

**REGULAR MEETING  
OF THE MADERA CITY COUNCIL**  
205 W. 4<sup>th</sup> Street, Madera, California 93637

**NOTICE AND AGENDA**

Wednesday, October 5, 2016  
6:00 p.m.

Council Chambers  
City Hall

**CALL TO ORDER**

**ROLL CALL:** 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  
Council Member Cece Foley Gallegos

**INVOCATION:** Pastor David Votaw, Harvest Community Church

**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.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

B-1 Minutes – 12/2/15, 6/08/16

B-2 Information Only – Warrant Disbursement Report

B-3 Weekly Water Conservation Report for September 19<sup>th</sup> - September 25<sup>th</sup> (Report by Dave Randall)

- B-4 Consideration of a Minute Order of the Council of the City of Madera, California Authorizing the Acceptance of a National Insurance Crime Bureau Vehicle Donated to the Madera Police Department and Authorizing the Chief of Police to Execute all Documents Necessary to Accept the Donation (Report by Steve Frazier)
- B-5 Consideration of a Resolution Adopting the 2016-2019 City of Madera Title VI Program Update (Report by Ivette Iraheta)
- B-6 Consideration of a Resolution Approving a Contract with Nichols Consulting for the Preparation and Filing of the State Mandated Cost Claims for the Period from Execution of Contract until June 30, 2017 and Authorizing the Mayor to Sign the Contract on Behalf of the City (Report by Tim Przybyla)
- B-7 Consideration of a Resolution of the City Council of the City of Madera, California, Approving Engagement Letter for Audit Services with Price Paige & Company and Authorizing the Mayor and City Administrator to Execute the Engagement Letter and Any Further Engagement Letters During the Contract Term (Report by Tim Przybyla)
- B-8 Consideration of a Resolution Appointing Sam Weis to the City of Madera Airport Advisory Commission (Report by Dave Randall)

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

- C-1 Second Reading and Consideration of Adoption of an Ordinance Amending Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code Relating to the Adjustment of Speed Limits in Certain Zones (Report by Keith Helmuth)

**D. WRITTEN COMMUNICATIONS**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

- E-1 Consideration of a Resolution Approving Additional Water Conservation Rebate Programs (Report by Dave Randall)

**F. COUNCIL REPORTS**

**G. CLOSED SESSION**

- G-1 Closed Session Announcement – City Attorney
- G-2 Conference with Real Property Negotiators - Pursuant to Government Code Section 54956.8
  - Property: 1 Parcel
  - Adamas LLC APN 038-040-004
  - Agency Negotiators: David Merchen, Les Jorgensen
  - Negotiating Parties: Ed & Gail Hanhart McIntyre and Adamas LLC
  - Under Negotiations: Price and Terms
- G-3 Closed Session Report – City Attorney

**ADJOURNMENT** – Next regular meeting October 19, 2016

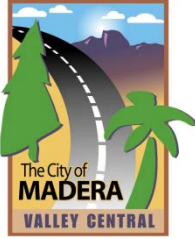
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- Please silence or turn off cell phones and electronic devices while the meeting is in session.
  - Regular meetings of the Madera City Council are held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
  - Any writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at the City of Madera Office of the City Clerk, 205 W. 4<sup>th</sup> Street, Madera, California 93637 during normal business hours.
  - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
  - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's office at (559) 661-5405.
  - Para asistencia en Español sobre este aviso, por favor llame al (559) 661-5405.
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I, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the regular meeting of the Madera City Council for October 5, 2016, near the front entrances of City Hall at 3:00 p.m. on September 30, 2016.

  
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Sonia Alvarez, City Clerk

**Return to Agenda**

Item:	B-1
Minutes for:	12/02/15
Adopted:	10/05/16



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

**December 2, 2015  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The regular meeting for 12/02/15 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. Bompreszi  
Council Member Andrew J. Medellin  
Council Member Donald E. Holley  
Council Member Derek O. Robinson Sr.

Others present were City Administrator David Tooley, Acting City Attorney David Hale, 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, Public Works Administrative Analyst Jason Rogers and Division Fire Chief David Allen.

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

The invocation was given by Pastor Tim Echevarria from New Harvest Community Church in place of Pastor Leach who was unable to attend.

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Oliver 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.

Mayor Poythress announced that David Hale will serve as the acting attorney at this meeting due to the City Attorney being away on vacation.

## **PRESENTATIONS**

### **1. Proclamation Recognizing the 50<sup>th</sup> Anniversary of the Community Action Partnership of Madera County**

Mayor Poythress announced that the first presentation is for Community Action week. He commented that it was interesting, when he read the proclamation, noting they have heard a lot about the Community Action Partnership (CAPMC) over the years and the great contributions but, he had no idea that it was borne out of Lyndon Johnson's Economic Act of 1964, also known as the War on Poverty so it actually has its roots in that Act. Mayor Poythress invited Mattie Mendez, Executive Director, and Donna Tooley, Chief Financial Officer of the Community Action Partnership to join him at the podium. Mayor Poythress asked Ms. Mendez to tell them a little bit about the Community Action Partnership, some of the things that they do, and maybe some ways that we could help out in the war on poverty.

Mattie Mendez, Executive Director of the Community Action Partnership, stated she was appointed in 2011. She added that Donna Tooley is the pillar of the organization. She noted that Mrs. Tooley has been in her position for a very long time. They were talking yesterday. She explained that yesterday was the official date that the articles of incorporation were filed, December 1, 1965. She noted that she asked Mrs. Tooley, how did you start, and she said she was supposed to be a 30-day contract. Ms. Mendez commented that is how they all kind of started with the organization. M.J. Nabors would call them in. They would have short term periods and then they stayed.

Ms. Mendez stated that Community Action has served many areas. They have over 340 employees. They serve in four counties. She noted that the majority of the services are provided here in Madera County but, they also service families in Fresno, Merced, and Mariposa counties. They provide services from head start to community services, assistance with water and PG&E, to victim services, to supportive services for childcare and family childcare homes. She commented that the City has supported them every step and for 50 years, the City has been there. Currently they collaborate with the Chief for their Victim Services Department, with Housing Authority to operate some of their head start programs, a City facility near Millview School to operate another Head Start Center, and they are always looking for ways to support the City of Madera. Ms. Mendez thanked the Council for their support. Everyday their staff, in their role, meet their mission of helping people, changing lives, and making their community a better place to live. She has often said to everyone that she comes in contact with that this is the City of Hope; this is the County of Hope and here is where they will come together and find solutions to serve their families and children.

Ms. Mendez stated on a personal note that she would like to thank the City Administrator David Tooley for sharing Donna Tooley (his wife) with them for 22 years. She noted that there are many sacrifices that the family has had to endure because of the agency but, they thank him. They love Mrs. Tooley and they respect her for her role within the agency. They would not pass their audits without Donna Tooley and the board members that have been on their board, they know that. She thanked Mrs. Tooley.

Mayor Poythress commented that Ms. Mendez's enthusiasm is infectious. He added that they just appreciate her so much and everything that the Community Action Partnership has done here in Madera, is doing, and is going to do because they know that there is a great future, a great team, and a great spirit there. He congratulated her.

Mayor Poythress presented to Ms. Mendez the proclamation declaring this week Community Action Week. He added that he has signed on behalf of the City. He congratulated them again.

Ms. Mendez thanked Mayor Poythress for the presentation and added that they will display it proudly in their agency.

### **2. Highway Safety Improvements Program Grant Award**

Mayor Poythress invited the Director of Financial Services Tim Przybyla to join him at the podium and requested that he explain a little bit about what this check is all about.

Tim Przybyla, Director of Financial Services, stated he has some talking points that were given to him by Sonia Hall, the Interim Grants Administrator. Mr. Przybyla stated that this award is from the Highway Safety Improvements Program (HSIP) in the amount of \$310,590. He noted that this is the first one that Ms. Hall has secured for the City as their Interim Grants Administrator. He added that Ms. Hall has finalized some that were started by the Grant Administrator Daniel Abdella. He noted that Ms. Hall is really proud to have obtained this grant and they are happy to be able to present it this evening. Mr. Przybyla advised that Ms. Hall was not able to be here due to a family situation.

