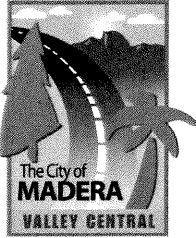


Item:	B-1
Minutes for:	11/18/15
Adopted:	09/07/16



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

November 18, 2015
6:00 p.m.

Council Chambers
City Hall

CALL TO ORDER

The regular meeting for 11/18/15 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
Council Member Donald E. Holley

Absent: 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, Director of Financial Services Tim Przybyla, 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 Commander Dino Lawson.

INVOCATION: Pastor Fred Thurman, New Life Assembly

The invocation was given by Pastor Roger Leach, Valley West Christian Center, due to the absence of Pastor Fred Thurman.

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

PUBLIC COMMENT:

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

No comments were offered.

PRESENTATIONS

1. Recognition of Sherman Thomas Charter High School Students Red Ribbon Week Pledge

Lynette Jacobson with Sherman Thomas Charter School thanked the Council for allowing them to be a part of tonight's meeting. She stated that she is so proud of their students and their staff for making this effort for this pledge and this commitment that they had through the Red Ribbon Week which was during the very last week in October. She thinks that their students should be commended on that courage that they took to stand and to get together in assembly and be in that civic minded mode. She noted that she just wants to address her students. Present with her is Mrs. Jessica Montemayor, their principal. Ms. Jacobson noted that Mrs. Montemayor has been behind them with these efforts through the Student Council. She then named the Student Council members present are Natalie Serna, Brandon Garcia, their President Jazmin Lopez who will be talking about what they did during that week and then the presentation of the pledges, and Emily Scriven. Also present is their Director Mr. Roger Leach and a couple of parents and supporters.

Jazmin Lopez, Student Body President at Sherman Thomas Charter High School, stated that it is a great pleasure and honor to be here as a guest representing her high school. She noted that Mrs. Jacobson is correct. During their Red Ribbon Week, on Wednesday, October 28th, they had an all school assembly. She advised that the assembly lasted for about an hour and included guest speakers and an appearance of the D.A.R.E. (Drug Abuse Resistance Education) car that sparked the saying "We Dare You to Be Drug Free." They then divided students into four break sessions and one of them discussed who they will call if they were in any such situation. She provided them hotline numbers. Another session brainstormed activities that did not include tobacco, drugs, or any form of alcohol or any drugs. There was also a session that explained what to do if you, or a loved one, or a friend were in any situation with that also. She added that there was also one that let students have a chance to explain and talk about their experiences with their peer group. Ms. Lopez stated that it turned out to be a very great act of awareness for their students to make a stand and to know that they are not alone in any situation, and that they need to know that they have people in places that will help them no matter what they are going through and that they will stick with them. Ms. Lopez stated that they, at Sherman Thomas Charter High School, in this great City, have stated that for sure they want to make a difference.

The pledges were presented to Mayor Poythress.

Mayor Poythress thanked them for the pledges. He stated that this is a wonderful thing at their age to be setting the standard that they have set and to provide that leadership. He noted that often times he will ask if there are any leaders in the room and maybe a few hands will go up but really, everybody that influences one person is a leader. He added that by signing these pledges, along with their fellow classmates, they are definitely setting the standard. People are watching them whether they know it or not. He acknowledged their great effort and asked that they remember that people are watching. He encouraged them to keep up the great work.

Mayor Poythress presented the proclamation to the Student Council regarding the National Red Ribbon Week campaign and recognized them for the students' pledge to be drug free, alcohol free, and tobacco free. The proclamation further commended them for their commitment to their peers and their community as a whole in support of positive living.

2. Proclamation Recognizing the 6th Annual Homeless Awareness Day and Video Presentation by CAPMC

Mayor Poythress stated they have representatives present this evening and they will be watching a video to learn about this great effort. He advised that the day actually occurs on November 20th, which is Friday.

Gabriela Salazar with the Madera County Homeless Coalition stated with her is Perla Erigio, Elizabeth Wisener, Jeannie Stapleton, and Paul Yankey who is the creator of the video they will be watching.

Ms. Salazar stated that this group before them represents some of the members of the Madera County Homeless Coalition. She advised that without the City's support to CAPMC (Community Action Partnership

of Madera County) with a community development grant, CAPMC would be unable to support events like this. She added that without the CDBG (Community Development Block Grant) funding, CAPMC would also be unable to oversee the Madera County Homeless Coalition. They want to say thank you for that and take the time to do so here.

