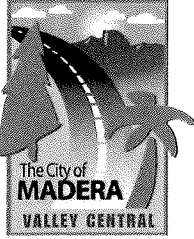


Item:	B-1
Minutes for:	9/16/15
Adopted:	4/20/16



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

September 16, 2015  
6:00 p.m.

Council Chambers  
City Hall

### CALL TO ORDER

The regular meeting for 9/16/15 was called to order by Mayor Poythress at 6:00 p.m.

### ROLL CALL:

**Present:** Mayor Robert L. Poythress  
Mayor Pro Tem William Oliver  
Council Member Charles F. Rigby  
Council Member Sally J. Bomprezzi  
Council Member Andrew J. Medellin (Arrived 6:02 p.m.)  
Council Member Donald E. Holley  
Council Member Derek O. Robinson Sr.

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, Chief Building Official Steve Woodworth, Planning Manager Chris Boyle, Commander Dino Lawson, and Fire Battalion Chief Jim Forga.

**INVOCATION:** Associate Pastor Don Caballero, The Clay Church

The invocation was given by Pastor John Pursell from the Believers Church. Associate Pastor Caballero was not available 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

Mayor Poythress announced that there is something here that says, Coyote Boys Tennis Dominates Clovis. He explained that it is the Madera High School Tennis Team from 2003/04. He noted that it looks like Mayor Pro Tem Oliver in the photo. Mayor Poythress advised that it was dropped off by his former Tennis

Coach Jerry Orosco. He added that Coach Orosco is retiring. He went through a bunch of stuff and moved to Merced. He wanted to make sure that Mayor Pro Tem Oliver received this. Mayor Poythress passed the article on to Mayor Pro Tem Oliver. He added that Mayor Pro Tem Oliver was a great tennis player and he probably still is.

### **1. Proclamation Recognizing Hispanic Heritage Month**

Mayor Poythress invited members of the Latinas Unidas to join him at the podium. Mayor Poythress stated that the official beginning of Hispanic Heritage Month was yesterday. He asked what today is. One of the representatives present replied that it is Independence Day. Mayor Poythress added that it is a great start to the beginning of Hispanic Heritage Month. He asked Ms. Salazar to share about this event.

Lucy Salazar, Chairperson for Latinas Unidas, stated this will be their 13<sup>th</sup> Annual Fiesta in the Park. They put this event on for the community to help maintain their Hispanic culture. She noted that National Hispanic Heritage Month was proclaimed in the United States so the City of Madera has been so kind to proclaim this month for them. They are here as Latinas to receive this presentation. She invited all to come and join them this Sunday, September 20, 2015 from 12:00 p.m. to 5:00 p.m. They will have different entertainment starting with mariachis, folklorico dancers, and other entertainment. They look forward to receiving the public this day and have an enjoyable day throughout celebrating their National Hispanic Heritage Month. She added that they also do other presentations in the County and throughout the City of Hispanic cultural items on display. They also have other activities but, this is their main activity that they do for the City and for the community. She added that they are so proud to be members of Latinas Unidas. She thanked the City and Mayor for presenting this honorable proclamation.

Mayor Poythress stated he noticed that the Fiesta in the Park is a little earlier this year. Normally it is the first Sunday of October. He wondered if they moved it up so it could be at the beginning and then maybe more celebrations after within that time period.

Ms. Salazar replied that the reason is that they started another event last year called Día de los Muertos. Also, in celebration, they are having this activity on October 30<sup>th</sup>. In order for them to present a good community event to the public, they wanted to allow themselves time to present one presentation for the public to invite and then do this other one. She advised that this is why they moved up the date so they could have more time to celebrate.

Mayor Poythress stated he knew there was a good reason for that. Mayor Poythress presented the proclamation supporting September 15<sup>th</sup> through October 15<sup>th</sup> as Hispanic Heritage Month to the Latinas Unidas. He commented that the City Parks and Community Services Department is involved in the event. He added that it is a great time and a great time to celebrate. He thanked them for all their great efforts and time. He knows a lot goes into it and it is a great thing.

