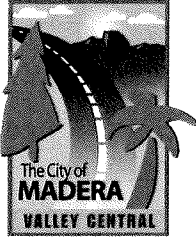


Item:	B-1
Minutes for:	12/16/15
Adopted:	11/02/16



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

December 16, 2015
6:00 p.m.

Council Chambers
City Hall

CALL TO ORDER

The regular meeting for 12/16/15 was called to order by Mayor Poythress at 6:00 p.m.

ROLL CALL:

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

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

INVOCATION: Pastor Javier Castro, Hosanna Worship Center

PLEDGE OF ALLEGIANCE: Council Member Bomprezzi 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 Madera South High School Cross Country Team

Mayor Poythress stated he has a special presentation to make and asked Council Member Medellin to join him at the podium.

Mayor Poythress stated that it is not always that you have excellence displayed in a community. He thinks they have a lot of really, really good things that happen here in the City of Madera. He thinks they have a

lot of good initiatives and a lot of great citizens and so forth but, it is not always that they have a group of people, a team that actually reaches the championship round and actually succeeds to become a champion. For that reason, this evening, they are celebrating the Madera South High School Cross Country team for their great achievements. He advised that they were the CMAC League Champions. They were 1st place in the CIF Central Section Championship. They were 4th place in the CIF State Championship and, they took 5th place in the NIKE Portland Invitational Elite Division. Mayor Poythress stated he will be asking the coach later on how many teams that involves noting that it's a lot. He noted that this is a fantastic achievement. He referred to the movie McFarland that came out a few years. He doesn't know why they don't have a movie called Madera to talk about their cross country team because their legacy in cross country goes back a long ways. He advised that it goes back to the 60's with Coach Dennis DeWitt, and all the great runners and the great legacy that was created during those years, that has been carried on through the 70's, 80's and 90's. Today they see the legacy of what was laid out back in those years. Mayor Poythress invited Coach Eloy Quintana to join him.

Eloy Quintana, coach for the Madera South High School Cross Country Team, greeted the Council and thanked them for having them and recognizing their Cross Country Boys Team. He introduced his coaching staff: Benny Madrigal, Sky Fierro, Kelly Valmonte, Mike Lennemann, Danny Vulich, and Alex Fierro. He noted that it does sound like a big coaching staff but the way they do it is that they have their feeder schools which is Desmond and Martin Luther King (MLK). They coach at their respective intermediate feeder schools and then they come up to the high school and help them out with the boys and girls that they have. They are like a big family and that is what they consider themselves. He also thanked all the parents for their support and help this past season. He named the parents of the runners noting some may not be present: Maria and Eduardo Herrera parents of Eduardo Herrera; Norma Cantu and Jaime Villar parents of Miguel Villar; Emily and Victor Ochoa parents of Michael Ochoa and Victor Ochoa; Melissa Hernandez and Marcus Zaragoza parents of Nick Hernandez; Mario and Gloria Alvarez parents of Adrian Alvarez; Bernabe Castillo and Guillermina Ramirez parents of Diose Castillo Ramirez; and Leticia and Manuel Nevarez parents of Christian Nevarez.

Coach Quintana stated that this past season was successful for Madera South Cross Country in many ways. He advised that their tradition holds true as they compared with some of the best teams in the State and in the Nation. They began their journey this year with some adversity as two of their key returners came down with an injury and an illness. He commented that Michael Ochoa developed an illness which left his training at a standstill for a considerable amount of time. He added that Christian Nevarez had a stress fracture that repaired but as a result, he developed other injuries that required him to take the rest of the season off. Coach Quintana noted that the two battled as much as they could but as for Christian Nevarez, he has battled the best he could, which was unfortunate, because they couldn't get him back on top but, they have him here and he just wants to recognize him. He asked Mr. Nevarez to stand up.

Coach Quintana stated that they are all here today because they are a family. They never leave their brothers alone nor do they leave them behind. They don't consider themselves a team. They consider themselves a family. That is how they go about their business as a family. They truly believe they are brothers and sisters and they've got each other's back no matter what. He added that their boys are selfless and they show it on the field and in their training. With the setbacks they had this year, it truly tested their character as a family and individually. He noted that each boy realized that there was a need to step up even more and that is just what they did. He stated that Nick Hernandez, Adrian Alvarez, Diose Ramirez, and Victor Ochoa all stepped up to the challenge regardless of the fact that they had less experience at the varsity level but they still competed like seasoned veterans. He noted that Eduardo Herrera and Miguel Villar both held strong throughout the season which created one of the best one two punches in the nation. He stated that a couple of websites went ahead and did the stats and whatnot and then those two combined for one two punches in the nation, they are literally the second best one two punches in the nation. No one else has been able to really get to what they got. He added that they both served as the glue and the motivation to keep the team going. He noted that Michael Ochoa made his comeback and despite his circumstances he was able to make big moves for the team during the most important meets such as league, valley, and state. Mr. Ochoa also tied his personal best, if not better, by one second which is huge

because he had to take up to eight weeks off of training so for him to come back and get back to where he was and almost better, shows the true heart of himself.