Mr. Przybyla stated that the project location is on Sunset Avenue from Granada to Foster Avenues. He noted that the project will install pedestrian, median islands and ADA compliant sidewalks. He noted that the HSIP program is made up of federal funds to be expended on safety projects. He added that all proposed projects are evaluated based on the benefit/cost ratios. He noted that the applications submitted in all the previous cycles demonstrate that there are many high crash concentration spot locations and corridors that can be addressed using safety countermeasures with proven crash reduction factors which will result in overall project benefit to cost ratio well over 5.0. Mr. Przybyla added that with this cycle, Caltrans raised the minimum benefit/cost ratio to 5.0 or greater to reduce the number of applications submitted, to minimize the state and local resources invested in preparing and reviewing projects with low benefit cost ratios, to focus local agency efforts on locations or corridors with the greatest safety needs and lower cost counter measures, and to maximize the number of lives saved and serious injuries prevented with limited local HSIP funding. He added that this project has a benefit/cost ratio of 11.6. As a side note, they actually had three projects that they wanted to do but only one met the threshold of 5 or greater. It really met it with an 11.6 ratio.

Mr. Przybyla advised that this project was chosen by careful examination of their actual experiences, crash data, and collaboration with the school district and parents. He noted that crash data revealed that most of the accidents involved students traveling to school and drivers commuting to work. He added that the project reduces the risk of accidents and fatalities by providing students with ADA compliant sidewalks and median islands in front of Thomas Jefferson Middle School which will remove the pedestrians from the flow of traffic along Sunset Avenue. Mr. Przybyla advised that this project complements that Safe Routes to School Grant that the City obtained in 2010 for sidewalks and warning lights in front of Thomas Jefferson Middle School. He noted that the City subsequently identified additional deficiencies in the area that needed remedying and this grant addresses those deficiencies.

Mayor Poythress thanked Mr. Przybyla for a great presentation. He added that they have a big check which is non-negotiable but it is symbolic.

**A. WORKSHOP**

There are no items for this sections.

**B. CONSENT CALENDAR**

B-1 Minutes – There are no minutes for consideration.

B-2 Information Only – Warrant Disbursement Report

B-3 Consideration of a Resolution Approving an Agreement with Smart Utility Systems for Web Portal Software and Services and Authorizing the Mayor to Sign the Agreement on behalf of the City of Madera (Report by Dave Randall)

- B-4 Consideration of a Resolution Authorizing an Amendment to the 2015/2016 Budget to Cover the Cost of Fish and Wildlife Filing Fees for the City of Madera Climate Action Plan (Report by David Merchen)
- B-5 Consideration of a Resolution Approving Amendment No. 1 to Agreement with Harbison International Inc. for Professional Construction Surveying Services to the City of Madera for the Pine Street/Pecan Avenue Improvement Project (Report by Keith Helmuth)
- B-6 Consideration of a Resolution Authorizing a New Grants Program Manager Position for the Grants Department of the City of Madera (Report by Tim Przybyla)

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

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

**RES. NO. 15-231 RESOLUTION APPROVING AN AGREEMENT WITH SMART UTILITY SYSTEMS FOR THE DEVELOPMENT OF WEB PORTAL SOFTWARE AND SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

**RES. NO. 15-232 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING AN AMENDMENT TO THE 2015/2016 BUDGET TO COVER THE COST OF FISH AND WILDLIFE FILING FEES FOR THE CITY OF MADERA CLIMATE ACTION PLAN**

**RES. NO. 15-233 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AMENDMENT NO. 1 TO AGREEMENT WITH HARBISON INTERNATIONAL INC. FOR PROFESSIONAL CONSTRUCTION SURVEYING SERVICES TO THE CITY OF MADERA FOR THE PINE STREET/PECAN AVENUE IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**

**RES. NO. 15-234 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING A NEW GRANTS PROGRAM MANAGER POSITION FOR THE GRANTS DEPARTMENT OF THE CITY OF MADERA**

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

- C-1 A Noticed Public Hearing to Consider Adoption of a Resolution of the City Council of the City of Madera Amending the 2016-2024 Housing Element of the Madera General Plan. An Addendum to the 2009 General Plan Environmental Impact Report has also been prepared pursuant to CEQA Guidelines Section 15162 and 15164**

Planning Manager Chris Boyle stated that on September 16, 2015, the Council took action and adopted a resolution approving the 2016-2024 Housing Element. He noted that upon submittal to the Department of Housing and Community Development (HCD), a clerical error was identified which would require the re-adoption and revised resolution from the Council. Mr. Boyle stated that staff recommends that the Council adopt the resolution.

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

Mayor Poythress opened the public hearing and asked if there are any members of the public who would like to comment on this particular item. No comments were made. Mayor Poythress closed the public hearing and brought the item back for action.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY MAYOR PRO TEM OLIVER, ITEM C-1, RES. NO. 15-235, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

**RES. NO. 15-235      RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA  
APPROVING GENERAL PLAN AMENDMENT 2015-04, ADOPTING THE 2016-  
2024 HOUSING ELEMENT UPDATE IN ORDER TO PROVIDE CONSISTENCY  
WITH THE STATE HOUSING ELEMENT LAW**

**D.      WRITTEN COMMUNICATIONS**

**D-1      Written Communication from Joe Conway Requesting Support for an Airshow**

**And**

**Informational Report on the Proposal Submitted by Triton Flight for Heroes, Inc. to Promote an Airshow at the Madera Municipal Airport and Request for Direction from the City Council on How to Proceed (Report by Dave Randall)**

Joe Conway with Triton Flight for Heroes thanked the Council for giving them the opportunity to be here to talk to them about bringing an airshow back to Madera. They know that airshows can be very beneficial for a City. They can bring a lot of people into the area. They can get a lot of community support so they are excited to have the opportunity to do that and to share a little bit about what they want to do. He stated that once again it is their hope that it goes a long way to solidifying the City of Madera as a year round destination. That is one of the things they have heard is very important with the Vision of the City and the County, and everybody around, is that each month, every week, if they can get it to that point, where they have something coming into town that not only can be a feather in the cap and the group can be proud of but, that it brings people into the City. He added that when people come into the City and they are spending money and they are staying in the hotels and eating in the restaurants and those types of things, that is always good for economic spikes. He hopes that their event, while it is pretty large in scale at times, is a big positive for everybody. Mr. Conway stated that this is a family fun event. People from all over California will come in to do this. They had a lot of people at the airshows they have done in the past.

Mr. Conway commented that the reason that they are coming back and wanting to do a show is that Triton Flight for Heroes is a non-profit organization. Their parent company is Triton PEO out of Fresno California. He noted that when Triton PEO started, it was always their goal, so in 2013 they started with Triton Flight for Heroes. He commented that when soldiers were coming back from battle, when they are spending 6 months, 9 months, 12 months in hospitals recuperating from serious injuries, a lot of the time, the families of these soldiers cannot get out to the hospital. They cannot travel because of financial difficulties to be with their loved ones during the process while they are trying to heal and recover. While there is a lot of regional support with different organizations flying military and some of their families to medical appointments, there is nobody that is really taking over that long distance haul. Their goal is to get a corporate jet aircraft that they will operate on a full time basis and they will be working with all of the military services and having families that need to get out to different hospitals. They will fly them out there free of charge back and forth. They will work with the Fisher Houses which are similar to Ronald McDonald Houses. They are at the Veterans Affairs (VA) hospitals and hospitals around the country. That is where these families can stay free of charge. What they are trying to do here, an airshow is going to be their major fundraiser for this particular non-profit organization so they are excited about that.

Mr. Conway stated they are here tonight in the spirit of cooperation. They want to bring this event back into Madera. They are going to ask at the end of this that they have support from the City. He noted that it is important, if they are going to take the time and effort and pick the great City of Madera to have this particular



event that they prove to the Council that they can do it in a safe manner; that they can do it in a manner that includes everybody that wants to be involved in this particular event. They know that Madera was famous for great airshows in the past. They want to make this a year round, a year to year destination as far as an airshow. They want this to be a feather in the cap of the community. They are going to start out slow. It is not going to be a one and done event. They are not going to get ahead of themselves in this first event. They have already made some changes. He noted that the Council has copies in their hands of some of the things and he will go over a couple of changes they have already made as they go through this in a timely fashion.