Other representatives present from the Latinas Unidas [*names not given*] added that it is going to be a wonderful Sunday. There will be a lot of music and a lot of food, and it is a free event to the community. She noted that it is publicized as that. They also want to give their most gracious thanks to Mary Anne Seay and her department who are a big part of the activities, specifically for children at the event, for doing a lot with regard to the publications, the publicity, the proclamation development, and the whole enchilada, as it were.

### **2. Proclamation Recognizing Old Timers' Week**

Mayor Poythress announced that present is Bob Winslow from the Madera County Historical Society and the Old Timer's Day Committee. He asked Mr. Winslow to join him at the podium. He advised that many people know Mr. Winslow and recognize him for all his hard work over the years, and the time that he puts into this event. He added that it wouldn't be an Old Timer's Day and Celebration without him. He asked Mr. Winslow to tell them a little bit about what is going on with the week of celebration.

Bob Winslow thanked the Mayor and Council. He advised that this is the 84<sup>th</sup> Anniversary of the Old Timer's Celebration and Old Timer's Week. They are going to do pretty much the same events that they have had. He added that they will have the jail out in the park called the hoosegow. He advised that if the guys haven't grown beards, and he had to get his going, or the women aren't wearing their western attire, they are subject to get arrested and put in the hoosegow. Then, they need to be bailed out by some of their coworkers or what have you. He advised that they have badges that can keep them out of jail and that becomes a fundraiser for the Historical Society. They can purchase those. They have to wear them during the Old Timer's Week or they could be subject to arrest. He turned the badges over to the City Clerk. He restated that it is a fundraiser for the Historical Society. He added that normally those badges go for \$5.00 so it is a modest amount but, he knows the City is doing pretty well, and with great leadership here, he thought they could go \$10.00 for the City.

Mayor Poythress agreed that they always do lead the way and thanked him.

Mr. Winslow stated that, in the interest of fairness they want to be fair, so they are going to be \$5.00. He advised they will be available in the Clerk's office for all of them to stay out of jail if they want but, if they want to risk it, they might be in jail. He noted that the hoosegow was not in great condition so they didn't use it last year. They had to do some modifications. He gave credit to the Madera South High School shop classes who are refurbishing it and it will be ready next week. He added that they will also have the City/County Employee Lunch. He is sure they have all been notified by the committee that puts that together. The lunch will be on Friday. He noted that has become really a great thing with over 500 employees from the City and County that come out for that now. They will also be awarding, at the lunch, the trophy for the costume contest. He advised that the judging for that will be on Thursday. He has also received a proclamation from the County and they are encouraging the County employees to take part in the contest, and hopefully, they will have a nice spirited contest again. On Saturday will be the parade and booths/vendors in the park selling all kinds of crafts and/or food, and/or some information. He added that it should be a great week and hopefully they will all be able to attend or take part, or be out there.

Mayor Poythress thanked Mr. Winslow again for all his efforts. Mayor Poythress presented the proclamation describing Old Timer's Week to Mr. Winslow.

Mr. Winslow stated his appreciation for all the support of this event.

## **INTRODUCTIONS**

1. Richard Gonzales, Police Officer
2. Clay Hoover, Police Officer

Mayor Poythress announced that the introductions will be rescheduled at a future meeting.

## **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 Consideration of a Resolution Approving an Agreement between the City of Madera and Kings View - Skills4Success Program for Occupation and Use of Facilities at the John W. Wells Youth Center and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mark Etheridge)

- B-4 Consideration of a Resolution Approving an Agreement with Moore Twining Associates, Inc. for Professional On-Demand Services for Quality Assurance and Materials Testing Services for Sanitary Sewer and Storm Drain Improvements – Various Locations, Bid Package 2, City Project No. S 10-01, CDBG-2014-2217-5072 (Report by Keith Helmuth)
- B-5 Consideration of a Resolution Approving Membership by the City of Madera in the California Enterprise Development Authority (CEDA) as an Associate Member and Authorizing CEDA, through Figtree Financing, to Offer their Program and Levy Assessments within the City of Madera and Authorizing Execution of the Associate Membership Agreement and Indemnity Agreement (Report by Sonia Hall)
- B-6 Consideration of a Resolution Approving the Assignment of Chateau at the Vineyards – Phase IV Subdivision and Approval of an Indemnity Agreement between City of Madera and UCP Chateau Grove, LLC (Report by Keith Helmuth)