Ms. Salazar added that in support of November 14th through the 22nd being National Hunger and Homelessness Awareness Week, they have planned to host their 6th Annual Homeless Awareness Day scheduled Friday, November 20th. Ms. Salazar stated that this is a national movement in which the week before Thanksgiving a number of schools, communities, and cities take part in the nationwide effort to bring greater awareness of the problems of hunger and homelessness. She added that this is a time for all of them to reflect and to start thinking about what they are thankful for, a perfect time to share their compassion with their neighbors who are experiencing homelessness, and work towards a world where no one has to experience hunger or homelessness.

Ms. Salazar advised that the last Homeless Point-In-Time Count was conducted January 27th. She noted that they were actually here to present on that. The tally count enumerated 188 homeless individuals throughout the County of Madera, 132 were from the City of Madera, 13 were from Chowchilla; and 43 were from Eastern Madera County. Of those 132: 7 were from District 1; District 2 had a total of 0, District 3 had a count of 20, District 4 had a count of 31; District 5 had a count of 45; and District 6 had a total of 29.

Ms. Salazar added that on November 20th, members of the Madera County Homeless Coalition and other community members will be going out to look for the homeless to show kindness by sharing food supplies and a hygiene kit with them to contribute to the National Social Movement. She noted that the National Coalition for the Homeless states that it is imperative to dispel myths that label homelessness as someone else's problem or claim that an end to homelessness is impossible.

Ms. Salazar introduced Paul Yankey from the Department of Social Services (DSS) who prepared a short video from the 2015 Homeless Count that they would like to share. Mr. Yankey played the video.

Mayor Poythress thanked them for the presentation which was very well done. Mayor Poythress presented the proclamation to proclaim Homeless Awareness Day to be November 20, 2015 to Ms. Salazar.

Mayor Pro Tem Oliver asked how one might volunteer on National Homeless Day, time, place, anyone they can call.

Ms. Salazar stated they can volunteer by calling (559) 664-8212. They will be meeting at 8:30 a.m. on Friday at CAPMC located at 1225 Gill Avenue. They will have a morning kickoff and head to distribute the hygiene kits by 9:00 a.m.

Council Member Medellin referred to the numbers mentioned and asked out of the 188 countywide homeless, do they have a number on Veteran's and children.

Ms. Salazar responded not tonight. She can definitely get those numbers for him. They do have the numbers she just didn't bring them with her tonight.

Council Member Medellin stated his appreciation for their efforts and everything they have done to bring awareness.

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 Award of Agreement for Professional Engineering Services – Urban Water Management Plan, RFP No. 201516-06 to the Most Responsive and Responsible Bidder, Provost & Pritchard Engineering Group, Inc. dba Provost & Pritchard Consulting Group, in the Amount of \$47,082 plus 10% Contingency and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by Dave Randall)
- B-4 Consideration of a Resolution Consenting to the Inclusion of Properties within the Territory of the City in the CSCDA Open Pace Programs; Authorizing the California Statewide Communities Development Authority to Accept Applications from Property Owners, Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the City; and Authorizing Related Actions (Report by Sonia Hall)
- B-5 Consideration of a Resolution Approving Funding Amendments to the City of Madera Fiscal Year 2015/16 Budget for the Transit Security and Passenger Enhancement Project (Trans-6) and to Transfer Funds from the Fixed Route Fund to Intermodal Building Operations (Report by Sonia Hall)
- B-6 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-7 Consideration of a Resolution Ratifying and Approving a Security Agreement between the California Commission on Peace Officer Standards and Training and the City of Madera for POST Entry-Level Law Enforcement Test Battery Security Agreement (Report by Steve Frazier)

Mayor Poythress asked if there are any items that a Councilperson 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 HOLLEY AND SECONDED BY MAYOR PRO TEM OLIVER, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER ROBINSON.