Coach Quintana stated that all these accomplishments speak volumes in how their boys were able to pull together as a team despite the struggles. He noted that it took digging deep and a lot of heart and grit in order to pull what they did. He added that because of the sacrifice, their hard work and no excuse attitude, the boys finished the first in league, first in the valley, and fourth in the state in Division I (DI) Level. Coach Quintana stated that if you ever do your research for cross country, the DI level in the State of California is the cream of the crop nationwide. For them to finish fourth is huge especially with the adversity and the way they had to go about this year in putting together the team so that was a huge accomplishment in itself.

Coach Quintana stated that the boys also made history at the Valley meet where they scored one through four places. He explained that in cross country, if you go one through five, that is a perfect score. At the Valley Championships, you don't go one through four ever because you have to go against the Clovis North, the Buchanans, the Clovis schools, the Bakersfield schools who also have big boy runners. He stated that these kids came through and they have been one through four with their fifth man in 10th place so they had all five in the top 10 and one through four. He contacted many of the gurus in the valley and they all told him, it has never been done in history to go one through four so you are the first school in history in the Central Section to go one through four.

Coach Quintana added that Eduardo Herrera also broke the Central Section all time Woodward Park record which was held by CJ Albertson from Buchanan High School. He noted that CJ Anderson's time was 14:51 and at the state meet Eduardo Herrera ran 14:48 which makes Eduardo now the fastest cross country runner in valley history. He added that Eduardo also went on to the Nike National Meet in Portland, Oregon. Nike flew him and paid everything, treated him like an Olympian, and many other individuals and teams. Eduardo placed 5th in the nation. He noted that Eduardo is the second person in Valley history to be First Team All American. Coach Quintana stated that what they love most about this team is the fact that they never let anything stop them from achieving their goals. They consistently compete against schools that have vast amounts of resources and funding but they never let that derail them from their goals. Coach Quintana referred to the website MileSplit California and advised that what he likes about it is that they look at concrete facts. They don't take guesses or hypothesis. The site conducted the rankings for next year. He knows it is really early but, the site is considering Madera South High School as the fastest and number one returning team in the state with all divisions combined.

Coach Quintana commented that with their returners and their future leader Miguel Villar who is returning as one of the top individuals in the state and nation, they are excited to continue their tradition and see what the future holds. He thanked all who have supported them on this journey.

Mayor Poythress thanked Coach Quintana. He noted that it is really good to hear that there is no pressure for next year. They are ranked number one and there are really high expectations. It is really great to know that they are carrying on a great tradition that has been over literally the last five to six decades and they continue to represent the school so well. Mayor Poythress stated that the City Council and the citizens of Madera are so very proud of them. He knows sometimes some of the other sports such as basketball, football, baseball, sports like that get a lot of recognition but certainly, this team deserves that top billing in their City and the recognition they are receiving tonight.

Mayor Poythress invited the team to come up and join him.

Council Member Oliver suggested that they take a team picture with the Council after the presentation.

Mayor Poythress agreed. He added that there will also be a presentation from Senator Cannella's office.

Mayor Poythress announced that they have a certificate of recognition for each. The certificate recognizes the Madera South High School Boys Cross Country Team for their drive and determination, and for working

as a team to overcome obstacles which led to an outstanding season with numerous team and individual accomplishments.

Mayor Poythress asked Council Member Medellin, who has been very instrumental in arranging for the recognition this evening, to assist in passing out the certificates. The certificates were presented to the team members, Coach Quintana, and his coaching staff.

Mayor Poythress introduced Shannon Picciano from State Senator Cannella's office.

Shannon Picciano stated that this came to the attention of the Senator's ears that this is truly a phenomenal team that they have. The Senator wanted her to ask if they could present some certificates on his behalf. Ms. Picciano read from the certificate. "On behalf of the California State Senate, I would like to recognize you and your team for having an outstanding season with numerous team and individual accomplishments. Congratulations on winning the first place at CMAQ League Championship, 1st, 4th, and 5th place at CIF. The skills that you have gained and the character you have exhibited during competitive events will serve you for a lifetime. Congratulations and best wishes in your future endeavors. Presented on this day December 16, 2015, Senator Anthony Cannella, 12th Senate District." Ms. Picciano presented the certificates to the Coach and the team.

Coach Quintana recognized Madera Unified School District staff: Athletic Director Andrea Divine and District Athletic Director Marty Bitter (not present due to a conflict). They have been present with them from the beginning. They have been an amazing support and cast. Everything they need, they try to provide them with. He also recognized Superintendent Ed Gonzales who has been there for them since day 1 as well and their Associate Superintendent Mr. Villar. They have a great supporting cast in the district and they can't wait to see what they do in the future. He thanked the Council for having them.