**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. 15-192 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT BETWEEN THE CITY OF MADERA AND KINGS VIEW SKILLS4SUCCESS PROGRAM FOR OCCUPATION AND USE OF FACILITIES AT THE JOHN W. WELLS YOUTH CENTER AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

**RES. NO. 15-193 A RESOLUTION APPROVING AN AGREEMENT WITH MOORE TWINING ASSOCIATES, INC. FOR PROFESSIONAL ON-DEMAND SERVICES FOR QUALITY ASSURANCE AND MATERIALS TESTING SERVICES FOR SANITARY SEWER AND STORM DRAIN IMPROVEMENTS – VARIOUS LOCATIONS BID PACKAGE 2, CITY PROJECT NO. S 10-01, CDBG 2014-2217-5072**

**RES. NO. 15-194 RESOLUTION APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF MADERA IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY; CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE MADERA COUNTY PROPERTY ASSESSED CLEAN ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH**

**RES. NO. 15-195 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA CONSENTING TO THE ASSIGNMENT OF THE CHATEAU AT THE VINEYARDS – PHASE IV SUBDIVISION AGREEMENT TO UCP CHATEAU GROVE, LLC AND APPROVAL OF AN INDEMNITY AGREEMENT BETWEEN CITY OF MADERA AND UCP CHATEAU GROVE, LLC**

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

- C-1 Public Hearing and Consideration of a Resolution Approving the 2014/2015 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and Financial Summary**

Jorge Rojas, Program Manager for Grants, stated that the Department of Housing and Urban Development (HUD) requires that entitlement communities receiving Community Development Block Grant (CDBG) funds to annually review and publicly report on the progress made in carrying out their Consolidated and Annual Action Plan. He added that submission of the Consolidated Annual Performance and Evaluation Report (CAPER) is the reporting tool HUD requires to meet this obligation. Mr. Rojas announced that at this time he will survey the audience and see if anyone requires Spanish translation. He noted that it doesn't appear that anyone does.

Mr. Rojas referred to the slide and explained that it provides the amount of CDBG dollars they expended, \$856,303.53. It also details the amounts by Administration, Public Services, and Public Improvements. He advised that it is important to remember, beginning with the Fresno/Madera Continuum of Care, the Workforce Investment, the Youth Leaders, and Parks Senior Services, that other funds went into their activities, besides CDBG, to carry out their programs.

Mr. Rojas advised that the Fresno Madera Continuum of Care (FMCoC) is responsible for addressing their community's homeless needs. He advised that FMCoC conducted a survey. He reviewed some of the details within the survey. He noted that there are about 10 people here that are homeless adults with one child. There are several households that are over the age of 24 and between 18 and 24. They have homeless veterans: both males, one white, one multiple race, and one Non-Hispanic/Non-Latino. They also have several members of their population that are chronically homeless, adults with serious mental illness, substance abuse, and/or HIV/AIDS, or domestic violence.

Mr. Rojas advised that while housing is not an activity that they carry out with CDBG, the Successor Agency, using their Inclusionary Housing Program, both inside and outside of the project area, facilitated the establishment of 14 new, first time homebuyer households for a total of \$2.1 million. Also, using their State funds, as well as their Federal Neighborhood Stabilization Program funds that they are administering for the County, they assisted eight households within the City limits and two households in the County. He advised that the breakdown, according to income is, eight moderate, ten low, one very low, one above moderate, and two are unknown. His understanding about that is that with the Redevelopment Agency Program, there are no requirements for the owners to meet the income limits.

Mr. Rojas referred to the Parks and Community Services program and advised that their unduplicated total is 479. He added that it is important to note that many of the seniors partake in various activities and a duplicate account would be 1,317. He advised that in addition to the \$95,000 in CDBG funds, many others funds went into their programs.