RES. NO. 15-225 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AGREEMENT WITH PROVOST & PRITCHARD ENGINEERING GROUP, INC. DBA PROVOST & PRITCHARD CONSULTING GROUP TO PROVIDE PROFESSIONAL ENGINEERING SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT ON BEHALF OF THE CITY OF MADERA

RES. NO. 15-226 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CSCDA OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS

RES. NO. 15-227 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING FUNDING AMENDMENTS TO THE CITY OF

MADERA FISCAL YEAR 2015/16 BUDGET FOR THE TRANSIT SECURITY AND PASSENGER ENHANCEMENT PROJECT AND INTERMODAL TRANSIT CENTER REPAIRS

RES. NO. 15-228 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. 15-229 A RESOLUTION RATIFYING AND APPROVING A SECURITY AGREEMENT BETWEEN THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING AND THE CITY OF MADERA FOR POST ENTRY-LEVEL LAW ENFORCEMENT TEST BATTERY SECURITY AGREEMENT

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

C-1 Consideration of a Resolution Changing the Drought Water Restriction Levels

Late distribution announcement - City Clerk Sonia Alvarez announced that pursuant to Government Code Section 54957, members of the public are advised that documents related to the following agenda item were distributed to the Council less than 72 hours before this meeting. For item C-1, which is being discussed at this time, subject matter resolution changing the drought water restriction levels, a second resolution was distributed to the Council this evening. Ms. Alvarez advised that extra copies are available at the podium for members of the public wishing a copy.

Mr. Randall indicated that once again they are going to be talking about water. Mr. Randall advised that the graph in front of them shows their water conservation efforts since June when the State implemented the 28% mandated reduction. He explained that the blue line is a weekly value of where they were in conservation, the red line is a cumulative balance going forward, and the dash line is the 28% goal line. As they see, the blue line, the first eight weeks they did quite well. It was summer. They had a lot of conservation going, the public got more in gear. They did exceedingly well but, then they can see the trend is at a drop down and it has become pretty sporadic here at the end. They might note that the latest number they have is 29%. When it is 15% the week before, you sort of wonder what changed. He noted that obviously, the largest impact is weather, precipitation because they are measuring their conservation between now versus 2013 so if it didn't rain then but it rained now and no one is watering, guess what, we did great. He commented that is why it seems so erratic here at the end but overall, they can see the trend is trending down.

Mr. Randall advised that the water conservation effort is based on three principles. He thinks they all recognize that education of the public is probably the most foremost. He added that there has been a very significant shift, he thinks, in California about sensitivity and understanding of this issue. He noted that there may be a lot of opinions and a little diversity but, it most certainly is something that people are paying attention to. He commented that locally they have done a lot of education a lot of different ways. They have done direct mailing. They obviously have website issues. They've put things in the water bill. There is signage they put up around town. They use social media, press releases. They do presentations at all the various events, the fairgrounds, the swap meet, the Pomegranate Festival; any place they can get a good crowd, neighborhood events. They have been trying to get that message out and people are fairly receptive to it. Most lately, they have been working on engaging the younger children and their parents at preschool and post school daycare centers. They hope that will have some additional effect. They also have a video being prepared. A quite good one he thinks. He advised that it should be released in the next coming days. He has seen the early drafts. They are glad that is another way they can try to get that message out.

Mr. Randall stated that the other part of the enforcement, he thinks has been fairly successful. He noted that the main shift enforcement was that they went from just a very sporadic more informational to a consistent enforcement effort. Rather than just having enforcement a few hours a day, it is 24/7. Their numbers are up; not dramatically. They do about 60/70 a week but, he thinks the most important thing is what they see is they are most all first time offenders. He stated that people aren't repeating. He commented that it might be the amount of the fines but nobody really wants to be the bad guy. Sometimes they just need a wakeup call.

Mr. Randall stated that it has been the City's pleasure to work together to try to also improve their own performance. He added that nobody likes it when they get called and they say, well why isn't the City taking care of that broken sprinkler, etc. They hear it time and time again. He noted that Parks has done just a wonderful job of really being responsive and really having an earnest desire to make that happen. Sometimes people don't realize the enormity of that task that Parks, as well as schools, have just an awful lot of landscaping to take care of. He noted that most people just think, well we've just got a few parks. Well no, we have a lot more. They have landscape districts. They have regular medians. There are over a couple hundred controllers that when they have to change something, it takes them three days just to go change those controllers. He stated that it is a very large effort but they do a really good job of trying to improve the City's standard; try to be a little better example for the community.

