS/APPLICANTS

The Sohan and Mandeep Samran Family  
Trust, dated December 13, 2012

ATTEST:

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

Sonia Alvarez, City Clerk

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



Sohan Samran, Trustee

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



Mandeep Samran, Trustee

APPROVAL AS TO FORM:

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

Brent Richardson, City Attorney

NOTARY ACKNOWLEDGEMENT REQUIRED

ACKNOWLEDGMENT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:  
Agreement for Outside City Limits Water Connection For a Fire Hydrant at 24321 Avenue 14

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Madera

On February 28, 2018 before me, C. Padilla, Notary Public,  
(here insert name and title of the officer)

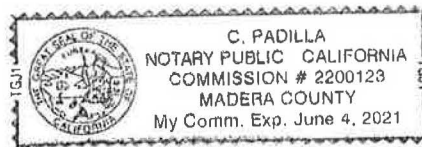
personally appeared Sohan Samran and Mandeep Samran,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.

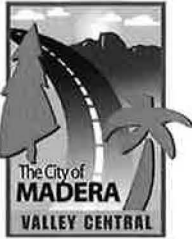
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

C. Padilla  
Signature

(Seal)





## REPORT TO CITY COUNCIL

**Council Meeting of:** March 21, 2018

**Agenda Item No.:** C-1

**Approved by:**

  
\_\_\_\_\_  
Tim Przybyla, Director of Finance

  
\_\_\_\_\_  
Steve Frazier, Interim City Administrator

### **SUBJECT:**

Consideration of a Resolution Approving an Agreement with Raftelis Financial Consultants, Inc. for Consulting Services Related to Updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan and Authorizing the Mayor to Sign the Contract on behalf of the City

And

Consideration of a Resolution Approving Amendments to the City of Madera 2017/2018 Water Fund Budget to Appropriate Funds for Consulting Services Related to Updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan

### **RECOMMENDATION:**

Staff recommends that the City Council of the City of Madera:

- A) Adopt the resolution approving an agreement with Raftelis Financial Consultants, Inc. for consulting services related to updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan and authorizing the Mayor to sign the Contract on behalf of the City.
- B) Adopt the resolution approving Amendments to the City of Madera 2017/2018 Water Fund Budget to Appropriate Funds for Consulting Services Related to Updates to the City of Madera Water Enterprise Revenue Requirements and Financial Plan

**DISCUSSION/BACKGROUND:**

At the January 17, 2018 City Council meeting, the City Council directed staff to utilize the services of Raftelis Financial Consultants, Inc. (Raftelis) to revisit the City's Water Rate Study that was completed in 2016 and update the Water Fund's revenue requirements and financial plan to determine if rates can potentially be reduced to its customers, while meeting the City's overall revenue requirements. Raftelis has provided a proposal with a scope of services that includes an independent review of the City's revenue needs based on Fiscal Year 2017-18 mid-year financials and updating the financial model with the current fiscal year as the base year and forecasting projections for the next 5-10 years.

Staff had held off on this direction from Council with the thought that the results of the compensation study and the consulting services provided by Ron Manfredi could change the projected revenue requirements related to this rates study update. However, as we approach a new fiscal year and begin budget preparations, staff thought that it would be prudent to bring this before Council, to see if it is Council's desire for us to move forward in a manner that would facilitate a timely reduction in water rates for the upcoming fiscal year. Any significant changes in assumptions regarding management compensation or other costs related to the Water Fund that are identified prior to the approval of the City of Madera Fiscal Year 2018/2019 Budget could be factored into the Budget, incorporated into the water rate study update and included in the revised water rates for Fiscal Year 2018/2019.

**FISCAL IMPACT:**

The Raftelis proposal amounts to \$15,240 plus an optional \$3,500 cost to attend a City Council meeting. These expenditures would be paid out of the Contracted Services budget line item of the Water Fund and not impact the City's General Fund.

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

Although approval of this item is not specifically addressed in the Vision or Action Plans, the requested action, resulting in financial gain to the City, will assist in the achieving the Vision Statement of a Well-Planned City.

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS  
INC. TO PERFORM A RATE STUDY UPDATE OF WATER FEES AND  
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**

**WHEREAS**, The City is in need of a study of the costs, revenues and fees related to the operations of Water services; and

**WHEREAS**, The City has determined that it is prudent to obtain professional services from a firm with the unique skills to make such analysis; and

**WHEREAS**, The City has determined that Raftelis Financial Consultants Inc. has unique and appropriate skills and capacities to perform said studies; and

**WHEREAS**, An agreement with Raftelis Financial Consultants Inc. to provide said consulting services has been developed to the satisfaction of both parties; and

**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 Agreement with Raftelis Financial Consultants Inc. to provide a rate study update of the City's Water fees, a copy of which is on file in the office of the City Clerk and referred to for particulars, is hereby approved. The Mayor is authorized to execute the Agreement on behalf of the City.
3. This resolution is effective immediately upon adoption.

\*\*\*\*\*

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE FY 2017/18 ANNUAL BUDGET TO INCREASE EXPENDITURE ALLOCATIONS IN THE WATER FUND BUDGET TO FUND AN UPDATE TO THE STUDY OF WATER FEES.**

**WHEREAS,** The City Council previously adopted a City-wide budget for the 2017/18 fiscal year; and

**WHEREAS,** The City has determined that it is prudent to perform an update to the study of the fees for water services; and

**WHEREAS,** Expenditure accounts will need to be increased within the Water Fund to fund a study update; and

**WHEREAS,** An adequate fund balance is available in said Fund to allow for said increase of appropriations.

**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 budget of the affected Water Fund is hereby amended to include the appropriate changes shown in Exhibit AA to this resolution.
3. A signed copy of this resolution shall be placed on file in the Office of the Director of Finance who shall prepare entries necessary to reflect budget changes identified in the City's accounting system.
4. This resolution is effective immediately upon adoption.

\*\*\*\*\*



## EXHIBIT AA

## CITY OF MADERA

Budget Appropriations: Res. 18- 3/21/2018

To appropriate funding for the Water Rate Study Update

FUND	ORG CODE	OBJECT CODE	DESCRIPTION	(+)	(-)
<u>Water</u>					
	2030	3210	Fund Balance Unappropriated		18,740
	20303800	6440	Contracted Services	18,740	
				<u>\$ 18,740</u>	<u>\$ 18,740</u>

**CITY OF MADERA  
FEE RATE STUDY UPDATE CONSULTING SERVICES AGREEMENT**

THIS AGREEMENT made and entered into the 21st day of March, 2018, by and between the City of Madera, a municipal corporation of the State of California, hereinafter called "City" and Raftelis Financial Consultants, Inc., hereinafter called "Consultant";

**RECITALS:**

A. The City desires to have a updated study prepared to review current water rates and revenue requirements.

B. Consultant is a firm having the necessary experience and qualifications to prepare a fee rate study for the City.

**AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements herein contained, it is agreed by and between the City and the Consultant as follows:

1. Services. The City hereby employs Consultant to prepare a study of user fee rates herein set forth at the compensation and upon the terms and conditions herein expressed, and Consultant hereby agrees to perform such services for said compensation, and upon said terms and conditions. City hereby authorizes Consultant to commence work on March 22, 2018.

2. Obligations, duties and responsibilities of Consultant. It shall be the duty, obligation and responsibility of the Consultant, in a skilled and professional manner, to perform the consulting services in accordance with the Proposal to Update Water Enterprise Revenue Requirements attached hereto and incorporated herein by reference as Exhibit 1.

3. Consultant's fees and compensation: amount, how and when payable. Fees and compensation shall be based on the (Cost Estimate) listed on page 3 of the Consultant's Proposal. The fees are not to exceed the total amount of \$15,240 unless agreed to in writing by both parties.

Billings are to be made directly to the following address:

City of Madera Finance Department  
Attn: Tim Przybyla  
Finance Director  
205 W. 4<sup>th</sup> Street  
Madera, CA 93637

Total compensation for services that are the subject of this Agreement may not exceed the Fee Schedule noted above.

4. Term of agreement. This Agreement shall be effective as of March 22, 2018 and shall terminate on when the project is completed, which is expected to be by the end of April 2018. But, in no event shall the term of the agreement go beyond July 31, 2018.

5. Consultant's agreement to hold harmless and insurance requirements.

5.1 Independent contractor. In the furnishing of the services provided herein, the Consultant is acting as an independent contractor and not as an employee of the City.

5.2 Indemnification and Waivers. Contractor shall indemnify, defend, and hold harmless the City, and its officers, employees, and agents ("City indemnitees"), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the Contractor's performance of its obligations under this agreement or out of the operations conducted by Contractor, including the City's active or passive negligence, except for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from Contractor's performance of this agreement, the Contractor shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims.

5.3. Insurance. During the term of this Agreement, Consultant shall maintain, keep in force and pay all premiums required to maintain and keep in force liability, workers' compensation, medical malpractice and property damage insurance. The limits of such policy shall be as required in Attachment "A" of this Agreement.

6. Attorney's fees/venue. In the event that any action is brought to enforce the terms of this Agreement, the party found by the court to be in default agrees to pay reasonable attorney's fees to the successful party in an amount to be fixed by the Court. The venue for any claim being brought for breach of this Agreement shall be in Madera County.

7. Governing Law. The laws of the State of California shall govern the rights and obligations of the parties under the Agreement, including the interpretation of the Agreement. If any part of the Agreement is adjudged to be invalid or unenforceable, such invalidity shall not affect the full force and effect of the remainder of the Agreement.

8. Termination. This agreement may be terminated by mutual written agreement or it may be terminated by the City upon giving thirty (30) days written notice of intent to terminate the agreement.

Notice of termination shall be mailed to the City:

City of Madera  
Tim Przybyla  
Finance Director  
205 W. Fourth Street  
Madera, CA 93637

To the Consultant: Raftelis Financial Consultants, Inc.  
Sudhir Pardiwala  
201 South Lake Avenue, Suite 301  
Pasadena, CA 91101

In the event of such termination, Consultant shall be paid for work completed to date of termination, and any such work shall become the property of the City and the amount of final fee due and payable by City to Consultant will be subject to negotiation but in no event more than the fees for service pursuant to this Agreement.

9. Assignment. Neither the City nor the Consultant will assign its interest in this Agreement without the written consent of the other.

10. Notices. All notices and communications from the City shall be to Consultant's designated Manager. Verbal communications shall be confirmed in writing. All written notices shall be provided and addressed as indicated in Paragraph 8 hereof.

11. Amendments. Any changes to this Agreement requested by either City or Consultant may only be effected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such a writing.

12. City's Authority. Each individual executing or attesting to this Agreement on behalf of City hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with a duly adopted resolution of the corporation's articles of incorporation or charter and bylaws; (ii) that this Agreement is binding upon such corporation; and (iii) that Contractor is a duly organized and legally existing municipal corporation in good standing in the State of California.

13. Contractor's Legal Authority. Each individual executing or attesting this Agreement on behalf of Consultant hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with such corporation's articles of incorporation or charter and by-laws; (ii) that this Agreement is binding upon such corporation; and (iii) that Consultant is a duly organized and legally existing corporation in good standing in the State of California.

14. Force Majeure. Neither party shall be liable in damages or have the right to terminate this Agreement for any delay or default in performing hereunder if such delay or

default is caused by conditions beyond its control including, but not limited to Acts of God, Government restrictions (including the denial or cancellation of any export or other necessary license), wars, insurrections and/or any other cause beyond the reasonable control of the party whose performance is affected.

14. Sole Agreement. This Agreement and any other attachments and exhibits incorporated herein by reference, represent the entire agreement and understanding between the parties. Any modifications to this Agreement shall be in writing and signed by authorized representatives of the parties. One or more waivers of any term, condition or covenant by either party shall not be construed as a waiver of any other term, condition or covenant.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement at Madera, California, the day and year first above written.

CITY OF MADERA:

CONSULTANT:

RAFTELIS FINANCIAL CONSULTANTS, INC.

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

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

APPROVED AS TO FORM:

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

ATTEST:

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

## ATTACHMENT "A"

### Insurance Requirements for Consultants

Without limiting Consultant's indemnification of City, and prior to commencement of Work, Consultant shall obtain, provide, and continuously maintain at its own expense during the term of the Agreement, and shall require any and all Subcontractors and Subconsultants of every Tier to obtain and maintain, policies of insurance of the type and amounts described below and in form satisfactory to the City.

#### *Minimum Scope and Limits of Insurance*

Consultant shall maintain limits no less than:

- **\$1,000,000 General Liability** (including operations, products and completed operations) per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury and property damage, including without limitation, blanket contractual liability. Coverage shall be at least as broad as Insurance Services Office (ISO) Commercial General Liability coverage form CG 00 01. General liability policies shall be endorsed using ISO form CG 20 10 that the City and its officers, officials, employees and agents shall be additional insureds under such policies.
- **\$1,000,000 Automobile Liability** combined single limit per accident for bodily injury or property damage at least as broad as ISO Form CA 00 01 for all activities of Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles. Automobile Liability policies shall be endorsed to provide that the City and its officers, officials, employees and agents shall be additional insureds under such policies.
- **Worker's Compensation** as required by the State of California and \$1,000,000 **Employer's Liability** per accident for bodily injury or disease. Consultant shall submit to the City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of the City, its officers, agents, employees, and volunteers.
- **\$1,000,000 Professional Liability (Errors & Omissions)** per claim and in the aggregate. Consultant shall maintain professional liability insurance that insures against professional errors and omission that may be made in performing the Services to be rendered in connection with this Agreement. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this Agreement. The cost of such insurance shall be included in Consultant's bid.

#### *Maintenance of Coverage*

Consultant shall procure and maintain, for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by Consultant, its agents, representatives, employees, subcontractors or subconsultants as specified in this Agreement.

#### *Proof of Insurance*

Consultant shall provide to the City certificates of insurance and endorsements, as required, as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by the City prior to commencement of performance. Current evidence of insurance shall be kept on file with the City at all times during the term of this Agreement. Agency reserves the right to require complete, certified copies of all required insurance policies, at any time.

#### *Acceptable Insurers*

All insurance policies shall be issued by an insurance company currently authorized by the Insurance commissioner to transact business of insurance in the State of California, with an

assigned policyholders' Rating of A- (or higher) and a Financial Size Category Class VII (or larger), in accordance with the latest edition of Best's Key Rating Guide.

*Waiver of Subrogation*

All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against the City, its elected or appointed officers, agents, officials, employees, and volunteers, or shall specifically allow Consultant, or others providing insurance evidence in compliance with these specifications, to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against the City and shall require similar written express waivers and insurance clauses from each of its subconsultants or subcontractors.

*Enforcement of Contract Provisions (non estoppel)*

Consultant acknowledges and agrees that any actual or alleged failure on the part of the Agency to inform Consultant of non-compliance with any requirement imposes no additional obligations on the City, nor does it waive any rights hereunder.

*Specifications not Limiting*

Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If Consultant maintains higher limits than the minimums required above, the entity shall be entitled to coverage at the higher limits maintained by Consultant.

*Notice of Cancellation*

Consultant agrees to oblige its insurance agent or broker and insurers to provide to the City with thirty (30) calendar days notice of cancellation (except for nonpayment for which ten (10) calendar days notice is required) or nonrenewal of coverage for each required coverage.

*Self-insured Retentions*

Any self-insured retentions must be declared to and approved by the City. The City reserves the right to require that self-insured retentions be eliminated, lowered or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City's Risk Manager.

*Timely Notice of Claims*

Consultant shall give the City prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

*Additional Insurance*

Consultant shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgement may be necessary for its proper protection and prosecution of the Work.



24840 Jefferson Ave  
Suite 207  
Murrieta, CA 92562

Phone 951.387.4352  
Cell 951.595.9354

www.raftelis.com

March 13, 2018

Mr. Tim Przybyla  
Director of Financial Services  
City of Madera  
205 W. 4<sup>th</sup> Street  
Madera, CA 93637

**Subject: Proposal to Update the Water Enterprise Revenue Requirements**

Dear Mr. Przybyla:

In connection with the Water Rate Study developed and completed by Raftelis Financial Consultants, Inc. for the City of Madera (City) in 2016 and as a follow up to the recent City Council meeting attended by Mr. Isaac, Raftelis is pleased to submit this proposal to assist the City with updates to the Water Enterprise Revenue Requirements and Financial Plan. We believe that our staff's recent work with the City and first-hand knowledge will ensure a value-added project resulting from efficient and successful implementation of forward-looking solutions that will benefit the City's financial stability *and determine if rates can potentially be reduced to its customers, while meeting the City's overall revenue requirements.*

**Scope of Work**

The scope of work described below is based upon our understanding of the City's desire to conduct an independent review of the City's revenue needs and to limit increases to its water rates as much as possible by reviewing Fiscal Year 2017-18 mid-year financials and updating the financial model with the current fiscal year as the base year and forecasting projections for the next 5-10 years.

**TASK 1**

**Data Collection**

We believe that the execution of a productive kick-off conference call with the City is the most effective way to begin the review of revenue requirements. The goals for this meeting include:

- Discuss any changes to the City's operations
- Update Capital Improvement Plan
- Review mid-year financials
- Review overall City water consumption trends in summary by customer class and tier

A successful meeting ensures that project participants agree to the project goals and assignment of responsibilities. Prior to the kick-off conference call, Raftelis will prepare a detailed data request list that will identify the information needed to complete the scope of work.

**Meeting(s)/Conference(s):** One (1) kick-off conference call

**Deliverable(s):** Kick-off call agenda, data request list

**TASK 2:**

**Update Existing Water Model**

Using the existing water model as a starting point, Raftelis will update the water model to project revenue requirements and calculate water rates using updated data obtained in Task 1. This will include a review of total usage compared to what was projected during the year of the study. We do not envision analysing consumption data at the account level as part of this scope and expect a summary report can be provided by the City by each customer class and by each tier.



Fiscal year 2017-2018 will be used as the base year for the update and revenue requirements will be project out five (5) to ten (10) years. A review of the rate component related to conservation costs will also be conducted. This will be done to determine if the conservation component is still necessary to recover \$1M annually or if a lower amount is possible to mitigate existing rates and possible future revenue adjustments. Additionally, the proposed bond issue to fund storage facilities will be incorporated into the update, including any recommended adjustments to the amount of the proposed bond based on current cash on hand, updated capital costs, and projected revenues.

Given Mr. Isaac's experience creating the City's current water model, we are very familiar with the specific nuances of the City's water system and will be able to easily incorporate any additional changes to the model to meet the City's specific needs. During the course of the project, City staff will be provided with working copies of the financial plan model update so that they can provide input into the final results.

**Meeting(s)/Conference(s):** Two (2) GoToMeeting conference calls, if necessary, with City Staff  
**Deliverable(s):** Updated Water Model

### **TASK 3:**

#### **Results and Executive Summary**

Raftel is will incorporate any comments from City staff into the rate model and prepare a one page executive summary that details updates to the revenue requirements, results of the review, and the effect to the City's water rates. City staff will be provided copies of the draft executive summary and the updates to the rate model.

**Meeting(s)/Conference(s):** Optional - One (1) meeting with City Council

**Deliverable(s):** Draft Executive Summary and Final Executive Summary

#### **Project Schedule**

*Raftel anticipates the start the update to take place in March and to be completed by end of April, with the understanding that the data needed for the study will be readily available.*

### Cost Estimate

Raftelis proposes to complete the scope of services for a **Not-to-Exceed amount of \$15,240**, as shown in the following table. The fees are based on the Scope of Work included in this proposal. Also included, is a cost per meeting for the City's consideration if Mr. Isaac's attendance at a future City Council meeting is desired to present results.

The following table details the hours and billing rates for each consultant to each task of the scope of work.

Task	Task Descriptions				
		PM	SC	Total	Total Fees & Expenses
	HOURLY RATES	\$260	\$180		Total
1	Data Collection and Review	2	6	8	\$1,600
2	Update Existing Water Model	12	32	44	\$8,880
3	Results & Executive Summary	10	12	22	\$4,760
TOTAL ESTIMATED MEETINGS / HOURS		24	50	74	
PROFESSIONAL FEES		\$6,240	\$9,000	\$15,240	
		Total Fees			\$15,240
		Total Expenses			\$0
		TOTAL FEES & EXPENSES			\$15,240
Optional Meeting with City Council					\$3,500

PM - Project Manager (Habib Isaac)  
SC - Staff Consultants

We appreciate the opportunity to be of assistance on this engagement. Please do not hesitate to contact Habib Isaac at (951) 595-9354 if you have any questions.

Sincerely,  
**RAFTELIS FINANCIAL CONSULTANTS, INC.**



**Habib Isaac**  
Senior Manager

# REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF:  
March 21, 2018

AGENDA ITEM NUMBER:  
C-2

Approved By:

  
PLANNING MANAGER

  
CITY ADMINISTRATOR

**SUBJECT:** Second reading and consideration of adoption of an Ordinance adding Title X, Chapter 2, Sections 1300 et seq. to the Madera Municipal Code pertaining to acquisition of park lands as provided by the Quimby Act and adoption of a Resolution providing for the determination of the Fair Market Value per buildable acre consistent with Section 10-2.1307(A).

## RECOMMENDATION:

Staff and the Planning Commission recommend City Council adoption of the ordinance.

## ANALYSIS

Since the passage of the Quimby Act in 1975, cities and counties have been authorized to pass ordinances requiring that developers set aside land or pay fees for park land acquisition. Revenues generated through the Quimby Act cannot be used for the operation, maintenance and/or development of park facilities. Instead, the act provides a consistent means of providing land acquisition for park development. The City though has never adopted a Quimby Act ordinance.

The ordinance requires new residential development projects, including mixed-use projects with residential components, to dedicate land and/or pay in-lieu fees to contribute to the acquisition of lands for parks and recreation facilities. The determination of which method is appropriate (land dedication and/or payment of in-lieu fees) is made at the City's sole discretion. Formulas which determine the amount of land to be dedicated and/or the amount of in-lieu fee to be paid are included in the ordinance, as is a methodology to update those formulas periodically. Consistent with the proposed ordinance, a resolution establishing a Fair Market Value of \$50,000 per buildable acre is included for adoption.

Completion of the adoption process will result in conformance with General Plan Action Item PR-10.1, which directs staff to evaluate and implement a Parkland Dedication Ordinance consistent with the Quimby Act. Per the General Plan's Parks and Recreation element Policy PR-1, the proposed ordinance uses the minimum ratio of three acres of park land per thousand residents as a goal.

The ordinance was considered by the Planning Commission at its February 13, 2018 meeting. The City Council introduced the ordinance at its March 7, 2018 meeting. The second reading and adoption of the ordinance and supporting resolution would complete the ordinance amendment process. The ordinance has been amended consistent with the direction City Council provided during introduction on March 7, 2018.

**FISCAL IMPACT:**

The costs associated with parkland acquisition have historically been included within the parks development impact fee. The proposed ordinance would essentially separate parkland acquisition costs from the cost of parkland development. The fiscal impact of the ordinance should be minimal.

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

The ordinance amendment will further the core vision statements which "recognizes the need for Madera's parks and open spaces to be convenient and well-maintained [which] reflects the community's desire to create a caring environment in which to raise a family."

**ATTACHED:**

Ordinance  
Resolution

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADDING SECTION 1300 TO CHAPTER 2 OF TITLE X OF THE MADERA MUNICIPAL CODE IN ORDER TO ESTABLISH A METHOD FOR COORDINATED ACQUISITION AND DEVELOPMENT OF CITY PARK FACILITIES.

THE CITY COUNCIL OF THE CITY OF MADERA DOES ORDAIN AS FOLLOWS:

**SECTION 1.** The Planning Commission of the City of Madera and this City Council have held public hearings and have determined that the proposed ordinance amendment is consistent with the General Plan.

**SECTION 2.** The Planning Commission and this City Council have determined the ordinance amendment to be consistent with the purpose and intent of Chapter 2 of Title X of the Madera Municipal Code.

**SECTION 3.** The Planning Commission and this City Council have determined the ordinance amendment is exempt under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this ordinance is not a project under the requirements of the California Environmental Quality Act (CEQA), in that it involves the creation of a governmental funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

**SECTION 4.** Sections 1300 et seq. of Chapter 2 of Title X, Acquisition of Land and/or Payment of Fees for City Park Facilities, is hereby added as follows:

***[ACQUISITION OF LAND AND/OR PAYMENT OF FEES FOR CITY PARK FACILITIES***

**§10-2.1300 PURPOSE.**

(A) The purpose of this chapter is to establish the procedures for requiring the dedication of land, the payment of fees in-lieu thereof (or a combination of both) to serve new subdivisions in accordance with the requirements of the City's General Plan and in compliance with the requirements of California Government Code section 66477 (the "Quimby Act"). This chapter is enacted pursuant to the authority granted by the Quimby Act. The Quimby Act specifically authorizes the City to require dedication of parkland or the payment of fees in-lieu of such dedication in set amounts to meet the needs of the citizens of the community for parkland and to further the health, safety and general welfare of the community.

**§10-2.1301 DEFINITIONS**

(A) Except where the context otherwise requires, the definitions given in this section govern the construction of this article. If any of the definitions in this section conflict with definitions in other chapters of the Municipal Code, these definitions shall prevail for the purpose of interpreting and enforcing this section. If a term is not defined in this section, or other sections of the Municipal Code, the most common dictionary definition is assumed to be correct.

(B) The following definitions are listed in alphabetical order.

**DEVELOPER.** Every person, firm, or corporation constructing a new dwelling unit, directly or through the services of any employee, agent, independent contractor, or otherwise.

**FAIR MARKET VALUE.** The price, based on what a knowledgeable, willing, and unpressured buyer would logically pay to a knowledgeable, willing, and unpressured seller in the market. The fair market value of a buildable acre of land shall be determined from time to time, as directed by the City Council.

**NEW DWELLING UNIT.** Any structure of permanent character, placed in a permanent location, which is planned, designed or used for residential occupancy, including, but not limited to, one-family, two (2) family, and multifamily dwellings, apartment houses and complexes and mobile home spaces, but not including hotels, motels, and boarding houses for transient guests.

**SUBDIVISION.** Any type of construction, land division or improvement of land which provides for dwelling units identified under the provisions of Section 66424 of the California Government Code. "Subdivision" shall also include any increase in the number of mobile home spaces.

#### **§10-2.1302 APPLICABILITY.**

At the time of approval of the tentative map, parcel map, or final map, or upon issuance of a building permit, the Community Development Director, or his/her assignee, shall determine pursuant to Section 10-2.1304 hereof the land required for dedication and/or determine pursuant to Section 10-2.1306 the payment of a fee in lieu of dedication of land. As a condition of approval of a final subdivision map or parcel map, or upon issuance of a building permit, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the City, for neighborhood and community park or recreational purposes at the time and according to the standards and formula contained in this chapter.

#### **§10-2.1303 PARK ACREAGE STANDARD.**

It is hereby found and determined that the public interest, convenience, health, welfare, and safety require that a minimum of three (3) acres of property for each one thousand (1,000) persons residing within this City be devoted to local parks and recreational purposes. Said three (3) acres are justified by the existing ratio of 2.202\* acres of parks per one thousand (1,000) residents in the City, and the current maximum utilization of said acreage by the residents of Madera.

\* 66,082 residents / 145.52 acres of parks = 454.109 residents per acre.

1000 residents / 454.109 residents per acre = 2.202 acres per thousand residents.

#### **§10-2.1304 FORMULA FOR THE DEDICATION OF LAND.**

(A) The formula for determining the minimum acreage to be dedicated is based on a standard of three acres of park area per one thousand members of the population, and shall be as follows:

Average number of persons per unit / 1000 population X 3 acres of parkland X number of units in subdivision/development = land to be dedicated per unit.

Development Type	Population Per Dwelling Unit
Residential – Single Family	3.85
Residential – Multi-family	3.50
Residential – Mobile Home	1.70

Example: for a subdivision of 120 units:  $3.85 / 1000 \times 3 = 0.01155 \times 120 = 1.386$  acres to be dedicated (at a minimum).



(B) For the purpose of this section, the number of new dwelling units shall be based upon the number of parcels indicated on the tentative or parcel map when in an area zoned for one dwelling unit per parcel. When all or part of the subdivision is located in an area zoned for more than one dwelling unit per parcel, the number of proposed dwelling units in the area so zoned shall equal the maximum allowed under that zone, including any applicable density increases. In the case of a condominium project, the number of dwelling units shall be the number of condominium units. The term "new dwelling unit" does not include dwelling units lawfully in place prior to the date on which the parcel or final map is filed.

(C) Nothing in this section shall prohibit the dedication and acceptance of land for park and recreation purposes where the developer proposes such dedication voluntarily and the land is approved by the Community Development Director.

(D) Dedication of the land shall be made in accordance with the procedures contained in Section 10-2.1311 hereof.

#### **§10-2.1305 STANDARDS FOR THE DEDICATION OF LAND.**

(A) The developer shall, without credit:

- (1) Provide full street improvements and utility connections including, but not limited to, curbs, gutter, street paving, traffic control devices, street trees, and sidewalks to land which is dedicated pursuant to this section;
- (2) Provide for fencing along the property line of that portion of the subdivision contiguous to the dedicated land;
- (3) Provide improved drainage through the site; and
- (4) Provide other minimal improvements which the City determines to be essential to the acceptance of the land for recreational purposes.

(B) The land to be dedicated and the improvements to be made pursuant to this section shall be reviewed at the tentative map stage in accordance with the criteria set forth in Section 10-2.1309 and approved by the Community Development Director.

(C) Use of money. The money collected hereunder shall be used only for the purpose of acquiring necessary land and developing new or rehabilitating existing park or recreational facilities reasonably related to serving the subdivision.

#### **§10-2.1306 AMOUNT OF FEES IN LIEU OF LAND DEDICATION.**

(A) When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value determined by the City Council per Section 10-2.1307. The fee shall be determined by the following formula where:

DUs	=	number of new dwelling units as defined in Section 10-2.1304
Pop DU	=	population per dwelling unit as defined in Section 10-2.1304
FMV	=	fair market value determined by Section 10-2.1307
Buildable acre	=	a typical acre of the subdivision, with a slope less than ten (10%) percent, and located in other than an area on which building is excluded because of flooding, easements, or other restrictions

$$\text{DUs} \quad \times \quad \text{Pop DU} \quad \times \quad \frac{3 \text{ acres}}{1,000 \text{ people}} \quad \times \quad \frac{\text{FMV}}{\text{buildable acre}} \quad = \quad \text{in-lieu fee}$$

Example:  $1 \text{ DU} \times 3.85 \text{ Pop per DU} \times 3 \text{ acres} / 1000 = 0.01155 \times \$50,000 \text{ FMV per acre} = \$577.50 \text{ in-lieu fee}$ . The \$50,000 fair market value is used for example purposes only. The actual fair market value shall be determined by the City Council, consistent with Section 10-2.1307.

(B) Fees to be collected pursuant to this section shall be reviewed by the Community Development Director to ascertain if they comply with the formula set forth above. If compliance is found, then the fees shall be approved by the Community Development Director.

#### **§10-2.1307 DETERMINATIONS OF FAIR MARKET VALUE.**

(A) The fair market value per buildable acre shall be determined by resolution adopted by the City Council.

(B) The fair market value per buildable acre shall be updated from time to time as directed by the City Council.

(C) If the developer objects to the fair market value, the City, at the developer's expense, shall obtain an appraisal of the property by a qualified independent real estate appraiser, agreed to by the City and the developer, and the value established by said appraiser using standard recognized appraisal techniques to establish fair market value will be accepted as the fair market value of the land in the proposed development.

#### **§10-2.1308 PARK DEVELOPMENT IMPACT FEES.**

(A) A fee shall be paid for park development by the developer of each new dwelling unit irrespective of whether the developer is required to dedicate land as set forth in Section 10-2.1304 and/or pay fees in lieu of land dedication as set forth in Section 10-2.1306.

(B) The park development impact fee shall be established at the rate set forth by a resolution of the City Council.

#### **§10-2.1309 DETERMINATIONS OF LAND OR FEES.**

(A) Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less, except that when a condominium project, stock cooperative, or community apartment project, as those terms are defined in Section 1351 of the Civil Code, exceeds fifty (50) dwelling units, dedication of land may be required, notwithstanding that the number of parcels may be less than fifty (50).

(B) Whether the City accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

- (1) The General Plan and Parks Master Plan of the City of Madera.
- (2) The natural features, access, and location of land in the subdivision available for dedication;
- (3) The size and shape of the subdivision and land available for dedication;
- (4) The feasibility of dedication;
- (5) The compatibility of dedication with the Parks and Recreation Element of the General Plan; and,
- (6) The location of existing and proposed park sites and trailways.

#### **§10-2.1310 CREDIT FOR PRIVATE OPEN SPACE.**

(A) No credit shall be given for private open space in the subdivision except as hereinafter provided. Where private open space usable for active recreational purposes is provided in a proposed planned development or real estate development as defined in Section 4175 or 6562 of the Civil Code, partial



credit, not to exceed forty-five (45%) percent, shall be given against the requirement of and dedication or payment of fees in lieu thereof if the City finds that it is in the public interest to do so and that all the following standards are met:

- (1) Yards, court areas, setbacks, and other open areas required by the zoning and building ordinances and regulations shall not be included in the computation of such private open space; and
- (2) Private park and recreational facilities shall be owned by an owners' association composed of all property owners in the subdivision and being an incorporated nonprofit organization capable of dissolution only by a one hundred (100%) percent affirmative vote of the membership and approved by the City, operated under recorded land agreements through which each lot owner in the neighborhood is automatically a member, and each lot is subject to a charge for a proportionate share of expenses for maintaining the facilities; and
- (3) Use of the private open space is restricted for park and recreation purposes by recorded covenant which runs with the land in favor of the future owners of the property and which cannot be defeated or eliminated without the consent of the City or its successor; and
- (4) The proposed private open space is reasonably adaptable for use for park and recreation purposes, taking into consideration such factors as size, shape, topography, geology, access, and location; and
- (5) The open space for which credit is given is a minimum of three (3) acres and provides a minimum of five (5) of the local park basic elements listed as follows, or a combination of such, and other recreation improvements that will meet the specific recreation needs of future residents of the area:

Elements	Acres
1. Children's play apparatus area	.50 to .75
2. Landscape park-like with quiet areas	.50 to 1.00
3. Family picnic area	.25 to .75
4. Game court area	.25 to .50
5. Turf playfield	1.00 to 3.00
6. Swimming pool (forty-two (42') feet by seventy-five (75') feet with adjacent deck and lawn areas)	.25 to .50
7. Recreation center building	.15 to .25

(B) Before credit is given, the Community Development Director shall make written findings that the above standards are met.