Mr. Rojas referred to the Coalition for Community Justice Program and advised that 18 Hispanic youth participated. They had field trips to colleges, the Fresno Regional Foundation Art event, Earth Day, and a Gang Prevention Forum. They also received assistance in completing college applications.

Mr. Rojas referred to the Madera County Workforce Investment. They had 15 participants of which eight completed training, seven are currently enrolled in training services, and six are employed earning an average of \$12.00 per hour. He restated that this program uses funds other than CDBG.

Mr. Rojas referred to the Code Enforcement Program and displayed a chart with the number of cases opened and closed, and by case type. He added that there are also foreclosures in CDBG areas and non-CDBG areas, abandoned vehicles, total of corrected housing units, and violations issued. They also have the Graffiti Abatement Program including the number of incidences, square footage, number of gallons, and by case type.

Mr. Rojas advised that staff believes this performance demonstrates the City's strong commitment to meeting the objectives of the CDBG program and recommends that Council approve submission of the 2014/2015 CAPER. He added that the CAPER also reflects the Council's support of an extensive number of Vision Plan projects or activities. Mr. Rojas offered to answer any questions.

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

Council Member Medellin stated he knows a couple of years ago the Madera County Food Bank received CDBG funds and then this last year there seems to be a little bit of a snafu with the paperwork. He asked Mr. Rojas to expand on what happened there.

Mr. Rojas replied that they were clear to run their program at 55, accepting seniors age 55 in November. He heard from Ryan McWherter that the program stopped and he was going to restart during the last quarter of the fiscal year, April, May, and June. He did not hear back from him after that.

Council Member Medellin asked if it was something on Mr. McWherter's end that he didn't get cleared up.

Mr. Rojas replied that a business license was required. He didn't see the business license processed. He added that ethnicity reporting was also required, quarterly reports, timecards.

Council Member Medellin asked Mr. Rojas to go back to the Workforce numbers that show there are a certain number of people that got their certificate, some that are getting, and some that are employed.

Mr. Rojas replied that there are eight that received their certificate and seven are currently enrolled in training for a total of 15. He added that of the eight that received certifications, six are employed.

Council Member Medellin asked for confirmation that he is saying 15 total.

Mr. Rojas replied yes.

Council Member Rigby asked Mr. Rojas to go back to the Madera Youth Leaders' numbers again. He asked if this is throughout the year or is it what is enrolled right now.

Mr. Rojas replied that this was throughout the year.

Mayor Poythress asked if there are any other questions. No other questions were asked.

Mayor Poythress opened the public hearing and there being no speakers, closed the public hearing.

**ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-1, RES. NO. 15-196 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**RES. NO. 15-196      A RESOLUTION APPROVING THE 2014/2015 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT AND FINANCIAL SUMMARY REPORT AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE REPORT**

**C-2      A Noticed Public Hearing to Consider Adoption of a Resolution of the City Council of the City of Madera Adopting the 2016-2024 Housing Element of the Madera General Plan. An Addendum to the 2009 General Plan Environmental Impact Report has also been Prepared Pursuant to CEQA Guidelines Section 15162 and 15164**

Planning Manager Chris Boyle stated that tonight they are looking at a proposal to consider adoption of a resolution of the City Council of the City of Madera adopting a 2016-2024 Housing Element for the Madera General Plan. He advised that they have seen components of this throughout time reach the Council. Back in March, the Planning Department brought to them a rezone which allowed for the rezoning of properties to provide consistency with the zoning ordinance and the General Plan. Recently in May, they also brought an ordinance to the Council which provided compliance and allowed for the City to qualify for the streamlining provision that the Department of Housing and Community Development (HCD) provided. He

