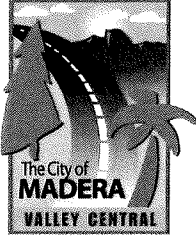


Item:	B-1
Minutes for:	01/20/16
Adopted:	01/04/17



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

January 20, 2016  
6:00 p.m.

Council Chambers  
City Hall

### CALL TO ORDER

The regular meeting for 1/20/16 was called to order by Mayor Poythress at 6:00 p.m.

### ROLL CALL:

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

Others present were 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, Commander Dino Lawson, 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, Procurement Services Manager Becky McCurdy, Planning Manager Chris Boyle, and Battalion Chief Jim Forga.

**INVOCATION:** Pastor Roger Leach, Valley West Christian Center

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

### PUBLIC COMMENT:

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

No comments were offered.

### PRESENTATIONS

1. Presentation to Former Council Member Sally J. Bomprezzi

Mayor Poythress stated this is something that they will present in honor of an individual who spent countless hours serving her City in a number of roles but most importantly, as a City Council Member as well as Mayor. Mayor Poythress asked former Council Member Sally Bompreszi to join him at the podium.

Mayor Poythress stated they had a chance to say good bye to former Council Member Bompreszi last month. He noted that they didn't get a chance to properly recognize her with a plaque that she can proudly place in her new office. He advised that he just wants to share a couple of things about former Council Member Bompreszi. He stated that she was elected in 2006, overwhelmingly. She was the top vote getter. Mayor Poythress recalled that she was running for office and he said to her, this is what you have to do. You have to get this committee together. You have to raise money and you have to do this and that and she's like yeah, ok, whatever. She was the top vote getter and didn't do any of that stuff.

Former Council Member Bompreszi clarified that she had a committee of 2, herself and her secretary, and her husband. They walked door to door; walked the precinct.

Mayor Poythress noted that it was still an overwhelming landslide victory and it was great for their City to have her there. He added that it was really interesting because she was elected in December of 2006. He then asked what happened in 2007; the housing thing is starting to drop. Then in 2008 everything falls apart so here is former Council Member Bompreszi onboard on the City Council during some of the toughest times. Sales tax dropped. They are having issues in trying to balance things. He noted that former Council Member Bompreszi did a lot of heavy lifting. She was Mayor in 2008 and was responsible for bringing in a grant. She traveled to Seattle and met with an agency there and was able to secure that grant which was very helpful. He noted that it goes on and on and on. She was on various commissions, appointments and so forth.

Former Council Member Bompreszi stated she was also on billboards.

Mayor Poythress agreed and noted she is still on the billboard. On behalf of himself, the City Council (her colleagues) and the staff at the City, he presented her with a plaque.

Former Council Member Bompreszi stated she thinks she said what she needed to say at her last meeting. She just wants to thank everybody for the support they have given her. She did start her new job on Tuesday at the Madera Housing Authority as the Financial Service Manager. She noted that her boss Linda Shaw came here today to support her. She added that it is an exciting time. She really loves having her Wednesday night's back and it seems like she is not so short with her mother anymore because she has some time. She noted that even last night her husband made dinner for the first time. She added that it has been great. It has been really good. She stated that the decision was hard but it is for the best. A new chapter in her life is starting. She thanked them for the plaque. She added that she misses all of them. She saw a couple of them this week.

Mayor Poythress added that the City's loss is definitely the Housing Authority's gain and the Council's gain.

## **2. Proclamation Recognizing Intercultural Week January 25 – January 29, 2016**

Mayor Poythress announced that the second proclamation tonight will be in honor of Intercultural Week. He invited Lourdes Herrera to join him at the podium. He advised that to him, it's an outstanding week for their City. It culminates actually with an event that is going to occur on January 28<sup>th</sup>, Thursday evening, from 4:30 p.m. to 6:30 p.m., Intercultural Festival at Hatfield Hall. He added that he was thinking about Madera and how fortunate they are to have so many cultures in their City. He stated that there are so many countries, and he doesn't care what continent you're on, they are very homogeneous. It is like they have that one culture and that is it. He added that maybe it means that you know how to get along a lot easier with everybody but how boring. He doesn't care if you are in Asia, if you are in Africa, if you are in Europe or whatever but here in America, it is very unique. He asked Ms. Herrera how many cultures she thinks are going to be represented at the Intercultural Festival.

Lourdes Herrera with the Madera Coalition for Community Justice stated that it is the 20<sup>th</sup> anniversary for this event. They started in 1996. She started as a volunteer and now she is the captain. They have already 72 tables representing 58 cultures, 18 religions, and the rest are agencies working here in Madera. This year they tried to invite different agencies like Madera Unified. They bring people from different staff members and they can bring information for the kids too. She stated that the 20<sup>th</sup> anniversary this year will be great and asked that they join them.

Mayor Poythress agreed and added if you haven't been, you need to go. He restated that it is a great event and in recognition he presented the proclamation to Ms. Herrera. He noted that the proclamation cites next week, January 25<sup>th</sup> through January 29<sup>th</sup>, as Intercultural Week. He added that the focus is to celebrate the diverse community that they live in and showcased by the local faith and cultural groups in an educational interactive and fun way. He added that he likes to say, when they think about their nation and their roots, he thinks that Madera is a microcosm of what their nation is all about and what it was meant to be. He noted that their nation was founded on religious freedom, freedom from tyranny, and people from different cultures and so forth. He thinks they can look at their City and be proud of the way they conduct themselves and how they are able to enjoy various cultures and seek to learn more about it.