Mr. Conway stated he is the Executive Director of the non-profit organization Triton Flight Team. He was a corporate pilot and in airline management. He has been in the aviation game a long time. He has a lot of experience in the airshow world; all facets of the airshow world. He advised that Steve Herz is going to be the Operations Director and Ramp (Director) boss if they get to do the show back here in this area here. He advised that Mr. Herz has a tremendous amount of airline experience, FedEx experience. He is also a professional baseball player. They are excited to have that type of experience.

Mr. Conway advised that some of the other folks that are involved with Triton also have some experience. Clyde Ford, for example, is their Business Professional. Mr. Ford has Fort Washington Financial, Cal-Pac Advisor, and he is the President of Triton PEO which is their parent company. His dad was the Commander up at Merced Castle Airforce Base. Mr. Ford is a pilot and loves all that good stuff so he is 100% behind what they are trying to do.

Mr. Conway stated that in this particular thing, when they first started, they anticipated 30,000 spectators and that has changed. They were going to do the show as a Friday, Saturday, Sunday show. They have already sat down as a group and said look we need to walk before we run with this so they've said Friday is going to be strictly a practice day. Friday will not be open to the public so when they take a look at the numbers, all of their numbers were based off of 20,000 people, 10,000 a day. They have heard in the past, and remember in the past, that because of traffic flow situations coming off of 99, parking issues and other things they deal with, 10,000 is about the cap so that is what they are going to strive for. They expect to see 50 different aircraft; everything from World War II aircraft on up to the current modern day fighters. He referred to 2010, noting that was part of a show here and they actually had the United States Airforce A-10 Warthog and an F/A-18 on the ramp which actually flew. That was a really neat thing to see in Madera to have that happen.

Mr. Conway advised that they are going to have about four hours of flying. That will be acrobatic flying. They are going to have other ride opportunities for people that want to go up and do a ride in an airplane with some of the guys in the B-25's and the bombers if they do sell rides at that particular time. That is always a fun thing to do. They are going to invite all of the local regional vendors that want to participate to come in. He noted that if they've got financial difficulties, noting they are a non-profit organization, so they want to work with them. He commented that just because a booth fee may be \$200 or \$300, if the group doesn't have that and they still want to participate, they are going to find a way for them to do that. It is not something where they want to see anybody turned away from this particular event. He added that there a lot of other fun things. Just to bring to families out, it is usually hot during that time so they will have some cool zones out there. They will have bounce houses for the kids in the shady area so those things don't get to be about 1,000 degrees. They will have car shows, motorcycle shows. They even talked a little bit about maybe having some antique tractors on display and some fun stuff like that. He stated that really, there is going to be something for everybody to do. There are a lot of options for things that people can spend their money on. They are going to try to keep the ticket prices down in that \$12 to \$15 range for adults, \$10 for kids. They are not sure if it is 5 or 6 years old to get in free at this point and time. They haven't got to any of that until they get through the first step here and make sure that they can actually do this event.

Mr. Conway referred to the display which shows a couple of the airplanes that they have had here in Madera in the past and named some. He added that they are going to try to work with a sponsor and get the Patriots to come. They are the black jets in the center top there. They are very similar to the Thunderbirds and the

Blue Angels. He stated that they are a lot of fun to watch; very exciting. They actually have ex-Thunderbird and ex-Blue Angel pilots that fly with them. When they were here in 2009, they flew as a four jet team and now have six aircraft so they are a lot of fun. He named some of the other aircraft displayed. As they can see, they are going to have a lot of fun out there to take a look at.

Mr. Conway referred to the economic impact information and advised that they have had some meetings with the Yosemite Sierra Tourism Board. He commented that Rhonda Salisbury, the CEO of that group, was very excited about the opportunity for this show to come back into the area here. He advised that she offered to do an economic impact study. He noted that on the back page of the Council's information packet is the full page report that Ms. Salisbury did. He added that Ms. Salisbury has offered that anybody that would like to talk to her about how she derived at the numbers and that she is more than welcome to either take a phone call or even come down and chat with you about that. As they can see, they took some of the highlights of the lodging, the attendee demographics and the possible economic impacts to the area noting that it could be substantial if done properly.

Mr. Conway commented on the request for the in-kind support from the City. He noted that they are going to provide a tremendous positive impact for the area. In the spirit of cooperation partnership, they are going to request that the City of Madera Police consider and approve some in-kind support. He commented that in the past, as they see at the bottom, the December 2, 2009 Council agenda report. They looked back at the same information for City Police, private security, fire engine, ambulance, parking barricades, Public Works staff, traffic control signage, and at that point in time, totaled about \$42,400. They know that times have changed. Things are probably a little more expensive and there will be some research, he is sure, on the City's part to do due diligence of what it is actually going to cost for that type of support but, that is really what they need. He added that it is very important to making the show run smooth for them and they hope that this is going to be something that the City supports 100%.

Mr. Conway stated, in conclusion, that they look forward to working with the City for many years. He was a part of the two other events. He thinks that there was a gigantic learning curve on a lot of those events. They stepped out with gigantic shows, gigantic budgets. Then they tried to go out and find the money to do that. With the non-profit and the mission, and what they are trying to here, it is a totally different ballgame. He noted that the show is going to be as good as the sponsorship is for the show. They go out and talk to people. People want to support this particular project and this fundraiser for them then they start plugging the ax in as they get the money from different companies and sponsorships to do it. They know that they have a great deal of support already. They know of certain teams. For the F-18 Team, he will find out on December 7<sup>th</sup> if the Navy Lemoore jets will be available to them. He noted that they have been very positive and want to do the show. They will be at the International Council of Air Shows (ICAS) out in Las Vegas talking with them and hopefully they will have a positive so that could be really exciting to get the F-18 jets back here. They are going to join the Chamber of Commerce. They look forward to building relationships with the Chamber. He referred to the third item on the display and stated that he really is going to make sure that anybody, whether it is a volunteer situation, whether it is the marketing budget for a smaller company, whether it is \$500 or \$100, that they are going to be a part of the event in some way, shape, or form if they want to do it. And if somebody just wants to walk up and say, hey, you know what, we really don't have anything but here is \$10, put it in the kitty or buy some kid a ticket to come to the show, they are going to do that. He noted that is really tailoring plans to fit anybody and everybody's need. He is excited to work with anybody and everybody to do it.

Mr. Conway stated that is pretty much quickly what they are trying to do, what they need from the City to move forward and to enjoy what they are going to try to do, and to try to establish this long term relationship. He offered to answer any questions.

Mayor Poythress asked if there are any questions for Mr. Conway at this time.

Mayor Pro Tem Oliver stated he attended the Legends Over Madera event several years ago with his father who is a Royal Airforce Veteran. His father forced him to go out there and he was really appreciative that he did. He enjoyed it a great deal so he appreciates the discussion tonight. Certainly he thinks it is good

timing especially on the heels of the success of the Pomegranate Festival and years that have built up to that success so he appreciates this opportunity and Mr. Conway for sharing this proposal.

Mayor Pro Tem Oliver stated he was not here during 2009/2010. He understands it was done under a different kind of makeup or operation. As Mr. Conway mentioned, they now have a non-profit status. He asked Mr. Conway to elaborate a little bit more as to his non-profit organization. He knows they go back to 2013 and asked that he maybe discuss some of the good work they have been doing since that time.

Mr. Conway replied that they are technically a new organization. They did start the non-profit back in 2013 but they did not do any fundraising for it. They wanted Triton PEO, the professional private organization, to build up and start getting credibility and the ability to help out with the non-profit. Finally, they are in a position where they can do that. He advised that this will be their first major fundraiser. They have had some donations in the \$2,500 range and the \$5,000 range in the past. This is going to be their big shoot it out and go. He stated that part of the budget for this particular show will be to fly their first and their second missions. As they are raising money for that, by the time the show rolls around, they will have hopefully, a representative from each of the families that they are able to fly out to the destination and back. They can be out at the airshow with them, talk about the experience, and how they did things, and how it might have differed from some of the experiences that they may have had trying to fly commercial or trying to do some other issues along the way. He noted that it has been strictly very small donations at this point in time. Now they are at the opportunity. It came to them. They were asked by a couple of individuals to consider coming back to Madera and doing a show. They said, you know what, this is the time to really jump out and go ahead and make this a go. While they have not flown a mission, they haven't been active doing it.