advised that the Council approved that on May 6, 2015. He noted that the streamlining process allowed for an expedited HCD review to occur. He referred to the Draft Housing Element and advised that changes within the 2009 General Plan are highlighted in yellow and only those changes were reviewed by the HCD. He added that the streamlining process was meant not just to assist cities with a streamlined process but, it allowed HCD to also focus only on the changes that were proposed within the Housing Element knowing that much of the State has spent the last years in a downward trend in terms of housing. He advised that the rezoned ordinance, that were before the Council in the past, allowed them to satisfy those eligibility requirements and just as a refresher, they completed that rezoned ordinance. They adopted the ordinance as it affected emergency shelters, transitional and supportive housing, a reasonable accommodation ordinance, and an updated density bonus ordinance, as part of the ordinance they brought to the Council, to qualify for streamlining. Mr. Boyle stated that HCD reviewed their draft from May through June and conditionally approved that draft in July of 2015 pending Council approval. He added that the Planning Commission, in August, approved that draft and forwarded a resolution, which is a part of their report, which recommended adoption of this Housing Element update. He noted that the suggested revisions that came out of the 60-day review from the HCD were incorporated into that final document. Now they are looking at adoption of the 2016-2024 Housing Element update.

Mr. Boyle advised that the Housing Element is one of seven mandated elements of the City's General Plan and it is the City's plan to meet all of the existing and projected housing needs of all economic segments of the community. He added that new is the eight-year timeframe. In the past, there was a reduced cycle but, with this adoption, they will move to an eight-year cycle for review and update of the Housing Element. As noted, it is the only element of their General Plan that requires formal review and approval by the California Department of Housing and Community Development. He advised that the Housing Element is broken into specific components. There is a policy document that is supported by background information and there are goals, policies, and action items, consistent with other elements within their General Plan, with the focus being on those goals to provide housing. He added that there are quantified objectives within that policy document and the background information looks at various demographic and economic characteristics of the City, it looks at household characteristics, and then it looks to address future housing needs.

Mr. Boyle stated that the housing policies and action items are organized under six goals which span from new residential construction, to preservation and rehabilitation of housing, to smart growth and energy efficiency.

Mr. Boyle referred to the changes from the 2009 Housing Element. He advised that they have the same goal statements and overall organization that was approved as part of their 2009 General Plan. He noted that there is a more focused approach to reflect limited resources. With that said, the action items of the City have been reduced from 69 to 36. He advised that originally there was a reduction to 33 however, they reintroduced three action items as part of HCD's recommendations which was part of their 60-day review. He noted that those action items also removed completed actions. They removed Redevelopment Agency notations. In some cases, they removed duplicated or repetitive actions. They also removed actions that were not measurable as part of the recommended alterations that went to the HCD.

Mr. Boyle noted that also, as part of the Housing Element update, they completed a Regional Housing Needs Allocation. He explained that comes from the HCD, and through the Madera County Transportation Commission, a number is determined in terms of their regional housing needs. He advised that number for the County was 12,895 housing units and the City's segment of that housing needs, over the life of the plan, is 6,099 housing units. He noted that it is actually a slight reduction from the 2009 General Plan. Mr. Boyle advised, remembering that one of the goals is to provide housing for all segments of housing and all income brackets of housing, that the needs allocation is broken down from extremely low income to above moderate incomes. He commented that the 6,099 is segmented into those various income brackets.

Mr. Boyle stated that when HCD looks at affordability, whether it is intended or not, there is a connection between density and affordability where large lot, single family homes typically would satisfy above moderate incomes, duplexes, mobile homes, and multifamily housing complexes typically provide housing for lower income brackets. He added that because of large lot homes being a much lower density than

multifamily housing, which is a higher density component, there is a connection between density and income whether intentional or not, within the Housing Element.

Mr. Boyle added that nonetheless, the City must demonstrate that it has enough vacant, zoned appropriate, at appropriate densities to accommodate the projected new housing units, and the new housing units assigned for each income category. In order to do that, the City completed a residential site inventory as a component of the Regional Housing Needs Allocation and the Housing Element, and they found that they had a surplus of available lands available to meet all of those income categories cumulatively.

Mr. Boyle stated staff recommends that the City Council consider this information together with testimony provided at this public hearing, and adopt a resolution adopting the 2016-2024 Housing Element Update to the Madera General Plan. Mr. Boyle offered to answer and questions.