Council Member Holley asked what time it starts.

Mayor Poythress replied 4:30 p.m. to 6:30 p.m.

Ms. Herrera thanked the City. She noted that they are a small organization and they try to work all the time with Madera serving their community. She added that this kind of event is shared with the people. They are not only one person; maybe they have the same voice for the community. They come from different countries but they have only one person here serving the people in Madera.

Mayor Poythress agreed with Ms. Herrera and thanked her.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

- B-1 Minutes – There are no minutes for consideration.
- B-2 Information Only – Warrant Disbursement Report
- B-3 Weekly Water Conservation Reports (Report by Dave Randall)
- B-4 Consideration of a Resolution Approving an Agreement with Aramark Uniform Services, and Authorizing the Mayor to Sign the Agreement on Behalf of the City (Report by Becky McCurdy)
- B-5 Informational Report on Emergency Repairs to Well No. 18, No. 23 & No. 30 (Report by Dave Randall)
- B-6 Consideration of a Resolution Authorizing Submittal of an Application to the California Department of Resources Recycling and Recovery for Payment Programs and Authorizing the City Administrator to Execute All Grant Documents (Report by Dave Randall)
- B-7 Consideration of a Resolution Authorizing the Acceptance of a Grant Award from the Housing Related Parks Program and Authorization for the City Administrator to Execute the State of California Standard Agreement and Any and All Documents Necessary to Participate in the Grant Program (Report by Sonia Hall)

- B-8 Consideration of a Resolution Approving Request for Outside of City Water Service for Property Located at 26533 Adell Street (Report by Keith Helmuth)
- B-9 Consideration of a Resolution Approving the Submission of an Application to the State Department of Parks and Recreation for the Land and Water Conservation Fund Grant (Report by Sonia Hall)

Mayor Poythress asked if there are any items on the consent calendar 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 MAYOR PRO TEM RIGBY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**RES. NO. 16-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A TWO-YEAR AGREEMENT WITH ARAMARK UNIFORM SERVICES FOR UNIFORM RENTAL AND LAUNDRY SERVICES, AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY**

**RES. NO. 16-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR PAYMENT PROGRAMS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL GRANT DOCUMENTS**

**RES. NO. 16-08 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CA AUTHORIZING EXECUTION OF STATE STANDARD AGREEMENT FOR HOUSING RELATED PARKS PROGRAM GRANT**

**RES. NO. 16-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE AGREEMENT WITH MORRIS AND MARJORIE DAVID FOR OUTSIDE OF CITY WATER SERVICE FOR 26533 ADELL STREET, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

**RES. NO. 16-10 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND – MADERA SUNRISE ROTARY PARK PROJECT**

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

**C-1 Second Reading and Consideration of Adoption of an Ordinance of the City Council of the City of Madera, California Amending Title IV: Chapter 15: Medical Marijuana, of the Madera Municipal Code to Provide for Compliance with the Medical Marijuana Regulation and Safety Act**

Planning Manager Chris Boyle stated that on January 6<sup>th</sup>, the Council introduced this ordinance. He advised that staff recommends approval of the ordinance to provide compliance with the recent State law. Mr. Boyle offered to answer any questions.

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

The ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER, FURTHER READING WAS WAIVED AND ORD. NO. 928 C.S. WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**ORD. NO. 928 C.S. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA DELETING CHAPTER 15 OF TITLE IV OF THE MADERA MUNICIPAL CODE IN ITS ENTIRETY AND ADDING A NEW CHAPTER 15 TO TITLE IV PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY AND PROHIBITING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIVATE CAREGIVER**

**C-2 Consideration of a Resolution Initiating an Application to the Madera Local Agency Formation Commission to Reorganize Boundaries and Annex the Community of Parksdale into the City Limits**

Community Development Director David Merchen stated that this item is a consideration of a resolution to initiate the Parksdale Annexation. He clarified that it is actually a reorganization and he will explain a little bit more about that. He advised that the Parksdale area that they are talking about is just a little over 400 acres at the southeast corner of the City. By way of reference, he advised that it is kind of the center bottom as displayed on the screen where they see some blue buildings. He also pointed out the Cesar Chavez School, and on the left side of the screen, a residential kind of triangular neighborhood just to the left of the Tozer, is the KB Orchard Pointe Development.

Mr. Merchen stated that mostly it is rural residential properties. There are a couple of subdivisions inside Parksdale which look very much like city subdivisions but it is primarily rural residential with a bit of a mix of a few commercial properties, a little bit of multi-family from Self Help and so forth.

Mr. Merchen stated that a logical question is why is there a proposal to initiate the annexation at this point. He noted that there are really two reasons and they are interrelated. The first is and the most specific is that the initiation of the Parksdale initiation is required in order to complete the SMD Annexation. He noted that he has talked about that a little bit over the last year and he will review on that again this evening.

Mr. Merchen stated that the second is that Parksdale is in the path of urban growth and it is because of that that LAFCO (Madera Local Agency Formation Commission) and Madera County have been pressuring the City for a number of years to take up Parksdale as the City grows to the south and southeast. He noted that it was for essentially these two reasons, the timing primarily for the first reason that staff and the Council subcommittee for the tax sharing agreement decided to pursue this course of action at this time.