#### **§10-2.1311 PROCEDURE.**

(A) In advance of application for tentative map or parcel map, rezoning, or any other discretionary approval of residential development, the developer shall contact the Community Development Director to determine whether a park land dedication, a payment of in-lieu fee, or both will be applicable to the proposed residential development.

(B) At the time of approval of the tentative map or parcel map, rezoning, or any other discretionary approval of residential development, the Community Development Director shall determine, pursuant to Section 10-2.1304 hereof, the land required for dedication. At the time of filing of final map, the subdivider shall dedicate the land, unless in-lieu fees are solely being required.

(C) If the Community Development Director requires in-lieu fee payment by the developer, the Community Development Director shall set the amount of land upon which the in-lieu fee will be based. In-lieu fees shall be established using current land values at the time of filing of final map with the

formula set forth in Section 10-2.1306. In-lieu fees, if required, shall be paid at time of building permit. Park development impact fees shall be paid at time of building permit.

(D) Open space covenants for private park or recreation facilities shall be submitted to the City prior to approval of the final subdivision map or parcel map and shall be recorded contemporaneously with the final subdivision map.

(E) The land to be dedicated and/or in-lieu and park development fees to be paid, shall be subject to the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council and in effect at the time of the final map review and approval.

#### **§10-2.1312 DISPOSITION OF FEES.**

(A) Fees pursuant to Sections 10-2.1306 and 10-2.1308 shall be paid to the City and shall be deposited into the subdivision park trust fund, or its successor. Money in said fund, including accrued interest, shall be expended solely for acquisition, development, or rehabilitation of park land or improvements related thereto.

(B) Collected fees shall be appropriated by the City to which the land or fees are conveyed or paid for a specific project to serve residents of the subdivision in a budgetary year within five (5) years upon receipt of payments or within five (5) years after the issuance of building permits on one-half (1/2) of the lots created by the subdivision, whichever occurs later.

(C) If such fees are not so committed, these fees shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots in the subdivision.

(D) The City Director of Financial Services shall report to the City at least annually on income, expenditures, and status of the subdivision park trust fund.

#### **§10-2.1313 EXEMPTIONS.**

(A) Subdivisions containing less than five (5) parcels and not used for residential purposes shall be exempted from the requirements of this article; provided, however, that a condition shall be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels, the fee may be required to be paid by the owner of each such parcel as condition to the issuance of such permit.

(B) The provisions of this article do not apply to commercial or industrial subdivisions; nor do they apply to condominium projects or stock cooperatives which consist of the subdivision of air space in an existing apartment building which is more than five (5) years old when no new dwelling units are added.

#### **§10-2.1314 DEVELOPER-PROVIDED PARK AND RECREATION IMPROVEMENTS.**

After the Planning Commission or Community Development Director determines that land is required for dedication and/or in-lieu fee payment by the developers, the developer may apply to the Engineering Department for permission to construct specified park and recreation improvements on the land of said developer required for dedication or on other land within the same service area to be developed as a park. If the Engineering Department grants the developer permission for construction of specified parks and recreation improvements on said land, said Department shall fix the dollar value of the parks and recreation improvements prior to construction. The agreed dollar value of park and recreation improvements provided by the developer may be credited against the fees, if any, required by this section, provided the improvements are constructed per the approved plans by the Engineering Department.

#### **§10-2.1315 SCHEDULE FOR THE USE OF LAND OR FEES.**

The Parks and Community Services Department shall develop a schedule specifying how, when, and where it will use the land or fees, or both, to develop park or recreational facilities to serve residents of the subdivision.

#### **§10-2.1316 ACCESS.**

All land offered for dedication for local park or recreational purposes shall have access to at least one existing or proposed public street. This requirement may be waived by the City if the City determines that public street access is unnecessary for maintenance of the park area or use thereof by residents.

#### **§10-2.1317 SALE OF DEDICATED LAND.**

If during the ensuing time between dedication of land for park purposes and commencements of first-stage development, circumstances arise which indicate that another site would be more suitable for local park or recreational purposes serving the subdivision and the neighborhood (such as receipt of a gift of additional park land or a change in school location), the land may be sold upon the approval of the City with the resultant funds being used for the purchase of a more suitable site.]

SECTION 5. 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 6. This Ordinance shall be effective and of full force and effect at 12:01 am on the sixtieth (60<sup>th</sup>) day after its passage.

\* \* \* \* \*

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MADERA DETERMINING THE FAIR MARKET VALUE OF A  
BUILDABLE ACRE, AS REQUIRED WITHIN CHAPTER  
10-2.1307(A) OF THE MADERA MUNICIPAL CODE.**

WHEREAS, the City of Madera has adopted the mandatory elements of the General Plan, as required by the State of California; and

WHEREAS, the City has adopted subdivision regulations to supplement and implement the Subdivision Map Act; and

WHEREAS, the City adopted an ordinance adding Sections 10-2.1300 et seq. to the Madera Municipal Code on March 21, 2018 in order to establish a method for the coordinated acquisition of City park facilities; and

WHEREAS, Section 10-2.1307(A) of the adopted ordinance requires that the Fair Market Value of a buildable acre be determined by Resolution of the City Council; and

WHEREAS, utilizing data analysis and consultation with industry experts, including real estate and land use professionals, the City has identified the Fair Market Value as being \$50,000 per buildable acre.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.
2. The determination of Fair Market Value is exempt under Title 14 of the California Code of Regulations, Section 15378(b)(4), since the adoption of Chapter 10-2.1300 et. seq. is not a project under the requirements of the California Environmental Quality Act (CEQA).
3. The City Council of the City of Madera hereby determines the Fair Market Value of a buildable acre for purposes of Sections 10-2.1300 et seq. of the Madera Municipal Code as being \$50,000.
4. This resolution is effective immediately upon adoption.

\* \* \* \* \*



Agenda: 03/21/18

Item: D-1

[Return to Agenda](#)

March 13, 2018

Mr. Steve Frazier  
City of Madera  
205 West 4<sup>th</sup> Street  
Madera, CA 93637

Dear Mr. Frazier,

The Madera County Arts Council would like to be on the agenda for the March 21<sup>st</sup> City Council meeting to discuss the possibility of sharing space with the City in the Redevelopment Building on Yosemite and A Streets.

The Madera County Arts Council is a 501c3 community benefit organization formed in 1982 as a State/Local Partnership to promote the arts. Our continued funding from the state is predicated on our receiving local government support. Even so, we would be willing to pay rent to the City.

The Redevelopment building is currently the nicest looking building in downtown. The vast majority of our citizens have never seen the inside of it and cannot call it to mind when asked. This is a perfect opportunity to change the perception that there is nothing of value downtown. We will bring people and events to downtown on a regular basis, with art classes for children and adults, paint nights, art show openings 6 times per year and special events like this Friday's Theater Night which draws over 100 people to our small space. Our Celebrate Agriculture with the Arts is about to celebrate our 25<sup>th</sup> year, the longest running art competition of its kind in California. We regularly draw over 150 people for the awards ceremony. I envision expanding that downtown-wide by bringing in a farmer's market, tractor dealerships, folkloric dancers, indigenous craft people, etc., spread throughout downtown.

This is a once-in-a-lifetime opportunity to revitalize downtown on the heels of the plan to be unveiled by Halajian and Associates architectural firm. Our current lease expires on May 1<sup>st</sup>, so time is crucial. Waiting to raise funds to restore the old library will do nothing to revitalize downtown and will deprive our citizens of the art classes we don't have space to give.

Modesto City Hall houses their arts council and gallery to the benefit of both parties. I hope Madera will do the same.

Very truly yours,

Rochelle Minneti Noblett

**Rochelle Noblett . Executive Director**

1653 North Schnoor . Suite 113 . Madera . CA . 93637

P 559.661.7005 . F 559.661.7901 . [www.maderaarts.org](http://www.maderaarts.org) . [rnoblett@maderaarts.org](mailto:rnoblett@maderaarts.org)

## **MEMO**

**[Return to Agenda](#)**

DATE: March 21, 2018

TO: Madera City Council

FROM: Bobby Kahn, Executive Director  
Madera County Economic Development Commission

RE: Madera County Economic Development Commission  
2018/19 Annual Basic Service Level Budget

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### **I. RECOMMENDATION**

The Madera County Economic Development Commission (MCEDC) recommends the Madera City Council (Council) adopt a minute order approving the 2018/19 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 2018/19 Basic Service Level Budget has a .08% increase over the 2017/18 budget, which reflects slight population growth. 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 42.23 % of the County. This equates to \$175,129.32 for the 2018/2019 fiscal year. This is an increase of \$1,503.70 over the 2017/2018 Basic Service Level budget.

### **IV. FISCAL IMPACT**

This request will have an impact to the General fund in the amount of \$175,129.32  
MCEDC invoices the City on a quarterly basis.



## 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
49.89%	42.23%	7.88%	100%

### Business Assistance/Office Manager

						CDBG
Salary	\$56,396.00	\$23,915.57	\$20,243.63	\$3,777.40	\$47,936.60	\$8,459.40
Retirement	\$4,229.70	\$1,793.67	\$1,518.27	\$283.31	\$3,595.25	\$634.45
Employer Taxes	\$4,314.29	\$1,829.54	\$1,548.63	\$288.97	\$3,667.14	\$647.15
Workers Comp.	\$704.25	\$298.65	\$252.79	\$47.17	\$598.61	\$105.64
Medical	\$17,887.05	\$7,585.27	\$6,420.65	\$1,198.07	\$15,203.99	\$2,683.06
Dental	\$931.52	\$395.03	\$334.37	\$62.39	\$791.79	\$139.73
Vision	\$116.28	\$49.31	\$41.74	\$7.79	\$98.84	\$17.44
Life/LTD	\$255.00	\$108.14	\$91.53	\$17.08	\$216.75	\$38.25
					\$72,108.97	\$12,725.12

### Business Development/Mkting Manager

Salary	\$51,050.00	\$25,468.85	\$21,558.41	\$4,022.74	\$51,050.00
Retirement	\$3,828.75	\$1,910.16	\$1,616.88	\$301.71	\$3,828.75
Employer Taxes	\$3,905.33	\$1,948.37	\$1,649.22	\$307.74	\$3,905.33
Workers Comp	\$637.50	\$318.04	\$269.22	\$50.24	\$637.50
Medical	\$25,217.52	\$12,581.02	\$10,649.36	\$1,987.14	\$25,217.52
Dental	\$1,432.99	\$714.92	\$605.15	\$112.92	\$1,432.99
Vision	\$184.32	\$91.96	\$77.84	\$14.52	\$184.32
Life/LTD	\$235.56	\$117.52	\$99.48	\$18.56	\$235.56
					\$86,491.97

### Executive Director

						CDBG
Salary	\$113,320.00	\$55,970.00	\$47,376.49	\$8,840.31	\$112,186.80	\$1,133.20
Retirement	\$16,998.00	\$8,395.50	\$7,106.47	\$1,326.05	\$16,828.02	\$169.98
Employer Taxes	\$8,668.98	\$4,281.70	\$3,624.30	\$676.29	\$8,582.29	\$86.69
Workers Comp	\$4,736.77	\$2,339.54	\$1,980.34	\$369.52	\$4,689.40	\$47.37
Medical	\$9,723.12	\$4,802.36	\$4,065.01	\$758.52	\$9,625.89	\$97.23
Dental	\$545.42	\$269.39	\$228.03	\$42.55	\$539.97	\$5.45
Vision	\$74.88	\$36.98	\$31.31	\$5.84	\$74.13	\$0.75
Life/LTD	\$487.00	\$240.53	\$203.60	\$38.00	\$482.13	\$4.87
					\$153,008.63	\$1,545.54

\$325,880.23	\$155,462.02	\$131,592.72	\$24,554.83	\$311,609.57
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# EDC Projected Expenses

County	City	City	TOTAL
of Madera	of Madera	of Chowchilla	

## Staff Salaries/Other Compensation Staff Benefits/Taxes

Subtotal

105,354.41	89,178.53	16,640.46	211,173.40
50,107.61	42,414.19	7,914.37	100,436.17
155,462.02	131,592.72	24,554.83	311,609.57

## Operating Expenses % to be applied

Audit	4,000	49.89%	42.23%	7.88%	100%
Auto Expense/Travel	3,000	1,995.60	1,689.20	315.20	4,000
Conference/Training	2,500	1,496.70	1,266.90	236.40	3,000
Staff Expense	2,000	1,247.25	1,055.75	197.00	2,500
Insurance/Surety Bonds	2,000	997.80	844.60	157.60	2,000
Office Supplies	1,000	498.90	422.30	78.80	1,000
Office Rent	1,000	498.90	422.30	78.80	1,000
Organizational Dues	31,000	15,465.90	13,091.30	2,442.80	31,000
Postage	1,500	748.35	633.45	118.20	1,500
Newsletter	1,000	498.90	422.30	78.80	1,000
Printing	2,394	1,194.37	1,010.99	188.65	2,394
Publications/Directories	1,000	498.90	422.30	78.80	1,000
Repairs/Maintenance	500	249.45	211.15	39.40	500
Telephone	2,500	1,247.25	1,055.75	197.00	2,500
Utilities	3,000	1,496.70	1,266.90	236.40	3,000
Commission Expense	3,500	1,746.15	1,478.05	275.80	3,500
Equipment Rental	200	99.78	84.46	15.76	200
Marketing	3,000	1,496.70	1,266.90	236.40	3,000
	40,000	19,956.00	16,892.00	3,152.00	40,000
	103,094.00	51,433.60	43,536.60	8,123.81	103,094

TOTAL Fiscal Year 18/19

206,895.61	175,129.32	32,678.64	414,703.57
County of Madera	City of Madera	City of Chowchilla	



## Report to City Council



**Council Meeting of March 21, 2018**

**Agenda Item Number** E-2

**Approved by:**

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

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

### **Review and Direction Regarding Responses Received for RFP No.: 201718-09 for Executive Recruitment Services for City of Madera City Administrator**

#### **RECOMMENDATION**

Staff requests Council review the proposals received from three respondents to the City's Request for Proposals (RFP) for consultants to provide executive recruiting services for the recruitment and selection of Madera's next City Administrator. Staff further requests that Council provide direction on next steps.

#### **HISTORY**

Following the retirement of former City Administrator David Tooley, Council requested staff issue an RFP for executive recruiting services to find the next City Administrator for the City of Madera. Council reviewed and approved the draft RFP for these services at its February 7, 2018 meeting. The RFP was published by the City's Purchasing Division for 30 days consistent with City policy. Notification of the RFP was published in the Madera Tribune, on the City's website, and through direct notification to sixteen (16) known consultants. The City received three responses to the RFP.

#### **SITUATION**

The members of the City Council have been asked to each review the proposals and rank the proposals based on their evaluation of the submittal. The rankings will be tallied at the City Council meeting on March 21, 2018 and will be the basis for discussion on whether to consider awarding an agreement. Council has the option to direct staff to bring back an item at its next meeting to award an agreement to the consultant of choice; Council may also choose to reject the bids. Should Council reject the bids, it is requested that Council provide direction on its expectations for next steps.

The bids received consisted of the following responses as summarized. The full proposals are included with this report along with a copy of the complete RFP that was published.

- Springsted | Waters
  - Based in Addison, Texas
  - Proposed timeline: approximately 15 weeks
  - Proposed cost
    - Base cost \$24,500
    - \$1,650 for web-based survey of key community issues
    - \$220/hour for any additional services
  - Of note:
    - Candidate profile to be prepared based on discussions with Council and designated staff; community web-based survey is not included in base cost.
    - Candidates will be screened through online interviews and written answers to a supplemental questionnaire.
    - Scope of Work in published RFP included candidates participating in interviews with three panels prior to being recommended to the City Council: a professional panel, a citizen's panel, and a panel consisting of City staff from throughout the organization. The proposal does not include this step.
    - Consultant indicates they cannot accept the City's standard indemnity language in the proposed agreement.
- Koff & Associates
  - Based in Berkley, CA
  - Proposed timeline: 14 weeks
  - Proposed cost: \$23,000
  - Of note:
    - Candidate profile to be prepared based on discussions with Council, other City representatives, other leaders associated with the City and may include a town hall meeting at Council's direction.
    - Candidates will be initially screened by the consultant through a telephone interview and may be interviewed in person. Recommended candidates will interview with City panels, facilitated by consultant. Consultant will coordinate final interviews after background checks.
- Bob Murray & Associates
  - Based in Roseville, CA
  - Proposed timeline: 16 weeks
  - Proposed cost:
    - Base cost \$24,500
    - Community/Staff Input Forums \$1,500/day plus travel
    - Online survey with analysis of results \$250
    - Additional on-site meetings \$1,500/day plus travel
    - Additional background checks \$250/candidate
    - Additional reference checks \$500/candidate

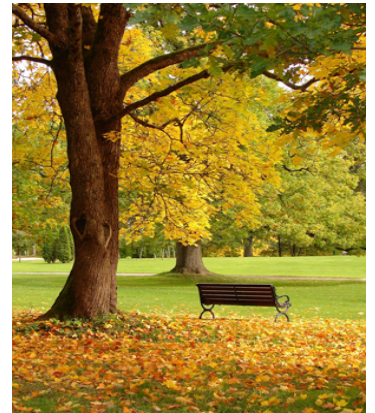
- Other services \$250/hour or \$1,500/day
- Of note...
  - Candidate profile to be prepared by meeting with Council and key stakeholders identified by City. Community and/or staff input to the candidate profile is an optional service at an additional fee.
  - Consultant will screen applicants and personally interview (via teleconferencing) the top 10-15 applicants.
  - Consultant will facilitate interview panels with finalist candidates, with specific interview panels to be defined by Council.

#### **FISCAL IMPACT**

If Council gives direction to award an agreement for services, the fiscal impact will be determined by the specific consultant proposal and the proposed agreement and a budget amendment will be brought to the next Council meeting.

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

Professional recruitment services are not addressed in the Vision Madera 2025 Plan, nor is the suggested action in conflict with the Plan.



## Proposal

City of Madera, CA

Proposal to Provide Executive Recruitment Services, RFP No. 201718-09

March 12, 2018

**Springsted | Waters**  
14285 Midway Road, Suite 340  
Addison, Texas 75001

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Chuck Rohre, Senior Vice President  
[crohre@springsted.com](mailto:crohre@springsted.com)  
(214) 608-7477

**Remittance Address**  
380 Jackson Street, Suite 300  
Saint Paul, Minnesota 55101-2887

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## Transmittal Letter

March 12, 2018

Ms. Rosa Hernandez  
Interim Procurement Services Manager  
City of Madera Purchasing-Central Supply  
1030 South Gateway Drive  
Madera, California 93637

Re: **Request for Proposal to Provide Executive Recruitment Services**

Dear Ms. Hernandez,

I appreciate the opportunity to submit our proposal for executive recruitment services for the City of Madera's next City Administrator. Our extensive experience in providing executive recruitment services to cities, counties and other public-sector organizations nationwide will be beneficial for this recruitment and allow us to find the ideal candidate for the City of Madera.

We know that you have options for using other recruitment firms. However, we believe that our approach sets us apart from our competitors in the following unique ways:

- If selected as an option, our web-based survey can be used to determine the key community-wide issues and priorities that are essential considerations for the City and the selection committee to consider. This survey is completed by the City's employees, community leaders and citizens and would alter the estimated duration of the project timeline. The results of the survey will provide the City Council with important feedback for development of the profile for the ideal candidate;
- Management/Leadership Style Assessment Analysis completed by the candidates to determine if a candidate's management style matches the approved management/leadership style profile for the ideal candidate;
- Video candidate interviews through a proprietary system will be made available to the City Council to assist in the selection process; and
- Utilization of a proprietary online application system exclusively licensed to Springsted | Waters (S|W) to facilitate talent management. The system has been designed by S|W to customize applicant flow and tracking. It allows ease of communication with applicants and the ability to

City of Madera, CA  
March 12, 2018  
Page 2

conduct database inquiries for candidates based on characteristics important to the City such as geographic location and specific experience, expertise and qualifications.

The proposal document will provide you the details about our approach, expertise, client references and pricing for this executive recruitment. If you have any questions, please contact me at (214) 608-7477 or by email at [crohre@springsted.com](mailto:crohre@springsted.com). Our Team would consider it a professional privilege to provide these services to the City of Madera.

Respectfully submitted,

A handwritten signature in blue ink that reads "Chuck Rohre" followed by a stylized flourish.

Chuck Rohre, Senior Vice President  
*Consultant*

sml



City of Madera, CA  
Proposal to Provide  
Executive Recruitment Services

## Company Profile

The Executive Recruitment Division of Waters Consulting merged with Springsted Incorporated in May 2014, establishing one of the largest public sector executive recruitment and human capital consulting firms in the United States. Our firm name, Waters & Company, has recently been changed to Springsted | Waters (S|W) to more clearly reflect the connection to and support from the Springsted group of companies. Springsted Incorporated, our parent company, has been a Women Business Enterprise since 1993. Three employee-owners lead the Springsted group of firms and their 70-member staff. Our corporate office is located in Saint Paul, Minnesota, with regional offices located in Dallas, Texas; Chicago, Illinois; Milwaukee, Wisconsin; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; Atlanta, Georgia; and Denver, Colorado.

S|W has a team of seven recruitment consultants available to meet your executive recruitment needs. Each consultant assigned to this recruitment has experience working with cities and the many different disciplines that comprise the City of Madera organization. Our consultants bring an experienced, participatory and energetic perspective to each engagement; our unique approach and personal touch are reflected in our internal standard to provide outstanding services that exceed the City's expectations. Since 2013 our combined consultant team has conducted more than 407 executive recruitments.

The S|W Recruitment Project Team will partner with the City Council and designated staff as your technical advisor to ensure that the recruitment process for your next City Administrator is conducted in a thorough and professional manner. Our objective is to generate high-quality candidates and assist you with the screening and evaluation of these candidates.

We have structured the S|W Recruitment Project Team to draw upon S|W's and Springsted's 50-plus years of service to the public sector and to leverage S|W's experience and capacity to focus nationwide to find the most qualified candidates.

## Recruitment Project Team

### Recruitment Project Team Leader

**Mr. Chuck Rohre, Executive Vice President**

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and Consultant**

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**Mr. Art Davis, Senior Vice President**

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**Ms. Patricia Heminover, Senior Vice President**

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**Ms. Sharon Klumpp, Senior Vice President**

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**Ms. Anne Lewis, Senior Vice President**

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**Ms. Jenelle McDonald, Project Coordinator**

Direct Phone: (214) 466-2445

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**Charles A. (Chuck) Rohre*****Executive Vice President/Manager of Executive Recruitment and Consultant***

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Chuck Rohre is an Executive Vice President and the Manager of Springsted | Waters, the executive recruitment practice of the Springsted Group. Based in Dallas, he is responsible for managing and conducting executive recruitment engagements for the firm to insure their integrity, timeliness and adherence to budget parameters. He also directs the professional and support staff of the executive recruitment practice to ensure best practices, quality control and customer service. Chuck has more than 35 years of experience in managing and consulting in both the private and public sectors. He has served as Police Chief and Director of Public Safety for North Texas municipalities with populations ranging from 9,000 to 200,000 plus. Prior to beginning his consulting career, Mr. Rohre served for three years as Police Chief of Plano, Texas.

Chuck joined the firm in January 2006 following a 13-year engagement with another nationally recognized public-sector search firm where he managed the Texas and Southwestern operations. He has an extensive and successful track record of completed recruitments across the nation, especially in Texas, Colorado, Arizona, and the Midwestern states. He has led over 350 recruitment engagements in 24 states for key executives such as City and Assistant City Managers, Police Chiefs, Fire Chiefs, Library Directors, Chief Information Officers, City/County Attorneys, Parks & Recreation Directors, Finance Directors and Public Works Directors, as well as Executive Directors of not for profit and quasigovernmental organizations. The clients range from as small as 2,500 to as large as 1,300,000 in population. He has also conducted management consulting assignments in a number of disciplines including public safety, career development and strategic planning. He has written and presented training in a variety of subject areas including personnel assessment, leadership and management skills, and career development for public sector employees. He has earned the designation of Certified Behavior Analyst by TTI, Inc.

***Areas of Expertise***

- Executive Recruitment
- Background Investigations
- Behavioral Analysis
- Career Development
- Strategic Planning
- Organizational Assessment

***Professional Accomplishments and Education***

Chuck received his bachelor's degree from the Dallas campus of Abilene Christian University and his Master's degree in Human Relations and Management from the same institution. He has completed advanced management training at the Institute for Law Enforcement Administration in Plano and now serves on its adjunct faculty and advisory board. Chuck completed the Federal Bureau of Investigation's prestigious LEEDS course at Quantico, Virginia. He is a veteran of the United States Army, serving in the United States and the Republic of Vietnam.

## **Rollie Waters**

### *Special Advisor and Consultant*

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Rollie Waters is a Special Advisor and Consultant to Springsted | Waters. Until the end of 2017, he served as the Executive Vice President of Springsted | Waters, and now advises on selected assignments and utilization of proprietary candidate assessment instruments. Since 1976, Rollie has been a management consultant to private and public-sector clients. He has consulted with national and international clients in the area of HR Management system design and strategic management. He has given various lectures and seminars for organizations in the areas of compensation as it relates to performance management. He is viewed on a national level as one of the foremost authorities in succession planning and performance management system design for the public sector. He has spoken before such organizations as the International City/County Managers Association, American Management Association, The Alliance for Innovation, National Forum of Black Public Administrators, California Institute of Technology, the Texas Municipal League (TML), and the International Personnel Management Association (IPMA-HR), among others.

Rollie has been actively involved in the development of competency-based knowledge selection and development tools over the past twenty years. He has been instrumental in ensuring the proprietary profiles that he has designed to attract the right candidates that fit the client organization's needs. Rollie has been widely published in national journals and magazines focusing on human resource challenges.

### ***Areas of Expertise***

- Executive Recruitment
- Web-Based Compensation Support
- Management Development
- Competency-based Systems and Development Systems
- Organizational Strategy
- Mentoring Programs
- Performance Management
- Succession Planning

### ***Professional Accomplishments and Education***

Rollie is a Strategic Partner with the International City/County Managers Association, International Management Consultants and Alliance for Innovation, a member of the National Corporation Advisory Council of the National Forum for Black Public Administrators, and numerous other professional groups. Rollie has an extensive background in the behavioral sciences and strategic planning. He received his MBA at Pepperdine University and his Bachelor of Science degree in Psychology from the University of South Carolina. In addition, he is a Certified Management Consultant (CMC) awarded by the Institute of Management Consultants USA.

## **Arthur (Art) Davis**

### *Senior Vice President and Consultant*

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Arthur (Art) Davis is a Senior Vice President and Consultant with Springsted | Waters. Prior to joining S|W, Art successfully launched and expanded his own company over the course of 10 years. Art specializes in providing executive recruitment and organizational management consulting services for cities, counties and nonprofits.

Prior to consulting, Art served as Associate Director for the Civic Council of Greater Kansas City, a nonprofit, 501c4 membership organization comprised of CEOs representing some of the largest companies in the region. One of his responsibilities during his tenure at the Civic Council was to organize efforts to revitalize Downtown Kansas City, Missouri. Art coordinated a strategic and master planning process involving hundreds of stakeholders, which resulted in the establishment of development of strategies, solicitation of start-up funding and implementation of action plans – all contributing toward the successful revitalization of Downtown Kansas City.

For nearly six years, Art served as City Administrator of Lee’s Summit, Missouri, a city recognized as the “fastest growing” city in Missouri and the Greater Kansas City region at the time. Earlier positions of responsibility include working for the cities of Lenexa, Kansas and Dallas, Texas, where he served as Assistant to the Mayor of Dallas.

### ***Areas of Expertise***

- Executive Recruitment
- Leadership/Management Development
- Strategic Goal Setting & Strategic Planning
- Organizational Assessment, Design & Development
- Organization & Community Facilitation

### ***Professional Accomplishments and Education***

Art received his Bachelor of Arts degree in political science and public administration from William Jewell College and his Masters of Public Administration from the University of Kansas.

He has led and participated in a wide variety of community initiatives and served on nonprofit boards throughout his career. Art was presented with the L.P. Cookingham Award by the Greater Kansas City Chapter of the American Society for Public Administration, recognizing his long-term and outstanding contributions in the field of public administration.

## **Patricia (Patty) Heminover**

*Senior Vice President and Consultant*

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Patty Heminover is a Senior Vice President and Consultant with Springsted | Waters. She has 19 years of public education experience. Prior to joining S|W she was a Client Representative for Springsted Incorporated for seven years. She has also served as superintendent of South St. Paul Schools in South St. Paul, Minnesota. Patty brings considerable experience identifying management talent, leading organizational and process improvements, and developing and administering budgets.

Patty has facilitated discussions with legislators at the state level regarding education funding, securing \$1 Million of new funding for South St. Paul Schools. Her understanding of human resources and finance and her experience working with governing boards comes from having served seven years as the South St. Paul Schools' Director of Human Resources and Finance, prior to serving as the district's superintendent. She also served for three years as the co-superintendent of schools for Cleveland Public Schools in Cleveland, Minnesota, after working as its Director of Human Resources and Business Services for six years.

Patty has received a School Finance Award, technology leadership awards and helped establish the first K-12 International Baccalaureate School District in Minnesota.

### **Professional Accomplishments and Education**

#### ***Education***

Minnesota State University, Mankato, Minnesota  
Masters of Education Administration

Minnesota State University, Mankato, Minnesota  
Bachelor of Science in Consumer Science,  
Business Administration

University of Saint Thomas, Saint Paul, Minnesota

Mini MBA Program, Human Resources  
Management

#### ***Affiliations***

Minnesota Association of School Administrators  
American Association of School Administrators  
Minnesota Association of School Business  
Officials  
River Heights Chamber of Commerce, Member  
State Negotiators Association

#### ***Certifications***

Human Resource Certificate, University of Saint  
Thomas  
Superintendents Licensure, State of Minnesota  
Minnesota School Board Association

## **Sharon G. Klumpp**

### *Senior Vice President and Consultant*

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Sharon Klumpp is a Senior Vice President and Consultant with Springsted | Waters. Sharon has extensive experience specializing in organizational and departmental studies, human resource management, and executive search for public agencies. She also assists governing bodies and senior-level managers in the development, execution and evaluation of strategic plans.

Sharon has extensive experience in serving government. She has served as Executive Director of the Metropolitan Council, a seven-county regional planning agency for the Minneapolis-Saint Paul metropolitan area, and as Associate Executive Director for the League of Minnesota Cities. Her experience also includes serving as City Administrator in Oakdale, Minnesota and as Assistant City Manager in both St. Louis Park, Minnesota and Saginaw, Michigan. Her private sector experience includes serving as the chief administrative officer for the Minneapolis office of a major global engineering and design firm.

Sharon also served as an adjunct instructor at Walden University, where she taught public administration and organizational change in the University's School of Management. She served two terms on the Ramsey County Charter Commission and was chair for two years.

## **Professional Accomplishments and Education**

### ***Education***

University of Kansas, Lawrence, Kansas  
Masters of Public Administration  
Miami University, Oxford, Ohio  
Bachelor of Arts in Political Science

### ***Affiliations***

International City/County Management Association  
International Public Management Association for  
Human Resources

## **Anne Lewis**

### *Senior Vice President and Consultant*

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Anne Lewis is a Senior Vice President and Consultant with Springsted | Waters. Prior to joining S|W, Anne served as the Deputy City Manager for the City of Harrisonburg, Virginia as well as the Assistant City Manager for the City of Winchester, Virginia. Over the last 15 years, her experience in municipal government has also included positions as an Emergency Management Deputy Director, Public Information Officer, Human Resources Manager, Parking Authority Executive Director, Housing Director, Transit Director and Convention & Visitors Bureau Executive Director.

### **Areas of Expertise**

- Recruiting
- Emergency Management
- Human Resources Management
- Public Transportation
- Strategic Planning
- Planning and Community Development

### **Professional Accomplishments and Education**

Anne received her Bachelor's degree in Business Administration and Management, her Master of Science in Organizational Leadership and Public Administration, as well as a Graduate Certificate in Public Management, all from Shenandoah University in Winchester, Virginia. She is also a Senior Executive Institute and LEAD graduate of the Weldon Cooper Center for Public Service at the University of Virginia. As a member of the International City/County Management Association (ICMA), she is a graduate of the 2008 class of Leadership ICMA and achieved the status of Credentialed Manager. She has been a part of the Task Force on Women in the Profession as well as the Task Force on Internship Guidelines. She is a member and served on the Executive Board of the Virginia Local Government Management Association (VLGMA).

**Jenelle McDonald***Project Coordinator*

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Jenelle McDonald is a Project Coordinator with Springsted | Waters. She is responsible for supporting the lead consultants throughout the entire scope of the recruiting process as well as providing administrative support to Executive Vice President, Rollie Waters.

In this role, Jenelle designs/develops recruitment brochures, coordinates communications with candidates, processes resumes and distributes candidate questionnaires. She is also responsible for providing support to candidates regarding technical and logistical issues. She assists the consultants in scheduling semifinalist interviews, submitting profiles for background checks and education verification, as well as notifying the finalists of project status. Her responsibilities extend to editing presentations, advertisement placements and general office administration.

***Professional Accomplishments and Education***

Jenelle is a very task oriented professional with over 13 years of experience in office administration – at least six of those years have been spent in executive level support and two have been spent in human resources administration. She also has over eight years of experience in sales and marketing including over seven years overseeing employees. The majority of this experience began in branch banking as a Financial Sales Supervisor where, in addition to managing day to day branch operations, she also took on the role of coordinating the branch's business development. She went on to merchant services as the Client Relations Executive where she also filled the role of Commissions Analyst with the human resource department. This dual-position entailed managing client escalations, analyzing and adjusting pricing structures, contract negotiation, monitoring non-compete agreements, and the paying and reversal of commissions. Prior to joining S|W, Ms. McDonald was involved in real estate investment as the Operations Manager. In this position, she managed the renovation and budgets of over 200 single family homes and provided administrative support once the properties were tenant occupied.

Jenelle has an Associates of Applied Sciences in Financial Operations and an Associates in Business Administration. She is currently pursuing her bachelor's degree in General Business at Arlington Baptist College.