Mayor Pro Tem Oliver stated he thinks the mission is definitely a good purpose. He personally has a friend that has benefitted from a similar service and getting them out to surgery out in the east coast so he thinks it is definitely appreciated. He noted that obviously they are in December. This month is pretty much wiped out. They are going into January. He asked Mr. Conway, in his experience, if it is feasible to get something like this off the ground to be a success and not bite off too much that they can chew within really less than three months of time. He kind of wants to hear of Mr. Conway's experience in that regard.

Mr. Conway agreed that it is. He noted that the very first one they did, they didn't even get started until late January. They had the same time frame end of May for the show. He commented that an airshow is a tremendous amount of work. They don't want to discount that but, as far as the performers and the pilots, and those guys being hired, they are not going to show up until Thursday prior to the show. He advised that everything they need to do is making sure that all of their safety briefings with Fire, the Police, with everybody else, the City, getting all of their permits and following that checklist for the airshow that they have, that is the important factor. If they just plot along every day and make sure that they are crossing something off every day or getting a couple of things crossed off, it is not an overwhelming task. He added that the airshow, as far as the air boss, the air boss they had in 2009/2010 has already agreed, if they have the show, to come back and do that. That air boss has already worked with the Fresno Flight Safety District Office on two different airshows, has all of the paperwork from all of those events, and doesn't have to come in and reinvent the wheel as far as that goes. He commented that all of their safety items are briefing items. Everything that they have done in the past that they need to do, noting that nothing has really changed at the airport as far as ingress or egress out of the area right there, but they need to take a look again at what roads they need to close for the aerobatic box. When the performers are going, they have to close down certain roads so they need to meet with the proper groups of the encroachment permits. They typically rent the airport for Thursday, Friday, Saturday and Sunday so they have checklists they have to follow to make sure all of those checkmarks are done. His response is no. It is not overwhelming to get it done. They just have to stay on top of it.

Council Member Rigby stated his appreciation to Mr. Conway for what they are trying to do. He thinks, partnering with military families to help them in times when they need it the most is definitely admirable. He advised that he has a couple of questions. He commented that Mr. Conway had mentioned that though it would be the first one as a non-profit that this is not his first airshow. He asked if that airshow was in a city with demographics similar to Madera, Madera County.

Mr. Conway replied that they had two major ones here in Madera in 2009 and 2010.

Council Member Rigby apologized for the misunderstanding.

Mr. Conway added that for the first one in 2009 they had the Patriot Jet Demo (Demonstration) Team in and they had probably 50 aircraft on the ramp. He thinks they had about five hours of flying total that day and it worked out real well.

Council Member Rigby asked if their airshow serves just the Central Valley specifically.

Mr. Conway replied that it does not. In fact, one of the organizations they will be working a lot with is called Veterans Airlift Command. It is an organization that has a list of flights that are in need from different people from different services all over the country. He noted that what they will do is take a look at that list and they will take the furthest distance flights that nobody else is picking up. He commented that, in fact, when they do get the corporate jet, they will be keeping it at Madera Jet Center and flying it out of here. If they have to transition down to San Diego to pick up a family and fly them out to Virginia, they will do that. He noted there is no problem to reposition an aircraft to do it.

Council Member Rigby referred to Mr. Conway's comment that they want to start small, walk before we run, car show, bike show, airshow, possibly ag show. Council Member Rigby noted that sounds like a lot going on. He asked if the numbers do increase or decrease, will that change the amount of in-kind support they are seeking from the City.

Mr. Conway replied that he thinks that the items that they are looking from the City are going to remain a constant. When they do an event like this they will always need to have an ambulance on standby and personnel. They will always have to have a fire truck and the personnel. They will always have to have support from the Parks and City departments. He reply is no. He thinks that will remain stable as they go through this. He thinks if they can provide the City with an event of this magnitude that can support an economic spike anywhere near what the Yosemite Sierra Visitors Bureau thinks they can do, he thinks it would be a worthy partnership for everybody.

Council Member Rigby stated he has noticed the projections to benefit not only the City of Madera but also Madera County and Chowchilla City. He asked if these entities have been approached with the same presentation that Mr. Conway has.

Mr. Conway replied this is his first presentation here.

Council Member Rigby asked if there is a chance that Mr. Conway will get a chance to present this to them.

Mr. Conway replied that he hopes they can. He would love to. They plan on talking to a lot of different people. Today they came up early. They sat down with the Hampton Inn. They sat down with the Holiday Inn. They talked to them about the room availability. They talked to them about how they are going to impact those guys and they were all thrilled. They remembered the show before. They went over and talked to Cool Hand Lukes. He commented that Tom over there had sponsored their pilot's dinner at the previous airshow. He stated that when they walked in the door, Tom's eyes got big and he goes, I'll take care of your dinner if you do it. He thinks it resonates with people that they did a good job as far as making sure that they brought a lot of people to town.

Council Member Medellin stated that he too wants to echo the comments of his colleagues. He remembers the airshow years ago noting that it is a wonderful event. He added that as a matter of fact, the best place to be is playing golf when they had the practice days and they fly in because there is no better seat in the house so if you get a chance to go to Madera Municipal Golf Course and play golf that is great.

Council Member Medellin stated he is a little concerned about some of the numbers but more importantly, there are a couple of questions he has. He referred to other airshows in California and asked if there is kind of a circuit and the competition.

Mr. Conway replied that there is swing through the State that takes place. He noted that the interesting thing right now, for example, Salinas used to have a really big show every year. Hollister used to have a really big show every year. Porterville had a show. He stated that all of those shows are pretty much gone now. It is just a matter of whether the group that was doing the particular show got old and tired of doing it, got frustrated with it, weather changed a lot of dates for the shows. He is thinking all the way from Bakersfield on up through north of Modesto, they are going to be the only game in town. They are going to have the only airshow that is going to be operational through that entire corridor. He noted that the reason they called it the Central Valley Airshow is because they realized that nobody else in an area of 100 to 150 miles would have an event during the year. So, if somebody wants to see a great airshow and enjoy it in a safe environment, they are going to encourage them to come up and spend some time up here. When they do that, he hopes that they get to see information for the wine trails or go to ApCal or go up to Yosemite and see the areas up there, and that it encourages them to come back and spend more time even if it is not airshow weekend for some of the other great events.

Council Member Medellin stated, on the heels of Councilman Rigby's comments, he agrees that this is going to be an economic impact to not just the City but to the entire County but yet, the in-kind support is coming from the City; their City Police Department, ambulance, fire, Parks Department. He would like to pursue a possible sharing of that impact. He added that he would like to hear from City staff. He doesn't know if now is the time, directing his comment to Mayor Poythress, if they are prepared to come forward, but he would like to know what their Chief of Police and possibly their Parks Director, how they feel. He knows there are some folks here in the audience that also represent their airport to see how they feel. They are short staffed in pretty much every department in the City of Madera so now they are talking about not just those two days but he thinks prior to and overtime and shifting of schedules and things like that. That is one of his biggest concerns, if it is even feasible on the City's end, no matter what the cost. Before he has other questions, he thinks that is where he would like to go.

Mayor Poythress stated he has a couple of questions in regards to the organization. He is looking at their mission which is really, really good. He asked how much a corporate jet costs because that is their plan.

Mr. Conway asked if he means to fly it or buy it.

Mayor Poythress asked Mr. Conway if he is talking about buying it.

Mr. Conway replied that what they are looking at right now is they've got a couple of groups that are working with them at this time. He advised that an individual or a corporation would actually buy the aircraft and then lease it back to the non-profit organization to operate the aircraft therefore they can see the tax benefits from that, and then they can fly the aircraft and do their mission with it.