Mr. Merchen stated that the Southeast Madera Project, or the SMD Project, is an annexation of about 340 acres. He noted that this is the plan or a summary of the plan, you might say. It is a set of master planned neighborhoods with integrated parks, parks integrate to the existing school site. There is a mix of residential densities. It is really General Plan compliant; strong master planned neighborhoods. He advised that the City's approvals for that project were completed in 2013 and then a few months later in 2014, LAFCO approved the annexation of that property into the City limits.

Mr. Merchen stated that the physical relationship, SMD and Parksdale, is that they are contiguous to one another. They share a boundary at Avenue 13 which separates the neighborhoods. They can see that essentially, Parksdale becomes partially surrounded as the City grows to the south and east.

Mr. Merchen stated that as LAFCO considered the annexation of SMD in 2013 and 2014, it circulated the proposal to various agencies as is routine and various agencies commented including the County of Madera as displayed. He noted that it is a little bit tough to read but it is signed by the CAO (County Administrative Officer) Eric Fleming. He apologized for the poor quality of the scan. He noted that in that letter, the County says, the City must apply for annexation of CSA (County Service Area) 3 Parksdale and that the Board of Supervisors request that LAFCO and the City include all of the properties within that area in the annexation.

Mr. Merchen noted that when LAFCO proceeded with the SMD annexation, they did approve, as he mentioned, the annexation. They adopted the resolution, as shown on their screen, making the approval. He added that they included a specific condition of approval that says, prior to recordation to the Southeast Madera Development Annexation, the City of Madera shall file an annexation application for the disadvantaged community of Parksdale. He noted that as a specific condition of approval LAFCO said, this application must be filed.

Mr. Merchen stated that the County's comments and LAFCO's action are directly consistent with State law. He noted that the reference on their screen is to Government Code Section 56375(8)(a). He advised that he won't read it all but essentially is says, before a city can annex, property contiguous to a disadvantaged community, you have to file to annex that disadvantaged community also. He noted that it doesn't say that that annexation has to be successful but, it does say that an application has to be made.

Mr. Merchen stated that he mentioned that the other reason, in addition to SMD, was that there is a general theme, you might say, that the City needs to deal with Parksdale as it grows to the south and east because that community is within the path of urban development. He referred to the map on the screen noting that it is, sort of a background map, the southeast portion of the City's General Plan. He noted that everything in that picture, even the green, is within the City's General Plan area. He added that everything that has a non-green color is within the urban development boundary. He noted that anything yellowy is residential and he thinks reddish is commercial, and the big blue spot on the right hand side is the State Center Community College for instance. What this shows is that Parksdale, according to the way that the City plans to grow and its General Plan becomes completely surrounded, ultimately over time, when the City grows, the blue line that is kind of in the top center of the screen, shows that Parksdale is located within the City's sphere of influence, and the purple line shows that Parksdale is located squarely within the City's urban development boundary. He advised that a principle that LAFCO has cited for years and the County has also bought into, is that as a component of the City's orderly growth, it shouldn't hopscotch around disadvantaged communities. It needs to take up those disadvantaged communities and square off its boundaries. It evens out service delivery. Provides more efficient government services and so forth.

Mr. Merchen stated that the annexation process, as it relates to what the City does, has a number of steps to it some of which have already started. He advised that on January 12, 2016, the Planning Commission conducted a public hearing for a rezoning of Parksdale. He noted that rezoning is required in order to submit an application to annex property. At the January 12<sup>th</sup> hearing, the Planning Commission voted to recommend approval of the rezoning to the Council. He added that this evening, the second step is to consider a resolution initiating the annexation. The third step is for the City Council to take up the rezoning at a public hearing and then assuming that the ordinance is introduced at the first hearing, they would conduct a second reading on about February 17<sup>th</sup>. He added that the last step, noting that they do not have a timeline associated with it because the City can't control the outcome, is to have a property tax disposition agreement with the County and that is also a requirement of LAFCO.

Mr. Merchen commented that it is worth noting that State law, as well as the LAFCO condition of approval, identify that not only does the annexation have to record but it provides sort of, he doesn't want to say it is a get out of jail free card, but it allows for a determination by LAFCO that a majority protest exists and if that can be demonstrated by written evidence, then it kind of lets the City off the hook. He noted that they are not sure that there is a way to do that. They haven't found a way to demonstrate that a majority protest exists by written evidence without going through this process. He noted that while the rezoning public hearing at the Planning Commission was filled with ballpark 50 or 60 residents who were not very happy about the idea of annexation, that does not in and of itself allow them to determine that a majority of registered voters are opposed to annexation. He would expect, that because they have already scheduled that public hearing on February 3<sup>rd</sup>, that they are going to get more community members from Parksdale showing up and they will probably speak more to their opposition for annexation than they will on the rezoning but, the Council will have to deal with that at the time. In terms of the background, he wanted to let the Council know that that was coming.

Mr. Merchen stated that the annexation process, when it gets to LAFCO, what happens is that first, they have to receive a completed application from the City and that includes that tax sharing agreement

described earlier. Once they have a completed application, they will schedule and conduct a public hearing and make an initial decision on the annexation. He added, for instance, during that initial decision, LAFCO could hypothetically say, you know what, this just doesn't make sense. There is too much opposition. We are going to deny it right here. It is not going to go any further. We are not even going to schedule a protest hearing. He advised that is one outcome. The second outcome is that this annexation, the City's proposed Parksdale Annexation, conforms to LAFCO policies and principles, it complies with the State law; we are going to approve it subject to a protest hearing. He explained that because this is an inhabited annexation, LAFCO, if it wants to approve, it must schedule a protest hearing at which point the community then takes control of the outcome. He advised that there are a series of rules as to how protest hearings work but generally speaking, if 50% of registered voters say no or protest, then it kills the annexation. If 25% of the landowners with 25% of the property say no, then an election would be called and then, the annexation would be subject to the outcome of the election.