A group photo was taken upon conclusion of the presentation.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

B-1 Minutes – 6/17/15

B-2 Information Only – Warrant Disbursement Report

B-3 Consideration of a Resolution Approving the List of Projects for Federal Transportation Funding Under the Map-21 CMAQ Program – 2015 Cycle and Authorizing the City Engineer to Submit the Project Applications to the Madera County Transportation Commission

And

Consideration of a Resolution Supporting and Implementing AB 1012, Timely Use of Funding for CMAQ Projects (Report by Keith Helmuth)

B-4 Consideration of a Resolution Amending the City of Madera Classification Plan and Setting the Rate of Compensation for Certain Classifications (Report by Wendy Silva)

B-5 Consideration of a Resolution Approving Award of Agreement for Utility Billing Services to DataProse, LLC, and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by Becky McCurdy)

- B-6 Consideration of a Resolution Approving Award of Agreement for Collection Services to CB Merchant Services, and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by Becky McCurdy)
- B-7 Consideration of a Resolution to Update a Memorandum of Understanding (MOU) with the Madera County Transportation Commission (MCTC) to Ensure On-going Comprehensive and Coordinated Transit Planning and Programming of Federal Transit Funds (Report by Sonia Hall)
- B-8 Consideration of Minute Order Acceptance of the Construction of the Dual Left Turn Lanes, Schnoor Avenue and Cleveland Avenue Federal Project No CML 5157 (079) City Project No. St 11-04 (Report by Keith Helmuth)
- B-9 Consideration of a Resolution Approving Improvement Deferral Agreement and Authorization of Lien for Gill Valero Gas Station (Report by Keith Helmuth)
- B-10 Consideration of a Resolution Approving Improvement Deferral Agreement and Authorization of Lien for Future Investments, LTD (Report by Keith Helmuth)
- B-11 Consideration of Minute Order Approval of City Administrator Travel to SHOT Show, January 18 – January 22, 2016 (Report by David Tooley)
- B-12 Consideration of a Resolution Approving the Award of Contract for Fourth Street Medians Landscape & Irrigation Improvements Sunset Avenue to Lake Street City of Madera Project No. PK 15-02, in the Amount of \$279,169.45 to Clean Cut Landscape, Authorizing Construction Contingencies of Up to 10% and Construction Inspection and Management of Up to 10%, and Authorizing the Mayor to Execute the Contract on Behalf of the City

And

Consideration of a Resolution Approving Funding Amendments to the City of Madera Fiscal Year 2015/16 Capital Fund Budget for the Fourth Street Medians Landscape & Irrigation Improvements Sunset Avenue to Lake Street City of Madera Project No. PK 15-02, Appropriating Regional Surface Transportation Program and Water Conservation Program Funds for the Construction Contract, Contingencies and Construction Inspection/Management (Report by Keith Helmuth)

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

ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 15-237 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE LIST OF PROJECTS FOR FEDERAL TRANSPORTATION FUNDING UNDER THE MAP-21 CMAQ PROGRAM – 2015 CYCLE, AND AUTHORIZING THE CITY ENGINEER TO SUBMIT THE PROJECT APPLICATIONS TO THE MADERA COUNTY TRANSPORTATION COMMISSION

RES. NO. 15-238 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA SUPPORTING AND IMPLEMENTING AB 1012, TIMELY USE OF FUNDING FOR CMAQ PROJECTS

- RES. NO. 15-239 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE EMPLOYEE CLASSIFICATION PLAN ADOPTED BY RESOLUTION NO. 00-13 AND SETTING THE RATE OF COMPENSATION FOR CERTAIN CLASSIFICATIONS OF THE CITY OF MADERA
- RES. NO. 15-240 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AWARD OF AGREEMENT FOR UTILITY BILLING SERVICES TO DATAPROSE, LLC
- RES. NO. 15-241 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AWARD OF AGREEMENT FOR COLLECTION SERVICES TO CB MERCHANT SERVICES
- RES. NO. 15-242 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A NEW MEMORANDUM OF UNDERSTANDING (MOU) WITH THE MADERA COUNTY TRANSPORTATION COMMISSION (MCTC) TO ENSURE ONGOING COMPREHENSIVE AND COORDINATED TRANSIT PLANNING AND PROGRAMMING OF FEDERAL TRANSIT FUNDS
- RES. NO. 15-243 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING IMPROVEMENT DEFERRAL AGREEMENT AND AUTHORIZATION OF LIEN FOR GILL VALERO GAS STATION, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
- RES. NO. 15-244 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING IMPROVEMENT DEFERRAL AGREEMENT AND AUTHORIZATION OF LIEN FOR FUTURE INVESTMENTS, LTD, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
- RES. NO. 15-245 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AWARD OF CONTRACT FOR FOURTH STREET MEDIANS LANDSCAPE & IRRIGATION IMPROVEMENTS, SUNSET AVENUE TO LAKE STREET CITY OF MADERA PROJECT NO. PK 15-02 IN THE AMOUNT OF \$279,169.45 TO CLEAN CUT LANDSCAPE, AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 10%, CONSTRUCTION INSPECTION AND MANAGEMENT OF UP TO 10%, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY
- RES. NO. 15-246 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING AMENDMENTS TO THE CAPITAL FUND BUDGET APPROPRIATING REGIONAL SURFACE TRANSPORTATION PROGRAM AND WATER CONSERVATION PROGRAM FUNDS FOR THE CONSTRUCTION CONTRACT, CONSTRUCTION CONTINGENCIES AND CONSTRUCTION INSPECTION AND MANAGEMENT

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

There are no items for this section.