Mr. Randall referred to rebates. He stated, as they know, the Council authorized the rebates for the community. They have seen fairly good participation. He thinks by the end of the year, though, they will probably only be looking in the neighborhood of \$50,000. He noted that is going to leave quite a bit of money left over that they can look at reallocating in a different form of rebates maybe to some of the medians and work on some of the controllers so they can be smarter. They can look for some advantages there so they are looking to continue to have those incentives for people not just the disincentive of enforcement.

Mr. Randall stated that to try to change the public's awareness besides just all the social media that is going on, what the Governor does and everybody else that is involved, locally they have a really important role. He noted that it is something that they just have to have a consistent message where they paint a different vision of what they are. Before, a lot of their values have been quite different. They would look at a home with a nice green lawn or a business with a nice turfed area and that was a very stable and a very responsible person taking care of their premises and making it look better. He noted that as they are changing and they come up with phrases like, brown is the new green or gold, they really have to make those things real things that people can really buy into. Mr. Randall commented that if they (residents) don't believe that they can really adapt, that they can change, they are going to feel that sense of not needing to try and so far they have seen pretty good evidence that people aren't too pessimistic. He means, everybody has a different view and there are some naysayers but, overall, they have seen pretty good response from the community. He added that hopefully, with their believing, is at the end, we may not have that green lawn but we can still have an attractive neighborhood and business. That being more water conscience doesn't mean that we have to live weeds and dirt and asphalt and nothing else but that we can just do things differently. Mr. Randall commented that if you go to different environments, you go to Vegas, you are going to see things different. He believes that people are starting to believe that, the turf replacement rebates and some of the very good landscaping that has been done by some of the businesses here in town, PG&E's retrofit, Les Schwab, those have been things that have sort of said, ya we can do it this way. He commented that some of the rebates that will be in the video will show good examples of how people have really made their home very attractive.

Mr. Randall stated that the important thing, he thinks, is that they don't get into that place where it just becomes a regulatory burden that they have hoisted on the public that because somebody said so and they threatened us, we are going to do it because. He doesn't care how many enforcement people they get him, if the public isn't willing to comply, they are going to get around us one way or the other. As long as the City keeps their (the publics) goodwill and they are reasonable, he thinks they will continue to improve and be successful.

Mr. Randall stated that when they look at their water conservation, one of the things that most people understand now, but sometimes they have to remember, is the issue of why they use so much water generally, is landscaping. He thinks everybody realizes that now. He referred to the display and explained that it is one graph that shows the different type of uses that are available. He noted that it is based on new homes in California averaged over a year. He added that if they go different places they will get different numbers but generally, they see that ratio is pretty big that landscaping is around two-thirds or more of their water and that the non-landscaping is a pretty small part. He stated that is sort of the reason that they have been doing so well in the summer but then slacking off. He noted that summer landscaping maybe it is 70% of their water, 71%, 75%, somewhere in there but in the winter, landscaping, when people really start not watering, it becomes a very small part so the opportunity for them to make conservation becomes a lot more difficult. That is where they are sort of at now, as they see this trend dropped off, is that the opportunity of the low hanging fruit is not as easy. Trying to have that proportion when you are trying to save when it is mainly landscaping is easy. If they really were able to make 28%, they would have to eliminate almost all of their landscaping outdoor use and still increase their indoor conservation. Hopefully maybe they could but, it is a tall order.

Mr. Randall cited an example to just give them some scale idea. He advised that it is 170,000 gallons per month for water that would be used in a normal wintertime month even though they are not all the same, obviously, ebbs and flows, whereas in the summertime they are talking 400,000 to 500,000 billion gallons per month so that change is really significant to try to have that reduction. They sort of saw it in the graph there. Mr. Randall stated that what makes this even more complicated is the fact that landscaping, that they are trying to address, is really affected, obviously, by weather. They may have seen in a lot of their monthly reports that the bars, they really correspond to watering days and when they do have precipitation, they see significant changes. What that tells them is they are not 100% on automatic sprinklers, like himself, that drag a hose so when the weather is cold or raining, they don't go do it. They won't go outside so where the weather will really make a difference on is whether or not people are watering. He noted that El Niño sounds great but El Niño also means that it is going to be warmer this winter so they may see people actually watering if they don't get the precipitation. He commented that there are so many variables it is hard for anyone to forecast that. He stated that weather is difficult. Again, they are not measuring themselves against an overall average. They are measuring themselves against one particular year so what happened that year and what happened this year, it is hard to look at those differences.