Mr. Merchen advised that the point of describing the LAFCO proceedings and the protest process is that the residents of Parksdale ultimately control, at least to the extent that LAFCO takes them to a protest hearing, whether they want to be annexed or not. He added, as he has described it to community residents during the rezoning process, the City's intent is to handle the process to create the opportunity to invite the residents into the City to become part of the City but, to the extent that they protest it, they control the outcome.

Mr. Merchen stated that the staff and Tax Sharing Agreement Negotiation Subcommittee recommendation is to adopt a resolution initiating an application to reorganize boundaries and annex the unincorporated community of Parksdale. Mr. Merchen clarified that this is called a reorganization because of that County Service Area that exists covering Parksdale. He advised that is the entity that provides sewer and water to Parksdale so when they annex, the County Service Area either goes away or gets reduced in size in some way. He explained that because there is an action that affects the City and the County Service Area, it is called a reorganization and that is the only reason why that term is included.

Mr. Merchen stated again that the recommendation is made based on its allowance for the SMD annexation to record and its ability really to address in a defined way the, sometimes encouragement and sometimes demand from the County and LAFCO to take up Parksdale as the City grows in that direction. Mr. Merchen offered to answer any questions.

Mayor Pro Tem Rigby asked how much time will protesters or registered voters actually have to go through the protest process. He noted that it seems that they could move rather quickly on the annexation from the City's end. Is there a timeframe that they have or do they have until the 17<sup>th</sup> of February or...

Mr. Merchen replied that the City's application process, the rezoning process is really the most lengthy timeline associated with anything that the City does. That will be completed, assuming the factors that he described earlier come into play on February 17<sup>th</sup>, but that only is the start of the LAFCO process. Once LAFCO starts, then they will conduct a completely separate set of proceedings where new and additional notice is provided. He added that because LAFCO is a separate legal autonomous agency, they don't rely on any of the City's processes to satisfy public input.

Mayor Poythress asked if there are any other questions of Mr. Merchen. No other questions were asked and Mayor Poythress announced that he would accept a motion for the subject resolution.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER, RES. NO. 16-11 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0.**

**RES. NO. 16-11                    RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA INITIATING AN APPLICATION TO THE MADERA LOCAL AGENCY FORMATION COMMISSION TO REORGANIZE BOUNDARIES AND ANNEX THE COMMUNITY OF PARKSDALE INTO THE CITY LIMITS**

## **D. WRITTEN COMMUNICATIONS**

### **D-1 Presentation by the United Way Fresno and Madera Counties on Programs Offered**

Bob Reyes, Interim President/CEO for the United Way Fresno and Madera Counties, stated they were here several months ago and spoke at the public comment section of the City agenda. They were asked at that time if they could come back for a lengthier presentation to allow for questioning. That is what they are back for this evening. He stated he is the Interim President/CEO of United Way Fresno and Madera Counties. He advised that he was actually the Board Chair on July 1<sup>st</sup>. He noted that on July 6<sup>th</sup>, their CEO resigned for medical reasons. As the Board Chair, he happened to be a retired person and he was asked if he could do an interim assignment for a couple of months. He advised that it is now January and he is still in the interim assignment but, he is thrilled to be here this evening with their incoming CEO Lindsay Callahan who is also present this evening. He asked her to stand and be recognized. He noted that they are stealing her from Fresno County Office of Education. He along with their entire Board and staff are very excited because she will bring a new energy and will be a great representative of their organization. He thanked her for being here this evening. He added that Ms. Callahan hasn't started yet. They are waiting for the County Office of Education to release her. They are thinking sometime next week unless she has good news for him tonight. Mr. Reyes commented that in order for him to do these interim assignments, he has to ask his wife and she will approve it if she thinks it is ok for him to go back and work for a little bit.

Mr. Reyes advised that he is a former educator and like he said last time, he was Mary Anne Seay's (Parks and Community Services Director) junior high English teacher. He noted that they go way back so it is always good to be among his former students. He also recognized Council Member Robinson as one of their board members (United Way). They also have a second board member from Madera County who is Enrique Lopez and he is with Madera Unified. He added that they have two other residents from Madera County that they had approached about joining their board. Unfortunately, they were not able to follow through. They are still interested in getting more board members to represent the County. He stated, if anyone here has recommendations this evening for possible other board members for United Way, to please let them know.

Mr. Reyes restated that he is the interim and Ms. Callahan is their incoming President. He asked May Gnia Her to stand. She is the Vice President of Community Impact. He advised that a lot of the programs they will be talking about this evening are programs that her department handles. They also have Nicholas Grim who is the Director of Campaign and Leadership Giving. He noted that Mr. Grim is a graduate and a former resident of Madera. He asked Mr. Grim where he went to school.

Mr. Grim replied that he went to St. Joachim's and then Class of '97 with Madera High when it was two campuses but one name. He added that his dad and stepmom were actually police officers here and retired from the City Police Department when the department was right next door here. He knows these streets very well.