D. WRITTEN COMMUNICATIONS

- D-1 Written Communication from the Community Action Response Team Network International, Inc. Requesting City Support for an Intake Facility for Homeless Veterans (Lynn Collins)**

Council Member Robinson stated he has to opt out of this item and exited the Council Chambers.

Lynn Collins stated he represents the Community Action Response Team Network International, Inc. of Madera. He advised that they are a full veteran service provider fledglingly trying to create an intake facility primarily for veterans. They also have the idea that they would like to create and start a community garden within the City limits. He stated that right now that isn't available here. They would like to try to do that and at some point they will definitely get at the Council with discussing it. He stated that the veteran plight was addressed in a NOFA (Notice of Funding Availability) put out by the Housing Community Development (HCD) in 2015, around the beginning of the summer. He added that the fall round was subsequently funded this fall and they have applied. In keeping with that, they wanted to come to the Council and ask for the Council's permission to continue this course in vain to service veterans in the community. They have reached out to some of the Council Members. They have reached out to Mrs. Hall [referring to Sonia Hall] who by the way is an excellent choice for City Manager [Ms. Hall's actual title is Grant Administrator]. He added that she knows everything. He went to her office and he was totally aghast at how much information she had. He added that Council Member Holley was also instrumental in giving them some information on how to best navigate through the proper channels of the City. He advised that they just wanted to say thank you and hope that the Council would consider their program. He added that fledglingly as it is, it is something that the Council would get behind; something that the Council would take into serious consideration right now especially during the winter months and primarily in the summer months when it is really, really hot. They have a real disparity for their veterans. They are trying to correct that situation. They are hoping that the Council will give them their seal "approval" and their blessing to continue this vain. He thanked the Council for their time. He noted that if there is anything he forgot, he will probably write to the City Clerk and send it to them via email. He stated, God Bless them all.

Mayor Poythress stated his appreciation and thanked Mr. Collins for the presentation.

Council Member Robinson returned to the Council Chambers.

D-2 Presentation by the Madera Youth Leaders on Environmental Projects (Mark Colley, Outreach Coordinator)

Mark Colley, Outreach Coordinator for the Madera Coalition for Community Justice stated he is here tonight with their youth group, the Madera Youth Leaders. He introduced the three young men with him: Eddie, Freddie, and Rigo. They are here representing a much bigger group of about 26 youth who have been working on environmental projects for the past year. They are here to share some of their information; some of their findings. He turned the presentation over to the youth.

Eddie Estudillo stated he is a student at Monte Vista High School. He noted that they are here today to offer a report on a yearlong project their group has been working on and share their findings with the Council. This year was the first phase of their program to learn more about land use and how it connects to their everyday lives and add quality, health, transportation and housing.

Youth 2 [name not stated] stated that the Madera Coalition staff made the first presentation of smart growth city planning to them. The staff covered the principles and terminology such as mixed use, complete streets and zoning. They saw that these are connected to many other things such as transportation, air quality, car dependency and access to services.

Youth 3 [name not stated] stated that the Madera Coalition organized a walk and bike to school event at James Monroe Elementary to highlight safe roads to school in that area and promote alternative transportation. He noted that the class with the most number of students who biked or walked won a free pizza party for the whole class.

Eddie Estudillo stated that in October they hosted a public education event along McCullough River Trail. They called it the Bike and Walk Smart Growth Tour. They presented poster boards which they made on the topics of urban sprawl and its alternative smart growth city planning. They set up four stations on the

trail and presented information to the public. At their events, they surveyed the community to find out who they were reaching and what their attitudes were on biking. They had a combined total of over 900 people surveyed.

[The youth took turns presenting their findings and giving the remainder of the presentation.] 72% living east of Freeway 99, in Eastern Madera; 91% of people they reached were Latino. Questions included: How often do you ride your bike? Most said once in a while. Why do you bike? Most people do it for exercise. How far do you bike? Most people go one to two miles.

Finally, they surveyed 12 random students at Madera High and Madera South. They asked them which is the most dangerous street for cycling on the road to school. The students from Madera High said Yosemite Avenue and from South, they said Stadium Road. He added that all saw people having to ride their bike in the dirt or a sidewalk because there was no bike lane for them.

At the end of these projects, they sat down and wrote articles about their experience and all the things they learned. They published all their stories in the Madera Tribune on November 14th.

They stated that they continue to work on many more environmental programs. This was the introductory phase which focused on learning about the subjects. He advised that the next phase will include more actionable goals so in the near future they hope to work with local government staff for their input. He thanked the Council.