Mayor Poythress stated that was his question because he heard Mr. Conway talk about obtaining a corporate jet so he was sitting there thinking how much do you plan on making on this airshow.

Mr. Conway added that as an old corporate pilot he sure wishes they could just buy one and go do whatever they want to do on it. They thought, when they first started this, there is a lot of heavy iron laying around fields out there and a lot of people wanting to get rid of airplanes so they thought they could find somebody to perhaps donate one to them and do that but that didn't pan out the way they had hoped to. So, they have been going out to groups, talking to them about their usage of corporate aircraft and as they've found out hey, there are groups out there that have the money that can use the tax benefits to buy an aircraft. They don't need the aircraft that much so they would schedule some time with them that they could fly the aircraft one or two hours a week if that is what they need to do, schedule it around their mission so they will work together to make sure the airplane is available for them (corporate) and to make sure it is available for their (non-profit) mission.

Mayor Poythress added that there are still going to be significant costs on their (non-profit) part in terms of leasing the plane, flying it, fuel, and so forth.

Mr. Conway agreed and noted that the typical corporate jet aircraft hard costs could be anywhere from \$1,300 an hour up to about \$1,800 an hour.

Mayor Poythress asked Mr. Conway if he has developed any kind of a budget for this airshow in terms of projected income and so forth.

Mr. Conway replied yes and advised that he could certainly provide that to them.

Mayor Poythress stated he would like to see that.

Mr. Conway stated he would provide tomorrow morning.

Mayor Poythress stated he did a little research last night on the web on different airshows around the nation and it seems like the successful ones have really good, high, big name, high powered sponsors like the one over in Salinas and different places. He noted that it is like a who's who of sponsorships and asked Mr. Conway if he has anybody like that, any companies or entities.

Mr. Conway replied that they are working on a sponsorship to get the Patriot Jet Demo Team back here. As far as the world jet demonstrations go, they are top notch in the civilian world. They rank right up there with the Blue Angels and the Thunderbirds. He added that they would try to go after Blue Angels or Thunderbirds but the problem is that they can't land those particular jets at Madera. They can land the Patriots there and do that. He noted that a single ship F-18 like they had in 2010 for that event, they were able to get a waiver to land but, the Blue Angel Team can't do it. They want to have the pilots from that particular team taxi by, take off, taxi back, get out, shake hands, be around, do all that good stuff. That makes more sense for them to do it. He noted that the Patriots are world class.

Mr. Conway commented that when they talk about the people that they've had in the past and the folks he has talked to about coming back, Bill Cornick, Spencer Suderman, these are phenomenal pilots that have been in the ballgame for a long, long time. They are world class talents. He advised that Bill Cornick just won what they call the Wilbur Wright Award for 50 years in aviation and he is just a phenomenally talented guy. He added that Mr. Cornick is a guy that goes out and teaches everybody how to do it. He has talked to Sean Tucker. They would love to get him out here with the Oracle aircraft. They will see how his schedule works. He will get to talk to him next week at ICAS. He added that they had Julie Clark out here. He noted that she is absolutely hall of fame world class. They will talk to her about coming back again. He will put his line up against most of the airshows out there. He stated that it is very hard for him as a promoter or an event organizer to go out and compete with the military teams. He advised that the military shows get all of the big performers. For example, Miramar gets a million people a weekend. So the big, big time hall of fame guys that are being sponsored by the Breitling and the Breitling Jet Demo Teams, the watch teams, they are going to those events and picking those events. Unfortunately, until they provide a great place for them and they say hey, look we know we are going to get x-amount of people there to show off our product and our services, they won't pick us until they can prove themselves time and time again.

Mayor Poythress mentioned that as far as a city council or any city for that manner, who could turn down an airshow. He thinks the paper mentions something that they were going to be talking about approving an airshow. He doesn't think the question is approving an airshow. He thinks the question is the cost that the City is kicking out there. That is the issue. Back in '09, it was roughly \$42,000 of in-kind services and it is going to be north of that now who knows, \$50,000, \$60,000. He noted that he and Council Member Bompreszi were on the Council back in '09, '10, and '11 and they heard the same spiel about we are going to put this money out and we are going to have this great show and it is going to come back here year after year after year. He thinks he is going to have to be convinced, after they get the information, that something

is going to be done differently if they were to put the money out so they would see this return rather than putting the money out and then it kind of falls flat. It is just to be frank.

Mr. Conway stated he thinks the big difference, hopefully when they talk about this amongst themselves, is the difference between companies coming in as a for-profit entity and going out to try to fight for dollars from companies that are pretty tight fisted in tough times. He added that when you come in here with a mission like Triton Flight for Heroes has, they are going to be going out there and not just year to year to year to year and hoping they can get the money. Right now, they are gearing up to go out and talk to people to have a title sponsor of \$250,000 for 5 or 10 years. He noted that is the way you make these particular shows happen and happen year round. He could put absolutely the best world class line up out there every year and it is not going to cost him more than \$300,000 to do it. He added that if he's got a title sponsor at \$250,000 that is willing to commit for 10 years that is the way it goes. What he needs to do, after six years of a layoff of doing this, is they need to go out there with this first show. They went from thinking they were going to do Friday, Saturday and Sunday, being open all those days, but no, they are going to step back and they are going to walk. They are going to get those sponsors in there. They are going to hire the pilots as they get these sponsors so they are not having to worry about being short at the end of the day. When you do that, that is when Triton Flight for Heroes is successful. They are going to raise some money. They are going to be able to step up and do more for their mission and they are going to come back and do it again next year; step up a little more so it is a big difference between a non-profit organization and how corporations and individuals are wanting to help you on a yearly basis. He added that he doesn't want to do this where he has to fight it every single year for every single dollar to bring every performer in.

Council Member Rigby referred to Mr. Conway mentioning the promotion. He is just trying to wrap his head around the numbers and he kind of agrees with Councilman Medellin that the numbers don't add up really for him. He added that his wife is a Superintendent at the Madera County District Fair. Their numbers were well under \$45,000 and they are open for four days in a row. Their costs of admission are around \$6 per head and he would say that they are predominantly getting people from the Hispanic community which makes up close to 80% of Madera. He is curious if a \$15 ticket would be attractive to a Hispanic family. He noted that Mr. Conway is popping off names like he should know who they are and he is sure they are the LeBron James and Kobe Bryants of aviation but to him, he is not impressed. He wants to go because he grew up with the Warbirds and he loved them. He asked Mr. Conway how does he promote something like this if you don't have some of the sponsors that, and he agrees with Mayor Poythress, that they don't see yet that are onboard with this.

Mr. Conway replied that the reason they call it the Central Valley Airshow and that is what they want to do, is that they are going to have an outreach beyond just Madera. They are going to start in Madera and they are going to grow out from Madera to Fresno, up to Chowchilla, beyond Merced and keep it going. When they talk about the fact that there is not any other competition for an airshow within a very, very long distance away from here, you are going to attract those aviation fans to come into town to see the event. He added that the aviation fans that are going to drive in here and spend time and money are going to know those names. Hopefully after the first show is done, he (Council Member Rigby) is going to know those names because those pilots are going to be out there signing autographs. They are going to be doing great things in the air. It is going to be a safe show and he is going to enjoy it. He added that the next time it shows up in the Madera Tribune and they see Bill Cornick or Spencer Suderman, you'll go oh yeah, I remember that guy, the Big Green Machine, he is the guy that did all that stuff. He stated that is fun but they have to reach out not only within the very local area, they have to reach out and get people to come in. He advised that Rhonda out at the Yosemite Sierra Tourism Board said, look, any press releases that you need, any of our marketing that you need, anything that you need. He added that they are already talking with Channel 30, Channel 47, Channel 24, and George Takata. He commented that one of the anchors out there said, look, whatever you need us to do on television for you, we will do it. Mr. Conway stated they have to get out there and just promote it and that is what they intend to do because not only are they promoting the airshow, they are promoting Triton Flight and that is really what is near and dear to his heart. He stated that he loves the airshow. As a pilot he loves it. He loves the Warbirds. He loves hearing them go by. He loves

everything about it but it has to make sense for everybody. He thinks these are the names now. For some they are not household names. They are rock solid.