Mr. Reyes acknowledged that they do have some connections already. He added that their mission statement is to improve the quality of life in their communities. He noted that is something that we will hear often from them. He stated that is their major mission in whatever communities they serve. They have been in Fresno County for 92 years but last spring, as the Council knows, they were approached by United Way Worldwide to see if they were interested, as a local United Way, in assuming the service area in Madera County. After discussing it with their board, it made sense to them because they wouldn't be duplicating services. They could expand into this area and provide services that perhaps were not here before. Again, when they do that, they always go in a community looking to see what they most want to see in their community. They like to listen and talk to people they will be serving. Mr. Reyes advised that he is going to give a short presentation. This is something that they use in their Resource Development Department because a lot of times, they have a very short timeframe when they are allowed to come in and speak and to do campaigns. Visually they did this for their opening developments. Mr. Reyes played a short video.



Mr. Reyes stated that one of the things they always talk about is community impact. One of the things they wanted to share this evening is that last year, through their efforts in going to different businesses, organizations and doing campaigns, they brought back \$2.8 million to their non-profit partners in their community. He advised that this supports funding for a lot of their partners. They serve as a non-profit hub for their area and at this time they are serving 87 non-profits.

Mr. Reyes noted, when they look at United Way Worldwide and most local United Ways, they are based on the three pillars; Education, Income and Health. He added that these are what they consider the building blocks of a strong community. They believe that all families should have access to a quality education that leads to a stable job with an income that supports a family now through retirement, and have access to resources that build and sustain good health. Mr. Reyes turned the presentation over to May Gnia Her.

May Gnia Her stated she is the Vice President of Community Impact for United Way. She advised that she gets the privilege of working in their department which they consider is the work of the United Way. She is guessing that probably most here have seen their name, have seen their logo but maybe wondering what they do. As Mr. Reyes had mentioned earlier, in the County they are looked to for three different capacities.

Ms. Her stated that the first one is the undesignated funding that goes to their non-profit partner. Last year they were fortunate to bring back \$2.8 million of undesignated funding to their non-profit partners and that is pretty much anyone that you can think of right now from Red Cross to Children's Hospital or Valley Children's. She noted that they are all in that portfolio of who gets funding from them. Those are undesignated and it goes to support their general fund.

Ms. Her stated that the second area that non-profit partners look to them is the gap filling for programs. They are what they call grants or designated funding. A lot of their non-profit partners will come to them and say hey, we've got a program that is doing perfectly well but if we had just a little bit more money, we can assist and help this many more families or this many more kids and that is where United Way comes in. They fill in the gap because they are looking at programs that work, programs that are measurable and programs that deliver, that are good for their community and their County. That is the other area that they come in.

Ms. Her advised that the last area that they come in is what she considers is kind of like filling in the gap. They know that they have so many different partners in Madera and Fresno Counties that do fantastic work. They do not duplicate efforts because they know that these partners are the subject matter experts in the fields that they serve but sometimes, as they have seen, they will come in where they see that their services are lacking. The backpack giveaway is one of those. She noted that of the two largest programs that they run, the first one is VITA (Volunteer Income Tax Assistance). It is another program that they run that is direct services and that is only because their non-profit partners don't have the capacity to carry that on. With the VITA program they do taxes for free; fairly simple. She advised that they are designated by the Internal Revenue Service. They follow their compliance and regulation. Every year they get about 250 volunteers trained and certified to prepare the 1040 to help families that are low to moderate income, \$62,000 or below, and they do that for free. They do State and Federal and they also do prior year so that is another benefit to their family. Most importantly, they save them (family) money. They teach them to don't go down to the "Statue of Liberties", nothing against those but, they want to save families money because they know how crucial it is for the dollar and how to stretch their dollar. Last year they brought over \$16 million and this year they are positioned to do more than \$16 million. She noted that the Community Action Partnership in Madera is their partner and they have been for the last five years. They have been part of their VITA program. Ms. Her stated the United Way is very honored to be part of that footprint here in Madera and they look to expand that.

Ms. Her stated that the other program that they offer that is direct services and that is another big program is their 211 Call Center. She advised that 211 is not currently available in Madera. They have applied with the CPUC for the licensing and they are waiting for all of those regulations to pass through. She asked that they imagine a family who is in distress, who is calling all over the place because they don't know who to call. With 211, all they do is dial one number. They tell them what they are looking for. They tell them what their situation is and they connect the family to what it is that they need. Their three highest needs

are first, housing and shelter. Most of the time, as they heard on the call, it is emergency shelter. It is families looking for a warm place to stay for the night because they have been evicted or they are homeless, or whatever the issue is. Their second is food. Ms. Her stated that they live in the richest agricultural land but they have a lot of food insecurities. They know that and they are working really hard to rectify that issue. Their third is utility payments. They get non-stop calls for help with rent, for help with PG&E, for help with anything else that is utilities. Those are their top three but as they can see on the screen, they have a whole host of other issues that people do call 211 for. They look to 211 as a hub of information for their entire community. As soon as they get that rolling in Madera, they also look forward to serving the families here in Madera as well.

Ms. Her stated that last year they took over 40,000 calls in just Fresno County. This year they are positioned to do more and as soon as they can get Madera rolling, they also look forward to serving the families here in Madera. She advised that there are over 1,100 programs, and 17 different programs and sub-programs because their partners are constantly changing to service areas that they also serve.

Ms. Her stated that during the holiday season they have the wonderful opportunity to host a program called the Adopt a Family Program. It is very basic and the name says it all. They look forward to their business partners to partner with them, individuals, and families to help them adopt families that may need just a little bit of extra cheer to make their Christmas merry. Last year they were very fortunate to adopt 44 different families so they are very happy that this program has been a super success. Here in Madera, they had two families that came from Madera. Again, they look forward to expand that reach as well.