Mayor Poythress thanked them. He stated that it is certainly a timely topic. He stated that when they look at things like urban sprawl, smart growth, transportation, etc., everything ties in to greenhouse gasses. These are certainly hot topics and something that as the youth advance on in school and in other studies, this research will serve the youth well. He added that whether the people in California agree with some of the principles or not, it is the law of the land these days in the State and it is happening. Anytime there is a discussion about transportation funding, it is never about do we need more roads or these roads are in bad condition, it is all about what is this going to do for greenhouse gas emissions or how is this going to reduce that. He thanked the youth for their great research and encouraged them to keep up the great work.

D-3 Consideration of a Resolution Approving a Request from Madera County Clerk – Recorder and Registrar of Voters for Waiver of Rental Fees for City Facilities to be Used as Polling Places for the 2016 Presidential Primary and Presidential General Elections (Report by Mark Etheridge)

Director of Parks and Community Services Mary Anne Seay stated they received a request for a fee waiver for the use of City Parks and Recreation facilities for polling stations in June and November. She noted that they have actually not received that specific request since she has been here and it has just been their habit to allow that. She commented that since their specific request exceeds the limit of her authority to waive fees, staff thought it would be most appropriate to bring it before the Council. Ms. Seay advised that it is staff's recommendation that they waive the fees. Ms. Seay offered to answer any questions.

Mayor Poythress asked if there are any questions or comments. No comments 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, ITEM D-3, RES. NO. 15-247 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.

RES. NO. 15-247 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A REQUEST FROM MADERA COUNTY CLERK-RECORDER AND REGISTRAR OF VOTERS FOR WAIVER OF RENTAL FEES FOR CITY FACILITIES TO BE USED AS POLLING PLACES FOR THE 2016 PRESIDENTIAL PRIMARY AND PRESIDENTIAL GENERAL ELECTIONS

E. ADMINISTRATIVE REPORTS

E-1 Weekly Water Conservation Reports

Public Works Operations Director Dave Randall advised that in the Council's package they have the report for November 30th through December 6th. He noted that they will see that it notes a 15% water reduction rate for that week which unfortunately is down a little bit. He advised that is in comparison to 2013. He commented that the City's average for the month of November was 25% which is just 3% below their goal so they did fairly well for this season of the year. He advised that the cumulative average going forth since June is 27%. He noted that the numbers are fairly low so they are not seeing too much slippage yet.

Mr. Randall added that the water conservation numbers for this past week, ending Sunday, were up a little bit. They are at 19% which obviously is still a little under their goal. With that and the previous week, their average for December is 17%. He advised that generally during this wet season they will see that they are focusing more on public outreach, going out to public schools and other things. Their citation numbers are down a little bit because of that but that sort of has been their focus because there aren't a lot of people out watering these days. Mr. Randall offered to answer any questions.

Mayor Poythress asked if there are any questions for Mr. Randall. No questions were asked.

E-2 Update on the Status of the Formation of a Groundwater Sustainability Agency (GSA) for the Madera Groundwater Sub-basin and Direction to Staff Regarding the City's Preferred Structure for the Agency

Community Development Director Dave Merchen stated that the item on the agenda is a discussion of the potential alternatives for the structure of a groundwater sustainability agency (GSA). He advised that the Sustainable Groundwater Management Act of 2014 (SGMA) provides a framework for sustainable management of groundwater supplies by local authorities. Notably, the act requires that groundwater sustainability agencies be formed for certain medium to high priority basins by June 30, 2017. They have to form the GSA noting that includes the groundwater basin that underlies the City of Madera and that is the Madera Sub-basin. They have to form that GSA by the middle of 2017. Subsequent to that, there needs to be a groundwater sustainability plan (GSP) that is prepared by the groundwater sustainability agency and that is a couple of years later by January of 2020. He advised that those two items, the formation of the GSA and the subsequent preparation of the GSP, are the two real critical items that SGMA calls on to be completed by the locals. He noted that the threat, of course, if the locals aren't able to do these things and take meaningful action to enhance the sustainability of the groundwater, is that the State will intervene. He advised that is something that most locals, stakeholders across the State, believe they would rather not see and that certainly has been the prevailing opinion amongst local Madera stakeholders.

Mr. Merchen stated that the groundwater basin underlying the Madera area is the sub-basin that is shown in bluish tone on their screen. He noted that basically it is the valley property of Madera County west of the Madera Canal. It excludes the property sort of at the north westerly third which is the Chowchilla Water Basin and it is on the south westerly boundary which he thinks is part of the Delta Mendota Basin.

Mr. Merchen referred to the display which is a very similar map. He advised that the point of showing a map of the same area, noting that this includes the excluded part, is just to show, by delineation of colors, the different entities that are involved with that basin. He noted that the pinkish area is Madera County. The bluish is Madera Irrigation District (MID). The City is the bright yellow area with the red box around it kind of in the middle of the screen. He noted there is the Aliso Water District and there is the Gravelly Ford down towards the middle bottom part of the screen as well. He added that there is a small district, Madera Water District that is located just northwest, just above the red line on the screen. Mr. Merchen stated there are seven total agencies that are involved in the Madera Sub-basin.