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

Mayor Poythress opened the public hearing and there being no speakers, closed the public hearing.

**ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY MAYOR PRO TEM OLIVER, ITEM C-2, RES. NO. 15-197 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**RES. NO. 15-197            RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING GENERAL PLAN AMENDMENT 2015-01, ADOPTING THE 2016-2024 HOUSING ELEMENT UPDATE IN ORDER TO PROVIDE CONSISTENCY WITH THE STATE HOUSING ELEMENT LAW**

**D.     WRITTEN COMMUNICATIONS**

There are no items for this section.

**E.     ADMINISTRATIVE REPORTS**

**E-1     Request to Designate a Voting Delegate and Alternate for the League of California Cities Annual Conference**

City Clerk Sonia Alvarez announced that they go through this process every year. She advised that the Business Meeting for the League of Cities is held at the same time as the annual conference which is scheduled later this month. They are requesting that the Council appoint a primary and an alternate to be the voting member for the City at that meeting. Currently Mayor Poythress and Council Member Robinson are registered to attend.

Mayor Poythress suggested that Council Member Robinson be appointed as the primary delegate and he would be happy to serve as the alternate. He added that, considering Council Member Robinson's participation in the Southern Division as Vice-President, he is the perfect choice.

Ms. Alvarez advised that staff would report that to the League of Cities.

**E-2     Weekly Water Conservation Reports**

Public Works Operations Director Dave Randall noted that the weather has cooled off and unfortunately, their conservation numbers have cooled off a little. In their report, they will see that they went down to a 27% conservation with 28% being the target. They are still at that point where they are 30% overall conservation but, the trend is not what they would like to see. He advised that the Council should have received an email that tells them what happened last week and unfortunately, they went down to 24%. They are still at 29% overall but, it is a trend that is alarming. He noted that it is consistent with what other jurisdictions are seeing as well. He added that the heat gives them the opportunity for conservation and



the coolness, as they move into the fall, they will see less opportunities. They did see, during the fair, good participation from the public. There was a lot of interest in some of the rebate programs. They are hoping that they will continue strong. He noted that there has been pretty good interest in participation. They hope that will help them but, they will continue to try to keep those efforts moving forward.

Mr. Randall advised that the other trend, that is sort of interesting, is that the number of calls they receive on people reporting water waste has steadily decreased. They hope that is because people are improving; not that they are becoming apathetic. The other indicator that supports that is that the number of violations they are issuing is also creeping downward. He noted that it is not because they are getting lazy, it is just that they are not seeing as much flagrant violations. Mr. Randall offered to answer any questions.

Mayor Pro Tem Will Oliver referred to cities that have failed to meet their numbers by great margins and asked if the state has exercised any muscle, or levied any fines, or taken any action in that regard.

Mr. Randall responded that they have. He advised that there is a website where they can actually see what they are doing. So far, he hasn't heard of any fines. They have instructed them to take up certain measures to try to accomplish those goals. He noted that it is a bit disheartening for them because those measures are the same measures that the City is doing. They are just telling them to get onboard with everybody else. He added that the Fresno Bee had an interesting article that they probably all read. He noted that it was a little misleading. They have to understand that the goals they are looking at are residential and industrial water usage has nothing to do it. He stated that is what is happening so far. He is waiting to see the first person that gets the \$500,000. He hasn't heard anything.

Mayor Poythress referred to that article. He noted that there are a lot of cities that say they couldn't make it because of their industrial users so that is baloney.

Mr. Randall agreed.

Mayor Poythress stated that he thinks it is interesting that the evapotranspiration rates drop and their daylight hours shrink, and yet, he thinks what happens is that a lot of people still have their sprinklers on for whatever they are doing. They could actually probably cut back a couple minutes here and there. If everybody did that, they would probably be back where they were, at least north somewhere. He asked if there is any way to get that message out and say, hey, if you could knock a minute off here or there, it just doesn't need it.