Ms. Her stated that the other program that they have heard about is their Toys for Tots Program. Unfortunately, they only have the Toys for Tots Program currently in Fresno County. That is the one that they do oversee with the Marine Corps League Detachment 14. Here in Madera, they are looking to partner with the two different coordinators here in Madera. They are hoping that they can bring their assistance here to grow the program here as well. Ms. Her turned the presentation over to Nick Grim who will share the rest of the programs with the Council.

Nicholas Grim stated he is the Director of Campaigns and Leadership Giving. He advised that most of his role is out there fundraising for a lot of these great programs that they are hearing about here today but he is also going to talk a little bit more about them in depth and detail. He advised that what has been a big issue in their counties is human trafficking. They discovered that there has been need to help a lot of these people that are brought in for human trafficking who get branded which is tattooed and which could take up half their body. The United Way works with a non-profit called Break the Chains and their mission is to stop the prostitution and through the United Way outreach, they connected with a cosmetologist that is helping to remove these tattoos. He noted that is a big focus that they have been doing here in the Central Valley.

Mr. Grim stated that another thing that they had the honor of being a part of is the Hmong Story 40. They became the major sponsors of it last year. It chronicles the past 40 years of the journey of the Hmong people coming from the hills of Laos to California. Back in November they had an exhibit showcase here in Madera County at the fairgrounds which was very successful and then, just this past December, was the opening at the Fresno Fairgrounds which celebrated the start of the Hmong New Year. In the spring and fall of 2016, it will be going in the Merced and Sacramento areas.

Mr. Grim stated one of the great programs that they do is the United Way Book Bank. They collect children's books kindergarten through 6<sup>th</sup> grade. He noted that they might have some lying around at their homes, maybe they are holding up that end table or two or maybe the kitchen table. He asked that they give them a call. They will be happy to pick them up because what they do is they collect those books, clean them up and get them out to Title I rural county schools. For some of these schools, they are helping them build their libraries and getting books into these kids' hands. Last year they were able to collect over 10,000. What he means by when they collect them, they don't stay on their shelves longer than maybe two weeks. He noted that there is such a need out there. They are very proud of that program and they are looking to break that record this year.

Mr. Grim stated that another great thing that they do is Movies in the Park Backpack Giveaway. As they know, living in Madera County, there are a lot of families that can't afford to buy school supplies or even buy a backpack for their kids. It is like you have three or four kids, it is making a car payment just to make sure they have school supplies. What they do is they partner up and for just \$10 they can fill a backpack with school supplies for the year along with two books for each kid. They are very fortunate this past July to do 2,500 in Fresno County but what was great is that this August, they came into Madera County and did 700 backpacks right here at Town and Country Park. For him personally, it was great to come home. He got flashbacks of Friday nights after a football game driving by the Pizza Hut and then going out from there, and just remembering it as a kid playing baseball out there and just seeing how the park looked and seeing all the families. He noted that a lot of these families waited six plus hours in this great summer heat of theirs, that is very cooling as a joke, but they wait out here just for a backpack for their kids. That is a program that they are just very excited and they are looking to expand and make it bigger and better.

Mr. Grim stated that they held two job fairs this past year in southeast Fresno at their office partnering with the Economic Development Corporation (EDC). They had over 26 businesses out there and agencies for their job fair. They had over 800 people come through their doors. According to the EDC, it is the first time a job fair has ever been done in the southeast Fresno area and because of that, they helped enable 50 people to get jobs. That is a great thing and they are always looking to expand and do more, especially here in Madera County.

Mr. Reyes thanked Mr. Grim. Mr. Reyes stated that the next thing they wanted to share with the Council is a study that was made by United Way of California. He noted that a lot of the local United Way's within California helped to pay for this research study. It is called the Real Cost Measure in California. What it does is it estimates the amount of income that is needed to meet the basic needs of a family or a single person for a given household in a particular community. They did this all over California but they also have subsets of counties. What they have shared with the Council this evening are the numbers for Madera County. He advised that the real cost measure is what it costs to have those basic essential needs that would allow them to pay for their housing, food, transportation, healthcare, taxes and childcare. If they look at the study, what it shares there is the total households below the real cost measure in this County would be \$12,445. The percent of households below the real cost measure would be 39% of the households. The percent of households below the real cost measure which have at least one working adult would be 94% because a lot of times some people have the misconception that the people that are in these situations, they don't have anyone working. They don't take into consideration the working poor because if they are working at minimum wage, really a lot of times it would take a family two and one-half jobs at minimum wage just to maintain that real cost measure. He advised these are things that they share with the Council. He shared the website with them and noted that if they go into that website, it is very interactive. They had one of the authors of the study come to Fresno County to do a presentation and he was able, through this interactive display, to actually look at different zip code areas and areas of Fresno County where you could see pockets of poverty. He was able to point out, for instance, they tend to think of Clovis and Fresno County as very affluent but there were pockets within the Clovis sphere of influence or city limits that were low poverty. He noted that it is interesting to see where that aligns. He added that a lot of it was intuitive for them. They kind of thought that was but, when you actually see it based on the real data then it was pretty interesting. He advised they would leave the handout for the Council to look at.

Mr. Reyes stated that when they are doing a presentation on how people can participate, a lot of times people think they (the United Way) are just there to ask them to contribute money. He noted that certainly as a non-profit they would like to have that kind of support but, they are also there to encourage people to help out in their community so volunteering, volunteering tutor, volunteering to read to kids, to help clean up in their community, helping to feed the hungry and the homeless, collecting food for food pantry, helping to plant a community garden and then of course, giving to non-profit organizations.