## Experience

The following is a partial list of previous Executive Recruitments:

List of Relevant Executive Recruitments: 2013 to Present				
Year	Client	State	Recruitment	Population
2013	Alexandria	MN	City Administrator	11,580
2013	Bayport	MN	City Administrator	3,496
2013	Bellevue	WI	Village Administrator	14,570
2013	Burnsville	MN	City Manager	61,434
2013	Clinton	NC	City Manager	8,676
2013	East Grand Forks	MN	City Administrator	8,602
2013	International Falls	MN	City Administrator	6,357
2013	Irving	TX	City Manager	228,653
2013	Justin	TX	City Manager	3,333
2013	Manassas	VA	Director of Finance and Administration	41,705
2013	Montgomery	MN	City Administrator	2,933
2013	Moose Lake	MN	City Administrator	2,787
2013	Muskegon	MI	City Manager	37,213
2013	Newport News	VA	City Manager	179,611
2013	Norwood Young America	MN	City Administrator	3,583
2013	Raleigh	NC	City Manager	423,179
2013	Sherburn	MN	City Administrator	1,128
2013	Watertown	MN	City Administrator	4,239
2013	West Saint Paul	MN	City Manager	19,708
2014	Atlantic Beach	FL	City Manager	12,864
2014	Bloomington	MN	City Manager	86,319
2014	Boone	NC	Town Manager	17,774
2014	Cape Charles	VA	Town Manager	990
2014	Castle Rock	CO	Town Manager	53,063
2014	Eustis	FL	City Manager	19,214
2014	Hutchinson	MN	City Administrator	13,871
2014	Irving	TX	City Manager	225,427
2014	Lakeville	MN	City Administrator	58,562
2014	Lexington	VA	City Manager	6,998
2014	Midlothian	TX	City Manager	19,891
2014	Narberth Borough	PA	Borough Manager	4,295
2014	Novi	MI	City Manager	123,099
2014	Oakdale	MN	City Administrator	27,780
2014	Springfield	MN	City Manager	2,114
2014	Township of Lower Merion	PA	Township Manager	59,850
2015	Bemidji	MN	City Manager	14,435
2015	Big Lake	MN	City Administrator	10,298
2015	Brooklyn Park	MN	City Manager	78,373
2015	Coon Rapids	MN	City Manager	62,103
2015	Cottage Grove	MN	City Manager	35,399
2015	Davidson	NC	Town Manager	11,750
2015	Diboll	TX	City Manager	5,323
2015	Fairfield County	SC	County Administrator	23,109
2015	Golden Valley	MN	City Manager	20,845
2015	Grand Junction	CO	City Manager	59,778



### List of Relevant Executive Recruitments: 2013 to Present

Year	Client	State	Recruitment	Population
2015	Kingsville	TX	City Manager	26,312
2015	Manassas	VA	Deputy City Manager	41,705
2015	Monument	CO	Town Manager	5,817
2015	Sachse	TX	City Manager	22,026
2015	Scandia	MN	City Administrator	3,936
2015	Shakopee	MN	City Administrator	39,167
2015	Socorro	TX	City Manager	32,517
2015	Virginia Beach	VA	City Manager	448,479
2015	Warrenton	VA	Town Manager	9,862
2015	West Jordan	UT	City Manager	110,077
2015	Westminster	CO	City Manager	109,169
2015	Williamsburg	VA	City Manager	15,206
2016	Brooklyn Center	MN	Deputy City Manager	30,712
2016	Cary	NC	Town Manager	151,088
2016	Charter Township of Kalamazoo	MI	Township Manager	20,918
2016	Christiansburg	VA	Town Manager	21,533
2016	Circle Pines	MN	City Administrator	4,953
2016	Commerce	TX	City Manager	8,276
2016	Crested Butte	CO	Town Manager	1,519
2016	Deerfield Beach	FL	Assistant City Manager	78,041
2016	Denton	TX	City Manager	123,099
2016	Dumfries	VA	Town Manager	5,168
2016	Fredericksburg	VA	City Manager	28,132
2016	Greensboro	NC	Assistant City Manager	279,639
2016	Hayden	CO	Town Manager	1,801
2016	Jersey Village	TX	City Manager	7,862
2016	Mankato	MN	Deputy City Manager	40,641
2016	Medford	OR	City Manager	77,677
2016	Mooreville	NC	Town Manager	34,887
2016	Moorhead	MN	City Manager	39,398
2016	Moose Lake	MN	City Administrator	2,787
2016	North Branch	MN	City Administrator	10,087
2016	Norwalk	IA	City Manager	9,639
2016	Roswell	NM	City Manager	48,611
2016	Shakopee	MN	Assistant City Administrator	39,167
2016	Virginia	MN	City Administrator	8,661
2016	Warsaw	VA	Town Manager	1,498
2016	Wayzata	MN	City Manager	4,217
2016	Williamsburg	VA	Assistant City Manager	15,206
2017	Berthoud	CO	Town Administrator	5,807
2017	Christiansburg	VA	Town Manager	21,533
2017	Cloquet	MN	City Administrator	12,050
2017	Dickinson	TX	City Administrator	19,595
2017	El Dorado	KS	City Manager	12,852
2017	Glenview	IL	Village Manager	45,417
2017	Lake Havasu City	AZ	City Manager	53,743
2017	Littleton	CO	City Manager	44,275
2017	Manassas Park	VA	City Manager	16,149
2017	Morehead City	NC	City Manager	9,203

List of Relevant Executive Recruitments: 2013 to Present				
Year	Client	State	Recruitment	Population
2017	Mounds View	MN	City Administrator	12,525
2017	Oldsmar	FL	City Manager	13,913
2017	Orono	MN	City Administrator	8,009
2017	Riviera Beach	FL	City Manager	33,263
2017	Rochester	MN	City Manager	110,742
2017	Township of Roxbury	NJ	Township Manager	23,324
2018	Addison	TX	City Manager	15,407
2018	Belle Plaine	MN	City Administrator	6,838
2018	Christiansburg	VA	Town Manager	21,533
2018	Dallas	TX	City Secretary	1,258,000
2018	Kingman	AZ	City Manager	29,029
Current	Ashland	OR	City Administrator	21,636
Current	Avondale	AZ	City Manager	82,881
Current	Maricopa	AZ	City Manager	46,903
Current	Shawnee	KS	City Manager	64,323

## Proposed Method of Performance

### Task I: Recruitment Brochure Development and Advertising

The development of a comprehensive recruitment brochure that includes a profile of the ideal candidate is an important first step in the recruitment process. This profile includes the required academic training, professional experience, leadership, management and personal characteristics related to the success of the candidate in the position of City Administrator. The recruitment brochure will also have a profile that captures the essence of the City as a highly-attractive venue for the successful candidate to live and work.

To prepare the recruitment brochure, the Recruitment Project Team Leader will come on site to meet with the City Council and designated staff to discuss the required background, professional experience and management and leadership characteristics for your City Administrator position. We meet individually (or collectively depending upon your preference) with the City Council to broaden our understanding of the position's leadership and management requirements, current issues, strategic priorities and to identify expectations for the City Administrator. [See example of a recruitment brochure in Exhibit I.]

The Recruitment Project Team will also work with the City of Madera to develop an advertising and marketing strategy to notify potential candidates about the vacancy and conduct an open recruitment that encourages applications from a talented and diverse pool of candidates. Our Team will place ads in appropriate professional publications, websites and local print media, if required. Additionally, S|W has a highly-accessed website that has a special location attracting many potential candidates to upload their resumes. The aggressive advertising and marketing campaign for top talent will include national, state, regional and local elements as determined during our initial meetings with the City's representatives. Our customized mailing list, selected from our extensive database and contacts collected at appropriate public-sector conferences, will be utilized to further promote the position.

Advertisements for the City Administrator position could be placed with:
International City/County Management Association
National Forum of Black Public Administrators
Hispanic Forum

Careers in Government (careersingovernment.com)
League of California Cities
California City Management Foundation
Western Cities Magazine

Project Milestone	Deliverables	Estimated Duration
Position profile and recruitment brochure development.	<ul style="list-style-type: none"> <li>Onsite interview with the City.</li> <li>S W will receive information regarding the City's budgets, organizational charts, images, logos, etc.</li> <li>Develop draft documents (Recruitment Brochure, Advertisement, Marketing Letter and Timeline).</li> </ul>	2 Weeks
Approve brochure, commence advertising and distribute marketing letter.	<ul style="list-style-type: none"> <li>Brochure sent to the City for final approval.</li> <li>Commence advertising and distribution of recruitment brochure.</li> </ul>	2 Weeks

## Task II: Execution of Recruitment Strategy and Identification of Quality Candidates

Utilizing the information developed in Task I, S|W will identify and reach out to individuals who will be outstanding candidates for the position of City Administrator. Often, well-qualified candidates are not actively seeking new employment and will not necessarily respond to an advertisement. However, if a potential candidate is presented with the opportunity directly and in the proper manner, he or she may apply. We take pride in our ability to locate highly qualified candidates across the nation based on the professional contacts and relationships we have developed and maintained over many years.

These efforts will be supplemented by the creation of an appropriate database utilizing our extensive, interactive applicant database for the City Administrator position. This will provide the S|W Team with the ability to customize applicant flow and tracking, communication with applicants and conduct database inquiries for candidates based on characteristics important to the City such as geographic location, particular experience, expertise and credentials.

During this part of the process the Recruitment Project Team will work with the City Council and designated staff to reach consensus on the leadership and management style for the ideal candidate. Our research will determine the key competencies, work values and leadership/management style for the position and match the candidates to each attribute.

Each candidate submitting a resume is sent a timely acknowledgement by our Team, including an approximate schedule for the recruitment. Throughout the recruitment process, communications are maintained with each candidate regarding information about the recruitment progress and their status in the process. We take pride in the many complimentary comments made by candidates regarding the level of communication and the professional manner in which they are treated during our recruitments.

Project Milestone	Deliverables	Estimated Duration
Execution of recruitment strategy and candidate outreach.	<ul style="list-style-type: none"> <li>• Online data collection and profile development.</li> <li>• Development of interactive searchable applicant database for recruitment of the City Administrator.</li> <li>• S W performs direct outreach to prospective candidates identified in the recruitment strategy.</li> <li>• Utilization of extensive applicant database to identify applications and review applicant pool for competencies/demographics.</li> </ul>	4 – 5 Weeks

### Task III: Screening of Applicants and Recommendation of Semi-Finalists

In Task III the Recruitment Project Team, under the direction of Chuck Rohre, will screen the candidates against the criteria within the position and candidate profiles and develop a list of semi-finalists for recommendation to the City Council.

The most promising applicants will receive a candidate essay questionnaire to complete that will provide additional information about the candidates' background and experience. We will then narrow the list to a group of at least five semifinalists for your review and to select finalists.

Another unique aspect of our recruitment process is our use of online recorded interviews for the screening process. Responses are timed and questions are not provided in advance. This tool allows our Team to develop a more comprehensive understanding of the candidate's ability to think "on their feet" as well as their personal and professional demeanor. This virtual interview can be scored by individual selection team members as well as the consulting team for later review and comparison.

Our Team will provide an online link for the City Council and others designated, who have input into the hiring decision, allowing them to review and rate the recorded responses. This provides the organization with additional candidate assessments that can be customized to fit the unique needs of the City.

Throughout the process, you will have access to our Master Applicant List (MAL), which will provide pertinent data for each applicant.

Project Milestone	Deliverables	Estimated Duration
Applicant screening and recommendation of semi-finalists.	<ul style="list-style-type: none"> <li>• S W compares applications to the approved candidate profile developed in our searchable applicant database.</li> <li>• S W develops customized candidate questionnaire &amp; due diligence questionnaire to provide to applicants who most closely meet the candidate profile.</li> <li>• Top 10-15 candidates identified as semi-finalists.</li> <li>• Semi-Final Report is prepared, including the brochure, master</li> </ul>	2 Weeks

	<p>applicant list, cover letter, resume and completed questionnaire of candidates to be considered.</p> <ul style="list-style-type: none"> <li>• S W and the City review and rate video interviews.</li> <li>• S W sends links to City to review the aggregate responses and ratings.</li> <li>• Semi-finalists complete candidate management style assessment, responses are reviewed and interview questions are developed.</li> <li>• Recruitment Project Team Leader meets with City Council to review recommended semi-finalists. City Council select finalists for on-site interviews.</li> </ul>	
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#### Task IV: Conducting Background Checks, Reference Checks and Academic Verifications

When the City Council approve of a group of finalists for on-site interviews, S|W will begin the process of conducting reference checks, background checks and academic verifications. A Confidential Reference Report is prepared for each finalist to complete our understanding of his/her management and leadership characteristics and professional work performance.

For the background checks, S|W will develop information on the candidates in the following areas:

- Consumer Credit
- City/County Criminal
- City/County Civil Litigation
- Judgment/Tax Lien
- Motor Vehicle
- Educational Verification
- Bankruptcy
- State District Superior Court Criminal
- State District Superior Court Civil Litigation
- Federal District Criminal
- Federal District Civil Litigation

***To ensure that our quality standards are maintained, we require a minimum of ten business days between the time that you select the finalists for on-site interviews and when we submit the candidate documentation for your final interview process.***

Project Milestone	Deliverables	Estimated Duration
Finalists complete supplemental work products.	<ul style="list-style-type: none"> <li>• Finalists complete narrative of their most significant professional achievement and a critical problem analysis.</li> </ul>	1 Week
Design final process with City Council for on-site interviews with finalists.	<ul style="list-style-type: none"> <li>• S W confirms interviews with candidates.</li> <li>• Travel logistics are scheduled for the candidates.</li> </ul>	1 – 2 Days
Background checks, reference checks and academic verification.	<ul style="list-style-type: none"> <li>• S W completes background checks, reference checks and academic verifications for finalists.</li> </ul>	2 Weeks

## Task V: Final Interview Process

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Upon completion of Task IV, we will work with you to develop the final interview process. We will provide documentation on each of the finalists which will provide the highlights of their professional experience and leadership/management profile (Gap Analysis) as well as a summary of the results of the reference checks, background checks and academic verifications. In addition, the Final Report will include guidelines for interviewing the candidates, suggested interview questions and a candidate assessment process for your interview panel(s).

The Recruitment Project Team Leader will be available during the final interview process to answer questions about the candidates and, if requested, assist with the final evaluation of the candidates. In addition, if the City requests the service, we will assist you with the development of a compensation package and related employment considerations and assist with the negotiation of an employment agreement.

Project Milestone	Deliverables	Estimated Duration
Final Report prepared and delivered to City.	<ul style="list-style-type: none"><li>Final Report is prepared, including brochure, interview schedule, cover letter, resume, candidate questionnaire, two examples of candidates' most significant professional achievements, suggested interview questions, candidate assessment form and management style probing questions.</li></ul>	1 Day
On-site interviews with finalists.	<ul style="list-style-type: none"><li>Interviews are scheduled.</li><li>Recruitment Project Team Leader attends client interviews and is available to participate during deliberations of candidates.</li></ul>	1 – 2 Days
Offer made / accepted.	<ul style="list-style-type: none"><li>If requested, S W participates in candidate employment agreement negotiations.</li><li>S W notifies candidates of decision.</li><li>S W confirms final process close out items with the City of Madera.</li></ul>	1 – 2 Days

## Strategy for Recruitment of Diverse Candidates

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Our corporate core values and work environment reflect our broader social aspirations for a diverse workforce, equal opportunity and cross-cultural respect. We have established strong and credible networks with minority and female leaders nationwide. In addition, we are corporate members of the National Forum for Black Public Administrators (NFBPA) and the Hispanic Network and are on their National Corporate Advisory Council. We participate in their membership events on a regular basis.

To that end, we take responsibility for diversity in our organization, our recruitment strategy and our candidate pools. In this recruitment, we will use our established networks to make direct and personal contacts with prospective minority and female candidates and encourage them to consider the City of Madera's City Administrator position. Because of our performance record in presenting a diverse applicant pool, these prospective candidates know they will be fairly considered in the process.

Springsted | Waters, is committed to ensuring equitable participation in our business and employment opportunities without regard to race, color, religion, sex, national origin, age, disability, veteran status, marital status or sexual orientation. As a leader in the executive recruitment industry, we take positive actions to prevent and to remedy any discriminatory effects of business and employment practices.

Springsted | Waters is a WBE.

### **Advertising and Marketing Approach**

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There is significant competition for experienced local government managers today. We work with you to develop a recruitment strategy that includes advertising and personalized, customer outreach. A successful recruitment often depends upon the ability to reach out to successful managers who are not necessarily seeking new employment to inform them of and encourage them to apply for the position. These efforts are critical to ensuring that the City receives a good candidate pool. The Recruitment Project Team will work with the City of Madera to develop an advertising and marketing strategy to notify potential candidates about the vacancy and conduct an open recruitment that encourages applications from a talented and diverse pool of candidates. Our Team will place ads in appropriate professional publications, websites and local print media, if required. Additionally, S|W has a highly-accessed website that has a special location attracting many potential candidates to upload their resumes. The aggressive advertising and marketing campaign for top talent will include national, state, regional and local elements as determined during our initial meetings with the City's representatives. Our customized mailing list, selected from our extensive database and contacts collected at appropriate public-sector conferences, will be utilized to further promote the position.

### **Sample Advertising Brochure**

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The sample advertising brochures are provided in Exhibit I.



## Timeline

Below is an estimated Timeline for the executive recruitment process. You will be asked during the first on-site meeting to review and approve a Timeline for the recruitment project. It is our intent to conduct the recruitment expeditiously, but not at the expense of finding high-quality candidates for you.

CITY OF MADERA, CA EXECUTIVE RECRUITMENT PRELIMINARY TIMELINE		
The following Timeline represents a preliminary schedule for your executive recruitment based on a commencement date of March 26, 2018. Actual target dates will be developed in consultation with and approved by the City Council.		
Project Milestone	Deliverables	Target Date
Profile development, advertising and candidate outreach.	<ul style="list-style-type: none"> <li>S W completes on-site interviews to develop candidate profile and recruitment brochure; the City approves ad placement schedule and timeline.</li> <li>S W sends draft recruitment brochure to the City.</li> <li>The City returns draft recruitment brochure (with edits) to S W.</li> <li>S W commences executive recruitment advertising and marketing.</li> <li>Online data collection and profile development.</li> </ul>	March 26 – May 7
Applicant screening and assessment and recommendation of semi-finalists.	<ul style="list-style-type: none"> <li>S W commences formal review of applications and sends most promising applicants a Candidate Questionnaire to provide additional information about background and experience. Candidates complete recorded interview online.</li> <li>S W completes formal review of applications and sends selected resumes and questionnaire responses to the City for review. Candidates' recorded interviews are also presented.</li> <li>Semi-finalists complete candidate management style assessment and responses are reviewed and interview questions are developed.</li> <li>S W meets with the City and recommends semi-finalists; the City selects finalists for on-site interviews.</li> </ul>	May 8 - 23
Comprehensive background check and reference checks completed for finalists.	<ul style="list-style-type: none"> <li>S W completes reference checks/background checks/ academic verification on finalists.</li> </ul>	May 30
On-site Interviews with finalists.	<ul style="list-style-type: none"> <li>S W sends documentation for finalists to the City.</li> <li>The City conducts on-site interviews with finalists.</li> </ul>	Week of June 4
Employment offer made / accepted.	<ul style="list-style-type: none"> <li>The City extends employment offer to selected candidate.</li> </ul>	Week of June 11



## Customer Satisfaction

We begin with the foundation, a detailed and accurate recruitment profile that later serves as the template to evaluate candidates. Our extensive national network permits active outreach in a number of disciplines, to include potential candidates and sources of candidates. Our unrelenting commitment is client satisfaction with the process and the outcome. To ensure a complete and accurate flow of information, we send weekly progress reports and are open to discussion at any time.

## Cost Outline

The all-inclusive professional fee to conduct the recruitment is provided below and includes the cost of professional services by the Recruitment Project Team Leader, the project support staff and all project-related expenses such as advertising, preparation of the recruitment brochure, printing, candidate background, reference and academic verification checks and travel expenses for on-site visits. Travel expenses incurred by candidates for on-site interviews with the client are not the responsibility of S|W and are handled directly by the client organization.

The all-inclusive professional fee will be billed in four installments: 30% of the fee will be billed at the beginning of the recruitment; 30% at the implementation of Phase I; 30% at the implementation of Phase II; and 10% upon acceptance of an offer by the candidate. We are open to negotiate an alternative payment schedule if selected for this recruitment.

All questions regarding the professional fees and project-related expenses should be directed to Chuck Rohre, Senior Vice President at [crohre@springsted.com](mailto:crohre@springsted.com) or via phone at (214) 608-7477.

PHASE	DETAILED DESCRIPTION OF PROFESSIONAL SERVICES	FEE
Phase I	<b>Task 1 – Candidate Profile Development/Advertising/Marketing (includes one day on site by Lead Consultant)</b>	
	Lead Consultant Hourly Rate – approximately 14 hours	\$3,150
	Research/Project Management Staff Hourly Rate – approximately 16 hours	\$1,700
	<b>Task 2 – Identify Quality Candidates</b>	
Phase II	Lead Consultant Hourly Rate – approximately 14 hours	\$3,150
	Research/Project Management Staff Hourly Rate – approximately 16 hours	\$1,700
	<b>Task 3 – Preliminary Screening &amp; Initial Report to Client</b>	
	Lead Consultant Hourly Rate – approximately 18 hours	\$4,150
Phase III	Research/Project Management Staff Hourly Rate – approximately 20 hours	\$2,000
	<b>Task 4 – Reference Checks, Background Checks, Assessments and Academic Verifications</b>	
	Lead Consultant Hourly Rate – approximately 11 hours	\$2,500
	Research/Project Management Staff Hourly Rate – approximately 12 hours	\$1,300
Phase III	<b>Task 5 – Final Process/On-Site Interviews with Finalists (includes two days on site by Lead Consultant)</b>	
	Lead Consultant Hourly Rate – approximately 14 hours	\$3,150
	Research/Project Management Staff Hourly Rate – approximately 16 hours	\$1,700
Conclusion	Acceptance of offer by candidate	
<b>TOTAL NOT-TO-EXCEED PROFESSIONAL FEES AND PROJECT RELATED EXPENSES</b>		<b>\$24,500</b>

OPTIONAL SERVICES FOR CONSIDERATION	FEES
At the City's option, S W will conduct a web-based survey to determine key community-wide issues and priorities that could be considered in the selection of a new Administrator. This survey is completed by community leaders, citizens, and City employees and would alter the project timeline.	\$1,650
On rare occasions, S W is asked to provide additional search services that are not included in this scope of service or to provide more than three on-site visits to the City. Additional work specifically requested by the City which is outside of the scope of this project will be invoiced at the hourly rate of \$220 plus expenses. S W will submit a written explanation of the additional services to be provided and the estimated hours that will be required prior to commencing any additional services.	\$220 per hour plus expenses

### Triple Guarantee

Our Triple Guarantee is defined as: (1) A commitment to remain with the recruitment assignment until you have made an appointment for the fees and tasks quoted in this proposal. If you are unable to make a selection from the initial group of finalists, S|W will work to identify a supplemental group until you find a candidate to hire. (2) Your executive recruitment is guaranteed for 24 months against termination or resignation for any reason. The replacement recruitment will be repeated with no additional professional fee, but only for project-related expenses. Candidates appointed from within your organization do not qualify for this guarantee. This guarantee is subject to further limitations and restrictions of your state laws. (3) S|W will not directly solicit any candidates selected under this contract for any other position while the candidate is employed with your organization.

### Equal Opportunity Employer Status

Springsted | Waters provides equal opportunity to all employees and applicants for employment, in accordance with all applicable Equal Employment Opportunity/Affirmation Action laws, directives and regulations of federal, state and local governing bodies or agencies.

S|W will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, ancestry, sex, disability, age, marital status, affectional preference, political affiliation or status with regard to public assistance.

S|W will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include, but are not limited to, the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rates of pay or other forms of compensation and selection for training.

The Springsted Group is a Women Business Enterprise, which demonstrates our commitment to equal opportunity and affirmative action.

## Proof of Insurance

### Exceptions to Insurance Requirements

We are prepared to meet all of the insurance requirements stated in the Request for Proposals with the following exceptions.

- The RFP states Consultant shall agree to maintain continuous coverage through a period no less than three years after completion of the services required by the Agreement. It is our intention to maintain this coverage in force as long as it is available. Our policy has an extended reporting period of two years.
- The RFP requests that Consultant agrees to oblige its insurance agent or broker and insurers to provide to the City with thirty (30) calendar days' notice of cancellation (except for nonpayment for which ten (10) calendar days' notice is required) or nonrenewal of coverage for each required coverage. Our Certificate of Liability Insurance says that notices of cancellation will be delivered in accordance with the policy provisions. Our policies provisions are that Springsted, as the first named insured, would be notified. Springsted has previously provided a written commitment as first named insured to give notice of cancellation to a client requesting such notice.
- The RFP requests the Consultant shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims. Defense of liability claims are determined by respondent's insurer.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/10/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Phone (952)944-2929	Fax (952)944-3091	CONTACT NAME:	Jane Doerfler
Horizon Agency, Inc.			PHONE (A/C, No, Ext):	(952)914-7131
6500 City West Pkwy #100			FAX (A/C, No):	(952)944-3091
Eden Prairie, Minnesota 55344			E-MAIL ADDRESS:	jane@horizonagency.com
			INSURER(S) AFFORDING COVERAGE	
			INSURER A:	Federal Insurance Company
			INSURER B:	Executive Risk Indemnity Inc.
			INSURER C:	
			INSURER D:	
			INSURER E:	
			INSURER F:	

**COVERAGES**

CERTIFICATE NUMBER: 9384

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			35342568	8/11/2017	8/11/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			73234006	8/11/2017	8/11/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			79764838	8/11/2017	8/11/2018	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	71646620	8/11/2017	8/11/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Errors & Omissions \$25,000 Deductible			82079210	1/14/2018	1/14/2019	Each Claim 2,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

Holder's Nature of Interest : Certificate Holder

Informational Purposes Only

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SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Robert R. Kirschbaum*

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## City of Madera Business License Status

S|W agrees to obtain the appropriate Business License from the City of Madera should we be awarded this executive recruitment project.

## References

### City of Lake Havasu, Arizona (Population 53,743)

**Ms. Shirlee Palbicki**, *Human Resources/ Risk Manager*

2330 McCulloch Boulevard North

Lake Havasu City, Arizona 86403

[palbickis@lhcaz.gov](mailto:palbickis@lhcaz.gov)

928-453-4143

*Project: Selection of City Manager (2017)*

### City of Denton, Texas (Population 123,099)

**Ms. Carla Romine-Hagmark**, *Human Resources Director*

215 East McKinney Street

Denton, Texas 76201-4299

940-349-8344

[carla.romine@cityofdenton.com](mailto:carla.romine@cityofdenton.com)

*Project: Selection of City Manager (2016)*

### City of West Jordan, Utah (Population 110,077)

**Mr. Jonathan Gardner**, *PHR, HR Manager*

8000 South Redwood Road

West Jordan, Utah 84088

801-569-5038

[jong@wjordan.com](mailto:jong@wjordan.com)

*Project: Selection of City Manager (2015)*

### Town of Castle Rock, Colorado (Population 53,063)

**Ms. Kristin Zagurski**, *Management Analyst*

100 North Wilcox Street

Castle Rock, Colorado 80104

303-660-1015

[kzagurski@crgov.com](mailto:kzagurski@crgov.com)

*Project: Selection of Town Manager (2014)*

### City of Grand Junction, Colorado (Population 59,778)

**Mr. Greg Caton**, *City Manager*

250 North 5<sup>th</sup> Street

Grand Junction, Colorado 81501

970-244-1508

[gcaton@gjcity.org](mailto:gcaton@gjcity.org)

*Project: Selection of City Manager*

## Sample Agreement

We are prepared to meet all of the contract requirements stated in the sample agreement with the following exception. The Contract requests the Consultant shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims. Defense of liability claims are determined by respondent's insurer.

Exhibit I  
Sample Brochures



# AVONDALE, ARIZONA

IS SEEKING A HIGHLY EXPERIENCED, VISIONARY AND COLLABORATIVE LEADER TO SERVE AS ITS NEXT...

# CITY MANAGER

## THE COMMUNITY

With a population of 83,644, the City of Avondale is located in the Southwest Valley of the metropolitan Phoenix hub, off Interstate 10, just a 20 minute commute from central Phoenix. Avondale is nestled at the base of the scenic Estrella Mountains where the Agua Fria and Gila Rivers meet, and is located literally in the heart of Arizona. In 2017, Avondale was designated an All America City.

Avondale prides itself as a vibrant, diverse and friendly community, with safe and attractive neighborhoods and a close-knit historic downtown. As one of the area's fastest growing communities, and with a median age of 30, Avondale strives to provide open spaces and recreational amenities, and works to attract quality businesses and employers to the area. Avondale as a community focuses on the family and a special quality of life, one that is involved in the region but distinctly based on affordability and livability. Avondale is a young family-oriented community, offering homes in virtually every price range and a local government that actively stays in contact with its residents, while strongly supporting and encouraging businesses.

With six independent public school districts, private and charter schools, Estrella Mountain Community College, Rio Salado College and Universal Technical Institute, Avondale offers a wide range of educational opportunities to ensure the foundation for a diversified workforce. Medical-related professions also thrive with two hospitals on Avondale's border and Phoenix Children's Hospital in Avondale.







## THE COMMUNITY *(CONTINUED...)*

To keep pace with the rapidly-growing population, a variety of cultural, economic, recreational and educational advantages have evolved. From the soccer fields of Friendship Park to the high excitement of ISM Raceway, Avondale has amenities for almost any taste. PIR is billed as the world's fastest one-mile paved oval and hosts multiple NASCAR events annually, each attracting nearly 400,000 enthusiasts and hundreds of race teams, contributing hundreds of millions of dollars in the state and local economy. Avondale is also home to the Randall McDaniel Sports Complex, offering indoor arena-type sports, while its regionally known Friendship Park and Festival Fields, provide nearly 200 acres for tournaments and special events year-round.

Avondale embraces a family-friendly environment and has several annual celebrations including the Tres Rios Nature Festival, CulturePOP Block Party and Billy Moore days.

Avondale is gaining reputation as a budding artist community in Historic Avondale (Western Avenue and Central); home to various forms of public art displays, murals, and multiple family friendly events. Avondale offers its next City Manager exceptional professional opportunity and an inviting lifestyle.

For more information about Avondale, visit [www.avondaleaz.gov](http://www.avondaleaz.gov).

## CHALLENGES & OPPORTUNITIES

The next City Manager will encounter the following challenges and opportunities during the first six to 24 months on the job. The list is not intended to be all-inclusive but instead representative of what to expect.

- **City Council Engagement** – The City Manager will effectively engage and communicate with all members of the City Council equitably and in a timely way. The Manager will present options for consideration in a balanced “pros and cons” format, with thoughtful research in advance.
- **Budget** – The City initiates its budget process in February for adoption prior to the beginning of the Fiscal Year, July 1.
- **Economic Development** – A primary focus of the City Manager will be advising the City Council regarding economic development opportunities and working in partnership with public and private entities to ensure that future development is sustainable and in the best long-term interests of the City. A diverse, sustainable and vibrant local economy is a key priority of the City Council. The Manager will work with the economic development agencies, surrounding communities, Maricopa County, the School Districts, local colleges and other stakeholders in a collegial and effective manner.
- **Fiscal Sustainability** – The City Manager will review the current and long-term financial status of the city and recommend financial strategies that maximize fiscal resources, provide for revenue diversification and protect the City from fluctuations in the local, state and national economy.
- **Infrastructure** – Increased investment will be required in Public Safety facilities, parks and recreation facilities and amenities, and growth in the southern sector of the City, especially as State Route 30 develops. Additional transportation corridors will be required over the Agua Fria River to accommodate growth and development.
- **Community Engagement** – The City Manager will be expected to provide leadership in being highly accessible and engaged with the community, and to be open to input and community direction on issues.
- **Organizational Assessment** – The new City Manager will review the current staffing, organizational structure and productivity measures of the municipal organization and recommend improvements and potential realignments based on a detailed data-driven and insightful analysis of the current structure and staffing.
- **Community Development and Redevelopment** – Avondale is a vibrant community with a mix of unique neighborhoods. The manager will be proactive in attracting quality development and redevelopment that maintains the City's character. Efforts will continue to promote strong neighborhood integrity, promote Historic Avondale, and spark increased quality residential and commercial development dispersed throughout the community.
- **Collaboration and Partnerships** – The City Manager will be open and approachable to public, private and regional partnerships and collaboration. The Manager will serve as an effective and articulate advocate for the city's interests in discussions and negotiations with other organizations, including other cities, Maricopa County, and the State of Arizona.



# MUNICIPAL ORGANIZATION

The City of Avondale, incorporated in 1946, operates under the Council-Manager form of government in accordance with its Charter. Legislative authority is vested in a seven-member City Council consisting of a Mayor and six Council members elected at-large for of four year terms. The Mayor and Council appoints the City Manager and such other officers deemed necessary and proper for the orderly government and administration of the affairs of the City, as prescribed by the constitution and applicable laws, and ordinances. The former City Manager retired in February of 2018 after having served in that role since 2014. Among other duties, the City Manager appoints and oversees two Assistant City Managers and 13 department directors.

In 2016, the City Council adopted a Five Year Strategic Plan (<http://www.avondaleaz.gov/home/showdocument?id=1515>) to provide an intelligent and cohesive plan to guide create a community that is family-friendly and economically robust; a city that is “Aspiring, Achieving and Accelerating.”

Avondale is a full-service municipality, and operates with the following departments: City Clerk; City Court; Community Relations and Public Affairs; Development and Engineering Services (includes Planning); Economic Development; Finance and Budget; Fire and Medical; Human Resources; Information Technology; Neighborhood and Family Services; Parks, Recreation, and Libraries; Police; and Public Works.

For Fiscal Year 2017-2018, the total budget, including debt and capital, is \$217,464,817, a 6.6% increase over the previous year. Avondale has a AAA bond rating and is exceptionally stable financially. City staff includes 527.5 full-time equivalents. In 2016, the voters approved the “Home Rule” expenditure limitation, allowing the City to continue to appropriate all anticipated revenues for expenditures on services provided to residents, consistent with Arizona Constitution provisions.



# CANDIDATE PROFILE



The ideal candidate will have:

- Highly-developed financial management, analytical and budgetary skills.
- A passion for public service and public transparency.
- A visionary approach to Avondale’s future.
- A willingness to maintain a high degree of visibility in the community, both on and off the job.
- An understanding of the political process while avoiding personal involvement in political issues.
- Commitment to collaboration and engagement among employees and the community, with an approachable, outgoing and participatory management style.
- High personal energy and a positive approach exhibiting initiative, resourcefulness, creativity and innovative problem-solving ability. The Manager will exhibit humility and self-confidence.
- The ability to anticipate problems, to identify alternative courses of action, and to prepare, defend and support those recommendations. The Manager will fully engage the City Council and community stakeholders while implementing initiatives.
- Ability to be an effective and articulate advocate for the City’s interests in discussions and negotiations.
- Ability to work with and communicate effectively with all levels of the organization and all elements of the community on a straightforward and equitable basis, with sensitivity to the organizational and community cultures.
- Willingness to accept personal accountability, with the ability to effectively delegate authority and responsibility while maintaining appropriate levels of operational control. The City Manager must be committed to openness, respect for differences of opinion, organizational development, accountability and employee growth.
- Outstanding interpersonal and “people” skills.
- Outstanding written and oral presentation skills.
- Personal and professional integrity of the highest order, demonstrated in both the candidate’s public and private life.