Mr. Randall agreed that they most certainly could do that. He advised that some jurisdictions, as they move farther into the later fall and winter, go to no watering. He noted that the City doesn't, and unless they change something, that would not be something that they currently would enforce. He advised that would make a difference because in 2013, they did not have those type of restrictions in place. In as much as they were hoping that they don't have to go to those type of restrictions, they have not yet proposed that.

Council Member Holley stated that if they keep looking at their water bill, they will cut back.

Mayor Poythress stated that brings up another question. He asked if they have had much feedback from folks in regards to the water bill.

Mr. Randall replied that he has not heard too much. He knows they have been very cognizant to be prepared for that. He has heard that there wasn't as much response. He doesn't have to live with that. He added that unfortunately, Mr. Przybyla, Director of Financial Services, is not here today and he could tell them since he has to live with that problem.

City Administrator David Tooley stated they have had, less in the way of complaints, and more actually, a number of questions. He advised that people want an explanation as to why their water bill has changed. That has been the bulk of their activity. They have also had, he knows, at least one instance where an individual, who they all know, has a fairly large apartment complex and the tiering was applied based on

number of meters as opposed to number units. They are going back to review it and make sure that it has been applied correctly in that case. On the whole, he would say, the responses they are getting are in terms of questions; people looking for an explanation.

Mayor Pro Tem Oliver stated his comment is just a thought and maybe something they can look at as far as the utility billing. He suggested that since their numbers have dropped a little bit, maybe that is an opportunity to include what the previous month's conservation numbers were citywide. He noted it is not so much ratepayer by ratepayer but just to provide additional education and information for folks. He advised that might be a good opportunity.

Mr. Randall replied that they generally put that in the utility newsletter but, they could look at putting that on their bill.

Mayor Poythress thanked Mr. Randall.

## **F. COUNCIL REPORTS**

Council Member Robinson reported that he attended the Superintendent's Community Roundtable meeting and they discussed the feeder program, elementary to junior high, and junior high to high school. They talked about the future about 15 to 25 years ahead. They also talked about the population and keeping each high school at a certain level of students.

Council Member Rigby reported that he was also at the same Roundtable meeting with Council Member Robinson. One of the things he thought was interesting is the innovative ways that the district is actually looking to build new middle schools in the near future. He noted that it was similar to what they would know as a STEM (Science, Technology, Engineering, Math) program but essentially modeled after what Clovis and Madera Unified have done with the CART (The Center for Advanced Research and Technology) program. They are looking to bring something like that into the City of Madera. He looks forward to being a part of that discussion.

Council Member Rigby reported that he also had a chance to have an event at the newly renovated Rotary Park Pavilion. He absolutely enjoyed it. They had about 200 people out for their church picnic barbeque. He noted that the grounds were immaculate and well used. He was very pleased to see that project up close and personal.

Council Member Rigby advised that he is enjoying watching the Madera Police Department's efforts in their search for local trainees. He thinks Chief Frazier is doing something incredible. He commented that it is like a reality show for him that he is trying to follow, "Madera Top Cop" if you will. He looks forward to seeing the results of that campaign.

Council Member Holley stated right now they are in need of big brothers and big sisters. He advised that they have a lot of students that need attention. This is something he has been doing for the last several years in joining this program. He advised that if they know anybody who is interested to have them contact Big Brothers Big Sisters. He noted that it is only like 40 minutes a week. Take a kid to lunch and sit out there and talk with him. He added that it is really educational noting that sometimes kids can tell you more about you then you can tell them about them. He commented that it is just that closeness that they are trying to get involved with.

Council Member Holley reported that the NAACP is also launching a mentor program for kids at school. He advised that there are several schools out there that need more mentors than they have parents that want to do it. He thinks it is something that as they look around, they are always, I ain't got time, but figure an hour out of a week is really nothing to educate a kid and to do the right thing before the Police Department picks them up and locks them up, and then it is too late. He advised that he joined those two programs.

Council Member Holley reported that he also attended the Roundtable discussion for the schools last night. The main thing that really struck him is when they went to look at Madera High School. It has not changed in the last 45 to 50 years. They need to do some real work to enlarge classrooms, put air conditioning. He stated there is a lot of stuff that needs to be done. He knows, with touring around schools, he has been able to go to a lot of junior high schools this last week and see the difference in classroom sizes. He advised that there are a lot of things going on in the City that they need to be aware of. He suggested that they might chip in and help out. Hopefully they can get involved.