Council Member Robinson agreed with Council Member Medellin about a partnership maybe with the County Supervisors to share some of the expenses and they get some more taxes. He was also thinking about insurance coverage. He is sure that is a big cost.

Mr. Conway replied that surprisingly it is not. In 2010, through Shannon and Luchs who does the airshow insurance, for the entire airshow, it was about \$3,200. He added that they looked at the forecast and on one day it was going to possibly rain on them so if you get rain insurance, that is where they really nail you. They ended up having to pay about \$2,200 for one day of rain insurance to make sure they didn't get stomped on with that.

Council Member Robinson stated he thinks airshows give their community more activities like added value for the Central Valley. He added, maybe, if they could add some monster trucks there for the youth.

Mr. Conway commented that one group they are talking to is a group called Metal Militia and they are the motorcycle guys that go out and they actually perform on the ramp and it is just absolutely crazy to watch what they do. They will take their RV (recreational vehicle), they will set up their ramps and they will do double flips and things like that on the ramp as a performance and it is like wow. He added the interesting points with the insurance, the pilots, the aircraft, the show, is insured. Everybody that is out there flying and operating an aircraft and doing things, they've got three different layers of insurance and protection on everything they are doing out there. He added that the FAA (Federal Aviation Administration) does not let, as soon as you hit the ground when you arrive at an airshow, they go through all of your paperwork. They make sure everything is up to date, they make sure your t's are crossed and your i's are dotted. If you don't have everything done, you don't fly. He stated it is a very safe environment.

Mayor Poythress stated that the recommendation from staff was to direct staff to work with Mr. Conway and his group to determine what true costs might be or at least an estimate of what costs might be for the City to provide the requested services. He thinks that is kind of what Council Member Medellin is looking at to know what that would mean as far as stresses on services and so forth.

Council Member Medellin agreed. He stated that Mayor Poythress had touched on it before, any kind of partnership, he would expect a business plan so he thinks they would ask for that before the exact costs from "my" departments and again the impact not only to the City budget but to manpower; possibly looking at sharing expenses. If Mr. Conway is going to make a pitch to the County, or even to the Yosemite Visitors Bureau is an idea, and then from this point forward he would like to add or change to the name. He thinks Central Valley Airshow is a great name in Madera. He asked Mr. Conway to make sure he puts "in Madera".

Mr. Conway referred to the first page that they had on their title which said Triton Flight for Heroes Central Valley Airshow Madera 2016. He advised that will be on every piece of paper they do, posters, websites, and flyers.

Council Member Medellin added same size letters.

Mr. Conway stated the biggest print is Madera. He added that they talk about what it takes to really make a good airshow, it starts here and it starts at the County. It starts with the support and the trust, and the partnership and agreement between everybody that they will all work together to provide a good safe event and everything is done properly. Once again, you can have all the great names in the world but, if the City Council doesn't believe that Triton can do something good for the City, all he can do is try. He thinks they can do a great job for the City. Like he said, they are working on long term relationships; not one of them.

Council Member Medellin stated this is a good start where they are right here. He thinks they understand what Triton is doing. From what he is hearing, and the Mayor had said it best, it is not about approving the



airshow. If that was the question, that is a done deal. It is just getting there and just making sure it is best for both of them.

Mayor Poythress asked Mr. Tooley if staff has direction. He thinks that they are looking pretty much at what the recommendation was in the staff report.

City Administrator David Tooley stated that there appears to be a head nodding consensus that Council would like staff to work with the proponents, bring back a specific action item for the Council. He added that importantly, the proponents don't have an airshow if they don't have the City. He thinks they would need to do this in a very expeditious fashion, make sure that they are in total sync, and then bring back something for final Council action. He asked if that is consistent with Council's expectations.

Council agreed.

Mr. Tooley asked if that will work for the proponents.

Mr. Conway replied yes.

Mr. Tooley stated that if that is the Council's desire, staff can do that.

Mr. Conway thanked the Council.

## **E. ADMINISTRATIVE REPORTS**

### **E-1 Weekly Water Conservation Reports**

Public Works Operations Director Dave Randall stated this evening he has more information for the Council on water. He advised that the information in the Council's packet showed that the last week's conservation results were 20%. Mr. Randall referred to the display which shows the latest information that they just completed from the previous week. They are up a little bit to 22%. Overall for November that puts them at 25% which is 3% below the State's target for the City of 28%. He added that the trend remains a little bit strange as they said before. They can see it is the same sort of up and down but it is sort of what they expected; nothing has really changed. They are hopeful, as they are going forward, they are though making some headway. As they discussed at their last meeting, there is some new signage that will be put up both here at City Hall and over on Cleveland by Baskin Robbins. He showed a mockup of the signage that should be ready. They were hoping today but evidently not. It is to be put up so people can see exactly what they are doing in that month in terms of their results.

Mr. Randall advised that the other good news is that two videos for water conservation have been completed. Unfortunately, he didn't have them quite in his hands to bring to the Council tonight. They were done quite well and they will be going out for distribution shortly. The other thing is that the conservation and watering day information is out in the newsletter and it will be followed up with a direct mailing. Overall, they are continuing to make that public education primary and they think they are going to continue to keep their numbers close to the goals if not make them. He added that the other information they may already know because they approved it already tonight is that they have finally secured a vendor for a water portal. He advised that it is going to take a little longer to implement than they originally told them but it will be here in time for when they really start having that irrigation season in place when people really need that information. He stated that it will provide people with both a website they can go to and an app for their smart phones. He restated that they approved that as part of the consent item and they should be finished in about 14 weeks. Mr. Randall offered to answer any questions they might have.

Council Member Medellin stated that he doesn't have any questions but it seems like the entire State of California kind of fell below that threshold.

Mr. Randall agreed.

Council Member Medellin stated so they are not really sticking out to Sacramento that they are the only ones.

Mr. Randall replied no. They are well in the middle of the herd if a little bit near the front. He commented that the Governor is still not sure what he is going to do with the extension that he is saying he is going to extend but he hasn't pulled the trigger. Mr. Randall added that staff is just waiting.

City Administrator David Tooley stated that oddly, changes in weather patterns are apparently a mystery in Sacramento.

## **E-2 Nominations and Election of Mayor Pro Tempore**

City Clerk Sonia Alvarez stated that every year, the first meeting in December, the Mayor Pro Tem position is rotated amongst the Council Members serving. In order to qualify to serve as Mayor Pro Tem, it is the individual who has not served as Mayor Pro Tem in the longest period of time. Ms. Alvarez advised there is one individual on the dais who has not served at all and that would be Council Member Charles Rigby so he is qualified. She requested that the Council make a motion to nominate him and appoint him as Mayor Pro Tem for the year.

Mayor Poythress opened the nominations.

**COUNCIL MEMBER HOLLEY MADE A MOTION TO NOMINATE COUNCIL MEMBER RIGBY TO BE APPOINTED AS MAYOR PRO TEM. THE MOTION WAS SECONDED BY COUNCIL MEMBER ROBINSON AND THE MOTION WAS ADOPTED UNANIMOUSLY BY A VOTE OF 7-0.**

Mayor Poythress congratulated Mayor Pro Tem Rigby.

Mayor Poythress asked outgoing Mayor Pro Tem Oliver if he has any comments.

Council Member Oliver congratulated Mayor Pro Tem Rigby. He knows he is going to do a great as Mayor Pro Tem and that he will dutifully serve when needed and fill the Mayor's shoes.

Council Member Oliver thanked Mayor Poythress for the opportunity. He would not trade the experiences for anything even some of the more scary moments in that chair and not quite knowing what is going to happen or how the votes might take place. He stated that it was an incredible experience. He added that it was certainly an honor to fill the Mayor's shoes up here on the dais and also out in the community but most importantly, he just wanted to extend his sincere gratitude that he was able to serve as Mayor Pro Tem this past year. As most of them know, he lost his father earlier this year and he knows that his father drew a tremendous amount of pride to see him be able to fill in that position even if it was because who picked the larger pencil. He stated, as Oliver's we'll take it, we will take it however we can get it. He really is just deeply humbled and grateful that he was able to serve over this past year. Again, he thinks that Mayor Pro Tem Rigby is going to do a fantastic job. He thinks he is going to put his own stamp on the Mayor Pro Tem. He looks forward to seeing him fill those shoes.