## QUALIFICATIONS & EXPERIENCE

The successful candidate will hold a bachelor's degree in business or public administration, political science or a related field. A graduate degree in business or public administration or a related field and designation as an ICMA Credentialed Manager are preferred, but not required. A minimum of ten years managerial service in a municipality, county, or an equivalent complex organization is sought. Candidates with private sector experience in complex organizations with challenges similar to those of Avondale may be considered on a case-by-case basis. The City Council will consider any combination of education, work experience and training that provides the capacity to execute the essential functions of the position.

The candidate's background and experience should include a diverse exposure to all aspects of managing a full-service municipality or county, preferably in an urban/suburban environment, and in a community undergoing substantial growth and development. The new City Manager should be comfortable in a diverse and involved community.



## COMPENSATION

A highly competitive starting salary, from the mid to high \$100K range, based on the successful candidate's qualifications and experience will be offered. The City offers a superior benefits package, including Arizona State Retirement System; health, dental and vision coverage; annual leave including vacation, sick and holiday bank hours; four-day work week; voluntary supplemental saving plans; and flexible spending account. The City Council will negotiate an employment agreement and relocation assistance for the successful candidate.



## APPLICATION AND SELECTION PROCESS

Qualified candidates should submit their resume online at <https://springsted-waters.recruitmenthome.com/postings/1775>. Interested applicants should apply by **March 5, 2018**. Applications will be screened against criteria provided in this brochure. For more information, contact Chuck Rohre at [crohre@springsted.com](mailto:crohre@springsted.com) or by calling (214) 466-2436 or Rollie Waters at [rwaters@springsted.com](mailto:rwaters@springsted.com) or by calling 214-466-2424.

**Applicants for this position selected as finalists will be subject to criminal history, credit, driver's license, educational credentials and personal background check prior to interviews.**

**Avondale is an equal opportunity employer and values diversity at all levels of its workforce.**

 **Springsted Waters**  
Executive Recruitment

14285 Midway Road, Suite 340 Addison, TX 75001 Phone: 972-481-1950 Fax: 972-481-1951

Springsted 380 Jackson Street, Suite 300 Saint Paul, MN 55101 Phone: 651-223-3000 Fax: 651-223-3002

Serving  
**LOCAL GOVERNMENT  
& ORGANIZATIONS**







## THE CITY OF DENTON, TEXAS IS SEEKING A HIGHLY EXPERIENCED AND VISIONARY LEADER TO SERVE AS ITS...

### THE COMMUNITY

Denton is a unique community, blending its historic past with a dynamic and high growth environment, coupled with a diversity to give it economic viability and strength. Denton has grown from a small frontier town, founded in 1857 to a burgeoning urbanized area with a population of approximately 131,000. The historic downtown Courthouse Square is the heart of Denton; the Square and surrounding streets are vibrant and busy both day and night as a gathering place for commerce, civic events, and entertainment. Fodor.com and Yahoo Travel have highlighted Denton on their list of America's Best Main Streets to visit.

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Rand McNally and USA Today ranked Denton Number One on its 2012 Top Ten Best Small Towns in America list!

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Located at the northern tip of a high growth area known as "The Golden Triangle" (formed by Denton, Fort Worth and Dallas), the city is a dynamic

## CITY MANAGER

### MUNICIPAL ORGANIZATION

The City of Denton operates under the Council-Manager form of government. The Mayor and six-member Council are elected for two year terms; four members are elected by District and the two remaining seats plus the Mayor are elected at-large. The City Manager is appointed by the Council and serves as the Chief Executive Officer for the City, ensuring that the policies of the Council are implemented and that the entire community is being served. The City Manager prepares the budget for Council's consideration; recruits, hires and supervises the local government staff; and serves as the Council's chief advisor.

The Fiscal Year (FY) 2016-2017 proposed budget includes funding for 1,638.5 full-time equivalents (FTEs) and has an overall operating and capital budget of \$1.19 billion. Operating as a full service municipality, in addition to standard municipal governmental services, Denton also operates with several major enterprise operations including Airport, Electric, Water, Wastewater, Solid Waste, and Drainage. The City of Denton prides itself on citizen involvement, innovation and efficient use of municipal resources.

Municipal services and operations are guided by the City's strategic plan which was created to ensure that the community realizes its vision and mission. In September of 2015, the City Council approved the City's FY 2015-16 Strategic Plan, and the Council is currently in the process of amending the Plan for FY 2016-17. The Strategic Plan serves as the basis for the development of the Annual Operating Budget, and the Council will consider approving it with the budget on September 20, 2016.

The Strategic Plan is organized into five Key Focus Areas (KFAs): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Liveable and Family-Friendly Community; and Sustainable and Environmental Stewardship.

To learn more about the City of Denton, visit <http://www.cityofdenton.com>.







## THE COMMUNITY (Continued)

community whose rapid growth has affected its infrastructure as well as its culture. Denton is approximately 95 square miles in territory and strategically positioned approximately 37 miles northwest of Dallas and 35 miles northeast of Fort Worth. Located on the Interstate 35 corridor at the intersection of I-35E and I-35W, Denton is approximately 25 miles from DFW International Airport and 20 miles north of Alliance Airport.

Denton is a rapidly growing community with a long history as the County Seat and the major urban center for Denton County. The city is home to two state universities - the University of North Texas and Texas Woman's University, with a combined enrollment in excess of 50,000 students. The city is also served by the North Central Texas College, the oldest two-year public college in Texas. Higher education is supported by the award-winning Denton Independent School District serving more than 27,000 students in a 180 square mile district.

While the amenities of the major metropolitan settings in Dallas and Fort Worth are only minutes away, Denton has a variety of performing arts, cultural, and entertainment opportunities within the community. Golf courses and nearby lakes offer superior outdoor recreation. The City and its surrounding area offer theater, symphony orchestras, museums, intercollegiate athletics and other cultural and recreational amenities. Denton also has 28 parks and over 300 acres of open space, plus eight recreational facilities.

Denton offers its next City Manager an exceptional quality of life and an inviting environment in which to live, work and raise a family.

## CURRENT ISSUES

The following listing of issues and challenges is representative of the issues the City Manager will encounter in the first six to eighteen months on the job and is not intended to be all-inclusive.

- **Organizational Assessment and Alignment** - The new City Manager (Manager) will assess the organizational structure of the municipal organization to include senior staffing, interdepartmental relationships, and adherence to the strategic plan and related goals and objectives. The Manager will ensure that highly talented and effective directors are in place for each of the City's operating departments and divisions.
- **Fiscal Sustainability** - The Manager will review the current and long-term financial status of the City and recommend financial strategies that maximize fiscal resources and protect the City from fluctuations in the local and national economy. The Manager will recommend to the City Council budget mechanisms and strategies to fund compensation structures to continue to attract and retain a talented staff, fund municipal participation in public-private partnerships, invest in infrastructure maintenance and upgrades, invest in its utility enterprise operations, and secure adequate water supplies for Denton's current and future needs.
- **Economic Development** - The City Manager will work closely with the Denton Economic Development Partnership, the Denton Chamber of Commerce, the Denton Black Chamber of Commerce, the Denton Hispanic Chamber of Commerce, the universities and other economic development partners to position Denton for tax base expansion and diversification, job growth and development of additional community amenities.
- **Community Development and Redevelopment** - Denton has a mixture of older, established neighborhoods and commercial areas and newer developments. The preservation and revitalization of the city's Historic Preservation Districts is a key priority, balanced with continuing the development and redevelopment of the entire city.
- **Leadership** - The City is seeking a strong professional and dynamic leader with demonstrated experience to manage and develop the City staff. The Manager will set a positive example of enthusiasm, work ethic and cooperative relationships within the community and the region. The Manager will put in place effective staff development and succession planning practices.
- **Municipal Facilities** - The City has widely dispersed operations in a number of locations. In many cases, City facilities are aging and approaching obsolescence. The Manager will advise the City Council regarding priorities for bond elections and general fund investments in maintaining, upgrading or relocating facilities.



## CANDIDATE PROFILE

Prepared in consultation with the Mayor and members of the City Council, the following listing reflects the management style and personal characteristics of the ideal candidate. Qualified candidates should offer:

- Outstanding personal leadership and management skills.
- Highly developed financial management and budgetary skills.
- High personal energy and a positive approach.
- An approachable, friendly, open and participatory management style.
- A comfort level with racial, ethnic, and gender diversity.
- A willingness to communicate in an effective, timely, and equitable manner with all members of the City Council.
- The ability to anticipate problems, identify alternative courses of action, prepare proactive recommendations and to defend and support those recommendations before the City Council.
- The ability to be an effective and articulate advocate for the City's interests in discussions and negotiations with other organizations, including other cities, Denton County, the North Central Texas Council of Governments, Texas Department of Transportation and the State of Texas.
- The ability to maintain effective working relationships with the assistant city managers, department heads and other City employees while maintaining a high level of accountability and productivity.
- The ability to maintain positive, productive relationships with the Mayor and City Council, the public, the business and commercial community, and development interests, and to balance responses to their respective needs for the interests of the entire community.
- The ability to work with and communicate effectively with all levels of the organization and all elements of the community on a fair and equitable basis.
- The ability to employ personnel policies and procedures to insure opportunity for the staff to advance based on their ability and performance record, as he/she demonstrates a strong commitment to teamwork, customer service and excellence.
- The ability to effectively delegate authority and responsibility while maintaining appropriate levels of accountability and operational control.
- A willingness to maintain a high degree of visibility in the community, both on and off the job. The successful candidate will have the desire to enter into a long-term relationship with the City of Denton and the community.

Other required personal characteristics include:

- An understanding of the political process while avoiding personal involvement in political issues.
- Initiative, resourcefulness, creativity and problem-solving ability.
- Outstanding interpersonal and "people" skills.
- Outstanding written, oral, and presentation communication skills.
- The tenacity to work through complex, long-term and often difficult issues and projects.
- A visionary approach to Denton's future.
- Personal and professional integrity of the highest order, demonstrated in both the candidate's public and private life.



## QUALIFICATIONS AND EXPERIENCE

The successful candidate will hold a Bachelor's degree in business or public administration, political science or a related field. A graduate degree in business or public administration or a related field is highly preferred. Five years' service as a City Manager or Assistant City Manager or the equivalent in a community of comparable or larger complexity is sought. Candidates with private sector experience in complex organizations with challenges similar to those of Denton may be considered on a case-by-case basis, within the confines of a City Charter requirement of two or more years' experience as a City Manager, Assistant City Manager or the equivalent. The candidate's background and experience should include a diverse exposure to all aspects of managing a full-service city or county, preferably in an urban environment and in a community undergoing substantial redevelopment and revitalization. The City Council is open to candidates from any region of the nation with experience relevant to Denton, with a focus on candidates from diverse and involved communities.

## COMPENSATION

The salary range for this position is highly competitive, based on the successful candidate's qualifications and experience, with a salary in the \$200k range. A superior benefits package is offered, including Texas Municipal Retirement System at the 7 percent employee contribution level with a 2-to-1 match by the City upon retirement; medical, dental, vision, life and disability insurance; vacation, sick leave, holiday; and other highly competitive benefits. The City Council will negotiate an employment agreement and relocation assistance with the successful candidate. The quality of life offered in Denton is outstanding and the Manager will reside within the corporate limits of Denton while employed by the City.



## APPLICATION & SELECTION PROCESS

Qualified candidates should submit their resume online by visiting our website at [www.watersconsulting.com/recruitment](http://www.watersconsulting.com/recruitment). This position is open until filled; however, interested applicants are encouraged to apply by **September 26, 2016**. Following this review date, applications will be screened against criteria provided in this brochure. The Mayor and City Council will offer interviews in Denton to those candidates named as finalists, with reference checks, background checks, and academic verifications conducted after receiving candidates' permission.

For more information, please contact:

Chuck Rohre  
(214) 466-2436 (direct)  
Email: [crohre@waters-company.com](mailto:crohre@waters-company.com)

Miguel Ozuna  
(214) 842-6478 (direct)  
Email: [mozuna@waters-company.com](mailto:mozuna@waters-company.com)

**Applicants for this position selected as finalists will be subject to a criminal history/credit/driver's license check prior to interview. While the consultant and City of Denton will endeavor to maintain confidentiality, under Texas statutes, information from your resume may be subject to release to the public at any stage of the recruitment process.**

**The City of Denton is an equal opportunity employer and values diversity at all levels of its workforce.**

**W&C** | Waters & Company

 A Springsted Company

14285 Midway Road  
Suite 340  
Addison, TX 75001

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Springsted Incorporated  
380 Jackson Street  
Suite 200  
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Fax: 651.223.3002

[waters-company.com](http://waters-company.com)

Helping  
**PUBLIC & PRIVATE  
SECTOR CLIENTS**  
manage their HR needs





LAKE HAVASU CITY

# LAKE HAVASU CITY, ARIZONA

IS SEEKING A HIGHLY EXPERIENCED, ETHICAL AND VISIONARY LEADER TO SERVE AS ITS NEXT  
**CITY MANAGER**

## THE COMMUNITY

Lake Havasu City, “Home of the London Bridge,” is in western Arizona surrounded by the scenic Sonoran and Mojave Deserts, and is located on the shores of the 45-mile long Lake Havasu. An ever-popular meeting and event destination, it attracts visitors nationwide, especially from western states. Lake Havasu City is the southernmost part of the Las Vegas Metropolitan area and is 150 miles southeast of Las Vegas and 200 miles northwest of Phoenix. Lake Havasu City was originally established by the Mohave County Board of Supervisors in 1963 as the Lake Havasu Irrigation and Drainage District and later incorporated in 1978. Today, Lake Havasu City has 46.2 square miles of land area and a 2016 estimated population approaching 54,000. Anticipated “build out” is 96,000, limited only by water availability.

In 1971, Lake Havasu City dedicated its most recognizable feature, the London Bridge. When the City of London replaced the iconic bridge, Lake Havasu’s founder, Robert P. McCulloch, Jr. purchased it and paid for its disassembly, shipping and reassembly in its present site spanning the Colorado River.

Lake Havasu City offers a hot desert climate, with winter highs in the 60 to 70-degree range and summer highs well over 100 degrees. Lake Havasu City is a destination for a wide variety of activities and people of all ages. During the spring, the community is joined by university students for Spring Break. For water sports enthusiasts, March to September are the prime months on Lake Havasu. The city is also home to the International World Jet Ski Final Races, multiple professional fishing tournaments, custom boat regattas, the Western Winter Blast pyrotechnics convention, Havasu 95 Speedway, the Chillin ‘N Swillin Beer Festival annual charity event, the Havasu Triathlon, and the Havasu Balloon Festival & Fair.







## MUNICIPAL ORGANIZATION

Lake Havasu City operates under a council-manager form of government. The Mayor and six Councilmembers are elected to staggered, four-year terms. The City Council sets the City's policy and direction, adopts the operating and capital budgets, and appoints the City Manager who has the responsibility for carrying out Council policies and administering day-to-day municipal operations. Per the City Code, department directors are appointed by the City Manager. In addition to the City Manager, the City Council also appoints the City Attorney, and Municipal Court Judge.

Lake Havasu City is a full-service community, and offers Administrative Services (customer service, tax and business, grants, information technology, and finance and budget); Human Resources; Legal; Community Investment (building, code enforcement, engineering, planning and zoning, procurement, and storm water management); Community Services (aquatics, recreation, special events, and parks and trails); Fire (facilities, fire suppression and fire prevention); Police (law enforcement, crime prevention, jail, and animal control); Courts (veteran, youth and traffic); and Operations (water/wastewater resources, airport, Havasu Mobility, buildings and parks maintenance, and streets). The City Council develops a two-year budget each year. For Fiscal Year 2017-2018, the total budget, including debt and capital, is \$155.2 million, with \$80.4 in the operating budget. City staff includes 452 full-time equivalents and approximately 100 part-time employees.

The vacancy of the City Manager is occasioned by the retirement of the incumbent effective December 29th after 8 years of service as City Manager.

## CANDIDATE PROFILE

Prepared in consultation with the Mayor and members of the City Council as well as key staff, the following reflects the leadership and management style along with personal characteristics of the ideal candidate:

- Fiscally conservative with highly-developed financial management, analytical and budgetary skills
- A strong and clear communicator who can simply explain complex issues
- An ethical and transparent manager who keeps the City's best interests in the forefront
- Commitment to collaboration and engagement among employees, customers and community
- A penchant for a transparent, "no hidden agenda" management and operational approach, sharing information freely with the Mayor and City Council.
- Data-driven and strategic in approach and execution
- The ability to maintain effective working relationships with the department directors and other City employees while maintaining a high level of accountability and productivity. The Manager should employ personnel policies and procedures that demonstrate a strong commitment to teamwork, customer service and excellence. The City Manager must be committed to organization development and growth.
- A strong and visible leader with evident passion and commitment, who leads by example
- Engaged in the residential and business communities
- Appreciates and embraces technology
- Values department heads and staff and their expertise, with a collaborative approach
- A service-orientation approach
- Keenly developed organizational and managerial skills
- Committed to a long-term relationship with the City
- A visionary approach to Lake Havasu City's future with the capacity to see the big picture
- Outstanding interpersonal and "people" skills.
- Outstanding written, oral and presentation communication skills.
- The tenacity to work through complex, long-term and often difficult issues and projects.
- Personal and professional integrity of the highest order, demonstrated in both the candidate's public and private life.





## COMMUNITY *(CONTINUED...)*

During the winter months, the community attracts many retirees from colder regions of the country and Canada. Multiple events are held on McCulloch Boulevard, such as during the second weekend of February, Winterfest, an annual event drawing thousands of visitors and residents for two days of food, activities, entertainment, and products from over 200 vendors from across the United States.

In the America's Best Communities competition sponsored by Frontier Communications, the City was the first runner up and received a \$2 million award for community betterment. While often regarded as a visitor and vacation destination, a reputation reinforced by 10,000 square feet of meeting space, over 1,600 hotel rooms and multiple RV parks, Lake Havasu City also offers its residents an inviting lifestyle, with many local amenities and friendly people. Educational needs are served by the Lake Havasu Unified School District and higher education is represented by Mohave Community College, an extended campus of Northern Arizona University, and a relatively new campus of Arizona State University in downtown Lake Havasu City.

For more information about Lake Havasu City, visit [www.lhcaz.gov](http://www.lhcaz.gov).



## CURRENT CHALLENGES & OPPORTUNITIES

The next City Manager (Manager) will encounter the following challenges and opportunities during the first six to 24 months on the job. The list is not intended to be all-inclusive but instead representative of what to expect.

- **Expenditure Limitation** – Arizona's Constitution imposes an expenditure limitation on governmental entities that limits the City's capacity to expend funds for projects and operating expenses. Since the base for the City was established in 1980, only two years after incorporation, the base line is artificially low. In 2018, the City will seek voter approval to raise the base to a more reasonable level.
- **Vision 20/20** - Vision 20/20 is an initiative designed to transform Lake Havasu City by focusing on a common mission to reverse the current economic trend and begin cycling back to net gains for a healthy economy. The process focuses on five pillars, i.e. economic development, education, tourism, water and community engagement. The City Manager will be a key leader in the implementation and success of this community-developed vision. Representative projects include Downtown Catalyst and redevelopment, Havasu Riviera development including a new state park and marina and a new eco-environmental learning center, among others.
- **Economic Development** – A primary focus of the City Manager will be advising the City Council regarding economic development opportunities and working in partnership with public and private entities to ensure that future development is sustainable and in the best long-term interests of the City. A diverse, sustainable and vibrant local economy is a key priority of the City Council. The Manager will work with the Partnership for Economic Development, the School District, Mohave County Economic Development, local colleges and other stakeholders in a collegial and effective manner.
- **Fiscal Sustainability** – The City Manager will review the current and long-term financial status of the city and recommend financial strategies that maximize fiscal resources and protect the City from fluctuations in the local, state and national economy.
- **Organizational Assessment** – The new City Manager will review the current staffing, organizational structure and productivity measures of the municipal organization and recommend improvements and potential realignments based on a detailed data-driven and insightful analysis of the current structure and staffing.
- **Community Development and Redevelopment** – Lake Havasu City is a vibrant community with a mix of unique neighborhoods. The manager will be proactive in attracting quality development and redevelopment that maintains the City's character. Efforts will continue to promote a vibrant downtown, strong neighborhood integrity and spark increased quality residential and commercial development dispersed throughout the community.
- **Collaboration and Partnerships** – The City Manager will be open and approachable to public, private and regional partnerships and collaboration. The Manager will serve as an effective and articulate advocate for the city's interests in discussions and negotiations with other organizations, including other cities, Mohave County, and the State of Arizona.

## QUALIFICATIONS & EXPERIENCE

The successful candidate will hold a bachelor's degree in business or public administration, political science or a related field. A graduate degree in business or public administration or a related field is preferred, but not required. A minimum of ten years managerial service in a municipality, county, or an equivalent complex organization is sought. Candidates with private sector experience in complex organizations with challenges similar to those of Lake Havasu City may be considered on a case-by-case basis. The City Council will consider any combination of education, work experience and training that provides the capacity to execute the essential functions of the position.

The candidate's background and experience should include a diverse exposure to all aspects of managing a full-service municipality or county, preferably in a freestanding environment, and in a community undergoing substantial growth and development.

## COMPENSATION AND BENEFITS

A highly competitive starting salary based on the successful candidate's qualifications and experience will be offered. The incumbent City Manager's base salary is in the high \$160,000 range. The City offers a superior benefits package, including an employment agreement; relocation assistance; and highly competitive insurance and leave benefits. The quality of life offered in Lake Havasu City is outstanding and the City Manager will reside within the corporate limits while employed by the city.



## APPLICATION AND SELECTION PROCESS

Qualified candidates should submit their resume online at <https://springsted-waters.recruitmenthome.com/postings/1560>. Interested applicants should apply by October 25, 2017. Applications will be screened against criteria provided in this brochure. For more information, contact Chuck Rohre at [crohre@springsted.com](mailto:crohre@springsted.com) or by calling (214) 466-2436.

Applicants for this position selected as finalists will be subject to a criminal history, credit, driver's license, educational credentials and personal background check prior to interviews.

**Lake Havasu City is an equal opportunity employer and values diversity at all levels of its workforce.**



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380 Jackson Street, Suite 300    Phone: 651-223-3000  
Saint Paul, MN 55101    Fax: 651-223-3002





March 12, 2018; RFP # 201718-09

# Recruitment Proposal for City Administrator

City of Madera

Submitted by:

**Koff & Associates**

**GEORG S. KRAMMER**

Chief Executive Officer

2835 Seventh Street

Berkeley, CA 94710

[www.KoffAssociates.com](http://www.KoffAssociates.com)

[gkrammer@koffassociates.com](mailto:gkrammer@koffassociates.com)

Tel: 510.658.5633

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March 12, 2018

Ms. Rosa Hernandez  
Interim Procurement Services Manager  
City of Madera Purchasing – Central Supply  
1030 South Gateway Dr.  
Madera, CA 93637

Dear Ms. Hernandez:

Thank you for the opportunity to respond to your request to provide you with a detailed scope of work for Executive Recruitment for the position of **City Administrator**, for the **City of Madera** ("City"). We are most interested in assisting the City with this critical effort. We are committed to providing exceptional service and excellent results. We have done work for the City in the past and just this past Thursday, March 8, signed a contract to do a new compensation study for the City. We are 100% committed to the City and hope that you provide us the opportunity to conduct a successful recruitment for the City as well.

Koff & Associates ("K&A") is an experienced Human Resources consulting firm that has been assisting cities, counties, special districts, educational institutions, courts, and other public agencies with their executive and staff level recruitment needs and other human resources needs for thirty-four (34) years. The firm has achieved a reputation for working successfully with City Councils, Boards of Directors, County Commissions, management, employees, and union representatives. We feel that our firm is exceptionally qualified to support you with your executive search efforts because of our extensive experience throughout the State of California. We have successfully placed numerous executives and managers with cities, counties, public agencies, JPAs, and non-profit organizations, and are confident we can accomplish a successful placement for the City.

As Chief Executive Officer of the firm, I would be Co-Project Director for the recruitment effort together with our Senior Recruiter, Richard O'Donnell. You can reach me at (510) 658-KOFF (5633) and my email address is [gkrammer@koffassociates.com](mailto:gkrammer@koffassociates.com). Richard's email is [rodonnell@koffassociates.com](mailto:rodonnell@koffassociates.com), and he can be reached at the same telephone number here in Berkeley. Our fax number is (510) 652-KOFF (5633).

Please call or email if we can provide any additional information.

We look forward to the opportunity to again provide professional services to the **City of Madera**.

Sincerely,



Georg S. Krammer  
Chief Executive Officer



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### FIRM QUALIFICATIONS

**Koff & Associates (“K&A”)** is a full spectrum, public-sector human resources consulting firm that was founded by Gail Koff in 1984, and has been assisting cities, counties, special districts, other public agencies, and non-profit organizations with their Human Resources needs for thirty-four (34) years.

We are a **private California corporation, #2785458**, and our **legal name is Kaneko & Krammer Corp. dba Koff & Associates, Inc.** Our headquarters are in Berkeley, CA, and we have satellite offices in Southern California, the Central Valley, and the Sacramento Region. We are a California State-certified Small Business Enterprise; and through the County of Alameda, we are also a locally certified Local, Small Local, and Very Small Local Business Enterprise.

We are familiar with the various public sector organizational structures, agency missions, operational and budgetary requirements, and staffing expectations. We have 34 years of experience working in both union and non-union environments (including service as the management representative in meet-and-confer and negotiation meetings), working with City Councils, County Commissions, Boards of Directors, Boards of Commissioners, Boards of Supervisors, Boards of Trustees, Merit Boards, Advisory Committees, Agency and District leadership team members, and Joint Power Authorities.

K&A’s areas of focus are executive search and staff recruitments; classification and compensation studies; organizational development/assessment studies; performance management and incentive compensation programs; development of strategic management tools; policy/procedure development and employee handbooks; training and development; public agency consolidations and separations; Human Resources audits; and serving as off-site Human Resources Director for our smaller public agencies that need the expertise of a Human Resources Director but do not need a full-time, on-site professional.

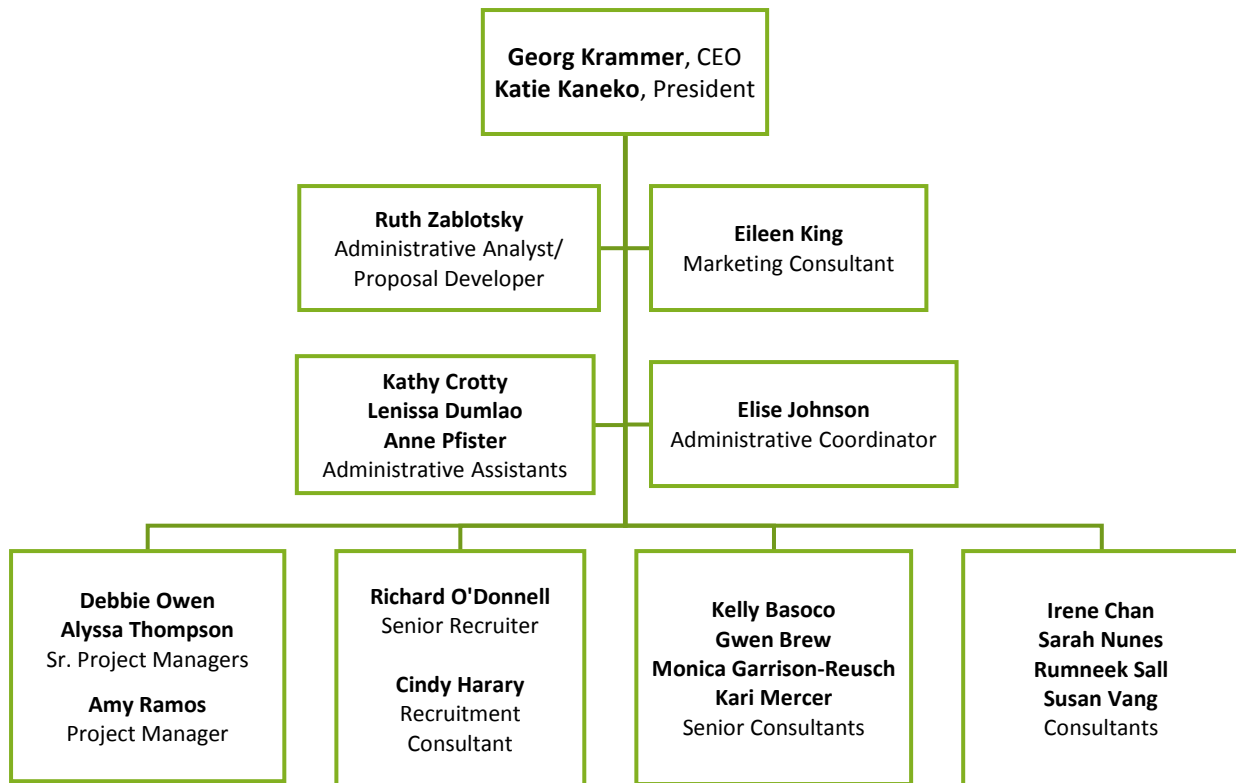
Without exception, all of our executive recruitments have successfully met all of our intended commitments; communications were successful with client agencies and job candidates; and we were able to assist each agency in successfully placing highly qualified candidates. All recruitments were brought to completion within stipulated time limits and proposed fees. Many of our clients use our recruitment services year in, year out because of their satisfaction with our success in providing placements for the positions they seek to fill.

Our long list of clients is indicative of our firm’s reputation as being a quality organization that can be relied on for producing comprehensive, sound, and cost-effective results. K&A has a reputation for being “hands on” and responsive with the ability and expertise to identify the ideal candidate to add value to your organization.

K&A relies on our stellar reputation and the recommendations and referrals of past clients to attract new clients. Our work speaks for itself and our primary goal is to provide professional and technical consulting assistance with integrity, honesty and a commitment to excellence. We are very proud of the fact that we have not had any formal appeals in our history, working with hundreds of public agency clients and completing hundreds of recruitments and studies.



Our entire team consists of twenty-one (21) employees as shown below in our organizational chart:



No subcontractors will be assigned to this study.

## TEAM MEMBER QUALIFICATIONS

Following are short biographies of the specific staff who will be assigned to this recruitment (full résumés for each will be found in the Appendix):

### **Georg Krammer, M.B.A., S.P.H.R.** **Chief Executive Officer**

Georg brings twenty (20) years of management-level human resources experience to Koff & Associates with an emphasis in organizational development; classification and compensation design; market salary studies; executive and staff recruitment; performance management; and employee relations, in the public sector, large corporations and small, minority-owned businesses. He had five (5) years in the private sector where he served as an HR Manager, as an Administrative Officer, and then as an HR Director.

After obtaining a Master of Arts in English and Russian and teaching credentials at the University of Vienna, Austria, Georg came to the United States to further his education and experience and attained his Master of Business Administration from the University of San Francisco. After starting his HR career in





Wells Fargo's college recruiting department, he moved on to HR management positions in the banking and high-tech consulting industries. With his wide-ranging and deep experience as a well-rounded senior HR generalist, his education in business and teaching, his depth and breadth of experience with public sector HR needs, programs, and functions, Georg's contribution to K&A's variety of projects greatly complements the Koff & Associates consulting team. He has spearheaded several hundred classification, compensation, organizational, strategic planning, etc., studies for hundreds of cities, towns, counties, and special districts throughout the State of California and has contributed to more than quadrupling the size of Koff & Associates as a result of the success of his projects and the subsequent expansion of the business through referrals from satisfied clients. Georg joined K&A in 2003 and has been the firm's Chief Executive Officer since 2005.

Georg has over fifteen (15) years of recruiting experience in the public sector, including but not limited to, agencies such as the following:

- **Cities of:** Berkeley, Fairfield, Hayward, Delano, Oxnard, Pinole, Richmond, Sacramento, San José, San Pablo, Tracy, and the Town of Atherton.
- **County of:** Solano.
- **Special Districts:** Alameda County Transportation Commission, Alameda County Water District, Alameda Housing Authority, Bay Area Clean Water Agencies, Castro Valley Sanitary District, Central Marin Sanitation Agency, Central Contra Costa Sanitary District, Coastside County Water District, Delta Diablo Sanitation District, Dublin San Ramon Services District, FIRST 5 Alameda, Fresno County Transportation Authority, Joshua Basin Water District, Mid-Peninsula Water District, Mt. View Sanitary District, Ojai Valley Sanitary District, Port of Oakland, Santa Clara Valley Transportation Authority, South Coast Water District, Superior Court of California-Los Angeles, Superior Court of California-Orange County, Shasta Regional Transportation Agency, Union Sanitary District, United Water Conservation District, Vallejo Flood and Wastewater District, Valley County Water District, Yorba Linda Water District, etc.

Georg will be key personnel and serve as the Project Director for this important recruitment for the City; he will coordinate all of K&A's efforts and will be responsible for all work products and deliverables.

#### **Richard O'Donnell, B.S.**

##### **Senior Recruiter**

Richard has eight (8) years of experience in recruiting in a wide variety of industries, including technical, IT, sales, marketing, data science, and editorial. During this tenure, he has worked as a consultant for several clients such as E-Trade, PayPal, and Apttus.

Prior to K&A, Richard was a Senior Recruiter for the Coit Group, a recruitment process outsourcing firm headquartered in San Francisco, where he worked onsite exclusively for their client Apttus. Here he managed all product and engineering recruiting in North America. He managed a diverse range of positions spanning from entry level employees to senior level executives.



Richard graduated with a double major from University of California Santa Cruz, earning a B.S. degree in both economics and accounting.

He is currently working on important recruitments for the Central Marin Sanitation Agency, Dublin San Ramon Services District, Mt. View Sanitary District, Paradise Irrigation District, Santa Clara Valley Transportation Authority, and the Cities of Arcata, Modesto, Sacramento and San José.

He will attend all meetings with the City, and be instrumental for all work products and deliverables.

#### **Cindy Harary, B.A. Recruitment Consultant**

Cindy's professional qualifications include over twenty-seven (27) years of experience in the Human Resources field, primarily in staff and executive recruitments, classification and/or compensation studies. She spent eleven (11) years in the public sector working for the City of Whittier, California, where she started out in their Public Works Department before being promoted to the Human Resources Department. She gained experience in recruitment and selection, employee training and development, labor relations, classification and compensation, and general human resources administration. She also spent sixteen (16) years working at a private HR firm where she worked in class, comp, etc.