Mayor Poythress noted that was very well said.

Council Member Medellin reported that there was a great article in the paper today about their neighborhood watch in the Sonora neighborhood which, he is sure Mayor Pro Tem Oliver will talk about. He had the privilege of attending Madera Avenue and Walnut Street on their third meeting yesterday. He noted it is another "notch" for neighborhood watch and it was a great turnout. He added that Officer Herspring and Lacy Burleson from the Police Department did a fantastic job yesterday. He stated that again, they keep knocking on doors and keep asking the neighborhood to be the eyes and ears. They are taking it on full board and they are excited to do so.

Mayor Pro Tem Oliver reported that they were honored to recognize their Sonora team, which is actually where he resides as well, as an official Neighborhood Watch organization. What is neat about their neighborhood is that it initially started because of a complaint centered towards one person and it brought out everyone. That generated a lot more comments and a lot more questions whether it be about streetlights or lights in the alley, or you name it. Since then they have been able to resolve a lot of issues that have been brought up in those subsequent meetings. He was proud to see, during their third meeting in which they received their formal status, that they had all the residents get together to take a picture both with the individual that was the subject of its inception and those that took a lead on that. He is very proud of those efforts. He appreciates the Tribune for publishing that article today and acknowledging the good work that over 50 neighborhoods have done throughout their City.

Mayor Pro Tem Oliver reported that he also attended the Sherwood Neighborhood Watch with Council Member Robinson. What was fascinating about that meeting is that it was organized by the property management company. He thinks it really presents a unique opportunity for them to go out and engage both the business community, whether it be business neighborhood watch or businesses in property management, to help show leadership in that regard. He added that Officer Garibay did a tremendous job engaging residents, took down a lot of issues, and offered to relay those issues to the beat officer. He thinks there were over 40 people in attendance; a lot of young kids. He stated that it was truly rewarding and encouraged them to keep up the great work.

Mayor Poythress reported that last week he had the opportunity to travel to Washington, D.C. and led a group of the Valley Council of Governments and MPO (Metropolitan Planning Organization), which essentially are transportation agencies that cover an eight county area. They represent about four million people from Kern County through San Joaquin. They had two days of meetings, meeting with their representatives and senators in different departments and so forth. They talked about transportation, widening, adding capacity on Highway 99 from four lanes to six lanes which they don't have. They obviously talked about water. He noted that there are two competing drought bills. One is the Senate and one is the House. They also talked about force management. He advised that there is a bill that is being introduced to undo the issues that have created all this fuel over the years that are creating these intense fires. He guesses his overall impression after being back there is that it is more and more that they are just going to have to work together as a City, a County, farm bureau's, MID's, local stakeholders because it doesn't look like they are going to be getting a lot of help or a lot of action out of Washington. He added that both sides seem to be not willing to work together in a lot of cases and in order to get certain things through, and the President has to sign off, and they hear about the President wanting to veto, regardless, it is a mess so a lot of the issues they have, they are going to have to find local solutions and things they can do locally which they can do. He restated that regardless, they know they were back there; they know where the San

Joaquin Valley is. They are in the heart of the State with the largest economy in the nation, so they heard them. He guesses that is what the good news was.

**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 to discuss conference with legal counsel in existing litigation, as described under item G-2.

The Council adjourned to closed session at 6:50 p.m.

**G-2 Conference with Legal Counsel – Existing Litigation. Subdivision (d)(1) of Government Code §54956.9**

One case: City of Madera v. Roy Roberts et al.  
Madera Superior Court Case No. MCV062827

**G-3 Closed Session Report – City Attorney**

The Council returned from closed session at 7:38 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 to discuss conference with legal counsel in existing litigation, as described under item G-2, and reported that no reportable action was taken.

**ADJOURNMENT**

The meeting was adjourned by Mayor Poythress at 7:38 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