Mr. Merchen discussed the alternatives. They need to form that GSA in a couple of years. He noted that there are a lot of different combinations of options and they kind of simplified it in terms of what three options

they want to look at. He advised that the formation committee consisting of those seven agencies that is working on GSA has each been tasked with identifying if they could specify what structure is best for them; what are the pluses and minuses of the different alternative structures; what would they say. He noted that input has been solicited and reporting back regarding that information to the formation committee next month.

Mr. Merchen stated, of the three basic options, one is that they have one GSA that prepares one GSP. He advised that is the ideal situation at least in conceptual form where everybody collaborates to form one agency and that one agency prepares one plan. He added that it probably on paper, at least, would help to best introduce a collaborative cohesive approach to groundwater management. The downside is that it also means that you have one body that controls the sustainability measures implementation enforcement across the entire sub-basin and that is a little, he thinks, disconcerting to everyone involved because there is a lot of uncertainty as to what the groundwater measures are going to be, what the sustainability measures are going to be. He stated that while it is ideal maybe on paper for its cohesiveness, it may not be realistic and attainable just because of the uncertainties involved.

Mr. Merchen stated that the second option is to have multiple agencies but prepare one plan. In that role, the County would have a GSA that they would form and administer. The City would have one, MID would have one, and so forth then those multiple GSA's would work together to prepare a single plan with the single plan aiming towards sustainability for the whole basin. He advised that there is more refined implementation and enforcement. You can control how you implement the plan within your jurisdiction but you are all working towards the same goal with the same bottom line.

Mr. Merchen stated that the third option is to have multiple GSA's with multiple GSP's and again because you all have to have the same bottom line, the same goal, you will have to have a lot of coordination. A coordination agreement has to be in place because the State only cares about the basin. It doesn't care that the City is ok or that MID is ok or that Root Creek Water District is ok; it cares that the basin is implementing its sustainability measures.

Mr. Merchen noted that those are the three basic options. He stated that for the reasons they described, it is a little bit like Goldilocks. He doesn't know if he is using the right child story but, one bed is too soft, one bed it too firm but, the bed in the middle is maybe the softest bed. He noted that is kind of what they have identified here is that the porridge is in it. He added that he is not good at this; it's Little Red Riding Hood. His kids are much too old. He added that if someone can walk him through that story, it might help.

Mr. Merchen stated that the porridge on option number one is too hot and the porridge on number three is too cold. Staff's view, the middle option is about right. It gives them probably the best combination of ability to meet the sustainability goals while retaining the responsibility to define the how to enforce and implement measure within the City.

Mr. Merchen stated that a couple of key points that they made in the written report is that they can't have any overlap between the agencies that are involved with the groundwater basin. He noted that the problem is that they do have overlap currently. A couple of examples that he has identified are that there is overlap between the County of Madera's jurisdiction and MID, their boundaries; and the same thing between the City of Madera and MID. This also exists between Root Creek and the County and so forth. He noted that there are a lot of overlapping boundaries between the different districts in the City and County that are involved and as a result of that, even if the eventual groundwater structure is multiple GSA's working towards one GSP, there is going to have to be quite a bit of coordination and collaboration going on. Mr. Merchen commented that they have pointed out specifically in the report that they have talked to MID and there appears to be an interest in specifically having some collaboration between the City and MID to work out the conflict potentially even to form one joint GSA that covers both agencies. He clarified that none of that has been finalized and the Council doesn't have to commit to that this evening but, any options moving forward, it is important to recognize that they will continually need to collaborate with other entities and particularly MID as almost all of the City is within MID boundaries.

Mr. Merchen stated that staff's recommendation is number two. They are looking for kind of a head nodding consensus. He advised that there is no vote required tonight but they would like to be able to report back to the GSA formation committee next month that the Council did have a preference. He added that he would be happy to take any feedback the Council may have or look for a nodding of heads.

Council Member Oliver asked, between the formation of the GSA and the adoption of the GSP, has there been any direction as to who might foot the bill of the costs for all the groundwater analyses between that time for the respective GSA or is that pretty much left undetermined at this point.

Mr. Merchen responded that he thinks that largely has been left undetermined. There is a hope that by putting themselves in a position where they have an agency, a structure in place, that they can align themselves to get some grant funding but, in terms of actual strategic planning on resources and what they need to do, that has not been dealt with yet.

Mayor Poythress asked if there are any other questions and if everybody thinks the recommendation of option 2 is the way to go. Council concurred.

Mr. Merchen advised that the General Manager from MID, Thomas Greci, is here in attendance. Mr. Merchen noted that Mr. Greci has been great to work with. He asked Mr. Greci recently, because he kept seeing his name referred to in different ways, whether it was Tommy, Thomas, or Tom and he said to call him whatever they want.

Mayor Poythress stated he really appreciates the management at MID, Tommy, Dina, the staff there and their board. They are entering a new era of water issues and it is more important than ever to be joined, not only cooperating but, be joined at the hip because they are looking at their only source of water at this time in the City being from the aquifer. When they look at the long term, they really need to be looking at other options in other places and right now the only delivery system that is out there that they could rely on would be Madera Irrigation District. He added that there are just so many reasons beyond that that it is important that they work closer and closer together. He just thinks that MID has a great team and the right people are looking at the big picture and again, he appreciates MID and their efforts. He thanked Mr. Greci.