Mayor Poythress commended Council Member Oliver and added that he set a great example.

Mayor Pro Tem Rigby thanked his colleagues for the nomination and the opportunity to serve. He looks forward to being officially Mayor Poythress' right hand man now. He looks forward to serving Madera in any way he can. He just wants to take the chance to thank his wife for all her support in allowing him to do that, taking nights away from home. He sees his son didn't make it through this night; that's ok and also to his number one fan his dad who probably comes to more of these meetings than he does. He appreciates their support and he looks forward to serving Madera as Mayor Pro Tem.

Mayor Poythress stated he knows Mayor Pro Tem Rigby will do a great job.

Council congratulated Mayor Pro Tem Rigby.

## **F. COUNCIL REPORTS**

Council Member Robinson reported that from November 18<sup>th</sup> through November 20<sup>th</sup> he attended the League Leadership Orientation in Sacramento to concentrate on what goals they were planning to concentrate on in 2016. He advised that he will bring the results at the next Council meeting.

Council Member Bompreszi reported that she had the opportunity to attend the first neighborhood watch meeting on Royal Drive, off of W. Park Drive, between W. Park and Jefferson. She stated that it was very well attended.

Council Member Bompreszi thanked Wendy Silva, Director of Human Resources, because, for those that didn't know, there was some CPR (cardiopulmonary resuscitation) first aid training available. If they read their employees email that comes through, there was a flyer in there. It was wonderful. She noted that the instructors were from Sacramento. The training was held at the John Wells Youth Center. It was very valuable information. Council Member Bompreszi thanked Ms. Silva for offering that.

Council Member Holley thanked Chief of Police Steve Frazier for giving his time to a little young man, Kevin Walters, during Red Ribbon Week. Kevin called him up one day and asked him if he can get ahold of the Chief and see if he can do an interview with him. Kevin is only like 12 years old and Chief Frazier sat down with him and did that from his school. He advised that there were about four questions that he asked him. He thought it was kind of funny. He doesn't know if the Chief knew how to answer them. He added that there was a nice little flyer that was put out at the school. Council Member Holley told Chief Frazier that he won't tell what the questions were. He will give him a break. He thanked Chief Frazier for doing that for Kevin. Council Member Holley stated that Kevin was really happy about it and told Council Member Holley to thank Chief Frazier. He added that what makes him feel good about that is that is what their force is about. That is what they serve. They serve kids one at a time and somewhere down the line, somebody will come back and remind you about it. Kids always let you know what you did for them. He thinks this little young man will have that in his heart for a long time.

Mayor Poythress reported that on the 20<sup>th</sup> of November he attended a Technical Advisory Committee meeting for the Road Charge. The State will start a Road Charge Pilot Program in 2017. It was their second to the last meeting and they reviewed some of the reports and so forth. Their last meeting will be on the 11<sup>th</sup> this month in Riverside. They are looking for volunteers, people to sign up to be part of the Road Charge Pilot Program. He advised that they can go on the Road Charge California website. There is a real easy link to sign up for it. He noted that it should be pretty interesting. He stated that it is something that they have to look at alternative ways to raise money for their roads in their State. They've got a lot of high mileage cars that are not paying much at the pump in terms of sales tax and they are still using the road. They are looking at ways to capture some of those funds. Some of their friends that were proactive and bought higher mileage cars are going to get to contribute in other ways for the roads.

## **G. CLOSED SESSION**

### **G-1 Closed Session Announcement – City Attorney**

Acting City Attorney David Hale announced that the Council will be going into closed session to discuss conference with legal counsel in existing litigation, pursuant to Government Code Section 54956.9(d)(1) in one case, as described under item G-2.

The Council adjourned to closed session at 7:08 p.m.

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

One case: Corrina Gallardo v. City of Madera, MCV 069724

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

The Council returned from closed session at 7:17 p.m. with all members present.

Acting City Attorney David Hale announced that the Council met in closed session to discuss conference with legal counsel in existing litigation, pursuant to Government Code Section 54956.9(d)(1) in one case, as described under item G-2, and reported that no reportable action was taken.

Robert Jeffers asked Mayor Poythress if he can make a comment on behalf of the County regarding the airshow.

Mayor Poythress allowed comment.

Robert Jeffers stated he is the Chief of Staff for Supervisor Rick Farinelli at the County. He wanted to thank the Council for taking this item up and discussing it. They have had the opportunity to talk to Joe Conway and Steve Herd and the other members of Triton Flight about this. They are pretty excited about it. In particular, they think this is going to be real good for not only the City but for the entire County as the numbers showed. He added that while it may be too soon at this point to talk about in-kind collaboration, things of that nature, they are willing to work with the City and the airshow organizers to the degree that they best can help with this. He offered to answer any questions.

No questions were asked and Mayor Poythress thanked Mr. Jeffers.

**ADJOURNMENT**

The meeting was adjourned by Mayor Poythress at 7:18 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.

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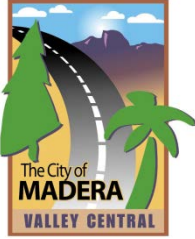
SONIA ALVAREZ, City Clerk

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ROBERT L. POYTHRESS, Mayor

## Return to Agenda

Item:	B-1
Minutes for:	06/08/16
Adopted:	10/05/16



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

June 8, 2016  
6:00 p.m.

Council Chambers  
City Hall

#### **CALL TO ORDER**

The special meeting of the Madera City Council, the regular meeting of the Housing Authority of the City Madera, a special meeting of the Madera City Council a regular meeting of the City Council as the Successor Agency to the Former Madera Redevelopment Agency and the special meeting of City Council as the Successor Housing Agency for 06/08/16 were called to order by Mayor/Commissioner Poythress at 6:00 p.m.

Claudia Mendoza, Recording Secretary called roll for all three agencies.

#### **ROLL CALL:**

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

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Unit Fire Chief Nancy Koerperich, Chief of Police Steve Frazier, Battalion Chief Matt Watson and Battalion Chief Jim Forga

**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.

Mayor/Commissioner Poythress opened the public comment for all the meetings that were called to order. No comments were offered and Mayor/Commissioner Poythress closed public comment.

Mayor/Commissioner Poythress moved onto the Successor Agency to the Former Madera Redevelopment Agency agenda at 6:02 p.m., opened the Successor Agency agenda and adjourned that meeting at 6:40 p.m.

Mayor Poythress moved onto the Special Meeting of the City Council agenda at 6:44 p.m.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

There are no items for this section.

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

There are no items for this section.

**D. WRITTEN COMMUNICATIONS**

There are no items for this section.

**E. ADMINISTRATIVE REPORTS**

**E-1 Report and Discussion of a Potential Public Safety Tax Ballot Measure; Request for Direction (Report by David Tooley)**

David Tooley, City Administrator stated that late last summer the City received a request from the Madera Board of Supervisors as there was interest at the Board of Supervisors in exploring the idea of a public safety tax where a specific portion of the sales tax would be dedicated towards public safety. Mr. Tooley stated that the City was surprised as that's the last thing that they expected from the Board of Supervisors, but they had to give them credit. Mr. Tooley stated that the Board of Supervisors recognized that there was a significant need and they wanted to explore the idea of a public safety tax with the City.

Mr. Tooley stated that during a specific discussion in August when staff went to the City Council, they categorized it as a beginning of a discussion, but anything that the City did would have to be consistent with community expectations. There would be a great need for connection with the community in getting feedback, because ultimately, the Council couldn't declare a new tax. It is going to be subject to a public vote.

Mr. Tooley stated that staff began discussions with the County and while both agencies have a need for additional dollars for public safety, it became apparent that the County's needs were different than the City's. Several Council Members were involved in that discussion with several members of the Board. Mr. Tooley stated that the County's story is different than the City's. From his understanding, the County's need for a tax increase is probably significantly larger than the City's, so both agencies determined that they should both coordinate their actions, but at the same time they needed to pursue their actions differently because the needs were different enough that the stories/presentations to the public were going to be different.