While at the City of Whittier, Cindy performed all phases of recruiting for a variety of local government positions screening applicants; coordinating and conducting oral interviews; developing interview questions and guidelines; developing and administering written examinations and supplemental questionnaires; conducting skills testing; etc.

Further, she streamlined and automated the City's recruitment processes, which consisted of tracking pertinent data on job applicants, recruitments conducted, and employees selected. Some of the positions Cindy recruited for at the City of Whittier included Deputy Director of Public Works, Maintenance Workers, Engineering Technicians, Community Services Coordinator, Police Dispatchers, Police Sergeant, Police Lieutenant, Police Captains, Sergeant Lieutenant Captains, Police Officers, Building Inspectors, Tree Trimmers, Water Treatment Plant Operators, Solid Waste Workers, Library Director, Librarians, Library Assistants, City Clerks, Accountants, Fleet Maintenance Mechanics, etc.

Cindy earned her B.A. degree in Broadcast Journalism at California State University, Long Beach.

Working closely with Georg and Richard, Cindy will provide recruitment consultant support for this recruitment effort for the City.



# Executive Recruitment Proposal

## City of Madera

### REFERENCES

*Note: we have boldfaced all C-level or Top Executive level recruitments below conducted in the last few years.*

RECRUITMENT & AGENCY	CONTACT
<b>Berkeley, City of</b>  2016: Deputy Director of Public Works 2016: Manager of Engineering	<b>Mr. Sean O'Shea</b> Deputy Director of Public Works (510) 981-6306 2180 Milvia Street, 3 <sup>rd</sup> Floor Berkeley, CA 94704 <a href="mailto:soshea@ci.berkeley.ca.us">soshea@ci.berkeley.ca.us</a>
<b>Fairfield, City of</b>  2018: Community Development Director <b>2016: Chief Information Officer</b>	<b>Ms. Laura Snideman</b> Assistant City Manager (707) 428-7400 1000 Webster St. Fairfield, CA 94544 <a href="mailto:lsnideman@fairfield.ca.gov">lsnideman@fairfield.ca.gov</a>
<b>San José, City of</b>  2018: Human Resources Director 2017: Director of Planning, Building and Code Enforcement 2017: Director of Human Resources 2017: Senior Landscape Architect 2017: Associate Engineer Mechanical 2017: Associate Engineer Electrical <b>2016: Chief Information Officer</b> 2015: Director of Communications (Mayor's Office) 2015: I.T. Purchasing Manager 2014: Public Information Manager 2013: Division Mgr., Parks Recreation & Neighborhood Svcs. 2013: Environmental Services Program Manager 2013: Insurance & Risk Manager 2013: Principal Engineer 2013: Safety Officer 2013: Senior Electrical Engineer 2013: Zoo Manager	<b>Ms. Aracely Rodriguez</b> Employment Division Manager (408) 975-1458 200 E. Santa Clara St., 2 <sup>nd</sup> Floor Wing San José, CA 95113-1905 <a href="mailto:Aracely.Rodriguez@sanjoseca.gov">Aracely.Rodriguez@sanjoseca.gov</a>  <b>Also,</b>  <b>Ms. Julie Edmonds-Mares</b> Deputy City Manager (408) 535-8155 <a href="mailto:julie.edmonds-mares@sanjoseca.gov">julie.edmonds-mares@sanjoseca.gov</a>
<b>San Pablo, City of</b>  2017: Senior Civil Engineer	<b>Ms. Tina Gallegos</b> Assistant to the City Manager (510) 215-3002 13831 San Pablo Avenue San Pablo, CA 94806 <a href="mailto:tinag@sanpabloca.gov">tinag@sanpabloca.gov</a>
<b>Vallejo, City of</b>  2014: Human Resources Program Manager 2014: Personnel Analyst II	<b>Ms. Janet Thiessen</b> Human Resources Program Manager (707) 648-4106 555 Santa Clara Street



## Executive Recruitment Proposal

City of Madera

	Vallejo, CA 94590 <a href="mailto:janet.thiessen@cityofvallejo.net">janet.thiessen@cityofvallejo.net</a>
<b>Bay Area Clean Water Agencies</b>  <b>2012: Executive Director</b>	<b>Mr. David Williams</b> Executive Director (925) 765-9616 PO Box 24055, MS 59 Oakland, CA 94623 <a href="mailto:dwilliams@bacwa.org">dwilliams@bacwa.org</a>
<b>Central Contra Costa Sanitary District</b>  2014: Deputy General Mgr. 2014: Director of Operations <b>2013: General Manager</b> 2013: Director of Administrative Services 2013: Director of Engineering 2012: Finance Manager 2012: Plant Operations Division Manager 2012: Capital Projects Division Manager 2012: Environmental Services Division Manager 2012: Plant Maintenance Division Manager 2012: Collection Systems Division Manager	<b>Ms. Teji O'Malley</b> Human Resources Manager (925) 229-7309 5019 Imhoff Place Martinez, CA 94553 <a href="mailto:tomalley@centralsan.org">tomalley@centralsan.org</a>
<b>Coastside County Water District</b>  2017: Superintendent of Operations 2014: Assistant General Manager (Finance)	<b>Ms. Mary E. Rogren</b> Assistant General Manager (650) 726-4405 766 Main Street Half Moon Bay, CA 94019 <a href="mailto:mrogren@coasidewater.org">mrogren@coasidewater.org</a>
<b>East Bay Community Energy Authority</b>  <b>2017: Chief Operating Officer</b> 2017: Executive Assistant	<b>Mr. Nicolas Chaset</b> Chief Executive Officer (510) 219-2121 224 West Winton Avenue, Rm 110 Hayward, CA 94544 <a href="mailto:nchaset@ebce.org">nchaset@ebce.org</a>
<b>Fresno County Transportation Authority</b>  <b>2016-2017: Executive Director</b>	<b>Ms. Rose Willems</b> Measure "C" Advocate (559) 681-9369 2220 Tulare Street, Suite 411 Fresno, CA 93721 <a href="mailto:rosewillems@comcast.net">rosewillems@comcast.net</a>
<b>Greater Vallejo Recreation District</b>  <b>2017: General Manager</b>	<b>Mr. Gabriel Lanusse</b> General Manager (707) 648-4603 395 Amador Street



## Executive Recruitment Proposal

City of Madera

	Vallejo, CA 94590 <a href="mailto:glanusse@gvrd.org">glanusse@gvrd.org</a>
<b>Joshua Basin Water District</b>  <b>2013: General Manager</b>	<b>Mr. Curt Sauer</b> General Manager (760) 366-8438 61750 Chollita Road Joshua Tree, CA 92252 <a href="mailto:csauer@jbwd.com">csauer@jbwd.com</a>
<b>Madera Irrigation District</b>  2014: Human Resources Administrator – Risk Manager	<b>Ms. Tanesha Welsh</b> HR Administrator/Risk Manager (559) 673-3514, Ext. 222 12151 Road 28 ¼ Madera, CA 93637 <a href="mailto:Twelch@madera-id.org">Twelch@madera-id.org</a>
<b>Ojai Valley Sanitary District</b>  <b>2011: General Manager</b>	<b>Ms. Brenda Krout</b> Administration Officer (805) 646- 5548 1072 Tico Road Ojai, CA 93023 <a href="mailto:Brenda.krout@ojaisan.org">Brenda.krout@ojaisan.org</a>
<b>Santa Clara Valley Open Space Authority</b>  2015: Human Resources Administrator 2015: Communications Coordinator	<b>Ms. Lauren Monack</b> Administrative Services Director (408) 224-7476 33 Las Colinas Lane San José, CA 95119 <a href="mailto:lmonack@openspaceauthority.org">lmonack@openspaceauthority.org</a>
<b>South Coast Water District</b>  <b>2017: Chief Financial Officer</b> 2016: HR Manager 2013: General Manager	<b>Mr. Andy Brunhart</b> General Manager (949) 499-4555 34152 Del Obispo St. Dana Point, CA 92629 <a href="mailto:abrunhart@scwd.org">abrunhart@scwd.org</a>
<b>Superior Court of California, County of Orange</b>  <b>2017: Chief Human Resources Officer</b> <b>2016: Court Executive Officer</b> <b>2014: Chief Finance and Administration Officer</b> 2014: Staffing, Class & Comp Officer (Sr. Principal HR Analyst)	<b>Mr. David Yamasaki</b> Court Executive Officer (657) 622-7007 770 Civic Center Dr. West Santa Ana, CA 92701 <a href="mailto:dyamaski@occourts.org">dyamaski@occourts.org</a>
<b>Superior Court of Los Angeles</b>  <b>2016: Chief Deputy, Finance &amp; Administrative Services</b>	<b>Mr. Michael Lampert</b> Director, HR Administration (213) 633-0405 111 N. Hill St., Suite 203



## Executive Recruitment Proposal

City of Madera

	Los Angeles, CA 90012 <a href="mailto:mlampert@lacourt.org">mlampert@lacourt.org</a>
<b>Union Sanitary District</b>  <b>2015: Chief Financial Officer</b> 2015: Human Resources Manager 2015: Business Services Coach	<b>Mr. Gene Boucher</b> Human Resources Manager (510) 477-7530 5072 Benson Road Union City, CA 94587 <a href="mailto:geneb@unionsanitary.ca.gov">geneb@unionsanitary.ca.gov</a>
<b>United Water Conservation District</b>  2014: Deputy General Manager <b>2014: Chief Financial Officer</b>	<b>Mr. Kenneth Breitag</b> Executive Coordinator (805) 525-4431 106 N. 8 <sup>th</sup> Street Santa Paula, CA 93060 <a href="mailto:kenb@unitedwater.org">kenb@unitedwater.org</a>
<b>Vallejo Flood and Wastewater District</b>  2018: HR Director 2017: Field Operations Superintendent 2016: Director of Safety & Risk Management 2015: Director of Finance 2015: Director of Engineering	<b>Ms. Melissa Morton</b> District Manager (707) 644-8949, Ext 211 450 Ryder Street Vallejo, Ca 94590 <a href="mailto:mmorton@vsfcd.com">mmorton@vsfcd.com</a>
<b>Valley County Water District</b>  <b>2016: General Manager</b>	<b>Ms. Jandy Macias</b> Finance and Customer Service Manager (626) 338-7301, X207 14521 Ramona Blvd. Baldwin Park, CA 91706 <a href="mailto:jmacias@vcwd.org">jmacias@vcwd.org</a>
<b>Yorba Linda Water District</b>  <b>2014: General Manager</b>	<b>Mr. Robert Kiley</b> Board of Directors (714) 701-3000 1717 E. Miraloma Avenue Placentia, CA 92870 <a href="mailto:rkiley@ylwd.com">rkiley@ylwd.com</a>



### *WORK PLAN, TECHNICAL APPROACH, and DELIVERABLES*

Following are our detailed work plan, technical approach, and deliverables to be completed for this executive-level recruitment for the **City of Madera**:

#### Phase 1: Kick-off, Advertising and Sourcing

##### **1. Ideal Candidate Profile Developed by Meeting with Key Decision Makers**

The identification of the desired profile of the ideal job candidate for an executive level position is crucial for a successful search process. We will meet with the City Council if desired, City Manager, and other representatives of the City, to discuss and refine the City's needs and resulting position requirements for the **City Administrator** position. We recommend also consulting with other leaders associated with the City, to gain an understanding of what they are looking for in the City Administrator position, and to develop an ideal candidate profile. [If the City wishes, this could also include a town hall meeting to include members of the community in order to provide an opportunity for them to communicate what attributes are important in their next City Administrator. This is usually done for Police Chiefs or Fire Chiefs and occasionally for City Manager recruitments.]

The goal of this phase of the recruitment is to identify and/or develop:

- ❖ The various organizational needs, vision, mission, goals, strengths, challenges, opportunities, dynamics, culture, and staff of the agency;
- ❖ Position competency requirements, i.e., knowledge, skills, and abilities;
- ❖ Ideal candidate's skills, experiences, and characteristic profile;
- ❖ Personal and professional attributes required of and priorities for the new incumbent;
- ❖ Conditions and challenges in achieving the priorities identified above;
- ❖ Scope of community input and participation in the process;
- ❖ Type of working relationship City leadership desires with the new incumbent;
- ❖ Concerns and issues regarding the recruitment and the position;
- ❖ Advertising strategies in conjunction with a national outreach;
- ❖ Geographic strategies;
- ❖ Compensation levels; and
- ❖ Completion timetable.

Working closely with key stakeholders, K&A assists in identifying the specific needs of the City and the key competencies and characteristics of the "ideal candidate." We will obtain an understanding of the City's and its constituents' goals and priorities.

##### **2. Position Specification and Action Plan**

Once the "ideal candidate" criteria have been established, we will prepare a written job specification that outlines the required skills, competencies, position responsibilities, and criteria for job success. We will provide the written specification to the City Manager and/or Director of Human Resources for review and approval. In addition, salary and benefit considerations are discussed to ensure market competitiveness,





experience and education requirements are considered, geographic recruitment boundaries are identified, and a recruitment action plan will be developed.

At the conclusion of the meeting(s) with the various stakeholder groups, there should be a clear consensus of the key qualifications and characteristics of the position and the process, action plan, and timetable to be utilized for the recruitment activity.

### **3. Recruitment and Advertisement Strategy that has been Fully Researched, Developed and Implemented**

Following the development of the candidate profile, a professionally produced recruitment brochure will be prepared and presented to the City for review prior to printing. The brochure will highlight the strengths and challenges of the City, its organizational structure and services, its mission and goals, pertinent facts regarding the position, and necessary and desirable candidate qualifications.

We will use our own resources and coordinate with the City to identify relevant national, state, and local government and industry sources where prospective candidates are likely to be found.

Advertisements will be prepared and placed for publication in appropriate newsletters, job bulletins, websites, professional magazines, industry trade journals, professional organizations, public sector newsletters, etc. Some of these include: Western Cities Magazine, Careers in Government, American Public Works Association, Jobs Available, Municipal Managers of Northern California, Municipal Managers of Southern California, International City/County Management Association, etc. The approach we recommend taking is to place priority on job-related professional publications online job postings versus printed line ads. Finally, we will post ads on appropriate social media outlets, such as LinkedIn, one of the premier recruiting tools in the current labor market.

### **4. Prospect Identification**

Additional search strategies will be developed in conjunction with the approaches above and the initial organizational assessment. With management recruitments, we believe that it is critical to develop a high level of visibility with a comprehensive outreach program supplemented by a focused search and sourcing approach.

Having worked in the public sector for 34 years, we have established excellent relationships with many agencies and their management teams. Utilizing this effective network, we discreetly solicit recommendations and contact individuals meeting our criteria who may not be actively seeking other employment. Time and again, this has proved to be a valuable candidate source that is used concurrently with more traditional recruitment strategies as described above. We will develop a list of targeted candidates based on our contacts, referrals, and recommendations from key sources who have extensive contacts and networks in the industry. The individuals on the contact list will be directly contacted and encouraged to apply for the position.

K&A will work with the key stakeholders to make the final decision regarding which recruitment strategy to employ. The goal is to recruit candidates from diverse backgrounds utilizing local, regional, and



statewide resources, as well as the LinkedIn professional website and other candidate sourcing tools, as appropriate.

K&A has built the reputation for being an expert in identifying, targeting, recruiting, and successfully placing women and minority candidates in many of our recruitments. Our firm has developed a vast pool of resources at our fingertips when designing a successful advertising campaign that targets women and minorities. Over the years, we have developed effective social media strategies to get the word out about the recruitments we manage by posting on Facebook and Twitter, and targeting professional groups and individuals on LinkedIn.

Finally, we will also place internet postings on public and private sector employment bulletin boards, our own company website, and provide an announcement that may be used on the City website.

#### 5. Contact of Potential Candidates

To further detail this task, as described above, the effort will include a variety of activities designed to attract the best available candidates. K&A will:

- ❖ Contact professionals to identify outstanding potential candidates for the position of City Administrator;
- ❖ Provide each potential candidate with access to the recruitment brochure; and
- ❖ Contact potential candidates by telephone to explain the career opportunity, answer questions, and encourage them to submit a résumé and application.

### Phase 2: Application Review and Presentation

#### 6. Review of Applications and Assessment of Candidates

Typically, we require applicants to submit a fully completed application form, a résumé and cover letter, a supplemental questionnaire if the City desires, and any other information that applicants would like to add. We can provide our standard application form unless the City prefers to use its own application form.

After application materials are received, we prepare a thorough assessment of the merits of each candidate and their appropriateness for hire, including their professional and educational credentials. Initially, candidates and application materials are carefully evaluated based on an objective and clearly defined factor ranking analysis that incorporates the concerns and issues previously discussed, as well as the specific requirements of the job description. All elements from the initially developed position profile will be incorporated in our Applicant Rating Matrix, including required experience, education, licenses/certifications, knowledge, skills, and abilities; ideal candidate competencies, experiences, and characteristic profiles; and experiential and professional attributes required of and priorities for the new incumbent. Candidates are also ranked against each other and a numerical score that clearly distinguishes the most qualified candidates recommended for further consideration.

#### 7. Presentation of Prospects

We will present a summary of the evolving applicant pool in our Applicant Materials Binder throughout Phase 2 and at the conclusion; and ultimately a recommendation as to whom to move forward with. The



team will agree on the number of prospects that they would like the consultant to schedule for consideration. K&A will facilitate the process with the City to review the recommended group of candidates.

### Phase 3: Facilitation of Interview Process

#### **8. Evaluation of Prospects through Initial Screening and Preliminary Interviews**

Top candidates for the City Administrator position will initially be screened by means of a telephone screening interview to further assess their experience and qualifications, as well as potential cultural fit based on our understanding of important intangibles, to clarify any issues identified in the submitted documents; reasons for position interest will be identified; the level of commitment to the position and the organization will be determined; and other issues, including salary requirements will be discussed.

In addition, top candidates may be personally interviewed to further narrow the pool to only the most highly qualified candidates and to further establish best organizational fit of each potential finalist. This screening process is specifically designed to assess the personal and professional attributes the City has identified and will focus on each candidate's management ability, technical competency, fit with the City's values, culture, needs, the candidates' behavioral styles and situational experience, and other relevant characteristics.

#### **9. Slate of Recommended Candidates**

K&A will submit for review by the key stakeholders, clear written recommendations and analysis of the most qualified applicants as finalists. Our recommendations will include all relevant data submitted by the applicants, such as application forms, cover letters, résumés, and any additional relevant information the applicants have submitted. In addition, we provide our detailed assessment from each of the various steps of the assessment process, as outlined above.

#### **10. Coordination of, and Participation in, Applicant Interviews**

Working with the City, we will develop a set of key questions that will help analyze the candidates' qualifications and management/work style. We will complete all of the necessary communications with the interviewing panel, i.e., the "oral board," so that all parties are well-prepared for the interviews. Our firm will provide oversight during the interview process and facilitate a focused discussion among interview panel members at the conclusion of the interviews to identify the most qualified candidates for final consideration. Our facilitation skills usually prove useful in the assessment of candidates at the end of the interview process.

### Phase 4: Offer Stage and Conclusion

#### **11. Background and Professional Reference Checks**

K&A will conduct extensive reference and background checks for the final candidate(s). We start with employment and professional references, calling each and having an in-depth discussion covering strongest business characteristics, work style, interpersonal skills, and position-specific knowledge.



If requested, we will also perform a public records search, Internet, media and newspaper searches. We work with a background checking firm that can confirm educational degrees and check driving records, criminal records and a financial history/credit check. We, as well as our background contract firm, meet or exceed all of California's extensive reporting requirements. If preferred, background and professional reference checks can be completed before candidates are presented for the oral interview process with a panel (Project Deliverable #10 above).

### **12. Final Interviews: Coordination of Final Interview Process**

Our experience is that often the interview panel will narrow the field of candidates to two or three finalists who are asked back for a more informal second and final interview. This may include meeting other City staff, touring facilities and/or offices, and spending more quality time with the City Council members, City Manager, and other stakeholders.

### **13. Negotiation of Terms and Conditions of Employment**

If desired, our firm is available to assist in the negotiations of the final terms and conditions of employment, such as the compensation package, benefits, and other "perks" (perquisites).

### **14. Maintenance of All Required Legal Documentation**

We are responsible for ensuring compliance with and establishing and maintaining all legally mandated documentation throughout the process.

### **15. Completion of all Correspondence**

We believe that each candidate, regardless of their qualifications and success in the selection process, deserves the courtesy and respect of being informed throughout the process. Applicants receive ongoing communications via our office, which not only keeps all the candidates abreast of the process and their continued candidacy, but also enhances the City's reputation and image of being considerate, thoughtful, and professional.

### **16. Maintenance of Regular and Ongoing Communications**

Our #1 priority is meeting the City's needs. Regular, ongoing dialogue with the key decision makers is integral and critical to successfully managing a recruitment campaign. We will provide progress reports to the City at critical points in the recruitment process or as issues arise. Reports shall describe our progress in meeting the goals of the scope of services and issues. We will be responsible for scheduling, coordinating, and preparing all of the necessary materials for the key stakeholders, and other meetings throughout the duration of the process.

### **17. Post-Employment Support**

In addition to the steps of the process leading to an offer of employment to the top candidate, we are committed to ensuring that the new incumbent's transition into the new position will be smooth and successful.



#### ❖ DIVERSITY RECRUITING STRATEGY

Having conducted countless executive search efforts has made K&A an expert in identifying, targeting, recruiting, and successfully placing women and minority candidates in many of our recruitments. Being a State-registered small business, our firm has a vast pool of resources at our fingertips when designing a successful advertising campaign that targets women and minorities. These resources include a network of diverse professionals from whom we can request referrals, job boards geared toward minorities and women, and a pool of candidates from prior recruitments that includes a diverse set of candidates. In addition, we have worked with other clients who value diversity and have requested specific strategies such as assembling interview panels that include diverse populations.

#### ❖ CONFIDENTIAL SAFEGUARDS

The advantage of hiring a recruitment firm is that the bulk of all documentation and recordkeeping will be done by us and only very specific information and documents will be shared with the key stakeholders. Our main contact person and channel of communication with the City will be the City Manager, or Director of Human Resources, or other designee. In addition, we will conduct orientation and briefing sessions with other stakeholders during which we will discuss how important confidentiality is when it comes to the recruitment and that documentation should only be shared with the recruiting consultant and City Manager, or Director of Human Resources or other designee, etc., not third parties.

We understand that confidentiality is one of the utmost important values when it comes to all things HR-related. We also understand the potential sensitivity of job applicants' information, especially when they are currently still employed and don't want their employer to learn about their job search activities, or cases where job candidates potentially know each other.

Of course, we will never share job candidate information or application documents with any third parties. We will only contact job candidates' current employers with their express permission (although we typically require such during the final background and reference checking, at the latest when a conditional job offer has been made). When it comes to the interviewing process, we are also sensitive to the fact that some candidates may know each other and we try to schedule interviews in neutral locations that have front and back entrances, so that one candidate can be ushered out the back entrance while the next candidate is waiting their turn to be interviewed.

#### ❖ INNOVATIVE PRACTICES

Our team is able to develop a big picture, third party perspective of the candidate market unique to each position. By taking the time to study the successful qualities of candidates in each niche we understand which backgrounds are relevant and why, enabling us to efficiently cement the right placement for your team.



## Executive Recruitment Proposal

### City of Madera

We tailor our outreach according to the specifics of the position using a variety of sourcing strategies across different social media sites, and across the web. Sites include LinkedIn, Twitter, Glassdoor, Google for Jobs, Recruit.net, WayUp, and many more. Our method ensures that we find highly accurate candidates that exceed what you were expecting from a recruiting service. We are experienced with organizations of various cultures, and of all sizes and stages. Our goal is to guide placements that create an improved team chemistry.

We put a premium on accurate candidate submissions in order to create efficiency for all parties. We begin the evaluation process with point-factor analysis using our “Applicant Rating Matrix” tool, understanding key competencies. We then complete phone screening interviews so that the slate we present to you includes a full and well-informed picture of each candidate we feel is relevant. We will help develop thorough interview question sets and provide tools and guidance for the interview panel. We are strong negotiators and tailor our approach to suit both the needs of the City and the candidate. Once there is an accepted offer, we maintain communications with the candidate up to and beyond the date of hire to ensure a successful placement.



### TIMEFRAME & KEY TARGET POINTS

We are able to begin the recruitment process immediately upon receipt and execution of a contract or professional services agreement.

Following is a typical schedule for conducting recruitment efforts. Search efforts of this scope generally take three to four (3 - 4) months to complete, allowing enough time for all phases of the process.

#### Key Target Points:

Development of Ideal Candidate Profile:	Within 1 week of contract award
Needs Assessment:	1 week from initial meeting
Position Specification and Action Plan:	2 weeks from initial meeting
Develop Recruitment Strategy:	2 weeks from initial meeting
Prospect Identification:	2-6 weeks from initial meeting
Contact Potential Candidates:	2-6 weeks from initial meeting
Assess Candidates:	7 weeks from initial meeting
Presentation of Prospects:	7 weeks from initial meeting
Initial Screening/Preliminary Interviews:	8-9 weeks from initial meeting
Background & Reference Checks:	10 weeks from initial meeting
Recommend Slate of Candidates:	10 weeks from initial meeting
Applicant Interviews:	11 weeks from initial meeting
Coordinate Second Interviews:	12 weeks from initial meeting
Negotiate Terms of Employment:	13 weeks from initial meeting
Offer of Employment:	14 weeks from initial meeting

### COST

Our professional lump-sum, Not-To-Exceed fee for the described executive search services for the **City Administrator** position at the **City of Madera** would ordinarily be **\$24,000**. However, as the City is a loyal client of Koff & Associates, and in light of our signing a new contract on March 8 to conduct compensation work for the City, we are willing to offer a \$1,000 discount and conduct this recruitment for **\$23,000**.

The above fee includes our professional fee and the expenses we anticipate as stated below.

*Expenses include newspaper, Internet and journal advertisements, recruitment brochure set-up and printing, postage, telephone, background, security and credit check, clerical support, and consultant travel (any cost for candidate travel will not be borne by K&A).*

We would expect the following method of payment:

1. Completion of all advertising efforts:	25% of professional fee
2. Completion of application review:	25% of professional fee
3. Completion of entire interview process:	25% of professional fee
4. Once offer of employment is made:	25% of professional fee





### INSURANCE ACKNOWLEDGEMENT

We will submit and support the levels of coverage and endorse the City with our General Liability coverage upon award of a contract for the project.

Workers' Compensation:	Statutory Limits
Commercial General Liability:	\$2,000,000 per occurrence
Professional Liability (Errors & Omissions):	\$1,000,000 per occurrence
Automobile Insurance:	\$1,000,000 per occurrence

Our insurance broker is Ms. Eileen Hollander, Sr. Account Manager/Commercial Lines, Integro Insurance Brokers, 2300 Contra Costa Blvd., Suite 375, Pleasant Hill, CA 94523.

Note: Ms. Hollander has already provided Certificates of Insurance to the City, as of March 8.

### BUSINESS LICENSE

On March 8 we applied for a business license for the City of Madera, as part of our agreement to conduct the compensation work. We have not yet received it but as soon as we receive it, we can provide the license number should we be the lucky recipient of the award for this recruitment.

### K&A PROMISE (Placement Guarantee)

K&A is committed to finding only the most qualified candidates for the City Administrator position who not only meet all the necessary requirements and qualifications but are also a cultural fit for the City and its staff. We aggressively and proactively recruit for each search effort until a successful candidate is placed.

We therefore promise to present a slate of candidates to the City that includes only those individuals who have passed through all of our screening processes and have been identified as potential ideal matches for the position requirements. Should the key decision-makers disapprove of all final candidates and/or should none of the final candidates pass the final interview and reference check process, we will work to find a new slate of candidates.

In addition, we promise to find a replacement should the incumbent leave the position or be terminated from employment within twelve (12) months of hire due to performance issues. In either case, as described above, we will identify a replacement and only charge through related expenses as described in the Cost Proposal.



## Executive Recruitment Proposal

City of Madera

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### *Signature Page*

Koff & Associates intends to adhere to all of the provisions described in RFP # 201718-09.

This proposal is valid for at least ninety (90) days.

Respectfully submitted,

By: KOFF & ASSOCIATES  
State of California

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Georg S. Krammer  
Chief Executive Officer

March 12, 2018

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### *Appendix:*

#### Résumés of Participating Staff

## Georg S. Krammer

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### KEY ACHIEVEMENTS AND HIGHLIGHTS

- **Chief Executive Officer:** At HR consulting firm, Koff & Associates, moved from junior role to Senior Project Manager position and, subsequently, became CEO and one of two principals of the firm; worked with over 400 clients on projects with a 100% success and implementation rate. Led company in all recruitment efforts for clients (ongoing).
  - **Human Resources Director/Recruiter:** At IT and e-commerce consultancy, Primitive Logic, was part of building the team from 20 employees to 50; implemented entirely new HR infrastructure.
  - **Administrative Officer:** As a member of Senior Management team of Mission National Bank, turned Bank around from years of losses to profits within six months, as well as substantially improved rating with regulatory authorities. Established best practices and operational efficiencies in HR department.
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### PROFESSIONAL EXPERIENCE

#### ***Koff & Associates, Berkeley, CA***

##### **Associate and Senior Project Manager, 2003-2005**

##### **Chief Executive Officer, 2005-Present**

- Serve as Project Director in conducting hundreds of classification, compensation, and organizational studies, as well as executive and staff recruitments; provide strategic planning services for public sector agencies; provide offsite human resource function.
- Recruit executive level positions for water and sanitation districts, courts, counties, cities, transportation agencies, housing agencies, and other statewide and local agencies.
- Develop complex, detailed proposals for cities, counties, courts, and special districts, such as housing, school, healthcare, air quality, vector control, transportation, water, and wastewater agencies to provide professional Human Resources consulting services.
- Represent Koff & Associates with clients, write and approve final project reports, develop client recommendations, and lead presentations in front of and provide expert advice and counsel to City Councils, Boards of Commissioners, Boards of Supervisors, Boards of Directors, and other governing bodies.
- Manage and develop staff of project managers, data specialists, firm consultants, marketing and administrative analysts in Berkeley headquarters and various satellite offices throughout the State.
- Grew company from serving approximately 100 clients to 400 clients and grew staff from 4 to 24 in period of twelve years.
- Contributed to and maintained 100% successful implementation rate of studies performed for clients.

#### ***Primitive Logic, Inc., San Francisco, CA***

##### **Human Resources Director, 2000-2002**

- Supported 50 employees, focusing on organizational development, program implementation, and coaching, resulting in an efficient and healthy organization.
- Pulled all HR functions under one umbrella, thereby allowing executive management to focus on company operations.
- Managed entire recruiting process and coordination resulting in the company's growth of over 100% within one year.

- Planned, directed and carried out employment policies with the goal of reducing cost, safeguarding company culture, and keeping employee morale high.
- Handled all employee relations issues to ensure a productive work environment and to minimize company liability: grievances; counseling; workplace investigations; terminations.
- Created a structured termination process resulting in smoothly administered workforce reductions.
- Managed and redesigned all employee services: new-hire orientation; benefits; employee reviews; employee mentoring program; training; employee morale; record-keeping.
- Created all employment related contracts: offer letters, non-disclosure agreements, stock option agreements, independent consultant contracts; separation/release-of-claims agreements.
- Managed applications for immigration visas, including H-1B's and Labor Certifications.

***Mission National Bank, San Francisco, CA***

**HR Manager/Administrative Officer, 1998-2000**

- As Executive Officer and member of Senior Management team, served as HR Manager, Bank Security Officer, Bank Secrecy Act Officer, Administrative Officer, Supervisor of Merchant Credit Card Program, Supervisor of Research, ACH and check processing, and provided back-up for MIS troubleshooting and other technical issues; supervised two people.
- As head of HR department, redesigned HR infrastructure, and the following HR functions: training, payroll, compensation, benefits administration, employee grievance and conflict resolution.
- Maintained and implemented updated employment policies. Responsible for hiring, new-hire orientation, and terminations. Advised Senior Management and Board of Directors on HR issues, labor law updates, business conduct and ethics, as well as compensation structure to ensure legal compliance, adherence to overall business goals, reduction of cost, and employee retention.

**PROFESSIONAL AFFILIATIONS**

- California Public Employer Labor Relations Association
- National Public Employer Labor Relations Association
- Public Employer Labor Relations Association of California
- International Public Management Association
- Society of Human Resource Management
- Northern California Human Resource Association
- California Chamber of Commerce
- California Association of Sanitation Agencies
- California Special Districts Association
- League of California Cities

**EDUCATION**

**MBA** – International Business, University of San Francisco, Beta Gamma Sigma Honorary Society

**MA** – English and Russian languages and literature; teaching credentials; University of Vienna, Austria

**SPHR** – Senior Professional Human Resource Certificate

## Richard L. O'Donnell

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### PROFESSIONAL EXPERIENCE

#### ***Koff & Associates, Berkeley, CA***

##### **Senior Recruiter, June 2017 - Present**

- Perform full-cycle recruitment and placement for senior management, financial, technical, compliance management, etc. candidates for public-sector agencies.
- Support clients through the full-cycle recruitment process – from job advertising, candidate sourcing, candidate review, interview facilitation, and candidate selection.
- Conduct in-depth analyses of the relevant candidate market.
- Present data in an organized, visually-friendly manner using professional recruiting methodology, technology, and tools to facilitate decision-making during the hiring process.
- Focus recruitment methods to best match the needs of our clients and provide sound advice throughout the search.

#### ***Apttus (COIT Group RPO), San Mateo, CA***

##### **Senior Technical Recruiter, April 2016 – June 2017**

- Maintained a high volume of requisitions, including the organization of critical data and sourcing.
- Consulted with a variety of stakeholders, including hiring managers, interview panels, admins, executives, and internal HR to facilitate the integrity of the recruitment process.
- Worked with candidates throughout the life-cycle of candidacy to ensure a positive experience.

#### ***Millennium Search, San Francisco, CA***

##### **Senior Technical Recruiter & Managing Partner, April 2013 – April 2016**

- Provided advice and guidance, and developed comprehensive hiring plans in collaboration with clients.
- Developed creative recruiting strategies designed to foreshadow staffing needs.
- Focused on highly accurate candidate outreach and submissions to ensure efficiency for respective parties.

#### ***Workbridge Associates, San Francisco, CA***

##### **Senior Technical Recruiter, February 2011 – April 2013**

- Managed the entire recruitment process across multiple technologies.
- Employed a consultative and collaborative approach with candidates and clients alike to be a “solution provider”.
- Identified and manufactured key relationships by recognizing clients’ needs and providing full life cycle recruiting services.

***Infinity Financial Services, Oakland, CA***

**Business Development Manager, January 2010 – February 2011**

- Used CRM software to assist in determining appropriate portfolio allocations.
- Called prospects, scheduling multiple introductory phone calls daily.
- Worked directly with a certified expert in learning a consultative style sales approach.