Mr. Reyes stated that they looked at the monies that they get and how that affects the programs that they can offer and how that affects the lives within their community. They wanted to let people know when they donate that if you donated \$10 that gets a backpack and school supplies for a student in need. If you donate just \$1, that allows them to purchase two books to get in the hands of kids. \$10 gets emergency food and shelter to a family in crisis through their 211 program. \$1 gets a family off of government

assistance through their VITA and earned income tax credit program. \$10 powers the only call center that helps with everything from domestic violence to human trafficking and \$1 helps the survivor of human trafficking permanently remove the tattoo from a trafficker, that sign of ownership.

Mr. Reyes stated they will end with that and thanked the Council for allowing them to present to them. He offered to answer any questions.

Mayor Poythress thanked Mr. Reyes.

Council Member Holley stated he is so glad to see the United Way come back to Madera. They used to have this program years ago run by a lady by the name of Barbara Roach. When he looked at her, pointing to Ms. Callahan, she reminded him of Barbara when she just started out doing the United Way program. He added that they will see that they will really fit the mark here in Madera. He noted that they are so glad to see the United Way reopen this program back to the City. He added if there is anything he can do to assist them to please give him a call.

Mr. Reyes thanked Council Member Holley and stated his appreciation.

Council Member Oliver stated that last year they read that over \$2 million was left on the table from high school students and their families with regard to FAFSA (FREE Application for Federal Student Aid) funding for just not applying. He added that he along with Madera County Board of Supervisor Brett Frazier are looking at doing a FAFSA workshop. He is hoping to get more folks enrolled so they are looking at tax accountants, business financial professionals and any other community organization that they might be able to partner with. He wondered if their VITA program would be able to step in and help as well with something like that.

Ms. Her replied absolutely. She added that they are actually partnered also with the State Controller's Office to work with FAFSA involvement and to get their low income families and their disadvantaged families to enroll especially their children.

Mayor Poythress thanked them. He added that it is wonderful that they have one of their colleagues as a director. He is sure that with that connection that they will be able to partner in many things including what Council Member Oliver and Supervisor Frazier are working on.

## **E. ADMINISTRATIVE REPORTS**

### **E-1 Discussion and Request for Direction on Council District 1 Vacancy**

City Attorney Brent Richardson stated that in the wake of the vacancy left by former Councilmember Bompreszi's resignation. He advised that it used to be that there were three options where the Council could either appoint for the remainder of the term, call a special election, or do nothing until the next general election. He noted that the law has changed a little bit since they dealt with this prior and now what they are basically left with is essentially two options. One is to either appoint until the next general election which in this case would be June or to just call an election which would put them at the same spot without appointing. Basically they are down to those two options again. Staff is looking for direction as to where the Council wants to go. He added that obviously the appointment would be for a very short time so that is obviously a consideration but essentially, one of those two options will fill the vacancy. Mr. Richardson added that at the general election, the person who would be elected to that seat would fill the remainder then of the term which he thinks terminates in 2018 and then at that point, the position would be reelected so it wouldn't serve a full four year term. That keeps everything on the stagger that is currently done.

Mayor Poythress stated it is too bad the law changed because the last time they had to appoint somebody they really scored.

Council Member Medellin thanked Mayor Poythress for that.

Mayor Poythress stated if they didn't have to go to an election so soon, he would definitely be supporting an appointment but, it is almost as if they go through the appointment process and they blink and it is time to elect somebody. He probably would support just waiting until the special the special election in June. He asked for thoughts from the Council.

Mayor Pro Tem Rigby agreed with Mayor Poythress 100%. He thinks that allowing the voters of District 1 to make that decision is in the best interest of the City. He thinks that they are looking for somebody to fulfill a three year term. He would be more for an appointment if he felt the term was going to be over sooner but he thinks three years is a long time. He thinks that it is only proper that they as Council make the opportunity for the citizens of District 1 to make that decision as to who will represent them as a voice on the Council.

Council Member Medellin agreed but, he has a couple of concerns. He advised that normally there is a filing date and things of that nature. If they are asking somebody to run a campaign that too, time is of the essence. He asked if somebody can enlighten him on when those deadlines are to file. Do those close?

Mr. Richardson replied that he caught him off guard. He doesn't know what the filing deadline is. He noted they are on a pretty tight leash to call the election so he doesn't think they would be left without a whole lot of time.

Council Member Medellin stated that it would be very soon.

City Clerk Sonia Alvarez agreed that it would have to be very soon. She added that as soon as the Council approves calling the election, which would be scheduled at the next regular meeting. That information would be sent over to the Elections official. She added that she does not know the exact timelines but is fairly certain that she would probably put out a notice almost immediately.

Council Member Medellin added that due to the circumstances, those dates are not subject to any sort of adjustment or amendment because of what they are doing under the special circumstance.

Ms. Alvarez stated that the Council has the 60 days to make a decision of what to do and then of course, because of the timeline, the established date would be in June.

Mayor Poythress asked if there are any other questions or comments. None were given.

Mayor Poythress stated that based on comments if staff kind of got direction.

Mr. Richardson replied that he senses that they are not going to go through the appointment process so Council direction is to have staff bring back the item back to formally call the election in June.

Council concurred.