Mr. Randall advised that the staff report is giving them three recommendations. The first one that staff would prefer is that they look at adopting a resolution that would implement utilizing drip systems only in the winter time for outdoor watering. He noted that the ordinance allows them by resolution to change the drought level water restrictions and this is one of them. One thing he really wants to stress before he really goes into those, the difference between those is that whenever they look at these different options, they have to look at what the potential consequences are because they are not just numbers, they are things that affect them. One of the things that he thinks the Council is aware of but sometimes they don't really stop and think about is that they have been in a drought for quite a long time and then now, they have been restricting water so their bushes and trees are really stressed, never mind the lawns. They have sort of said those are going. So when they continue to add restrictions, there is a potential of fatalities in landscaping that have significant costs. That can affect them most certainly in their parks, in their schools, in places. It is something that they worry about. It is not something that you just put some water on sometimes and it grows back. The problem they are having in California with the trees is the obvious same problem. The other thing they have to remember is that it is not always easy for people to comply. Sometimes it is a scale issue. Sometimes it is an economic issue. He advised that the school probably has more landscaping than anybody. The City, as he mentioned, has a large amount so for them to make those changes, it takes a lot of time. By the time you convert things to drip, it takes some time. It is not something you can really do in 30 days if you have 300 systems to work on. He added that individuals could have that problem and it usually costs money to change the way you are doing something, to do something a little more efficiently. He noted that the other thing they are all aware of is that there is potential for state actions that could occur is they are not successful. They have heard the threats. They have talked about them. They have seen the recent State action. They have fined some people. They haven't fined anybody in our area. They have fined anybody that looks like our profile and they haven't seen anything

that makes them think that they are likely at this point and time to incur those. They don't have any negative comments from the State and he thinks their good faith is working so far.

Mr. Randall stated that with those consequences in mind, if they look at the first recommendation, the idea of drip would increase or stabilize some of the conservation rates. He added that again, he doesn't think it is totally going to get them to that magic number but it would help. He advised that the provision allows watering to occur on any day. If they are on drip, they can drip on any day so they don't have to worry about whether they are odd or even or whatever. The other thing is by doing that, they are going to encourage people to invest in some different irrigation investments that not only are going to help them in the winter but particularly next summer. All indications are that the state is going to continue this mandate so having those drip irrigation in instead of spray irrigation and flood irrigation is going to really help them next summer as well if people install it that way. He noted that they do have rebates available for drip irrigation and they may have to look at doing some additional ones to try to help out other ways that people might install that. As he mentioned, the drip system does have a little bit of drawback in that it is difficult for the City and schools. They do have a provision that allows them a carve out where the City will make reasonable accommodations. As long as they are doing what they can, the City is not going to write them citations every five minutes. That is not what they are trying to do.

Mr. Randall stated that the second recommendation is to change from two days a week to one day a week in the winter. He noted that these recommendations are relative to winter. They've defined winter as being, for all purposes, through March 15th. He added that who knows when winter will really stop here. That is another climatic event that they are not going to control. They have defined that on that day they will revert back to the Level B, where they are at now to two days watering per week but they could make that effort to go out and re-educate the public that they are going to one day a week. He stated that it is not unusual to see cities do it. Some cities even go to zero. He doesn't know that they enforce it that well but it is done to go to lower watering days. He added that this allows people to use what they are using now. They don't necessarily have to put in new irrigation or do something else. The only downside is that the conservation is most likely to be minimal. They will get some, he thinks, but it won't get them too far. Again, the opportunity is small because of the small amount of watering being done in the winter.

Mr. Randall stated that the third recommendation is that they remain at two days a week. They maintain the status quo. They rely on what they are doing now and with all three of these things they most certainly are going to a few changes that are prudent for this time of year. They will be refocusing on some of the internal domestic things such as toilets and washing machines that will help them out. They will re-double their efforts to get that information in front of people and hopefully that will help some of their internal water consumption but this would be obviously the least impactful but also the least likely to cause any reduction.

Mr. Randall stated that again, with any of these, it is still based on those three things. Public information is crucial, continued enforcement, and then continuing with incentives of getting that information and participation increased.