**EDUCATION**

**University of California, Santa Cruz, Santa Cruz, CA**

B.S., Economics & Accounting



## **PROFESSIONAL SUMMARY**

Over twenty-nine (29) years of progressively advancing Human Resources experience with local government and private sector agencies. Excellent verbal and written communication skills and superior organizational abilities.

## **KEY ACHIEVEMENTS AND HIGHLIGHTS**

### ***Recruitment and Selection:***

- Performed all phases of recruitments for a variety of local government positions.
- Screened applicants; coordinated and conducted oral interviews; developed interview questions and guidelines.
- Developed and administered written examinations, supplemental questionnaires, and skills testing.
- Streamlined and automated recruitment processes.
- Tracked pertinent data on recruitments conducted, job applicants, and employees selected.

### ***Human Resources Administration:***

- Assisted managers with understanding and implementing employee disciplinary actions and following personnel rules and regulations.
- Produced an employee orientation video.
- Developed, implemented, and interpreted policies to ensure compliance with Federal Regulations (i.e., FMLA, ADA, AA/EEO, COBRA, DOT/FHA); and State Regulations (i.e., FLSA, CAL-OSHA, etc.).
- Responded to DFEH/EEO discrimination complaints and unemployment insurance claims.
- Developed employee customer service notebook.
- Assisted in managing annual HR Dept. budget.

### ***Benefits Administration/Employee Relations:***

- Assisted management during employee labor contract negotiations with sworn and miscellaneous represented employee groups.
- Created and published monthly employee newsletter.
- Monitored the Employee Assistance Program.
- Organized employee wellness events such as annual Employee Expo combining wellness, rideshare and college outreach activities.
- Coordinated annual health screenings.

### ***Training and Development:***

- Developed and conducted staff training programs on customer service, new employee orientation, and heat exhaustion programs for field employees.
- Participated in the formulation of a training consortium which provides supervisory and employee relations training at a reduced cost to agency members.

### ***Risk Management/Safety Administration:***

- Developed and coordinated City-wide employee safety training programs including CPR, First Aid, Bloodborne Pathogens, DOT Drug and Alcohol Testing regulations, and Respiratory Protection Program.

***Classification and Compensation:***

- Analyze job classifications and prepare job descriptions.
- Conduct salary surveys for public and private sector classifications including Executive Management, Mid-Management, Technical, Clerical, Professional, Classified, Sworn, and part-time employees; compile and analyze salary data and provide salary adjustment recommendations.
- Create internal salary relationship charts; make salary range recommendations.

***Leadership/Supervision:***

- Assisted in supervision of clerical support staff.
- Coordinated City's Workfare program for Welfare recipients.
- Served as President, Vice-President, Treasurer, and various other Board positions for volunteer organizations within local community; provided leadership and guidance to numerous groups of volunteers.

**EMPLOYMENT HISTORY**

- |  |                          |
|--|--------------------------|
| • HR Consultant, Koff & Associates, Berkeley, CA:            | November 2015 to present |
| • HR Consultant, Creative Management Solutions, Anaheim, CA: | 2000 - 2015              |
| • City of Whittier, Whittier, CA:                            | 1987 - 1999              |
| Staff Assistant II (City Clerk)                              |                          |
| HR Analyst I and II  |                          |
| HR Assistant   |                          |
| Secretary to the HR Director                                 |                          |
| Customer Service Clerk (Public Works)                        |                          |

**EDUCATION**

**Bachelor of Arts in Journalism**, California State University, Long Beach

**Certificate in Human Resources Management**, California State University, Long Beach

**AFFILIATIONS**

Past Member of Southern California Personnel Management Association (SCPMA) and Personnel Testing Council of Southern California



A Proposal to Conduct an  
Executive Recruitment for the Position of  
CITY ADMINISTRATOR  
on behalf of the  
CITY OF MADERA

1544 Eureka Road, Suite 280  
Roseville, CA 95661  
(916) 784-9080  
(916) 784-1985 fax

March 9, 2018

Mayor Andrew J. Medellin  
and Members of the City Council  
City of Madera  
City Hall  
205 West Fourth Street  
Madera, CA 93637

Dear Mayor Medellin and Council Members:

Bob Murray & Associates is pleased to submit a proposal to conduct the City Administrator recruitment for the City of Madera. The following details our qualifications and describes our systematic—yet flexible—method of identifying, recruiting, and screening outstanding candidates on your behalf. It also includes a proposed budget, timeline, and guarantee.

At Bob Murray & Associates, we pride ourselves on providing quality service to local governments, non-profit agencies, and private firms. Our recruitment process helps you to determine the direction of the search and the types of candidates you seek while capitalizing on our decades of experience and vast network of contacts to reach those candidates. Our expertise ensures that the candidates we present to the City of Madera will match the criteria you have established, be a good fit for your organization, and be outstanding in their field.

With respect to the City Administrator recruitment and the City of Madera, our firm has placed over 200 City Managers since our firm's inception in 2000. We are currently conducting City Manager recruitments on behalf of the cities of Daly City, Lompoc, Santa Fe Springs, Tracy, and Willits, CA. Our most recently completed City Manager and Town Manager searches include those on behalf of the cities of Adelanto, Alhambra, Atwater, Banning, Bell, Bradbury, Compton, Covina, Dana Point, Dinuba, El Centro, Grass Valley, Greenfield, Gridley, Hesperia, Imperial, Lemon Grove, Los Altos, Manteca, Martinez, Marysville, Menifee, Merced, Novato, Pasadena, Rio Vista, Rosemead, San Fernando, San Gabriel, Santa Paula, Santee, Seaside, St. Helena, and Windsor, CA; Chandler, AZ; Boulder City, NV; and Newberg, OR. Our extensive contacts and knowledge of outstanding candidates will ensure you have a quality group of finalists from which to select the City of Madera's next City Administrator.

Recent City Administrator recruitments we have completed similar in size and scope to your upcoming search include the following:

2017

Adelanto, CA  
Alhambra, CA  
Atwater, CA  
Boulder City, NV  
Compton, CA

Covina, CA  
El Centro, CA  
Grass Valley, CA  
Menifee, CA  
Marysville, CA  
San Fernando, CA

San Gabriel, CA  
Santa Fe Springs, CA  
St. Helena, CA  
Tracy, CA  
Willits, CA  
Windsor, CA (Town Manager)

2016

Bradbury, CA  
Chandler, AZ  
Commerce, CA (City Administrator)  
Dana Point, CA  
Gridley, CA (City Administrator)  
Greenfield, CA  
Imperial, CA  
Los Altos, CA  
Manteca, CA  
Newberg, OR

Novato, CA  
Pasadena, CA  
Rio Vista, CA  
Rosemead, CA  
Santa Paula, CA

2015

Banning, CA  
Bell, CA  
Chandler, AZ  
Dinuba, CA  
Hesperia, CA  
Lemon Grove, CA  
Martinez, CA  
Merced, CA  
Oceanside, CA  
Santee, CA  
Seaside, CA

We work as a team on every search at Bob Murray & Associates. Your Project Lead would be Mr. Gary Phillips, who would not only direct and supervise the project team from beginning to end, but also serve as the Recruiter for the project as well.

To learn first-hand of the quality of our services and why the majority of our engagements come from repeat and referred clients, we invite you to contact the references listed on page 15 of the attached proposal.

We look forward to your favorable consideration of our qualifications. Please do not hesitate to contact us at (916) 784-9080 with any questions.

Sincerely,

*Valerie Gaeta Phillips*

Valerie Gaeta Phillips  
President, Bob Murray & Associates



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## THE RECRUITMENT PROCESS

Bob Murray & Associates' recruiters are specialists in finding the perfect fit, providing security and fairness to candidates and clients while ensuring the integrity of the search process. We understand that superlative recruiting for the City Administrator will lead to superlative results for the City of Madera. Outlined below are the steps in our proven recruitment process, refined through our 30+ years of experience in executive search.

### STEP 1 DEVELOP THE CANDIDATE PROFILE

Our understanding of the City of Madera's needs will be key to a successful search. Mr. Phillips will meet in person with the Mayor and City Council, and key stakeholders identified by the City, to learn as much as possible about the ideal candidate for the City Administrator position. We want to become familiar with the values and culture of the organization, as well as to understand the current—and future—issues, challenges, and opportunities in the City of Madera.

Mr. Phillips will review and help define the City's wish-list regarding the ideal candidate's personality, management style, knowledge, skills, and abilities and will work with the City to identify expectations regarding education and experience. The Mayor and City Council and Mr. Phillips will discuss compensation, benefits, and other key information necessary to ensure that outstanding candidates are attracted to this opportunity. The profile we develop together at this stage will drive subsequent recruitment efforts.

#### *Optional Service: Community and Staff Involvement*

We find that many of our clients value a recruitment process that opens the opportunity for community members, business leaders, organization representatives, and employees to provide input regarding the ideal candidate. Our recruiters are skilled in designing and facilitating forums, town hall meetings, and online surveys that allow equitable involvement from a variety of constituencies and in consolidating feedback into a cohesive narrative of common themes.

If the City of Madera so desires, we will work with the Mayor and City Council to create a customized community and/or staff input process.

### STEP 2 DESIGN/DISTRIBUTE BROCHURE AND ADVERTISEMENTS

Mr. Phillips and your dedicated Recruitment Coordinator will use the candidate profile developed with the City of Madera to create a professional recruitment brochure, with the assistance of our professional graphic designer. The four-page, full-color brochure will describe the community, organization, position, ideal candidate, and compensation and will include pictures provided by the City of Madera that you feel best represent your organization and your community.



Upon your approval, Mr. Phillips will send the brochure by postal mail and email to a targeted audience, personally inviting potential candidates to apply for the City Administrator position. We will also place the recruitment brochure on our website, which attracts over 11,000 unique hits weekly and is a trusted resource for candidates seeking executive and professional positions. A sample brochure is included in this proposal package for your reference.

Mr. Phillips will also design an effective advertising campaign appropriate for the City Administrator recruitment. Our broadest outreach comes through our active social media involvement on Facebook, LinkedIn, and Twitter, where upcoming and current positions are posted. Sources such as *Western City Magazine*, the “Jobs Available” newsletter, and the Careers in Government website will be used to reach an extensive local government audience, while position-specific postings will be chosen to attract candidates who have built their careers in and are committed to the City Administrator field.

Suggested City Administrator-specific advertising sources for the City of Madera’s search include:

- California City Management Foundation
- California City News
- ICMA Newsletter
- MMANC and MMASC

Bob Murray & Associates does not typically place ads with job aggregators or general job posting sites such as CareerBuilder, Monster, or Indeed, as we have found that the broad reach of these sites does not necessarily lead to quality candidates for executive and professional positions.

### *Reaching Diverse Candidates*

Bob Murray & Associates, a woman- and minority-owned business, is proud of its commitment to attracting and placing diverse candidates. Not only do we place advertisements with websites designed to attract minority and female candidates, but our President, Valerie Phillips, is a member herself of many diversity-focused organizations including the Local Government Hispanic Network, the League of Women in Government, the Professional Women’s Network, Mexican Professionals, and Women Leading Government. She networks frequently with fellow members to gain insight into which potential candidates are leaders in their field. Mr. Phillips will seek to reach candidates in communities and organizations with demographic profiles and populations served like that of the City of Madera, to maximize the potential for individuals from a wide variety of backgrounds, cultures, and life experiences to be considered for the City Administrator position.

## **STEP 3 RECRUIT CANDIDATES**

The strongest candidates are often those who are successful and content in their current positions and need to be sold on a new opportunity. Our extensive network of contacts, developed through over 1,400 successful placements, is a primary source for identifying and obtaining referrals for these candidates. Our in-house database of 40,000 current and former

executive and professional candidates is a valuable resource that can only be built over time—time that we have invested into perfecting our process for finding the right candidates for our clients. Our aggressive outreach efforts are focused on phone calls to personally invite potential applicants, answer questions, and allay any reservations, and these efforts are essential to the success of the City Administrator recruitment.

#### STEP 4 SCREEN CANDIDATES

Following the closing date for the recruitment, Mr. Phillips will screen all resumes we have received, using the criteria established in the candidate profile as a basis upon which to narrow the field of candidates. Internal candidates receive sensitive consideration, and Mr. Phillips will discuss with the Mayor and City Council how the City of Madera wishes to proceed with these candidates.

#### STEP 5 CONDUCT PRELIMINARY INTERVIEWS

Mr. Phillips will personally interview the top 10 to 15 candidates from the resume screening, with the goal of determining which candidates have the greatest potential to succeed in your organization. To reduce travel-related expenses to our clients and increase efficiency in the search process, these interviews are typically conducted via Skype, FaceTime, or other convenient videoconferencing applications.

During these in-depth interviews, Mr. Phillips will explore each candidate's background and experience as it relates to the City Administrator position, such as significant accomplishments, size and scope of responsibility, and organizational culture. In addition, Mr. Phillips will discuss with the candidates their motivation for applying for the position and assess his/her knowledge, skills, and abilities. He will devote specific attention to establishing the likelihood of the candidate's acceptance of the position if an offer of employment is made.

#### STEP 6 SEARCH PUBLIC RECORDS

Under the direction of Mr. Phillips, your dedicated Recruitment Coordinator will conduct a review of published print and online articles for each recommended candidate. Sources include Lexis-Nexis™, Google, social media, and our contacts in the field. This will alert Mr. Phillips to any further detailed inquiries we may need to make before our recommendations are finalized.

#### STEP 7 MAKE RECOMMENDATIONS

Based on our findings during the preliminary interview process, Mr. Phillips will recommend a limited number of candidates for your further consideration. He will make specific recommendations and will help facilitate discussions regarding the candidate pool, but the final determination of those to be considered will be up to you.



We typically recommend 6-8 candidates that we feel will best match your expectations and prepare a detailed written report on each candidate. This bound report provided to each member of the decision-making body includes:

- Candidate list with Recommended Finalists identified in *Group 1* and *Group 2* (primary and secondary recommendations), as well as *Internal* candidates
- Summary of experience, education, and salary information for each Recommended Finalist candidate
- Complete cover letter and resume for each Recommended Finalist candidate
- List of *Other Applicants* (those who did not meet minimum qualifications or were otherwise unsuitable, based on our screening process)

Bob Murray & Associates maintains all search records for a period of seven (7) years following each recruitment, and we are happy to forward cover letters and resumes for each applicant by postal mail or email as soon as the recruitment closes to new applications.

#### STEP 8 FACILITATE FINAL INTERVIEWS

Our years of experience will be invaluable as we help you develop an interview process that objectively assesses the qualifications of each candidate. We will work with the City of Madera to craft and implement an interview approach that fits your needs. This may include individual and panel interviews by the Mayor and City Council and key stakeholders, community/employee interview panels, writing and presentation samples, meet-and-greets, or another specialized process element Mr. Phillips helps the City of Madera to design.

Mr. Phillips will be present on-site during the interviews to facilitate as necessary during the process and to guide discussion to consensus regarding final candidates. Bound interview books will be provided to each interview panel member containing:

- Recruitment brochure with candidate profile
- Interview schedule
- Suggested interview questions
- Experience summary, cover letter, resume, and rating form for each candidate
- Ranking forms for use during the panel interview process

We will work closely with your staff to coordinate and schedule interviews and candidate travel. Our goal is to ensure that each candidate has a very positive experience, as the way the entire process is conducted will influence the final candidates' perception of your organization.

#### STEP 9 CONDUCT BACKGROUND AND REFERENCE CHECKS

Mr. Phillips and your Recruitment Coordinator will conduct detailed reference checks for up to three (3) final candidates. To gain an accurate and honest appraisal of the candidates' strengths

and weaknesses, we will talk candidly with people who have direct knowledge of their work and management style. In addition to gaining a 360-degree view of candidates from the perspective of their supervisors, subordinates and peers for the past several years, we will make a point of speaking confidentially to individuals who may have further insight into a candidate's abilities but who may not be on their preferred list of contacts.

Your Recruitment Coordinator will work with candidates and our professional backgrounding firm, HireRight, to conduct credit, civil litigation, and motor vehicle record checks and verify candidates' degrees.

#### **STEP 10 ASSIST IN NEGOTIATIONS**

We recognize the critical importance of successful negotiations and can serve as your representative during this process. Mr. Phillips knows what other organizations have done to put deals together with great candidates and what the current market is like for City Administrator positions in organizations like the City of Madera's. He will be available to advise you regarding current approaches to difficult issues, such as housing and relocation. We will represent your interests and advise the chosen candidate and you regarding salary, benefits, and employment agreements, with the goal of putting together a deal that results in the appointment of your chosen candidate. With our proven experience and vested interest in a positive outcome, we can turn a very difficult aspect of the recruitment into one that is straightforward and agreeable for all parties involved.

#### **COMPLETE ADMINISTRATIVE ASSISTANCE**

We receive many unsolicited testimonials each year from clients and candidates alike noting our prompt, considerate, accurate, and professional service during the search process. Throughout the recruitment, in time intervals that suit the City of Madera, we will provide you with updates on the status of the search and attend to all administrative details on your behalf.

Candidates receive immediate acknowledgement of their applications, as well as personal phone calls and/or emails (as appropriate) advising them of their status at each critical point in the recruitment. Candidates who receive preliminary or final interviews and are not chosen to move forward in the interview process will receive personal calls from Mr. Phillips on behalf of the City of Madera.

It is our internal company standard that all inquiries from clients and candidates receive a response within the same business day whenever possible, and certainly within 24 hours if the inquiry is received during the work week. Mr. Phillips will be available to the City of Madera by office phone, cell phone, and email at any time to ensure a smooth and stress-free recruitment process.



## COSTS AND GUARANTEE

### PROFESSIONAL FEE AND EXPENSES

The fixed, flat professional services fee for conducting the City Administrator recruitment on behalf of the City of Madera is \$17,500. Services provided for in this fee consist of all steps outlined in this proposal, including four (4) days of meetings on site and complete reference and background checks for up to three (3) final candidates.

The City of Madera will also be responsible for reimbursing expenses Bob Murray & Associates incurs on your behalf. We estimate expenses for this project not to exceed \$6,900. Reimbursable expenses include (but are not limited to) such items as the cost of recruiter travel; clerical support; brochure development; placement of ads; credit and civil background checks; education verification; and public records searches. Postage, printing, photocopying, and telephone charges are allocated costs and included in the expense estimate. *In no instance will expenses exceed this estimate without prior approval from the City of Madera.*

Expense reimbursement for candidate travel related to on-site interviews will be the responsibility of the City of Madera.

Professional Fees and Reimbursable Expenses	
<b>Professional Services (Fixed Flat Fee)</b>	<b>\$17,500</b>
<b>Reimbursable Expenses</b> <i>Example costs and approximate amounts include:</i>	
Brochure Design and Printing (\$1,275)	
Advertising (\$3,000)	
Background Checks – 3 candidates (\$550)	
Consultant Travel (\$1,500)	
Other expenses – supplies, shipping, clerical (\$575)	
<b>Not-to-Exceed Total</b>	<b>\$24,400</b>

#### *Optional Services*

- Community/Staff Input Forum: \$1,500/day, plus travel expenses
- Online survey with analysis of results: \$250
- Additional on-site meeting days: \$1,500/day, plus travel expenses
- Additional background checks: \$250/candidate
- Additional reference checks: \$500/candidate
- Other services: \$250/hour or \$1,500/day

## **GUARANTEE**

Should a candidate recommended by our firm resign or be terminated within the first 12 months of employment, we will provide the City of Madera with professional services to secure a replacement. Services will be provided at no cost, aside from expenses incurred on the City of Madera's behalf during the new search. We are confident in our ability to recruit outstanding candidates and do not expect the City to find it necessary to exercise this provision of our proposal.

## **INSURANCE COVERAGE & LIMITS**

Bob Murray & Associates carries the following limits on its Liability Insurance:

### General Liability Limits

\$1,000,000 Each Occurrence

\$300,000 Fire Damage

\$10,000 Medical Expenses

\$1,000,000 Personal and Adv. Injury

\$2,000,000 General Aggregate

\$2,000,000 Products – Comp/Op Agg

### Professional Liability Limits

\$1,000,000 per claim

\$1,000,000 per aggregate

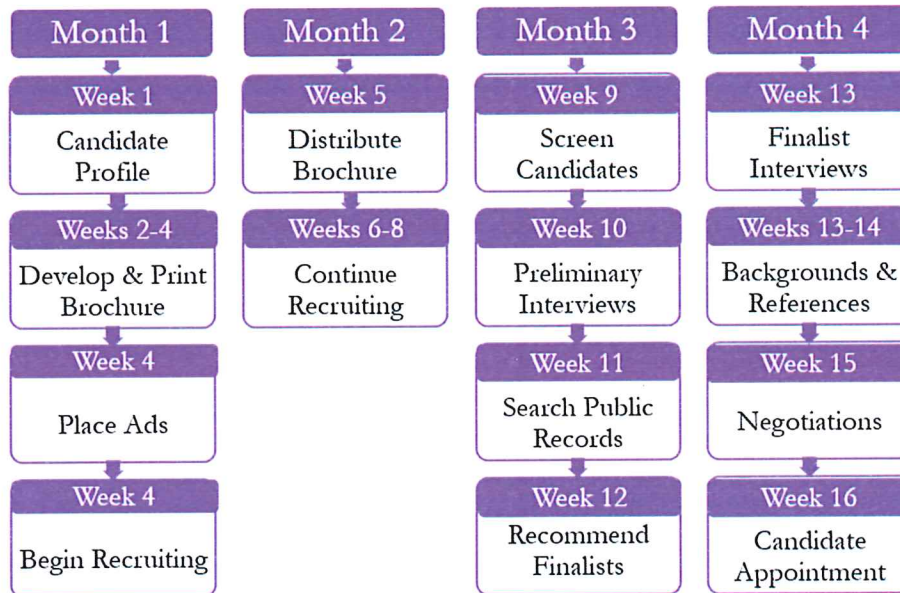
\$5,000 deductible per claim

Automobile Combined Single Limit of \$1,000,000.

## RECRUITMENT SCHEDULE

We are prepared to start work on this assignment upon receipt of a signed professional services agreement or other written, authorized notification. A full search can be completed in 13-16 weeks from the date of initial meetings with our client.

The final recruitment schedule will be determined in collaboration with City of Madera. A typical timeline of tasks and events is included here for reference.





## FIRM PROFILE

### OUR STAFF

Bob Murray & Associates is a small firm focusing exclusively on executive search services. We have a team of seven (7):

- Bob Murray, *Founder*
- Valerie Gaeta Phillips, *President*
- Gary Phillips, *Executive Vice President*
- Regan Williams, *Vice President*
- Joel Bryden, *Vice President*
- Amber Smith, *Principal Recruitment Coordinator*
- Hellen Amsden, *Senior Recruitment Coordinator*

### BOB MURRAY, FOUNDER

Mr. Murray—known simply as “Bob” to his clients and candidates throughout the western U.S.—brings over 40 years’ experience as a recruiter and is recognized as one of the top local government recruiters in the nation. He conducted hundreds of searches for cities, counties, and special districts and was called on to conduct searches for some of the largest, most complex organizations in the country—and some of the smallest. Mr. Murray conducted searches for chief executives, department heads, professional and technical positions, taking the lead on many of the firm’s most difficult assignments with great success. His clients retained him again and again, given the quality of his work and success in finding candidates for difficult to fill positions.

Mr. Murray received his Bachelor of Science Degree in Criminology from the University of California at Berkeley with graduate studies in Public Administration at California State University at Hayward.

As our Founder, Mr. Murray currently takes on few searches personally but continues to provide valued insight and experience to our team members regarding all aspects of the recruitment process.

### VALERIE GAETA PHILLIPS, PRESIDENT AND RECRUITER

Ms. Gaeta Phillips has over 18 years of recruiting experience, including more than a decade of recent experience in executive search for public, private, and startup companies nationwide. Since joining Bob Murray & Associates, Valerie has completed over 40 searches in a diverse range of fields, including city and general management, planning, finance, human resources, transportation, communication and public relations, community and economic development, information technology, parks and recreation, and operations. She has recruited at all levels of municipal and non-profit organizations, from technicians and engineers to Executive Directors and Chief Executive Officers.

Valerie is valued for her passion for finding and retaining the most outstanding candidates for even the most difficult or untraditional assignments and for her commitment to her clients' success; she is also active in a variety of industry organizations and in diversity-focused associations. Valerie is called upon often to serve as an expert speaker on topics such as managing one's online reputation, diversity issues in municipal and non-profit leadership, and how to identify a good "fit" for organizational culture.

Ms. Gaeta Phillips, along with Executive Vice President Gary Phillips, has a passion for helping people, evidenced by fundraising, sponsorship, and involvement in raising awareness for organizations such as Autism Speaks, the UC Davis M.I.N.D. Institute, and the Northern California Special Olympics.

#### **GARY PHILLIPS, EXECUTIVE VICE PRESIDENT AND LEAD RECRUITER**

Since joining Bob Murray & Associates, Mr. Phillips has completed over 50 searches for executives and professionals in a wide variety of fields including animal services, city and general management, planning, legal counsel, cyber security, and human resources. Gary's clients have ranged from municipal government to non-profit and private sector organizations, and he has sourced outstanding candidates for positions from the level of division managers up to City Managers, Executive Directors, and General Managers.

Gary started his career with a New York-based Fortune 100 company and quickly became a Senior Manager, building and running a large customer service organization that eventually expanded to 13 countries in Europe. He proceeded to hold senior leadership positions in several Fortune 500 companies, with noted successes such as building an organization from two to 250 employees worldwide and growing a company from 800 to 1200 employees.

As part of an executive acquisition and recruiting team, Gary helped build a start-up enterprise software company in San Francisco, recruiting top-notch talent and building a world-class organization. He has maintained customer relationships in the public sector and the private sector, including medical and financial institutions. He prides himself on finding key talent and offering the best customer service to his clients.

Mr. Phillips, along with Ms. Gaeta-Phillips, is involved in his community as a soccer coach, as an organizer of fundraisers for Autism Speaks and the UC Davis M.I.N.D. Institute, and as a sponsor of the Northern California Special Olympics. Mr. Phillips received his Associate of Science degree and completed additional coursework at Rochester Institute of Technology, NY.

#### **REGAN WILLIAMS, SENIOR VICE PRESIDENT AND RECRUITER**

Mr. Williams brings 30 years of local government experience to Bob Murray & Associates and has over 17 years of experience in executive recruitments with our firm. In his time with Bob Murray & Associates, Regan has conducted over 275 executive searches ranging from managers and department heads to City Managers, Executive Directors, and General Managers. If Regan



were to have a recruiting specialty, it would be public safety positions: he has personally conducted over 60 Police Chief and 20 Fire Chief recruitments.

Prior to joining Bob Murray & Associates, Regan served as Director of Public Safety with the City of Sunnyvale, CA. He was involved in the development of some of Sunnyvale's most innovative public safety programs and has a national reputation for excellence in law enforcement, as well as in law enforcement executive recruiting. Regan's clients find his prompt and personal attention, insight, and expertise in recruitment and selection an asset. He is often called upon to recruit for difficult-to-fill law enforcement positions, such as the position of Police Chief or City Manager in challenging political environments.

Mr. Williams received his Bachelor of Science Degree in Administration of Justice from San Jose State University. He is also a graduate of the FBI National Academy.

### **JOEL BRYDEN, VICE PRESIDENT AND RECRUITER**

Mr. Bryden has over 30 years of local government experience that he brings to the firm, having retired as Chief of Police in Walnut Creek, CA prior to joining Bob Murray & Associates in 2012. Throughout his career, Joel has been involved in public sector consulting, with vast experience in hiring and promotional processes, as well as interviewing candidates for advancement in all aspects of local government.

Joel has a solid reputation as a leader in the public sector and his ability to find and evaluate outstanding applicants for our clients is invaluable in the search process. Since joining Bob Murray & Associates, Joel has conducted over 50 recruitments in a broad range of sectors including police, fire, building, planning, city management, and general management. He is often called upon to recruit specialized or difficult-to-fill positions, such as Independent Police Auditor.

Mr. Bryden is a graduate of the FBI National Academy and obtained his Bachelor of Arts Degree in Communication from San Diego State University. He is currently based in Walnut Creek, CA.

### **AMBER SMITH, PRINCIPAL RECRUITMENT COORDINATOR**

As Principal Recruitment Coordinator with Bob Murray & Associates, Ms. Smith acts as a liaison between clients and candidates from beginning to end of each recruitment process. Under the direction of each client's assigned Recruiter, Amber is responsible for the development and distribution of position recruitment and advertising materials, client research, reference and background checks, responding to requests for proposals, and providing a broad range of support services for the recruiting team. She also provides leadership for our in-house staff and is an invaluable resource.

Amber brings over a decade of client-oriented customer service, administrative, and management experience to Bob Murray & Associates. Since joining our team in 2011, she has shown a commitment to working as a partner with clients and candidates to provide a quality service and experience.

Ms. Smith received her Bachelor of Arts degree in Business Administration from La Sierra University, Riverside, California.

**HELLEN AMSDEN, SENIOR RECRUITMENT COORDINATOR**

Ms. Amsden acts as a liaison among clients, recruiters, and candidates throughout each recruitment process. Under the direction of our client's assigned Recruiter, Hellen's responsibilities include development and distribution of position recruitment and advertising materials, client and candidate research, reference and background checks, responding to requests for proposals, and providing a broad range of support services for the recruiting team.

Hellen joined our firm in 2016 with nearly a decade of customer service, administrative, and leadership experience. She is committed to providing the highest level of quality support and to working as a partner with clients and candidates throughout the search process.

Ms. Amsden graduated summa cum laude with a Bachelor of Arts degree in Leadership and Organizational Studies from Saint Mary's College of California.



## *CORPORATION*

Bob Murray & Associates was founded in May 2000 and operated under the corporation name MBN Services, Inc. until June 2014; our new corporation name is GVP Ventures, Inc., incorporated in California in 2014. Contact information for the corporation and the firm is as follows:

GVP Ventures, Inc. OR Bob Murray & Associates  
1544 Eureka Road, Ste. 280  
Roseville, CA 95661  
(916) 784-9080  
apply@bobmurrayassoc.com

Our corporation and firm are financially sound (and have been so since 2000), with documentation from our accountant available to your organization prior to final execution of a professional service agreement. We have never been involved in any litigation, aside from our personnel serving as expert witnesses.

## *PROFESSIONAL ASSOCIATIONS*

Our firm, represented by our President Valerie Gaeta Phillips and/or our Executive Vice President Gary Phillips, is involved in the following organizations to remain engaged with current and future issues relevant to the work we conduct on behalf of clients like City of Madera:

- California Special Districts Association – *Member*
- California City Management Foundation (CCMF) – *Member*
- International City/County Management Association (ICMA) – *Member*
- League of California Cities – *League Partner*
- League of Women in Government – *Sponsor/Member*
- Municipal Management Association of Northern California (MMANC) – *Sponsor/Member*
- Municipal Management Association of Southern California (MMASC) – *Sponsor/Member*

Members of our leadership team not only attend events sponsored by these associations but are also frequently called upon to serve as panel members and to provide specialized lectures regarding industry-specific issues.

Recent and upcoming speaking engagements and trainings provided by our staff include:

- “Role of the Chief” class, presented by Joel Bryden on behalf of the California Police Chiefs Association
- “Standing Out from the Crowd with Your Online Reputation,” presented by Valerie Phillips at the 2017 MMASC Annual Conference; and
- Organization of Latino Affairs invited speaker - Valerie Phillips for Hispanic Heritage Month

## REFERENCES

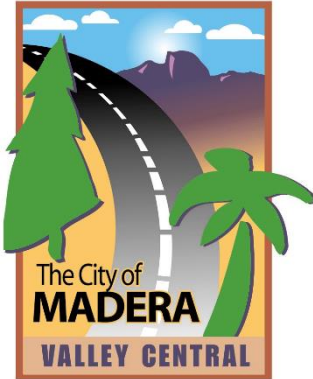
Clients and candidates are the best testament to our ability to conduct quality searches. Clients for whom Bob Murray & Associates has recently conducted similar searches are listed below.

<b>CLIENT:</b>	City of Greenfield, CA
<b>POSITION:</b>	City Manager
<b>YEAR:</b>	2017
<b>REFERENCE:</b>	Mr. Robert Perrault, Former Interim City Manager, (805)668-7131
<b>CLIENT:</b>	City of Santa Paula, CA
<b>POSITION:</b>	City Manager
<b>YEAR:</b>	2017
<b>REFERENCE:</b>	Ms. Jenny Crosswhite, Councilmember/Former Mayor, (805) 933-4201
<b>CLIENT:</b>	City of Dinuba, CA
<b>POSITION:</b>	City Manager
<b>YEAR:</b>	2015
<b>REFERENCE:</b>	Ms. Jayne Anderson, Assistant City Manager, (559) 591-5900
<b>CLIENT:</b>	City of Merced, CA
<b>POSITION:</b>	City Manager
<b>YEAR:</b>	2015
<b>REFERENCE:</b>	Mr. Stan Thurston, Mayor, (209) 385-6834
<b>CLIENT:</b>	City of Fresno, CA
<b>POSITION:</b>	Independent Reviewer
<b>YEAR:</b>	2017
<b>REFERENCE:</b>	Mr. Jeffrey Cardell, Personnel Services Director, (559) 621-6950
<b>CLIENT:</b>	City of Turlock, CA
<b>POSITION:</b>	Police Chief
<b>YEAR:</b>	2017
<b>REFERENCE:</b>	Mr. Gary Hampton, City Manager, (209) 668-5540

*We appreciate the City of Madera's consideration of our proposal and look forward to working with you.*







## **City of Madera**

### **Request for Proposals**

#### **Executive Recruitment Services For City of Madera City Administrator**

**City of Madera  
City of Madera Purchasing-Central Supply  
1030 South Gateway Drive  
Madera, California 93637  
(559) 661-5463**

**RFP # 201718-09  
Issue Date: February 8, 2018  
Submission Deadline: March 12, 2018**

## **PART ONE: GENERAL INFORMATION**

### **1. Background and Objective**

The City of Madera (City) is a general law City operated under the Council/Manager form of government. The City serves approximately 65,000 residents through the services of our Finance, Police, Public Works, Engineering, Building, Planning, Parks and Community Services, City Clerk, Human Resources, Grants, Neighborhood Revitalization, Information Services, City Attorney, and City Administration Departments. The City employs approximately 259 full time employees in 142 classifications. In addition, the City employs approximately 145 part time employees to supplement its workforce.

The City Administrator position is vacant due to retirement of the previous City Administrator. The Council is seeking a professional recruitment firm to assist the City in finding the next City Administrator through a collaborative process that includes the citizens of Madera, the City Council and City staff.