Mr. Merchen apologized for messing up the Little Red Riding Hood story. He feels bad and added that he is going to have to get that right next time.

Council Member Robinson stated he was concerned about the aspect of uranium in the water. He knows in private wells, and since they get all water from groundwater.

Mr. Merchen stated that water quantity, the availability of the sustainability of the supply has tended to be the key concern. Water quality is also something that if they have water but it is really expensive to treat or it is hard to get into the system, it doesn't do them as much good so certainly the water quality issues facing the region are also something that they would be concerned with.

City Administrator David Tooley stated he thinks there is an excellent example in Parkwood. As they continue to draw down on the aquifer, they are pulling more and more of the chemical content into the water so the manganese problem in Parkwood is an example of the kind of thing they as a City are going to have to be very cognizant of as they move forward.

Mayor Poythress agreed that is a good point and added great report.

F. COUNCIL REPORTS

Council Member Robinson reported that on the 10th of December he attended the Mid Valley Disposal Annual Luncheon in Coalinga.

Council Member Robinson reported that on the 11th of December he attended the 55th Annual Moose Feed Luncheon along with Council Member Will Oliver in San Francisco. He advised that everybody was upbeat because construction is on the move.

Mayor Poythress asked how was the moose.

Council Member Robinson replied that it was elk.

Council Member Bompreszi went to the podium. She stated that many of them know and maybe some of them don't that last week she submitted her letter of resignation to the City Council which stated that it was a very difficult decision for her to make and one that was necessary. For the last year they have had her 94 year old mother living with them and trying to juggle work, Council, and her care, noting that she is the primary caregiver at night, it has been extremely difficult. She wanted to be able to address the audience with a letter to them.

Council Member Bompreszi read the letter. "Wow, what a difference nine years makes. I cannot believe that I have served on this Council for two full terms plus one year. A lot has changed in the nine years. They went from a Council elected at large to a Council elected by districts. When I began my term on this Council I was a Vice President (VP) of a bank and had only one grandchild (Taylor) at the time. I had just finished a master's degree in Financial Management and Accounting and it was a very exciting time for me. Since that time I have added four more grandchildren, Olivia, Tyler James, Sophia, and James Rigo. They are the light of our lives. I have lost a brother and a father to cancer during this time and I have had two other brothers who have beaten cancer. I have been a part of some exciting things in the City. We have opened two major shopping centers, the Commons at the Fairgrounds and Madera Marketplace on Tozer and Yosemite Avenue. We have built the youth center, Police Department, assisted in acquiring land for a new courthouse and we have widened 4th Street from Lake to Pine. We have gone through some real hard financial times during my nine years but we have remained united together and we supported one another and I am so proud to have been a part of such a wonderful group of people who have always been there for me encouraging me and supporting me. Times have changed for the better and I have come to realize how truly important God and family is to me. My priorities are in the right order God, family, and then everything else. I must now focus on caring for my family and I want to personally thank my husband, who is in the audience, for nine years of allowing me to serve, for doing the Wednesday dinners, which usually was pizza so we kept the pizza parlor in business but, it was always ready when I got home whether it was 7:00 o'clock or 8 o'clock. My mother, as I mentioned, has lived with us for the past year and I have been the primary caregiver in the evenings. She is 94 years old and is truly an inspiration to me. Growing up in a family that owned a local grocery store, I wasn't like normal kids that got to spend a lot of time with my parents and I feel like God has given me this time to care for my mom and truly get to know the amazing woman that she is. So my decision has been a difficult one to make and I will miss each and every one of you and I would like to thank you personally for all you do for our City and keep on doing what you do best, making the City of Madera a well-planned city, a strong community with great schools, and with great strong family values. Thank you."

Mayor Pro Tem Rigby stated he is going to miss Council Member Bompreszi. He noted that it has been a great year learning under her. He thanked her for all that she has done for their City and wished her good luck and best of health in life to her family as she moves forward.

Council Member Holley stated he has his beautiful wife out here joining him to let her know how they all act once again. He added that honestly he really doesn't have a lot to report. They are working real hard and he wants everyone to know that he is a mentor at Sierra Vista, at Parkwood, and at Millview. He also has a lunch buddy so they have been having their Christmas parties this week and to listen to them and him treating them for once, they are really enjoying this. He stated it is a challenge. As they know, in May he ended the Jesse Owens Games and he thought he was through with kids but somehow in his heart he just couldn't turn that away because Sierra Vista is so dear to his heart so he just started picking up something on the side to keep him going.

Council Member Holley stated he talked to Council Member Bompreszi the other day. He is not going to reiterate what just happened but, he will miss her and he wants her to know that if she needs him, he is just a phone call away.

Council Member Bompreszi thanked Council Member Holley.

Mayor Poythress thanked Council Member Holley for all his hard work with the kids and that he continue on in that vain.

