

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

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| Item: | B-1 |
| Minutes for: | 03/16/16 |
| Adopted: | 03/01/17 |

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

**Council Chambers
City Hall**

CALL TO ORDER

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

ROLL CALL:

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

Absent: Mayor Pro Tem Charles F. Rigby

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

INVOCATION: Pastor Barry Benard, Westside Christian Fellowship

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

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

PUBLIC COMMENT:

The first fifteen minutes of the meeting are reserved for members of the public to address the Council on items which are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Council does not respond to public comment at this time.

No comments were offered.

PRESENTATIONS

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

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

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

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

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

Ms. Hall agreed.

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

2. Proclamation Recognizing March as Youth Art Month

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

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

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

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

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

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

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

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

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

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

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

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

And

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

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

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

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

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

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

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

Mayor Poythress called on the City Clerk for title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The ordinance was read by title by the City Clerk.

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

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

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

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

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

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

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

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

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

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

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

Mayor Poythress stated they have a motion and a second.

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

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

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

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

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

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

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

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

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

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

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

Mayor Poythress invited the representative to come up.

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

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

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

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

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

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

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

Mayor Poythress asked if there are any other questions.

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

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

Mayor Poythress thanked Mr. Allinder.

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

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

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

E-2 Progress Report by Solid Waste Division of the 2nd Half of the Calendar Year 2015

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Poythress thanked them.

F. COUNCIL REPORTS

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

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

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

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

G. CLOSED SESSION

There are no items for this section.

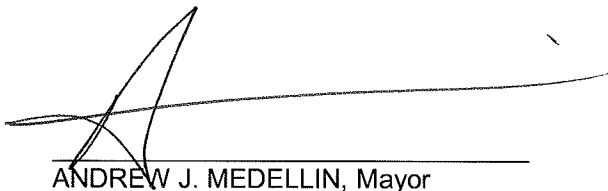
ADJOURNMENT

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

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

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


SONIA ALVAREZ, City Clerk


ANDREW J. MEDELLIN, Mayor