### **2. Submission of Proposal**

One (1) original and twelve (12) copies of the proposal shall be submitted. The original must be unbound and fastened with a removable clip. Copies may be in color or black and white, and should be fastened with a single staple or removable clip. A complete proposal should also be provided on CD or USB memory stick that contains the entire proposal in one pdf document. All proposals must be sealed and will not be opened until after the closing date for receipt of proposals.

All proposals must be delivered to Rosa Hernandez, Interim Procurement Services Manager, City of Madera, Purchasing-Central Supply, 1030 South Gateway Drive, Madera, California 93637. Proposals must be received by 3:00 pm Monday, March 12, 2018. Proposals received after the filing deadline will be returned to the proposer unopened. The opening of any proposal shall **NOT** be considered as acceptance of the proposal as a responsive proposal.

The entire proposal (1 unbound original, 12 copies and 1 digital copy) must be submitted in one sealed envelope. Each sealed envelope containing a bid proposal must have, on the outside, the name of the bidder, bidder's address and the statement "DO NOT OPEN UNTIL THE TIME OF BID OPENING" and in addition, must be plainly marked on the outside as follows:

**Bid: Executive Recruitment Services for City of Madera City Administrator  
RFP No.: 201718-09**

**Filing Deadline: Monday, March 12, 2018 by 3:00 pm**

Proposals shall be prepared and submitted in accordance with the requirements set forth in this document. All proposals must be complete and must address concisely and clearly all information requested in the RFP.

Any proposal may be withdrawn at any time prior to the hour fixed for the opening, provided that a request in writing executed by the proposer or his/her duly authorized representative for the withdrawal of such proposal is filed with Purchasing-Central Supply. The withdrawal of a proposal shall not prejudice the right of a proposer to file a new proposal prior to the time and date set for the opening. After the expiration of the time and date for receipt of proposals, a proposal may not be withdrawn or altered.

Evaluation of proposals and consideration of award of an agreement will be conducted by the City Council in open session of a scheduled City Council meeting. All documents provided by any bidders shall become public record in their entirety and subject to disclosure. This shall also include, but is not limited to documents for projects for which all proposals are rejected and projects for which an award is not made for any reason.

The City of Madera is an Equal Opportunity Employer and no proposal shall be rejected on the basis of race, color, religious creed, ancestry, national origin, age, sex (includes sexual harassment), pregnancy (childbirth or related medical conditions), marital status, sexual orientation (heterosexuality, homosexuality and bisexuality), medical condition (cancer and genetic characteristics), mental or physical disability (includes HIV and AIDS), political affiliation/opinion, Veteran's status, or request for family medical leave.

The City reserves the right to make a written or verbal request for additional information from a bidder to assist in understanding or clarifying a proposal.

There is no expressed or implied obligation for the City to reimburse responding firms for any expenses incurred in preparing proposals in response to this request or participating in the consultant selection process.

**Key Dates:**

Deadline for Questions and Inquiries: Thursday, March 1, 2018 by 3:00 pm

Submission Deadline: Monday, March 12, 2018 by 3:00 pm

City Council Evaluation of Proposals: Wednesday, March 21, 2018

Anticipated Proposed Agreement to City Council for Consideration: Wednesday, April 4, 2018

### **3. Scope of Services**

The City is seeking a consultant to assist the City Council in finding the best candidate to serve the City of Madera as City Administrator. The City is particularly interested in a consultant with demonstrated public sector experience in filling executive level positions through open and collaborative processes.

#### A. Required Tasks

1. Conduct a workshop with the City Council in open session to develop an inclusive process for creation of the candidate profile. This process will, at a minimum, include stakeholder meetings with the citizens of Madera as well as stakeholder meetings with City staff from all areas of the organization.
2. Conduct all steps determined in Task 1 and bring a proposed candidate profile to the City Council for consideration in an open session workshop. Facilitate discussion with the City Council at this workshop to finalize the candidate profile. Also facilitate discussion at this workshop of the expected recruitment timeline.
3. Once the candidate profile has been completed and approved by the City Council, create appropriate recruitment brochures and an advertising campaign to solicit interest from desirable candidates.
4. Conduct a thorough and complete advertising and marketing campaign.
5. Screen candidates as interest is expressed. Screening should be based on the necessary knowledge, skills and abilities to perform the City Administrator essential job functions as well as the candidate profile defined by the City Council.
6. Conduct initial telephone interviews with candidates who pass the initial paper screening to confirm they meet the requirements of the position.
7. Recommend only the most desirable candidates for semi-finalist interviews with the City of Madera.
8. Facilitate on-site interviews for candidates recommended that include a professional panel, a citizen panel, and a panel of City staff members from all areas of the organization. This includes providing each panel guidance on how the interviews will operate, legal interview questions vs. illegal interview questions, and facilitating discussion with each panel at the conclusion of the interviews to determine their top ranked candidate(s).
9. Based on feedback from the interviews in Task 8, recommend only the top candidates for interviews with the City Council.
10. Facilitate on-site interviews for top candidates with the City Council. Assist the City Council in developing appropriate interview questions and facilitate a discussion with the City Council at the conclusion of the interviews to determine their ranking of the candidate(s).
11. Based on City Council direction, conduct background investigation of the desired candidates to include reference and credit checks. A written report should be generated and provided to the City Council for review.
12. Facilitate discussion with the City Council of the background investigation outcome, to include whether a conditional offer of employment should be made. Such offer will be conditioned on a criminal history check, pre-employment medical screening and pre-employment drug test consistent with City recruitment practices.
13. Assist the City Council, if requested, in contract negotiations with the desired candidate.

- B. Deliverables (in addition to all items identified in the Required Tasks section above)
1. Progress reports on project status must be submitted in writing via email every 2 weeks once an Agreement has been awarded. Such reports should be directed to Sonia Alvarez, City Clerk, at [salvarez@cityofmadera.com](mailto:salvarez@cityofmadera.com) for distribution to the City Council.
  2. Digital and hard copy versions of all recruitment material must be delivered to the City's Human Resources Department at the start of any advertising or marketing campaign to be included on the City's website and with the City's usual and customary placement of printed recruitment brochures at City Hall.
  3. Consultant is expected to provide at least five (5) candidates who meet the candidate profile and position requirements for interviews with the panels identified in Task 8. If the outcome of Task 8 does not produce at least two (2) final candidates for City Council consideration, the City Council will have the option to instruct Consultant to continue the marketing and advertising campaign to solicit additional qualified candidates.
  4. A written background investigation report for any candidates that the City Council directs such services to be performed based on Tasks 10 and 11.

#### **4. Contract Award**

Issuance of the RFP and receipt of proposals does not commit the City to award a contract. The City reserves the right to postpone the RFP process for its own convenience, to accept or reject any or all proposals received in response to this RFP, to negotiate with other than the selected company should negotiations with the selected company be terminated, or to cancel any section of this RFP. The City also reserves the right to apportion the award among more than one company.

Any agreement resulting from this RFP will be signed only after successful negotiation of contract terms and conditions and all applicable procedural requirements have been met.

An award under this RFP will not be based solely on the lowest price. If an award is made, it will go to the bidder(s) with the best overall proposal. The successful proposal will be competitively priced and provide for adequate service to meet the City's needs.

The City Council will review and evaluate all qualified proposals in open session at the Wednesday, March 21, 2018 City Council meeting and make a determination based on their evaluation of which consultant best meets their need. The City Council may conduct telephonic interviews with top ranked candidates as well as reference checks. The City Council may also desire for select firms to attend a scheduled meeting of the City Council for an in-person presentation and/or interview. The City Council regularly meets on the first and third Wednesday of each month at 6:00pm. The City Council reserves the right to call a special meeting if necessary on a day other than a regular meeting date.

## **5. Questions and Inquiries**

Questions concerning this RFP may be submitted in writing no later than 3:00 p.m. Thursday, March 1, 2018 to:

Rosa Hernandez  
Interim Procurement Services Manager  
City of Madera Purchasing-Central Supply  
1030 South Gateway Drive  
Madera, California 93637  
E-mail: [rhernandez@cityofmadera.com](mailto:rhernandez@cityofmadera.com)

All questions and responses will be published with the RFP document on the City's website. Documents, amendments, addenda, etc. will be posted to the City website at <https://www.cityofmadera.ca.gov/purchasing> under Bid Announcement & Results.



## **PART TWO: PROPOSAL PREPARATION AND CONTENT**

### **1. Overall Presentation**

Proposals must be submitted on 8 ½" by 11" paper with all segments attached in one package. Proposals must be typed and must not include any unnecessary, elaborate, promotional or display materials. Proposals should be clear and concise. Pages must be numbered at the bottom of the page. All content must pertain to the requirements of this RFP. The entire proposal (1 unbound original, 12 copies and 1 digital copy) must be submitted in one sealed envelope clearly marked on the outside that it is in response to the Executive Recruitment Services for City of Madera City Administrator RFP. Examples of advertising material from executive recruitments that are of non-standard size may be included but must be fastened as part of each copy and must fit in the sealed envelope.

### **2. Title Page**

The proposal must have a title page which indicates the name of the company, principal business address, name of the proposal, and the date of the proposal.

### **3. Table of Contents**

The proposal must contain a table of contents listing major topics and relevant page numbers.

### **4. Transmittal Letter**

The proposal must include a transmittal letter that states the company's objective, why the company should be selected, the company's commitment to the City of Madera, the unique aspects of the proposal, and must be signed by a person who is duly authorized to bind the company to an agreement.

### **5. Company Profile**

In this section, please describe your organization; identify key personnel to be assigned to the City, including name, title, telephone number(s), and experience; and describe your company's experience in providing similar services to other public agencies.

### **6. Proposed Method of Performance**

Please provide information on how your company intends to provide its services to the City if awarded the contract. Services provided must meet the minimum guidelines provided in the Scope of Services of this RFP. The following topics must be addressed:

- Your approach and methodology for developing a usable candidate profile that best reflects the needs of the City.
- Your advertising and marketing approach, to include at least three (3) sample advertising brochures from other recruitment projects your firm has conducted. If the sample brochures do not easily fit in this section of the submittal, they may be included at the end of your packet as an exhibit.
- Projected timeline for completion of the project.
- Methods, frequency, and extent to which customer satisfaction is measured and reported.

## 7. Cost Outline

Please provide your proposed fee schedule, payment provisions expected, and estimated expenses. The fee schedule should provide a cost outline for specific services to be provided as requested in this RFP and any other services your firm provides that you feel may be beneficial to the City of Madera.

## 8. Equal Opportunity Employer Status

Please provide a statement as to whether your organization meets state and federal standards regarding equal opportunity employment laws and regulations. Also provide information as to whether there is any current litigation pending alleging a violation of state or federal fair employment provisions.

## 9. Proof of Insurance

The proposal must include the name of the consultant's insurance carrier, the policy coverages and limits, and expiration dates.

Upon contract award, the successful responder shall indemnify, defend, and hold harmless the City, and its officers, employees, and agents ("City indemnitees"), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the Consultant's performance of its obligations under this agreement or out of the operations conducted by Consultant, including the City's active or passive negligence, except for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from Consultant's performance of this agreement, the Consultant shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims.

Without limiting Consultant's indemnification of City, upon contract award and prior to commencement of work, Consultant shall obtain, provide, and continuously maintain at its own expense during the term of the Agreement, and shall require any and all Subcontractors and Subconsultants of every tier to obtain and maintain, policies of insurance of the type and amounts described below and in form satisfactory to the City.

### *Minimum Scope and Limits of Insurance*

Consultant shall maintain limits no less than:

- **\$1,000,000 General Liability** (including operations, products and completed operations) per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury and property damage, including without limitation, blanket contractual liability. Coverage shall be at least as broad as Insurance Services Office (ISO) Commercial General Liability coverage form CG 00 01. General liability policies shall be endorsed using ISO form CG 20 10 that the City and its

officers, officials, employees and agents shall be additional insureds under such policies.

- **\$1,000,000 Automobile Liability** combined single limit per accident for bodily injury or property damage at least as broad as ISO Form CA 00 01 for all activities of Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles. Automobile Liability policies shall be endorsed to provide that the City and its officers, officials, employees and agents shall be additional insureds under such policies.
- **Worker's Compensation** as required by the State of California and **\$1,000,000 Employer's Liability** per accident for bodily injury or disease. Consultant shall submit to the City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of the City, its officers, agents, employees, and volunteers.
- **\$1,000,000 Professional Liability (Errors & Omissions)** per claim and in the aggregate. Consultant shall maintain professional liability insurance that insures against professional errors and omission that may be made in performing the Services to be rendered in connection with this Agreement. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this Agreement. The cost of such insurance shall be included in Consultant's bid.

#### *Maintenance of Coverage*

Consultant shall procure and maintain, for the duration of the contract, insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by Consultant, its agents, representatives, employees, subcontractors or subconsultants as specified in this Agreement.

#### *Proof of Insurance*

Consultant shall provide to the City certificates of insurance and endorsements, as required, as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by the City prior to commencement of performance. Current evidence of insurance shall be kept on file with the City at all times during the term of this Agreement. Agency reserves the right to require complete, certified copies of all required insurance policies, at any time.

#### *Acceptable Insurers*

All insurance policies shall be issued by an insurance company currently authorized by the Insurance commissioner to transact business of insurance in the State of California, with an assigned policyholders' Rating of A- (or higher) and a Financial Size Category Class VII (or larger), in accordance with the latest edition of Best's Key Rating Guide.

#### *Waiver of Subrogation*

All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against the City, its elected or appointed officers, agents, officials, employees, and volunteers, or shall specifically allow Consultant, or others providing insurance evidence in compliance with these specifications, to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against the City and shall require similar written express waivers and insurance clauses from each of its subconsultants or subcontractors.

*Enforcement of Contract Provisions (non estoppel)*

Consultant acknowledges and agrees that any actual or alleged failure on the part of the Agency to inform Consultant of non-compliance with any requirement imposes no additional obligations on the City, nor does it waive any rights hereunder.

*Specifications not Limiting*

Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If Consultant maintains higher limits than the minimums required above, the entity shall be entitled to coverage at the higher limits maintained by Consultant.

*Notice of Cancellation*

Consultant agrees to oblige its insurance agent or broker and insurers to provide to the City with thirty (30) calendar days notice of cancellation (except for nonpayment for which ten (10) calendar days notice is required) or nonrenewal of coverage for each required coverage.

*Self-insured Retentions*

Any self-insured retentions must be declared to and approved by the City. The City reserves the right to require that self-insured retentions be eliminated, lowered or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City's Risk Manager.

*Timely Notice of Claims*

Consultant shall give the City prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

*Additional Insurance*

Consultant shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgement may be necessary for its proper protection and prosecution of the Work.

**10. City of Madera Business License Status**

Prior to beginning any work, or delivering any equipment or material to be furnished under this proposal, the bidder shall secure the appropriate Business License from the City of Madera. Business license information may be obtained by calling (559) 661-5408. Should the bidder already have his/her license, please include a copy with your submittal.

**11. References**

Please provide the company name, contact person, and telephone number for at least five recent customers that the City may contact regarding your company's services. Additionally, if any recruitments you have conducted within the last two (2) years did not result in viable candidates after the first round of advertising, please provide the job title for which you were recruiting along with customer contact information.

**12. Sample Agreement**

A sample agreement is provided with this RFP as Exhibit A. Please indicate any changes or modifications you would require to the agreement should you be selected as the consultant of choice.

CITY OF MADERA

**AGREEMENT FOR EXECUTIVE RECRUITMENT CONSULTING SERVICES  
FOR THE POSITION OF CITY ADMINISTRATOR**

THIS AGREEMENT made and entered into the \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the CITY OF MADERA, a municipal corporation of the State of California, hereinafter called "City" AND \_\_\_\_\_, hereinafter called "Consultant";

**RECITALS:**

- A. The City desires to obtain executive recruitment consulting services for the position of City Administrator.
- B. Consultant is a firm having the necessary experience and qualifications to provide such consultation services to the City.

**AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements herein contained, it is agreed by and between the City and the Consultant as follows:

1. Services. The City hereby contracts with Consultant to provide consulting services herein set forth at the compensation and upon the terms and conditions herein expressed, and Consultant hereby agrees to perform such services for said compensation, and upon said terms and conditions. City hereby authorizes Consultant to commence work immediately upon approval of this agreement by the City Council at a regularly scheduled meeting of said governing body.

2. Obligations, duties and responsibilities of Consultant. It shall be the duty, obligation and responsibility of the Consultant, in a skilled and professional manner, to perform the consulting services in accordance with the RFP and Consultant's response to the RFP, attached hereto collectively as Exhibit 1.

3. Consultant's fees and compensation: amount, how and when payable.

[Insert Fee Schedule]

Billings are to be made directly to the following address:

City of Madera  
Attn: Accounts Payable  
205 W. 4th Street  
Madera, CA 93637



4. Term of agreement. This Agreement shall be in effect starting \_\_\_\_\_, 2018 and terminating upon completion of the project. Consultant may be contacted following conclusion of the recruitment and related services if clarification is needed on any of the services that were provided.

5. Consultant's agreement to hold harmless and insurance requirements.

5.1 Independent contractor. In the furnishing of the services provided herein, the Consultant is acting as an independent contractor and not as an employee of the City.

5.2 Indemnification and Waivers. Consultant shall indemnify, defend, and hold harmless the City, and its officers, employees, and agents ("City indemnitees"), from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the Consultant's performance of its obligations under this agreement or out of the operations conducted by Consultant, including the City's active or passive negligence, except for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a party to any action, lawsuit, or other adversarial proceeding arising from Consultant's performance of this agreement, the Consultant shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims.

5.3. Insurance. During the term of this Agreement, Consultant shall maintain, keep in force and pay all premiums required to maintain and keep in force the policies and limits of such policies as required in Exhibit 1 of this Agreement.

6. Attorney's fees/venue. In the event that any action is brought to enforce the terms of this Agreement, the party found by the court to be in default agrees to pay reasonable attorney's fees to the successful party in an amount to be fixed by the Court. The venue for any claim being brought for breach of this Agreement shall be in Madera County.

7. Governing Law. The laws of the State of California shall govern the rights and obligations of the parties under the Agreement, including the interpretation of the Agreement. If any part of the Agreement is adjudged to be invalid or unenforceable, such invalidity shall not affect the full force and effect of the remainder of the Agreement.

8. Termination. This agreement may be terminated by mutual written agreement or it may be terminated by the City upon giving ten (10) days written notice of intent to terminate the agreement.

Notice of termination shall be mailed to the City:

City of Madera  
Sonia Alvarez, City Clerk

205 W. 4<sup>th</sup> Street  
Madera, CA 93637  
salvarez@cityofmadera.com

To the Consultant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In the event of such termination, Consultant shall be paid for work completed to date of termination, and any such work shall become the property of the City and the amount of final fee due and payable by City to Consultant will be subject to negotiation but in no event less than the fees for service pursuant to this Agreement.

9. Assignment. Neither the City nor the Consultant will assign its interest in this Agreement without the written consent of the other.

10. Notices. All notices and communications from the City shall be to Consultant's designated Manager and all notices and communications from the Consultant shall be to the City Clerk for distribution to the Council as a whole. All communications shall be conducted in writing. All written notices shall be provided and addressed as indicated in Paragraph 8 hereof.

11. Included herein by reference is the Request for Proposal.

This agreement and the attachments and exhibits incorporated herein by reference, represents the entire agreement and understanding between the parties. Any modifications to this Agreement shall be in writing and signed by authorized representatives of the parties. One or more waivers of any term, condition or covenant by either party shall not be construed as a waiver of any other term, condition or covenant.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement at Madera, California, the day and year first above written.

CITY OF MADERA

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

[Company Name]

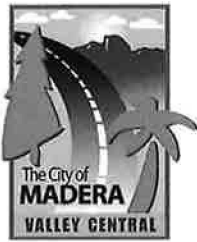
BY: \_\_\_\_\_  
Printed Name, Title

ATTEST:

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



APPROVED AS TO FORM  
CITY ATTORNEY:

By: \_\_\_\_\_  
Joel Brent Richardson



## REPORT TO CITY COUNCIL

Approved by:

  
\_\_\_\_\_  
Department Director  
  
\_\_\_\_\_  
City Administrator

Council Meeting of: March 21, 2018

Agenda Number: E-3

**SUBJECT:** Presentation of the Preliminary City of Madera Capital Budgets for Fiscal Year 2018/2019

**RECOMMENDATION:** No action recommended. Informational only.

**DISCUSSION:** This will be the first presentation to the City Council pertaining to the City of Madera Fiscal Year 2018/2019 Budgets. To avoid overwhelming Council with too much information in just one or two meetings, staff will bring four preliminary budget presentations before you. Then, a Budget workshop will be held with Council in early June, before approval of the final Budget is requested at the second meeting in June.

The Preliminary Budget being presented to Council is the Capital Budget. Much of this information was just reviewed by Council, in the presentation of the Preliminary Five-Year Capital Improvements Program (CIP) on 02/21/2018. The CIP serves as the basis for the preparation of the Capital Projects Budget. Only if funds are available will the projects be approved through the budget process and then completed. If funds are not available, those projects that have been listed in the CIP will either be postponed or eliminated. In addition to the major CIP projects, certain capital needs may be identified and included in the Capital Budget. Council will have the opportunity to approve the final CIP and final Capital Budget at a later date. No action is requested of Council on this preliminary Capital Budget.

Capital Budgets differ from Operational Budgets because capital projects are primarily funded by reserves that have been built up over time for such projects, from annual allocations of transportation funds, from state and federal grants or from other one-time sources including donations and development impact fees. Operational Budgets are designed to be funded from current year operational revenues. Reserves and one-time sources of funds are only used to fund operations on an exception basis. The majority of operational expenses relate to staffing or personnel costs. When we hire employees to work for the City, we are typically making long-term commitments that are ideally funded by ongoing operational revenues from the respective year in which the revenues are received.

During the boom and prior to the beginning of the Big Recession in 2007, many cities thought that they could continue to rely on growth-related revenues such as development impact fees to

support operational costs and to fund ongoing personnel costs. The downturn of the housing market and the demise of those one-time revenue sources proved to have drastic effects on many of such cities, some of which filed for bankruptcy. The City of Madera even felt the crunch of the Great Recession and incrementally reduced its workforce and budget. Thanks to the foresight of the City Council, Madera avoided ramping-up such long-term commitments of large staffing increases in the General Fund. The City of Madera needs to protect and maintain its operational reserves to secure financial viability and to be prepared for future downturns or disasters. However, we also need to maintain our infrastructure. The funding sources for these capital projects are not operational reserves. Rather, they are funds that are designed for specific capital projects, as Council will see from the funding source descriptions.

In the final budget presentation, staff will provide information regarding the fund balances of the respective funds that are funding these proposed capital projects, as well as the balances of the General Fund and other operational funds and budgets. Currently, due to a shift in Local Transportation Funds from CIP projects to previously approved Transit projects, such as the purchase of new buses, the recently launched Route 3 fixed route to college and bus shelter developments, a reduction of projected availability of local funds calculated for the CIP, namely, Local Transportation Funds (LTF), may create a challenge for Capital Implementation of the Final Budget. Expenditures, previously budgeted by LTF may need to be reverted to the general fund. These include engineering staff time and project management. At this point, Council can be confident that the sources of funding for these proposed capital projects have been identified and are or will be available to fund these projects.

Included in the staff report is a summary listing of the proposed capital projects, with the funding sources listed across the top of that listing. These projects total approximately \$14.2 million and include \$1,644,000 of Sewer projects, \$4,042,500 of Water projects, \$8,156,275 of Street, Sidewalk and Bike Path projects, \$194,257 of Parks projects, \$62,000 of Drainage projects, \$80,000 for police services, \$15,000 for administrative services. Most of these projects have just been presented to Council in the preliminary 5-Year CIP report. The Engineering Department and/or other departments can answer any questions that Council may have about any specific project included in this Preliminary Capital Budget.

The line-item budget pages that are included with this presentation include the various capital expenditure line items, as well as our best revenue projections at this time for those budgets. Those projections will be refined as we get closer to the Final Budget presentation. When viewing these budget proposals, it is important to remember that it is normal for some of these projects to exceed the fiscal year's current revenues because funds have been accumulated over time for these specific projects that have been included in past years' CIP's.

These and other budgets that are used to fund capital projects will be updated as needed and presented to Council for approval at a later date. Capital purchases related to vehicle replacement and computer equipment replacement will be presented separately, when the Internal Service Fund budgets are presented. On the following page is a summary of the proposed capital budget expenditures.

## CAPITAL BUDGET EXPENDITURE SUMMARY - FISCAL YEAR 2018/2019

<b>SEWER</b>	
SEWER UTILITY- CAPITAL OUTLAY	1,308,000
SEWER NEW MFR REQUIREMENTS - EXISTING AREA IMPACT FEES	82,000
WASTE WATER DEVELOPMENT IMPACT FEES	250,000
ROAD 28 SEWER INTERCEPTOR IMPACT FEES	4,000
	<u>1,644,000</u>
<b>WATER</b>	
WATER UTILITY - CAPITAL OUTLAY	3,954,500
WATER PIPE IMPACT FEES	-
WATER WELL IMPACT FEES	88,000
	<u>4,042,500</u>
<b>STORM DRAIN</b>	
STORM DRAIN NORTHWEST QUADRANT DEVELOPMENT IMPACT FEES	20,000
STORM DRAIN SOUTHWEST QUADRANT DEVELOPMENT IMPACT FEES	20,000
DRAINAGE SYSTEM DEVELOPMENT IMPACT FEES	20,000
STORM DRAIN NORTHEAST QUADRANT DEVELOPMENT IMPACT FEES	2,000
STORM DRAIN SOUTHEAST QUADRANT DEVELOPMENT IMPACT FEES	-
	<u>62,000</u>
<b>PARKS</b>	
PARKS DEVELOPMENT IMPACT FEES	194,257
PARKS DEVELOPMENT FUND	-
	<u>194,257</u>
<b>FIRE</b>	
FIRE DEVELOPMENT IMPACT FEES	-
MEASURE K CAPITAL OUTLAY - FIRE	-
	<u>-</u>
<b>POLICE</b>	
POLICE DEVELOPMENT IMPACT FEES	80,000
	<u>80,000</u>
<b>STREETS</b>	
SPECIAL GAS TAX - STREET MAINTENANCE	2,601,000
RSTP - FEDERAL EXCHANGE	680,000
STATE TRANSPORTATION IMPROVEMENT PROGRAM	-
MEASURE A - CAPITAL FACILITIES	-
MEASURE T - RTP - REHAB/RECONSTRUCTION	2,545,746
MEASURE T - LTP STREET MAINTENANCE	510,000
MEASURE T - LTP SUPPLEMENT STREET MAINTENANCE	350,000
MEASURE T - LTP ADA COMPLIANCE	20,000
MEASURE T - TRANSIT ENHANCEMENT	72,000
MEASURE T - TRANSIT ENHANCEMENT/ADA/SENIOR	-
MEASURE T - ENVIRONMENTAL ENHANCEMENT/BIKE/PEDESTRIAN	78,000
MEASURE T - LTP - FLEXIBLE	-
F.A.U. - STREET IMPROVEMENT PROJECTS	-
BRIDGE PREVENTATIVE MAINTENANCE PROGRAM (BPMP)	-
LOCAL TRANSPORTATION FUNDING - STREET PROJECTS	717,729
LOCAL TRANSPORTATION FUNDING - PARKS/BIKE PATH PROJECTS	68,000
SB1 - Local Partnership Program	180,000
TRAFFIC SIGNAL IMPACT FEES	333,800
	<u>8,156,275</u>
<b>GRANTS</b>	
CDBG - PUBLIC IMPROVEMENT/CAPITAL PROJECT	-
	<u>-</u>
<b>TRANSIT</b>	
MAX - CAPITAL OUTLAY	-
PROPOSITION 1B PTMISEA - CalOES	-
PROPOSITION 1B PTMISEA	-
	<u>-</u>
<b>ADMIN</b>	
ADMINISTRATIVE SERVICES DEVELOPMENT IMPACT FEES	15,000
	<u>15,000</u>
<b>TOTAL CAPITAL BUDGET EXPENDITURES</b>	<u><u>14,194,032</u></u>



**FINANCIAL IMPACT:** The proposed capital budgets will not have a direct impact on the City's General Fund, other than the \$15,000 for administrative services and \$80,000 for Police Services. They represent approximately \$14.2 million of capital expenditures to come from various Federal, State and Local Transportation funds and other funds (such as development impact fees or DIF's) that are listed in the summary above and proposed line-item budgets. Since this presentation is informational only and designed to familiarize Council with a portion of the budgets that will be approved in mid June, no action is requested of Council at this time. As such, there is no financial impact at this time.

**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 economic 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.

# ATTACHMENT

## DRAINAGE SYSTEM - CAPITAL OUTLAY 45003040

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4320	<i>Capital Contribution</i>	(31,632)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(31,632)</b>	<b>0</b>	<b>0</b>	<b>0</b>
MAINTENANCE AND OPERATIONS					
6900	<i>Interfund Charges - Fac.Maint.</i>	15,120	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>15,120</b>	<b>0</b>	<b>0</b>	<b>0</b>
CAPITAL OUTLAY					
7030	<i>Facilities &amp; Improvement</i>	0	0	0	0
7050	<i>Construction/Infrastructure</i>	0	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>15,120</b>	<b>0</b>	<b>0</b>	<b>0</b>

**SEWER UTILITY- CAPITAL OUTLAY  
20403420**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4320	<i>Capital Contribution</i>	0	0	0	0
	<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>MAINTENANCE AND OPERATIONS</b>					
3460-3500	Depreciation / Replacement	2,203,723	0	0	0
3580-4004	Interfund Charge Admin Overhead	2,364	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>2,206,087</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
6804	<i>Infrastructure Study</i>	0	613,000	656,000	0
7000	<i>Vehicles and Equipment</i>	0	0	30,000	0
7030	<i>Facilities &amp; Improvement</i>	0	288,000	4,190,000	128,000
7050	<i>Construction/Infrastructure</i>	71,813	2,471,865	320,000	1,180,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>71,813</b>	<b>3,372,865</b>	<b>5,196,000</b>	<b>1,308,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>2,277,900</b>	<b>3,372,865</b>	<b>5,196,000</b>	<b>1,308,000</b>

**AIRPORT - CAPITAL PROJECTS**  
**20503510**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4419	CalTrans Aeronautic Grant	(75,000)	(75,000)	(23,625)	0
4434	Grant	(2,979)	(36,565)	0	(38,100)
4450	Grant/Capital Grant	(93,185)	(644,300)	0	0
<b>TOTAL REVENUE</b>		<b>(171,164)</b>	<b>(755,865)</b>	<b>(23,625)</b>	<b>(38,100)</b>
<b>CAPITAL OUTLAY</b>					
7030	Facilities & Improvement:	102,332	893,167	0	0
<b>TOTAL CAPITAL OUTLAY</b>		<b>102,332</b>	<b>893,167</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>102,332</b>	<b>893,167</b>	<b>0</b>	<b>0</b>

**WATER UTILITY - CAPITAL OUTLAY**  
**20303830**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4320	Capital Contribution	0	0	0	0
4348	Depreciation / Replacement	0	0	0	0
	<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>MAINTENANCE AND OPERATIONS</b>					
6600	Depreciation / Replacement	749,154	0	0	0
6602	Capitalized Asset Contra Account	(577,528)	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>171,626</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
6804	<i>Infrastructure Study</i>	0	300,000	455,000	150,000
7030	<i>Facilities &amp; Improvement:</i>	0	50,000	250,000	0
7050	<i>Construction/Infrastructure:</i>	605,394	5,155,201	3,294,300	3,804,500
	<b>TOTAL CAPITAL OUTLAY</b>	<b>605,394</b>	<b>5,505,201</b>	<b>3,999,300</b>	<b>3,954,500</b>
	<b>TOTAL EXPENDITURES</b>	<b>777,020</b>	<b>5,505,201</b>	<b>3,999,300</b>	<b>3,954,500</b>

**PARKS DEVELOPMENT FUND  
41090000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
<b>4301</b>	Donations	0	0	0	0
<b>4355</b>	Transfer In from Fund 10221	0	0	0	0
<b>4438</b>	<i>Fansler Foundation Grant</i>	(67,670)	(67,669)	0	0
<b>4478</b>	<i>HRPP Grant</i>	0	(721,750)	(350,000)	0
	<b>TOTAL REVENUE</b>	<b>(67,670)</b>	<b>(789,419)</b>	<b>(350,000)</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
<b>7030</b>	<i>Facilities &amp; Improvement:</i>	9,500	789,419	1,943,456	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>9,500</b>	<b>789,419</b>	<b>1,943,456</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>9,500</b>	<b>789,419</b>	<b>1,943,456</b>	<b>0</b>



MAX - CAPITAL OUTLAY  
21285290

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4423	Grant- Federal Section 5307	0	(1,763,000)	0	0
4266	<b>LCTOP</b>	0	(67,160)	(28,876)	(82,270)
	<b>TOTAL REVENUE</b>	<b>0</b>	<b>(1,830,160)</b>	<b>(28,876)</b>	<b>(82,270)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
6600	Depreciation / Replacement	78,481	0	0	0
6605	Loss on Disposal of Capital Asset	0	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>78,481</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL CAPITAL OUTLAY</b>					
7030	<b>Facilities &amp; Improvement:</b>	<b>0</b>	<b>50,146</b>	<b>1,830,160</b>	<b>0</b>
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>50,146</b>	<b>1,830,160</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>78,481</b>	<b>50,146</b>	<b>1,830,160</b>	<b>0</b>

**PROPOSITION 1B PTMISEA  
21295590**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4490	<i>Proposition 1B PTMISEA</i>	(34,532)	(2,098,864)	0	0
4491	<i>Proposition 1B CalOES</i>	0	(47,541)	0	0
	<b>TOTAL REVENUE</b>	<b>(34,532)</b>	<b>(2,146,405)</b>	<b>0</b>	<b>0</b>
<b>MAINTENANCE AND OPERATIONS</b>					
4033-3500	Depreciation / Replacement	38,590	0	0	0
4033-3502	Capitalized Asset Contra Account	(34,532)	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>4,058</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement</i>	34,532	2,098,864	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>34,532</b>	<b>2,098,864</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>38,590</b>	<b>2,098,864</b>	<b>0</b>	<b>0</b>