Council Member Medellin stated that Council Member Bompreszi obviously has her priorities in order and he commends her for that and only she knows what is right. He noted that he and Council Member Bompreszi have known each other a long time. They served on the Lions together many, many years and she will truly be missed. He stated that she is a pillar of the community, a true leader, and she may not sit up on the dais but, they know that she will still be around and they will continue to encourage and support her, her husband Jim, and her family. What they are is family and like what was displayed here earlier with the team, they are a family not only at South High School but, they are all Maderans. They are all family. He wished her the absolute best of luck, Merry Christmas and Happy New Year.

Mayor Poythress stated that it sounds like he is saying no Council Member left behind.

Council Member Medellin agreed.

Council Member Oliver stated to Council Member Bompreszi that he most certainly appreciates her friendship, her service and leadership to their community but more importantly, her example. Only having served a year with her, it has been great to look aside to leaders like her. He knows as a new member, as he thinks they all probably struggle with at some point or at least for him, he tries to gain some type of litmus on how to make decisions and how to govern. He particularly appreciates her leadership during the time of their water conservation talks. He thinks that she inserted leadership. He added that she stepped forward during a time when it was very difficult for all of them but, it provided him a different perspective. He thinks it challenged him for the better and it is an experience that he will always walk away with and always value. He stated that he really appreciates her friendship and all that she has done to make their City a great place and the examples that she has laid before him, Charles and others. He thanked her.

Mayor Poythress advised that he needed to make an official announcement that Council Member Bompreszi's term will end when they adjourn the meeting so that means that she will join them in closed session so that she can participate there.

Mayor Poythress stated, like the others, he appreciates all the great work she has done. They have worked together professionally. He was there that moment in that little office when she announced that she was going to run. He thinks Bruce Norton was there also and it was just like whoa where did that come from. He knows that he had kind of been encouraging her. He noted that was an exciting time and she has been a very faithful member, trusted colleague. Like the others said, her years in the community, so many venues and so many ways, she has touched so many lives. He added that they are going to miss her on the Air Board (San Joaquin Valley Air Pollution Control District) too.

Council Member Bompreszi advised that she has to go there tomorrow.

Council Member Medellin stated that he calls the billboard.

Council Member Bompreszi agreed no more billboards, no more commercials.

Council Member Holley stated that his wife says that is your three seconds of fame.

Mayor Poythress stated that the exciting thing is the future. She has so many great opportunities ahead and family. He added that unfortunately there are so many people who reach a certain point in their careers

or their lives and it is almost like the best years are behind them. He thinks in her case, the best years are before her. He commented that she has that can do attitude. She's got the fire and he knows she is going to make a huge difference. He is looking forward to seeing what she has in store for them in the future.

Council Member Bomprezzi stated to Mayor Poythress that now he is the oldest; the lonely only left of the originals.

Mayor Poythress agreed from the 2000's.

Council Member Holley gave a shout out to Deputy City Clerk Gabriel Rodriguez who is leaving the City at the end of the month. He thanked him for all his support and all his hard work that he has done for the City. He knows it was a hard thing. He keeps revoking him but Mr. Rodriguez still tells him he is going. He stated that honestly, as a friend and from the Council, they appreciate all his service.

Council thanked Mr. Rodriguez.

Council Member Holley added that now the City Clerk has to work.

Mayor Poythress reported that last Friday he attended his final Road Charge Technical Advisory Committee meeting in Riverside. He stated that he always wondered why they have those meetings all over the State well they follow the CTC (California Transportation Committee) meetings. They've wrapped up their report. It is going to be submitted to Caltrans to be implemented. They expect the Road Charge Pilot Program to commence on 7/1/16. They are about six months ahead of time; can they believe it. It is a State of California endeavor and they are six months ahead. He commented that it is an alternative way to collect money for roads and transportation. He added that if anybody read the Fresno Bee over the weekend, they had a couple of articles in regards to the Technical Advisory Committee and also the condition of their roads which they know are awful. He stated that is occurring.

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

City Attorney Brent Richardson announced that the Council will adjourn to closed session pursuant to Government Code Section 54956.9(d)(1) to discuss conference with legal counsel in existing litigation as described under item G-2; and pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-3.

The Council adjourned to closed session at 7:03 p.m.

G-2 Conference with Legal Counsel – EXISTING LITIGATION. Subdivision (d)(1) of Government Code §54956.9
Bank of New York Mellon v. City of Madera, MCV069729

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

G-4 Closed Session Report – City Attorney

The Council returned from closed session at 7:15 p.m. with all members present.

City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code Section 54956.9(d)(1) to discuss conference with legal counsel in existing litigation as described

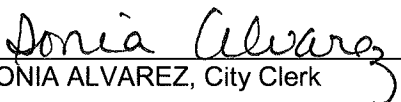
under item G-2 and reported that no reportable action was taken; and pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-3 and reported that no reportable action was taken.

ADJOURNMENT

The meeting was adjourned by Mayor Poythress at 7:16 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


ROBERT L. POYTHRESS, Mayor