Mr. Randall stated that the recommended action before the Council tonight is to adopt a resolution for the first recommended action which would be to change the drought water restriction level to Level D which would allow outdoor irrigation by drip irrigation only. When they talk about drip irrigation, they will take a fairly lenient view of that. They are not looking to push just a single technology but, they are trying to stay away from the floods and the spray heads. He added that as long as people are using drip, there are a lot of gray areas such as, is your soaker hose a drip system or not but, the point is to try to get people to change their thought process to change their systems where they can. He noted that would revert back to Level B which is two days a week on March 15th. Mr. Randall offered to answer any questions they might have.

Mayor Poythress stated that Mr. Randall talked about a video that is being developed and asked where he plans on dispersing that video. He noted that it is probably going to be on their website, social...

Mr. Randall replied social media. Any way they can figure out to get it out there. He has been learning an awful lot from the Parks and Community Services Director Mary Anne Seay and a few people about social media that he never knew. He is not the guru but, they have some pretty good people. He noted that he is very impressed with the production quality that he has seen. He thinks they will be very proud. They will represent the City well.

Mayor Poythress stated that if they go to this Level D or go to one day a week, he thinks he would like to see the reverting back to the current level on March 1st rather than the 15th. He commented that winter ends here pretty early. They've got almond pollination going on in February and pollination in other parts of the nation doesn't occur until April/May or something like that so it could be kind of dry and he could see people just chomping at the bit on March 1st to do something and they still have two more weeks to go.

Mr. Randall stated they can make a change like that; no problem.

Mayor Poythress stated he is just throwing that out there as a suggestion. He asked if there are any other questions or comments.

Council Member Bomprezzi stated she personally would like them to go to just one day a week. She is not a proponent of the drip irrigation. They are coming on a season where the holidays are around. A lot of people in their community don't have that extra money to do the drip irrigation. She would not support the Level D restriction level. She agreed with Mayor Poythress that March 1st would be a better date.

Mayor Pro Tem Oliver stated that he knows that a month ago they talked about some of the Governor's fines and some of the heavier water users and asked if that has changed at all; has he kind of broadened that and fined any other smaller districts.

Mr. Randall replied that he hasn't heard any new information. He wouldn't say that he knows that to be 100% true but he hasn't heard any new news. That could be happening and he is not aware of it but he doesn't think anyone has seen anything in the paper nor has he received any confirmation from the State on that.

Mayor Pro Tem Oliver noted that the current mandate was set to expire and asked if it is February or March.

Mr. Randall replied through February. March 1st it would be gone.

Mayor Pro Tem Oliver stated but he might come back and say we are going to extend it.

Mr. Randall replied that they are hearing rhetoric to the fact that they will extend it.

Mayor Poythress stated it is almost, put money on it.

Mayor Pro Tem Oliver stated that as far as the fines of the citations that have been issued, is there any way to differentiate between those that just aren't watering on their typical odd or even day and then those that fail to shut off the water immediately after a rain as they experienced the last couple of weeks. He thinks that is one where he drew a little frustration seeing the water on especially right after a rainfall and obviously some folks are on meters and just haven't adjusted it yet but is there any way to kind of differentiate how many citations they have made for those that haven't met that 48-hour.

Mr. Randall stated he can probably get at least a representative sampling if not a complete one however, they don't cite for watering within 72 hours of a rain event like the State would request them to do. He advised that is a State mandate but it is not a local law. It is not part of their thing. He added that it has a lot of problems on implementation because, what is a rain event? Any measurable precipitation, what is that? Is that at the airport, at your house or my house? He noted that it is a good principle. He thinks they all recognize that but it has some application problems that are difficult for enforcement.

Council Member Medellin stated that they don't necessarily have to enforce that but it would still be a good idea to educate the public with that announcement.

Mr. Randall commented that they do, do that. They have people out there. They are not out there just to write citations. They are out there to educate so often they will stop and talk to somebody about various things. It is not just that but agreed that is a reasonable thing. He noted that sometimes it is just hard to know when you are going to reprogram or not. Sometimes, most of them, can just forget about it.

Council Member Medellin stated he agrees with Councilperson Bompreszi. He thinks that the burden on option number one to have their community to go to drip, he thinks, is just going to fall by the wayside. He thinks they will get a very low population of people who are willing to do that. He too is leaning towards the one day a week watering restrictions and again, continue their outreach efforts and using neighborhood watch as well the video that they are all anticipating and social media and things like that to continue to get the word out there and let them know where their levels are. He thinks in the very beginning it was kind of a double edged sword to show that within the first few weeks they really, here in Madera, did a really great job and again, he doesn't know if it was a good thing or a bad thing. Maybe they got a little complacent by noticing that so maybe they do the same with where they are now and let them know that they had a great start but, we are starting to fall so we need to ramp up our efforts again.