## **F. COUNCIL REPORTS**

### **F-1 Mayor's Appointment of Council Representatives to Fill Vacancies on Other Agency Boards**

Mayor Poythress stated that one that is not on here but it has to be apparently appointed by Air District Special City Selection Committee would be the appointment to the San Joaquin Valley Unified Air Pollution Control District Governing Board. He asked if we know when that might occur.

City Clerk Sonia Alvarez replied that she does not have any information on that. She knows that the Special City Selection Committee will need to call a meeting and at that point they would discuss the vacancy. She added that she is not certain how that timeframe works.

Mayor Poythress asked if that would be within Madera County.

Ms. Alvarez responded that they have a process in place. All the cities that are in the region, they have what they call a small city rotation based on population and then they have a large city rotation. It is a pretty complex process that they go through.

Council Member Robinson commented that the League of Cities, at the membership meeting, they will vote on it. He added that they have two cities in Madera County, Chowchilla, Madera then Kings County. He thinks they have four. So it is those two counties and then they will vote on it. They submit their applications.

Mayor Poythress thanked Council Member Robinson for the clarification.

Mayor Poythress announced that they would go on to the appointments that can be made.

Mayor Poythress made the following appointments to fill the vacancies.

<b>COMMITTEE</b>	<b>APPOINTMENTS</b>
<b>Central California Women's Facility (CCWF) Citizens Advisory Board</b>	Primary: Derek Robinson (eff. 1/20/16) Alternate: Donald Holley (eff. 1/20/16)
<b>Madera County Transportation Commission (MCTC)</b>	Primary: Robert Poythress Primary: Andrew Medellin Alternate: Charles Rigby (eff. 1/20/16)
<b>SJVAPCD SPECIAL CITY SELECTION COMMITTEE</b>	Primary: Derek Robinson (eff. 1/20/16) Alternate: Will Oliver (eff. 1/20/16)

Ms. Alvarez advised that she would notify those agencies of the appointments.

Other Council Reports

Council Member Robinson reported that he attended the Martin Luther King Day Celebration at Martin Luther King (MLK) Middle School and added that it was a nice presentation. He noted that Superintendent Ed Gonzalez gave a history lesson.

Council Member Holley reported that he also attended the Martin Luther King Jr. Local Host Committee. He thought he was the speaker there for a minute. He noted that it was a very nice event that came out of it.

Council Member Holley stated that they still need brothers and fathers and big brother program for their Big Brothers Big Sisters. They are trying to get folks to really step up to the plate. They are also looking for folks who like to mentor the kids. He noted that if you talk about it, it should be about it. That is what his pastor says so he is still trying to advocate that to keep rolling from the NAACP.

Council Member Holley reported that today he went to a meeting where they talked about tobacco. They are trying to find people that would like to serve on the subcommittee. They are trying to find different agencies that would like to come and be a part of it, to promote it to see how they can talk to people about it and get it out. He added that on March 16<sup>th</sup> they are going to have a program out there called Kick Butt Day and that is to make sure that they can, not kick nobody's butt, but kick the butt habit of smoking cigarettes and that is what it really narrows down to.

Council Member Oliver reported that he had the pleasure of attending a grand opening for Universal Solutions. They are a credit counseling business in District 3 here in the City so he was really proud to attend that.

Council Member Oliver stated, kind of as a report and a complaint, he is playing on a basketball team with their Parks Recreational League along with Councilman Rigby and Mayor Poythress. He doesn't know but, there is a recreational and a competitive league and the guys in this rec league are doing 360 slam dunks.

He added that in all honesty it has been fun to be on the other side and being a participant in their Parks program. He just wanted to report on that and added that it has been a great deal of fun.

Mayor Poythress commented to Council Member Oliver that he would be there next Monday.

Mayor Poythress reported that last Thursday he was able to attend one of the regularly scheduled quarterly CAL COG (California Association of Councils of Governments) meetings in Sacramento. He was able to get some interesting information about how CAL COG works for the MPO's (Metropolitan Planning Organizations).

Mayor Poythress reported that he along with Council Member Medellin and Council Member Oliver attended the neighborhood watch meeting. He advised that it was a really, really good meeting. They had a chance to get the information out. He heard from some of the participants that they wished it would have been maybe about a half hour less in content because their brains got full but it was a very, very good outcome. They had a packed house so it was really a good event.

Mayor Poythress reported that this afternoon they had a Madera County Transportation Commission meeting. He noted that some of the discussion they would call robust. It was interesting because typically Caltrans people don't get very emotional but Council Member Medellin was able...he had that special gift of being able to elicit some emotion from one of the Caltrans people.

Council Member Medellin stated that he ticked him off.

Mayor Poythress noted it was for a good reason. He clarified that it is in regards to some overruns on their overpass project. It was a very good meeting.

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

The Council adjourned to closed session at 7:09 p.m.

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

One case: Lavon Coles v. City of Madera  
MCV 070152

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

The Council returned from closed session at 7:19 p.m. with all members present.

City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code §54956.9 to discuss conference with legal counsel, existing litigation as described under item G-2, and reported that no reportable action was taken.

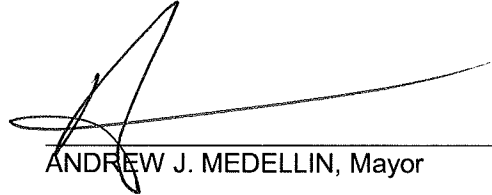
## **ADJOURNMENT**

The meeting was adjourned by Mayor Poythress at 7:20 p.m.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

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

  
SONIA ALVAREZ, City Clerk

  
ANDREW J. MEDELLIN, Mayor