**CDBG - PUBLIC IMPROVEMENT/CAPITAL PROJECT  
10218020**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4355	<i>Transfer-In</i>	0	0	0	0
4454	<i>C.D.B.G. Carryover Entitlement</i>	(514,287)	0	(88,556)	(754,814)
4455	<i>C.D.B.G. Current Yr. Entitlement</i>	(557,303)	(628,808)	(488,390)	0
4659	<i>Refunds and Reimbursements</i>	0	0	0	0
	<b>TOTAL REVENUE</b>	<b>(1,071,590)</b>	<b>(628,808)</b>	<b>(576,946)</b>	<b>(754,814)</b>
<b>CAPITAL OUTLAY</b>					
6900	<i>Interfund Charges - Facility Maint.</i>	155,133	563,570	0	0
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	2,170	688,144	576,946	0
7050	<i>Construction/Infrastructures</i>	450,000	700,000	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>607,303</b>	<b>1,951,714</b>	<b>576,946</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>762,436</b>	<b>2,515,284</b>	<b>576,946</b>	<b>0</b>

PROPOSITION 1B PTMISEA - CalOES  
41105492

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4491	<i>Prop 1B CalOES</i>	0	(129,609)	0	0
	TOTAL REVENUE	0	(129,609)	0	0
CAPITAL OUTLAY					
7030	<i>Facilities &amp; Improvement</i>	0	129,609	0	0
	TOTAL CAPITAL OUTLAY	0	129,609	0	0
	TOTAL EXPENDITURES	0	129,609	0	0

**SPECIAL GAS TAX - STREET MAINTENANCE**  
**41303310**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
<b>4162</b>	<b><i>Interest Income</i></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
4444	Gas Tax- RMRA (Rd Maint & Reha	0	0	0	(1,124,000)
4445	TrafficCongestRelief-LoanRepay	0	0	0	(75,000)
<b>4430</b>	<b><i>Gas Tax - Section 2105</i></b>	<b>(372,828)</b>	<b>(360,000)</b>	<b>(380,551)</b>	<b>(380,500)</b>
<b>4431</b>	<b><i>Gas Tax - Section 2106</i></b>	<b>(138,613)</b>	<b>(190,000)</b>	<b>(234,641)</b>	<b>(234,500)</b>
<b>4432</b>	<b><i>Gas Tax - Section 2107</i></b>	<b>(479,440)</b>	<b>(492,000)</b>	<b>(491,617)</b>	<b>(491,500)</b>
<b>4433</b>	<b><i>Gas Tax - Section 2107.5</i></b>	<b>(15,000)</b>	<b>(7,500)</b>	<b>(7,500)</b>	<b>(7,500)</b>
<b>4443</b>	<b><i>Gas Tax Section 2103</i></b>	<b>(649,663)</b>	<b>(649,663)</b>	<b>(649,663)</b>	<b>(649,663)</b>
	<b>TOTAL REVENUE</b>	<b>(1,655,544)</b>	<b>(1,699,163)</b>	<b>(1,763,972)</b>	<b>(2,962,663)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
5230-3998	Prior year expenses	0	0	0	0
5305-4004	Interfund Charges - Admin. Overhead	250,000	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>250,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
<b>7050</b>	<b><i>Construction &amp; Infrastructure:</i></b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,124,000</b>
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,124,000</b>
<b>TRANSFERS OUT</b>					
<b>8200</b>	<b>Transfers Out</b>	<b>1,589,140</b>	<b>2,132,000</b>	<b>1,376,453</b>	<b>1,477,000</b>
	<b>TOTAL TRANSFERS OUT</b>	<b>1,589,140</b>	<b>2,132,000</b>	<b>1,376,453</b>	<b>1,477,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>1,839,140</b>	<b>2,132,000</b>	<b>1,376,453</b>	<b>2,601,000</b>

**RSTP - FEDERAL EXCHANGE**  
**41315320**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4162	Interest Income	(809)	0	0	0
4429	<i><b>RSTP - Federal Exchange:</b></i>	<b>0</b>	<b>(648,980)</b>	<b>(680,000)</b>	<b>(680,000)</b>
	<b>TOTAL REVENUE</b>	<b>(809)</b>	<b>(648,980)</b>	<b>(680,000)</b>	<b>(680,000)</b>
<b>CAPITAL OUTLAY</b>					
7050	<i><b>Construction &amp; Infrastructure:</b></i>	1,621,444	962,641	750,000	680,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>1,621,444</b>	<b>962,641</b>	<b>750,000</b>	<b>680,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>1,621,444</b>	<b>962,641</b>	<b>750,000</b>	<b>680,000</b>



STATE TRANSPORTATION IMPROVEMENT PROGRAM  
41305420

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4073	BTA Grant	(81,905)	(518,223)	0	0
4447	Remove II - SJVAPCD	0	(91,866)	0	0
4487	Safe Routes to School (SR2S) - State	(2,374)	(276,613)	0	0
4820	State Transp. Improve.- Streets (Org 41300000)	(195,528)	0	0	0
TOTAL REVENUE		(279,807)	(886,702)	0	0
CAPITAL OUTLAY					
7030	Facilities & Improvements:	5,481	0	0	0
7050	Construction/Infrastructure:	0	886,702	0	0
TOTAL CAPITAL OUTLAY		5,481	886,702	0	0
TOTAL EXPENDITURES		5,481	886,702	0	0

MEASURE A - CAPITAL FACILITIES  
41500000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
CAPITAL OUTLAY					
7050	<i>Construction/Infrastructure:</i>	6,839	2,248,198	0	0
	TOTAL CAPITAL OUTLAY	6,839	2,248,198	0	0
	TOTAL EXPENDITURES	6,839	2,248,198	0	0

**MEASURE T - RTP - REHAB/RECONSTRUCTION**  
**41514470**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(731,823)	(907,789)	(979,988)	(1,020,000)
4162	<i>Interest Income</i>	(8,373)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(740,196)</b>	<b>(907,789)</b>	<b>(979,988)</b>	<b>(1,020,000)</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	174,450	4,304,708	1,228,077	2,545,746
	<b>TOTAL CAPITAL OUTLAY</b>	<b>174,450</b>	<b>4,304,708</b>	<b>1,228,077</b>	<b>2,545,746</b>
	<b>TOTAL EXPENDITURES</b>	<b>174,450</b>	<b>4,304,708</b>	<b>1,228,077</b>	<b>2,545,746</b>

**MEASURE T - LTP STREET MAINTENANCE**  
**41520000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(375,348)	(472,050)	(509,593)	(510,000)
4162	<i>Interest Income</i>	(2,343)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(377,691)</b>	<b>(472,050)</b>	<b>(509,593)</b>	<b>(510,000)</b>
<b>TRANSFERS OUT</b>					
8200	<i>Transfer Out</i>	146,323	471,015	509,593	510,000
	<b>TOTAL TRANSFERS OUT</b>	<b>146,323</b>	<b>471,015</b>	<b>509,593</b>	<b>510,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>146,323</b>	<b>471,015</b>	<b>509,593</b>	<b>510,000</b>

**MEASURE T - LTP SUPPLEMENT STREET MAINTENANCE**  
**41530000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(252,638)	(317,726)	(342,996)	(350,000)
4162	<i>Interest Income</i>	(356)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(252,994)</b>	<b>(317,726)</b>	<b>(342,996)</b>	<b>(350,000)</b>
<b>TRANSFERS OUT</b>					
8200	<i>Transfer Out</i>	300,410	317,029	342,996	350,000
	<b>TOTAL TRANSFERS OUT</b>	<b>300,410</b>	<b>317,029</b>	<b>342,996</b>	<b>350,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>300,410</b>	<b>317,029</b>	<b>342,996</b>	<b>350,000</b>

MEASURE T - LTP ADA COMPLIANCE  
41540000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4083	Measure T Revenue	(14,436)	(18,156)	(19,600)	(20,000)
4162	Interest Income	(72)	0	0	0
TOTAL REVENUE		(14,508)	(18,156)	(19,600)	(20,000)
CAPITAL OUTLAY					
7050	Construction/Infrastructure:	46,634	68,964	65,000	20,000
TOTAL CAPITAL OUTLAY		46,634	68,964	65,000	20,000
TOTAL EXPENDITURES		46,634	68,964	65,000	20,000



MEASURE T - TRANSIT ENHANCEMENT  
41550000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4083	Measure T Revenue	(52,837)	(66,455)	(71,740)	(72,000)
4162	Interest Income	(372)	0	0	0
TOTAL REVENUE		(53,209)	(66,455)	(71,740)	(72,000)
CAPITAL OUTLAY					
7000	Vehicle & Equipment	0	0	0	0
7030	Facilities & Improvement	24,295	257,297	83,000	72,000
TOTAL CAPITAL OUTLAY		24,295	257,297	83,000	72,000
TOTAL EXPENDITURES		24,295	257,297	83,000	72,000

**MEASURE T - TRANSIT ENHANCEMENT/ADA/SENIOR**  
**41560000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(4,908)	(6,173)	(6,664)	(6,000)
4162	<i>Interest Income</i>	(123)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(5,031)</b>	<b>(6,173)</b>	<b>(6,664)</b>	<b>(6,000)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement</i>	0	17,691	6,664	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>17,691</b>	<b>6,664</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>17,691</b>	<b>6,664</b>	<b>0</b>

**MEASURE T - ENVIRONMENTAL ENHANCEMENT/BIKE/PEDESTRIAN  
41570000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(57,746)	(72,623)	(78,399)	(78,000)
4162	<i>Interest Income</i>	(437)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(58,183)</b>	<b>(72,623)</b>	<b>(78,399)</b>	<b>(78,000)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement</i>	0	5,000	0	0
7050	<i>Construction/Infrastructure:</i>	21,844	289,567	113,000	78,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>21,844</b>	<b>294,567</b>	<b>113,000</b>	<b>78,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>21,844</b>	<b>294,567</b>	<b>113,000</b>	<b>78,000</b>

**MEASURE T - LTP - FLEXIBLE  
41580000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(247,819)	0	(852,589)	0
	<b>TOTAL REVENUE</b>	<b>(247,819)</b>	<b>0</b>	<b>(852,589)</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	247,739	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>247,739</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>247,739</b>	<b>0</b>	<b>0</b>	<b>0</b>

**MEASURE T - TIER 1- REGIONAL STREETS**  
**41590000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4083	<i>Measure T Revenue</i>	(423)	0	0	0
4162	<i>Interest Income</i>	(162)	0	0	0
	<b>TOTAL REVENUE</b>	<b>(585)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**F.A.U. - CNG PROJECTS**  
**41705020**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4422	<i>CMAQ Revenue</i>	18,572	214,748	0	0
	<b>TOTAL REVENUE</b>	<b>18,572</b>	<b>214,748</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	0	0	0	0
7000	<i>Vehicle &amp; Equipment:</i>	0	214,748	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>214,748</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>214,748</b>	<b>0</b>	<b>0</b>



**F.A.U. - PARKS & PEDESTRAIN PROJECTS**  
**41705030**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4422	<i>CMAQ Revenue</i>	(33,402)	(1,059,775)	0	0
	<b>TOTAL REVENUE</b>	<b>(33,402)</b>	<b>(1,059,775)</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	1,059,775	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>1,059,775</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>1,059,775</b>	<b>0</b>	<b>0</b>

**F.A.U. - STREET IMPROVEMENT PROJECTS**  
**41705070**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4420	Section 130	(15,647)	(436,896)	0	0
4422	CMAQ Revenue	(6,726)	(1,107,326)	(1,288,000)	0
4493	HSIP Grant	(14,378)	(256,293)	(311,000)	0
TOTAL REVENUE		(36,751)	(1,800,515)	(1,599,000)	0
CAPITAL OUTLAY					
7030	Facilities & Improvement:	0	0	0	0
7050	Construction/Infrastructure:	233,979	1,800,515	1,599,000	0
TOTAL CAPITAL OUTLAY		233,979	1,800,515	1,599,000	0
TOTAL EXPENDITURES		233,979	1,800,515	1,599,000	0

**BRIDGE PREVENTATIVE MAINTENANCE PROGRAM (BPMP)**  
**41705730**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4468	<i>Bridge Preventive Maint. BPMP-Grant</i>	(215,920)	(7,825)	(121,357)	0
	<b>TOTAL REVENUE</b>	<b>(215,920)</b>	<b>(7,825)</b>	<b>(121,357)</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	205,687	7,825	121,357	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>205,687</b>	<b>7,825</b>	<b>121,357</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>205,687</b>	<b>7,825</b>	<b>121,357</b>	<b>0</b>

**LOCAL TRANSPORTATION FUNDING - STREET PROJECTS**  
**42005330**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4436	<i>LTF - Street</i>	(1,033,567)	(2,774,176)	(1,210,571)	(717,729)
	<b>TOTAL REVENUE</b>	<b>(1,033,567)</b>	<b>(2,774,176)</b>	<b>(1,210,571)</b>	<b>(717,729)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
6904	<i>Interfund Charges - Admin. Overhead</i>	70,000	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>70,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7000	<i>Vehicle &amp; Equipment:</i>	0	139,048	0	0
7030	<i>Facilities &amp; Improvement:</i>	0	0	0	0
7050	<i>Construction/Infrastructure:</i>	944,981	2,263,128	197,500	205,729
	<b>TOTAL CAPITAL OUTLAY</b>	<b>944,981</b>	<b>2,402,176</b>	<b>197,500</b>	<b>205,729</b>
<b>TRANSFERS OUT</b>					
8200	<i>Transfer Out</i>	412,000	465,000	488,000	512,000
	<b>TOTAL TRANSFERS OUT</b>	<b>412,000</b>	<b>465,000</b>	<b>488,000</b>	<b>512,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>1,426,981</b>	<b>2,867,176</b>	<b>685,500</b>	<b>717,729</b>

**LOCAL TRANSPORTATION FUNDING - PARKS/BIKE PATH PROJECTS**  
**42005410**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4435	<i>LTF - Parks</i>	(24,299)	(138,762)	(32,580)	(34,000)
	<b>TOTAL REVENUE</b>	<b>(24,299)</b>	<b>(138,762)</b>	<b>(32,580)</b>	<b>(34,000)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	7,640	32,852	32,580	0
7050	<i>Construction/Infrastructure:</i>	28,301	116,669	0	68,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>35,941</b>	<b>149,520</b>	<b>32,580</b>	<b>68,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>35,941</b>	<b>149,520</b>	<b>32,580</b>	<b>68,000</b>

WATER DEVELOPMENT IMPACT FEE  
40800000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4162	Interest Income	(386)	(17)	(17)	(300)
	TOTAL REVENUE	(386)	(17)	(17)	(300)
CAPITAL OUTLAY					
7050	Construction/Infrastructure:	0	31,000	0	0
	TOTAL CAPITAL OUTLAY	0	31,000	0	0
	TOTAL EXPENDITURES	0	31,000	0	0

**WATER PIPE IMPACT FEES**  
**40810000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(616)	(259,000)	(1,000)	(1,000)
4053	<i>Residential Impact Fee</i>	(48,676)	(50,000)	(52,000)	(47,300)
4162	<i>Interest Income:</i>	(7,666)	(450)	(500)	(4,000)
	<b>TOTAL REVENUE</b>	<b>(56,958)</b>	<b>(309,450)</b>	<b>(53,500)</b>	<b>(52,300)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
0501-3800	DEVELOPER REIMBURSEMENT	0	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	361,000	34,700	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>361,000</b>	<b>34,700</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>361,000</b>	<b>34,700</b>	<b>0</b>



**WATER WELL IMPACT FEES**  
**40820000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(867)	(6,000)	(870)	(870)
4053	<i>Residential Impact Fee</i>	(96,664)	(87,000)	(94,000)	(96,000)
4162	<i>Interest Income:</i>	(3,433)	(137)	(190)	(2,000)
	<b>TOTAL REVENUE</b>	<b>(100,964)</b>	<b>(93,137)</b>	<b>(95,060)</b>	<b>(98,870)</b>
<b>CAPITAL OUTLAY</b>					
6800	<i>Development Reimbursement</i>	0	365,000	0	88,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>365,000</b>	<b>0</b>	<b>88,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>365,000</b>	<b>0</b>	<b>88,000</b>

WASTE WATER DEVELOPMENT IMPACT FEES  
40830000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4051	Commercial Impact Fee	(3,459)	(4,600)	(3,700)	(3,700)
4053	Residential Impact Fee	(220,752)	(231,000)	(234,000)	(262,000)
4162	Interest Income:	(3,406)	(175)	(375)	(2,000)
TOTAL REVENUE		(227,617)	(235,775)	(238,075)	(267,700)
TRANSFERS OUT					
8200	Transfer Out	550,000	225,000	0	250,000
TOTAL TRANSFERS OUT		550,000	225,000	0	250,000
TOTAL EXPENDITURES		550,000	225,000	0	250,000

**WESTBERRY/ELLIS SEWER IMPACT FEES**  
**40840000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(56)	(56)	(56)	0
4052	<i>SFR Impact Fee</i>	(1,904)	(2,000)	(2,000)	(13,000)
4053	<i>Residential Impact Fee</i>	(1,632)	(1,000)	(100)	(100)
4162	<i>Interest Income:</i>	(1,520)	(85)	(3,700)	(1,000)
<b>TOTAL REVENUE</b>		<b>(5,112)</b>	<b>(3,141)</b>	<b>(5,856)</b>	<b>(14,100)</b>
<b>CAPITAL OUTLAY</b>					
	Capital Outlay	0	0	0	0
<b>TOTAL CAPITAL OUTLAY</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL EXPENDITURES</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

ROAD 28 SEWER INTERCEPTOR IMPACT FEES  
40850000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4052	<i>SFR Impact Fee</i>	(5,728)	(2,864)	(2,864)	(3,000)
4162	<i>Interest Income:</i>	(2,660)	(154)	(154)	0
TOTAL REVENUE		(8,388)	(3,018)	(3,018)	(3,000)
TRANSFERS OUT					
		0	0	0	4,000
TOTAL TRANSFERS OUT		0	0	0	4,000
TOTAL EXPENDITURES		0	0	0	4,000

**SEWER NEW MFR REQUIREMENTS - EXISTING AREA IMPACT FEES**  
**40990000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(71)	(500)	(500)	(900)
4052	<i>SFR Impact Fee</i>	(19,710)	(19,000)	(19,500)	(20,000)
4162	<i>Interest Income:</i>	(2,041)	(89)	(120)	(2,300)
	<b>TOTAL REVENUE</b>	<b>(21,822)</b>	<b>(19,589)</b>	<b>(20,120)</b>	<b>(23,200)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	0	162,000	0	72,000
7050	<i>Construction/Infrastructure:</i>	0	241,600	22,000	10,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>403,600</b>	<b>22,000</b>	<b>82,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>403,600</b>	<b>22,000</b>	<b>82,000</b>

SEWER NEW SFR REQUIREMENTS - NORTHWEST AREA IMPACT FEES  
41000000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4051	<i>Commercial Impact Fee</i>	(75)	(150)	(150)	(200)
4052	<i>SFR Impact Fee</i>	(1,295)	(1,700)	(1,750)	(2,000)
4162	<i>Interest Income:</i>	(715)	(60)	(60)	(600)
TOTAL REVENUE		(2,085)	(1,910)	(1,960)	(2,800)

SEWER NORTHEAST QUADRANT IMPACT FEES  
41010000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4162	<i>Interest Income:</i>	(1,602)	(92)	(92)	(1,300)
	TOTAL REVENUE	(1,602)	(92)	(92)	(1,300)
CAPITAL OUTLAY					
7030	<i>Facilities &amp; Improvement:</i>	0	162,000	0	0
7050	<i>Construction/Infrastructure:</i>	0	131,000	0	0
	TOTAL CAPITAL OUTLAY	0	293,000	0	0
	TOTAL EXPENDITURES	0	293,000	0	0



SEWER SOUTHWEST QUADRANT IMPACT FEES  
41020000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4052	<i>SFR Impact Fee</i>	(3,420)	(3,900)	(3,400)	(3,800)
4162	<i>Interest Income:</i>	(4,412)	(388)	(4,400)	(3,100)
	<b>TOTAL REVENUE</b>	<b>(7,832)</b>	<b>(4,288)</b>	<b>(7,800)</b>	<b>(6,900)</b>

SEWER SOUTHEAST QUADRANT IMPACT FEES  
41030000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4052	<i>SFR Impact Fee</i>	(11,960)	(12,700)	(12,700)	(4,800)
4162	<i>Interest Income:</i>	(2,060)	(2,000)	(2,000)	(2,000)
	<b>TOTAL REVENUE</b>	<b>(14,020)</b>	<b>(14,700)</b>	<b>(14,700)</b>	<b>(6,800)</b>

**DRAINAGE SYSTEM DEVELOPMENT IMPACT FEES**  
**41040000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(85)	(1,000)	(100)	0
4052	<i>SFR Impact Fee</i>	(165,272)	(175,000)	(175,000)	(169,000)
4162	<i>Interest Income</i>	(9,983)	(412)	(1,000)	(4,800)
4215	<i>Infrastructure Cost Payback</i>	0	0	0	0
	<b>TOTAL REVENUE</b>	<b>(175,340)</b>	<b>(176,412)</b>	<b>(176,100)</b>	<b>(173,800)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
6445-3800	Developer Reimbursement	0	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	480,000	0	20,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>480,000</b>	<b>0</b>	<b>20,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>480,000</b>	<b>0</b>	<b>20,000</b>

**STORM DRAIN NORTHWEST QUADRANT DEVELOPMENT IMPACT FEES**  
**41050000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(2,075)	(2,000)	(2,000)	0
4052	<i>SFR Impact Fee</i>	(14,196)	(19,000)	(10,000)	(10,000)
4162	<i>Interest Income</i>	(4,741)	(407)	(1,000)	(4,000)
	<b>TOTAL REVENUE</b>	<b>(21,012)</b>	<b>(21,407)</b>	<b>(13,000)</b>	<b>(14,000)</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	10,000	10,000	20,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>10,000</b>	<b>10,000</b>	<b>20,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>10,000</b>	<b>10,000</b>	<b>20,000</b>

**STORM DRAIN NORTHEAST QUADRANT DEVELOPMENT IMPACT FEES**  
**41060000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4162	<i>Interest Income</i>	(2,139)	(70)	(2,000)	(2,000)
	<b>TOTAL REVENUE</b>	<b>(2,139)</b>	<b>(70)</b>	<b>(2,000)</b>	<b>(2,000)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	0	136,348	0	0
7050	<i>Construction/Infrastructure:</i>	0	178,426	0	2,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>314,774</b>	<b>0</b>	<b>2,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>314,774</b>	<b>0</b>	<b>2,000</b>

**STORM DRAIN SOUTHWEST QUADRANT DEVELOPMENT IMPACT FEES**  
**41070000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4052	<i>SFR Impact Fee</i>	(7,500)	(7,000)	(5,000)	(7,000)
4162	<i>Interest Income</i>	(64)	(79)	(200)	(100)
	<b>TOTAL REVENUE</b>	<b>(7,564)</b>	<b>(7,079)</b>	<b>(5,200)</b>	<b>(7,100)</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	110,000	10,000	20,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>110,000</b>	<b>10,000</b>	<b>20,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>110,000</b>	<b>10,000</b>	<b>20,000</b>

**STORM DRAIN SOUTHEAST QUADRANT DEVELOPMENT IMPACT FEES**  
**41080000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4052	<i>SFR Impact Fee</i>	(27,776)	(14,000)	(10,000)	(11,300)
4162	<i>Interest Income</i>	(3,995)	(175)	(1,000)	(3,700)
	<b>TOTAL REVENUE</b>	<b>(31,771)</b>	<b>(14,175)</b>	<b>(11,000)</b>	<b>(15,000)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	0	6,403	0	0
7050	<i>Construction/Infrastructure:</i>	0	10,000	250,000	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>16,403</b>	<b>250,000</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>16,403</b>	<b>250,000</b>	<b>0</b>



**FIRE DEVELOPMENT IMPACT FEES**  
**40860000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(260)	(520)	(1,000)	(500)
4053	<i>Residential Impact Fee</i>	(56,616)	(60,000)	(56,000)	(49,000)
4162	<i>Interest Income</i>	(15,448)	(885)	(1,200)	(13,700)
	<b>TOTAL REVENUE</b>	<b>(72,324)</b>	<b>(61,405)</b>	<b>(58,200)</b>	<b>(63,200)</b>
<b>CAPITAL OUTLAY</b>					
7030	<i>Facilities &amp; Improvement:</i>	0	0	1,300,000	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>0</b>	<b>1,300,000</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>1,300,000</b>	<b>0</b>

**POLICE DEVELOPMENT IMPACT FEES**  
**40870000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(521)	(900)	(3,800)	(3,700)
4053	<i>Residential Impact Fee</i>	(91,056)	(95,300)	(90,000)	(90,000)
4162	<i>Interest Income</i>	(2,555)	(157)	(95,300)	(1,500)
	<b>TOTAL REVENUE</b>	<b>(94,132)</b>	<b>(96,357)</b>	<b>(189,100)</b>	<b>(95,200)</b>
<b>TRANSFERS OUT</b>					
8200	<i>Transfers Out</i>	130,497	130,497	0	80,000
	<b>TOTAL TRANSFERS OUT</b>	<b>130,497</b>	<b>130,497</b>	<b>0</b>	<b>80,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>130,497</b>	<b>130,497</b>	<b>0</b>	<b>80,000</b>

**PARKS DEVELOPMENT IMPACT FEES**  
**40880000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4088	<i>AB1600 Fees</i>	(445,704)	(430,000)	(443,000)	(441,000)
4162	<i>Interest Income</i>	(13,086)	(565)	(1,000)	(12,500)
	<b>TOTAL REVENUE</b>	<b>(458,790)</b>	<b>(430,565)</b>	<b>(444,000)</b>	<b>(453,500)</b>
CAPITAL OUTLAY					
7030	<i>Facilities &amp; Improvement:</i>	0	350,000	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>350,000</b>	<b>0</b>	<b>0</b>
TRANSFERS OUT					
8210	<i>Transfers Out - Debt Service</i>	194,257	194,257	194,257	194,257
	<b>TOTAL TRANSFERS OUT</b>	<b>194,257</b>	<b>194,257</b>	<b>194,257</b>	<b>194,257</b>
	<b>TOTAL EXPENDITURES</b>	<b>194,257</b>	<b>544,257</b>	<b>194,257</b>	<b>194,257</b>

PUBLIC WORKS DEVELOPMENT IMPACT FEES  
40890000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4051	Commercial Impact Fee	(962)	(1,650)	(3,000)	(7,200)
4053	Residential Impact Fee	(54,432)	(57,000)	(58,000)	(53,800)
4162	Interest Income	(11,736)	(684)	(1,000)	(6,600)
TOTAL REVENUE		(67,130)	(59,334)	(62,000)	(67,600)
CAPITAL OUTLAY					
7030	Facilities & Improvement:	35,382	623,200	0	0
7050	Construction/Infrastructure:	0	152,527	0	0
TOTAL CAPITAL OUTLAY		35,382	775,727	0	0
TOTAL EXPENDITURES		35,382	775,727	0	0

STREET DEVELOPMENT IMPACT FEES  
40900000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4162	<i>Interest Income</i>	(2,065)	(126)	(1,000)	(400)
	<b>TOTAL REVENUE</b>	<b>(2,065)</b>	<b>(126)</b>	<b>(1,000)</b>	<b>(400)</b>

GENERAL GOVERNMENT DEVELOPMENT IMPACT FEES  
40920000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4051	Commercial Impact Fee	(87)	(150)	(150)	0
4053	Residential Impact Fee	(38,808)	(40,700)	(38,000)	(46,200)
4162	Interest Income	(9,132)	(519)	(1,000)	(8,800)
TOTAL REVENUE		(48,027)	(41,369)	(39,150)	(55,000)

**TRANSPORTATION DEVELOPMENT IMPACT FEES**  
**40930000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(1,837)	(3,150)	(5,000)	(4,000)
4053	<i>Residential Impact Fee</i>	(159,768)	(167,000)	(155,000)	(158,000)
4054	<i>Commercial Impact Fee</i>	0	0	(18,000)	(21,000)
4162	<i>Interest Income</i>	(32,340)	(1,800)	(1,800)	(29,000)
	<b>TOTAL REVENUE</b>	<b>(193,945)</b>	<b>(171,950)</b>	<b>(179,800)</b>	<b>(212,000)</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	1,090,000	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>1,090,000</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>1,090,000</b>	<b>0</b>	<b>0</b>



**ADMINISTRATIVE SERVICES DEVELOPMENT IMPACT FEES**  
**40940000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4051	<i>Commercial Impact Fee</i>	(174)	(1,000)	(1,000)	(1,000)
4053	<i>Residential Impact Fee</i>	(15,792)	(15,000)	(15,000)	(15,000)
4162	<i>Interest Income</i>	(359)	(30)	0	0
	<b>TOTAL REVENUE</b>	<b>(16,325)</b>	<b>(16,030)</b>	<b>(16,000)</b>	<b>(16,000)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
6451	<i>Bank Service Charges</i>	(11)	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>(11)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TRANSFERS OUT</b>					
8200	<i>Transfer Out</i>	50,000	25,000	15,000	15,000
	<b>TOTAL TRANSFERS OUT</b>	<b>50,000</b>	<b>25,000</b>	<b>15,000</b>	<b>15,000</b>
	<b>TOTAL EXPENDITURES</b>	<b>49,989</b>	<b>25,000</b>	<b>15,000</b>	<b>15,000</b>

**MEDIAN ISLAND DEVELOPMENT IMPACT FEES**  
**40950000**

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
<b>REVENUE</b>					
4053	<i>Residential Impact Fee</i>	(65,924)	(69,000)	(42,000)	(67,000)
4162	<i>Interest Income</i>	(3,239)	(136)	(3,000)	(1,000)
	<b>TOTAL REVENUE</b>	<b>(69,163)</b>	<b>(69,136)</b>	<b>(45,000)</b>	<b>(68,000)</b>
<b>MAINTENANCE AND OPERATIONS</b>					
0657-3800	Developer Reimbursement	0	0	0	0
	<b>TOTAL MAINTENANCE AND OPERATIONS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CAPITAL OUTLAY</b>					
7050	<i>Construction/Infrastructure:</i>	0	190,000	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>0</b>	<b>190,000</b>	<b>0</b>	<b>0</b>
	<b>TOTAL EXPENDITURES</b>	<b>0</b>	<b>190,000</b>	<b>0</b>	<b>0</b>

ARTERIAL/COLLECTOR STREET DEVELOPMENT IMPACT FEES  
40960000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4050	Impact Fee	(236,806)	(248,800)	(256,000)	(238,000)
4162	Interest Income	(19,813)	(1,400)	(5,000)	(16,000)
TOTAL REVENUE		(256,619)	(250,200)	(261,000)	(254,000)
CAPITAL OUTLAY					
7050	Construction/Infrastructure	750,536	1,858,558	0	0
TOTAL CAPITAL OUTLAY		750,536	1,858,558	0	0
TOTAL EXPENDITURES		750,536	1,858,558	0	0

TRAFFIC SIGNAL IMPACT FEES  
40970000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4050	<i>Impact Fee</i>	(40,109)	(42,000)	(43,000)	(40,000)
4162	<i>Interest Income</i>	(15,504)	(900)	(5,000)	(1,000)
	<b>TOTAL REVENUE</b>	<b>(55,613)</b>	<b>(42,900)</b>	<b>(48,000)</b>	<b>(41,000)</b>
TOTAL CAPITAL OUTLAY					
7030	<i>Facilities &amp; Improvement:</i>	0	0	0	0
	<b>Subtotal</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
7050	<i>Construction/Infrastructure</i>	18	579,221	176,000	333,800
	<b>TOTAL CAPITAL OUTLAY</b>	<b>18</b>	<b>579,221</b>	<b>176,000</b>	<b>333,800</b>
	<b>TOTAL EXPENDITURES</b>	<b>18</b>	<b>579,221</b>	<b>176,000</b>	<b>333,800</b>

TRAFFIC SPECIAL IMPACT FEES  
40980000

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4162	<i>Interest Income</i>	(2,313)	(50)	(2,000)	(2,000)
	TOTAL REVENUE	(2,313)	(50)	(2,000)	(2,000)
CAPITAL OUTLAY					
7050	<i>Construction/Infrastructure</i>	13,106	209,732	0	0
	TOTAL CAPITAL OUTLAY	13,106	209,732	0	0
	TOTAL EXPENDITURES	13,106	209,732	0	0

MEASURE K CAPITAL OUTLAY - FIRE  
10252500

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
4162	Interest Income	0	0	0	0
4085	Measure K Revenue	0	0	(1,750,000)	0
	TOTAL REVENUE	0	0	(1,750,000)	0
CAPITAL OUTLAY					
7050	Construction/Infrastructure	0	0	950,000	0
	TOTAL CAPITAL OUTLAY	0	0	950,000	0
	TOTAL EXPENDITURES	0	0	950,000	0

SB1 - Local Partnership Program  
New #

OBJECT/ ACCOUNT	DESCRIPTION	FY 2016 ACTUALS	FY 2017 BUDGET	FY 2018 BUDGET	FY 2019 PROPOSED
REVENUE					
XXXX		0	0	0	180,000
4162	<i>Interest Income</i>	0	0	0	0
	TOTAL REVENUE	0	0	0	180,000
CAPITAL OUTLAY					
7050	<i>Construction/Infrastructure</i>				180,000
	TOTAL CAPITAL OUTLAY	0	0	0	180,000
	TOTAL EXPENDITURES	0	0	0	180,000

TOTAL CAPITAL BUDGET REVENUE AND EXPENDITURES

TOTAL REVENUE	(8,409,389)	(19,215,679)	(11,241,244)	(9,162,646)
TOTAL EXPENDITURES	12,122,351	41,427,696	23,421,039	14,194,032
NET EXPENDITURES/(REVENUE)	3,712,962	22,212,017	12,179,795	5,031,386



## REPORT TO CITY COUNCIL

Approved by:

Donia Alvarez  
Department Director

Steve Frayler  
City Administrator

Council Meeting of: 03/21/18

Agenda Number: E-4

**SUBJECT:** Schedule Governance Workshop

**SUMMARY AND RECOMMENDATION:** Per Council direction, staff requests that the Council select a date to hold a governance workshop. Ron Manfredi, the consultant facilitating the workshop, has suggested holding the workshop on a Saturday from 8:30 a.m. to 2:00 p.m. or two evening sessions within the same week.

Option A – Saturday workshop, 8:30 a.m. – 2:00 p.m. at City Hall.

April 7, 2018

May 12, 2018

June 2, 2018 (Municipal Golf Course)

Option B – Two evening sessions within the same week, 6:30 p.m. – 8:30 p.m. at City Hall

March 27, 28, 29 (select two dates)

May 14, 15, 17 (select two dates)

May 29, 30, 31 (select two dates)

**FINANCIAL IMPACT:** There is no financial impact for tonight's action. The cost to conduct the workshop were adopted by the Council under separate action on 2/21/18. Any other incidental costs specific to this workshop will be covered under the existing departmental budget.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:** The requested action is not specifically addressed in the Vision Plan nor is it in conflict with the Plan.