Council Member Bompreszi asked if there is any way to change their sign that is out there that their current week is...percentage. For example, our goal is 28% for this week, we are at 15%.

Council Member Medellin stated that is a good idea.

Council Member Bompreszi added that to her it is eye catching because it is big enough but what percentage of the community really knows where they are at right now.

Council Member Medellin agreed that is a good point.

Council Member Bompreszi added, and everybody has to come and pay their water bill at the City.

Council Member Medellin stated trust him, sometimes signs, after you see them for a couple of weeks, you know what they look like, you've seen them, you ignore them. So, if it was a weekly change with a different number you might be a little more apt to kind of see where they are. He noted that is a good point.

Council Member Bompreszi commented that she thinks they know where they can get a new one done.

Mayor Poythress commented that they can change the Farmer's Market one that is over Yosemite. It is still there. It ended in August.

Council Member Bompreszi agreed and added that it might be labor intensive to change it weekly.

Mayor Pro Tem Oliver commented, he knows they've talked about before including that information in the water bills and asked if they are keeping that up to date and showing folks...

Mr. Randall replied yes they are and they show them where they are on the percentage but not everybody reads that water bill.

Mayor Pro Tem Oliver stated it would be great if the schools would participate with their signage that changes often to reflect their shared community goals. That might be a contact that they make.

Mayor Poythress stated that if there are no other questions, he thinks they have some consensus that they have talked about here. He directed his comment to the City Administrator or the City Attorney noting that they have a resolution that might require a change.

City Attorney Brent Richardson replied that they have two resolutions. He advised that one does have the one day which he is hearing seems to be most prevalent. He noted that it would require a change on the sunset provision that would change it to March 1st he understands. He advised that as part of their motion to approve the resolution just indicate the change that they want. He commented that the motion should indicate which resolution it is and whatever amendment to that resolution.

Mayor Poythress announced that with that, he will accept a motion for action.

Council Member Bompreszi made a motion to approve the resolution where they go to Level C restrictions and also changing the date from March the 15th to March the 1st.

Council Member Medellin asked if there is an effective date. Is it effective immediately or when does this take effect?

Mr. Richardson replied that the resolution states that it is effective as of when they adopt.

Mayor Poythress stated that he thinks the enforcement will, as the word gets out.

Mr. Randall stated that generally they don't enforce for about the first 30 days until they get an opportunity to get it in the mailing and have people get the word out.

Motion made earlier and restated here for reference and for the vote.

COUNCIL MEMBER BOMPRESZI MADE A MOTION TO APPROVE THE RESOLUTION WHERE THEY GO TO LEVEL C RESTRICTIONS AND ALSO CHANGING THE DATE FROM MARCH THE 15TH TO MARCH THE 1ST. THE MOTION WAS SECONDED BY COUNCIL MEMBER MEDELLIN AND WAS ADOPTED BY A ROLL CALL VOTE OF 5-1. AYES: MAYOR POYTHRESS, COUNCIL MEMBERS OLIVER, RIGBY, BOMPRESZI, MEDELLIN. NOES: COUNCIL MEMBER HOLLEY. ABSENT: COUNCIL MEMBER ROBINSON.

**RES. NO. 15-230 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA
ENACTING LEVEL C DROUGHT WATER RESTRICTIONS**

D. WRITTEN COMMUNICATIONS

D-1 Consideration of a Written Request by the Madera Downtown Association Asking the City to Cover the Costs for Extra Police and Public Works Services in Conjunction with the Downtown Madera Lighted Christmas Parade

Chief of Police Steve Frazier stated before them is a letter from the Downtown Association requesting Council action on their downtown parade. They are seeking Council approval for the City to cover the cost for Police and Public Works involvement in that process as explained in the report. He offered to answer any questions.

Mayor Poythress asked if there are any questions of Chief Frazier.

Council Member Holley stated they did this last year but if he remembers right, the price looked like it changed a little bit.

Chief Frazier replied that the price is the same as it was last year; exactly.

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

ON MOTION BY MAYOR PRO TEM OLIVER, AND SECONDED BY COUNCIL MEMBER BOMPRESZI, THE WRITTEN REQUEST BY THE MADERA DOWNTOWN ASSOCIATION ASKING THE CITY TO COVER THE COSTS FOR EXTRA POLICE AND PUBLIC WORKS SERVICES IN CONJUNCTION WITH

THE DOWNTOWN MADERA LIGHTED CHRISTMAS PARADE WAS UNANIMOUSLY ADOPTED BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER ROBINSON.

E. ADMINISTRATIVE REPORTS

There are no items for this section.

F. COUNCIL REPORTS

Council Member Bomprezzi reported that she had the opportunity to attend her first Treasury Oversight Committee meeting across the street. She has been appointed by the Board of Supervisors to serve on the Oversight Committee as the Board appointee. She added that it is quite interesting.

Council Member Rigby reported that this past Sunday he joined the Madera Ministerial Association and the Church of Madera citywide church event. He noted that it was a great night and they honored Chief of Police Steve Frazier and several of the officers that have been working alongside some of the pastors over the last few months. He looks forward to that relationship growing stronger. He stated that it was a great evening and he thinks that it is going to be good to see the results of the faith based community working alongside of their Police Department.

Mayor Pro Tem Oliver reported that he had the great opportunity and honor to travel out to Washington, D.C. last Friday and attend the White House State and Local Policy Leaders convening. He doesn't know why he was invited but he was certainly honored to represent Madera, California in Heart of California as he introduced their great City. Basically the intent of the meeting, it was the first of its kind, organized by the Intergovernmental Affairs office at the White House and they brought together 27 state and local elected officials throughout the country and they provided them with an opportunity to meet with a couple of members of the President's Cabinet including HUD (Housing and Urban Development) Secretary Julian Castro and his Labor Secretary Tom Perez as well as senior administration officials to talk about issues at the local and state level and how it intersects with the Administration's Domestic Policy agenda especially over the next 14 months. He noted that it was a tremendous opportunity to bring to light some of the things that they are facing here locally. They spent a great deal of time talking about the excessive fires that they are experiencing, their drought conditions, and a matter of fact, they spent a little time talking about community justice. He was so proud and honored to share some examples with senior administration officials to talk about some of the changes that our Police Department has implemented over the years. He noted that there is a big emphasis behind community based policing and they spent some time talking about their prescription for local communities and how they can adopt those changes. He was proud to see that we are very much ahead of the curve in many respects. He noted that he shared Commander Dino Lawson's statement and his story at the latest Citizen's Academy graduation as far as Commander Lawson's experience in the change in philosophy at our Police Department. He even shared that story with his senior speech writer who works on the State of the Union. They were able to talk about a myriad of issues from eradicating Veteran homelessness, as he mentioned community justice, environmental issues. At the HUD level he walked away with some great personal contacts there that he would love to share with City staff and he would hope that they can utilize especially as they move forward with different grant funding. In any event, it was a tremendous honor to represent our great City. He was one of four elected officials in California. The others were from Stockton, Santa Ana, and Compton so it was a tremendous honor. He added that as Council Member Holley says, if you have one of us there, you have all of us and he certainly made sure that message was heard and felt at the White House.

Council commended Mayor Pro Tem Oliver for a great job.

Mayor Poythress stated he would just like to recognize his colleagues. He was thinking the other day about their City Council and it just seems like everybody is so active in so many things and touching so many people and making a difference. He can look across the board and look at each one and consider what each one is doing, and various appointments but not only that, going beyond and making a real difference from their City such as Mayor Pro Tem Oliver being recognized representing Madera in the White House

and others up and down the road and regionally, and even within the City. Again, he would just like to honor his colleagues and thank them so much for their great efforts and again, it is a great Council. It is real exciting to see everybody really digging in and working on so many different fronts. He thinks they can show that it is not one person; it is a team and not one person can do it. He thinks they can see the results and it goes on beyond to the staff and so forth but he just wanted to specifically mention that this evening.

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 §54956.9(d)(2) to discuss conference with legal counsel in anticipated litigation as described under item G-2; and pursuant Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-3.

The Council adjourned to closed session at 7:01 p.m. Absent: Council Member Robinson.

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

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 7:26 p.m. with all members present. Absent: Council Member Robinson.

City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code §54956.9(d)(2) to discuss conference with legal counsel in anticipated litigation as described under item G-2 and reported that no reportable action was taken; and pursuant 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 7:27 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