Mr. Tooley stated that he understands that the County has completed an analysis/an evaluation of voter attitudes and consistent with Council's direction, City staff engaged individuals to do that same kind of effort for the City. Mr. Tooley stated that the Council had previously heard from their public safety professionals, they heard about the lack of proactive police time available and they heard about the need for an additional fire station. The City's needs are significant, but again, they need to be consistent with what community expectations are.

Mr. Tooley stated that Council would be hearing a report from the external consultants who have performed that evaluation for them. They will talk about voter attitudes, process and ultimately they will try to get some feedback from Council on whether they want staff to proceed with the next steps to engage the public and ask the public if this is a tax that they want to actually vote on.

Mr. Tooley introduced Charles Heath, TBWB Consultant who will make the lead presentation followed by his colleague, Tim McLarney.

Charles Heath a partner with TBWB Strategies stated that they are a firm that assists public agencies of different varieties such as cities, counties, school districts, transit agencies and others in evaluating the feasibility of ballot measures that would generate revenue for public services and facilities. Mr. Heath stated that he had the pleasure of working with one of the Council Members two years ago on the successful school bond measure for Madera Unified School District.

Mr. Heath stated that they have been engaged to look at the potential of this public safety funding source and to think about how they might package a measure to optimize their chances for success and to think about what the appropriate timing and structure of a proposal might be. Mr. Heath stated that he would start by providing a process overview from planning and preparing a revenue proposal for the ballot and getting from the front end of the process where you have a concept, a funding source and knowing they need additional revenue all the way through the proposal going to the ballot and voters weighing in on the issue.

Mr. Heath stated that the Council could see an overview of that process on their monitors. He stated that they are at the front end of that process right now which is the first step; the feasibility study. Mr. Heath stated that this is where they start to answer some of the big picture questions about if they think this is viable and if so, what does that measure look like in terms of a tax rate, programs and services that it would fund, the optimal timing and those types of issues.

Mr. Heath stated that coming out of that step, if they find it's a green light and they think the measure could be successful, then they move into a process of conducting community outreach in order to try to build consensus around the proposal that's now moving its way towards the ballot. Mr. Heath stated that typically involves some informational communication to raise awareness on what the City's needs are, but also some conversations to make sure they are getting feedback from the community so they can refine the proposal to take that feedback into account.

Mr. Heath stated that parallel to that, they are also working to take what they learn from the community and what they've learned through their feasibility analysis to build a strong measure for the ballot. Mr. Heath stated that usually culminates with the issue going back to the Council for formal action to place the measure on the ballot. Mr. Heath stated that at that point, they go through an important transition because once the measure is on the ballot, no public funds can be used to advocate for the passage of the measure. That is when an independent advocacy group/campaign committee needs to come together to communicate the reasons why voters may want to support this proposal. Mr. Heath stated that is where they get into the steps identified in terms of the advocacy campaign, voter outreach and persuasion, and vote strategies.

Mr. Heath stated that they are here today to talk about the feasibility study. The backbone of that feasibility study is the poll that they recently conducted of the voters in Madera in order to test a potential public safety funding measure and look at the specific components and priorities that the voters might be willing to support. Mr. Heath stated that in this process, they've been thinking about the basic viability, the appropriate timing, the structure and tax rate that they think voters might support, and the projects and programs that the voters may be willing to pay for. Mr. Heath stated that they also look at the larger political landscape as they head into a busy election year this fall and about competing issues and potential controversies that are out there that they might want to think about.

Mr. Heath introduced Dr. Tim McLarney who is the President of True North Research. Their firms collaborate on lots of revenue measure feasibility studies of this nature. Mr. Heath stated that Mr. McLarney is the survey research expert that conducted the poll. Mr. McLarney is going to summarize for the Council the findings of the survey that he recently conducted. Mr. Heath stated

he would come back and talk about some of the conclusions and next steps based on the findings from that survey.

Tim McLarney, President of True North Research stated that their specialty is a little bit different than TBWB; Mr. Heath's firm. Mr. McLarney stated that they are a little more niche and their focus is on working with public agencies around the state, primarily cities, in doing surveys like this to develop a statistically reliable understanding of the communities and the customers and ultimately the voters that they serve. Mr. McLarney stated that he would give the Council a little bit of background. Mr. McLarney stated that he and his business partner are a two person team that have designed and conducted nearly 1,000 research studies for public agencies and about one-third of that work is what they call revenue measure feasibility studies, which is what they are going to be talking about tonight, where the survey is designed to tell them if it's feasible to move forward with some type of revenue measure and if it is feasible, how would you go about structuring that measure in a way that it's consistent with a type of measure that the City's community is interested in supporting.

Mr. McLarney stated that they have had a lot of success to date; they've helped raise about \$24 billion in voter approved measures throughout the state. Mr. McLarney stated that if the Council went back to the beginning of the recession when everything became a lot more difficult in the world of trying to pass tax measures, for the obvious reasons, they [their firm] have been able to maintain a 93% success rate for measures that they recommend go to ballot. Mr. McLarney stated that he mentions that because as he goes through the presentation or perhaps in response to questions from Council, he may make reference to how the results were seen here compared to what they typically see on measures that have gone to the ballot. Mr. McLarney stated that he just wants the Council to have a sense for the experience from which he will be speaking. Mr. McLarney stated that as he's going through the [presentation] slide on the survey, he welcomes questions from Council as he goes or at the end, whichever may be the Council's preference.

Mr. McLarney stated that, quickly on the purpose, they are really trying to address three overarching topics with the survey. The first is to answer that question of is a measure feasible. Mr. McLarney stated that when he says, "Is it feasible?" what he means is if this Council were to choose to place a measure on an up-coming ballot, does that have a reasonable chance of success. Mr. McLarney stated that sometimes when they do this research, the answer to that isn't "yes". He stated that sometimes when they look at the data, they really can't see a path to get someone to where they are today to where they need to be to be election ready and if that's the case, he'll be the first person to tell them that. Mr. McLarney stated that the last thing the Council, the administration or the community wants would be to invest the effort in a process that doesn't have a reasonable chance of success in the first place.

In the case that there is feasibility, that next question is "How do we structure this measure in a way that is consistent with what our community wants to support?" Mr. McLarney stated there are a lot of components to a revenue measure. There's the price tag, what they can fund with this, what it looks like, and what sort of accountabilities might be built into the measure to give a voter comfort when they are saying yes, that their tax dollars are going to be well spent. Mr. McLarney stated all of these elements of a package for a revenue measure, the survey will help guide that.

Mr. McLarney stated that finally, it is an opportunity for them [the firm] to gather some information that's helpful for developing communication strategies.

Mr. McLarney stated that he is a big believer that if an agency is going to take the step of putting a measure on the ballot and asking their voters to make a decision, it's really incumbent upon that agency to help inform voters about the decision they are asking them to make. Mr. McLarney stated that the survey helps them [the firm] in that respect as well.



Mr. McLarney stated a quick note on the methodology; how they went about doing this study. Mr. McLarney stated that this was a survey conducted in late April or early May. They were contracted to go after and complete 400 interviews and the City has less than 11,000 registered likely November voters in their community and he had thought it could be a struggle to get 400 interviews using proper random sampling techniques. Mr. McLarney stated they wound up with 544. They over-delivered about 144 interviews at no extra charge and that was largely because they had a really strong response from the community in terms of their willingness to participate in the study which was great.

Mr. McLarney stated that these individuals were chosen through what is called a stratified and clustered random sample. He would get into the details of that if the Council liked, but suffice it to say, the way they structure their samples, the goal was that at the end of the process, when they have their sample of 544, it in fact, reflects the City's likely November voter profile in the community on all the demographics that they know are related to voting behaviors such as age, gender, partisanship, and household party type.

Mr. McLarney stated that party type is actually very important as knowing that somebody's a Democrat, for example, tells him something about that person. Knowing that they live with another Democrat, tells him a lot more, because the household dynamic actually shapes how the individuals within a household tend to behave and if you share and reside with somebody who shares your politics, when they talk politics they reinforce each other, so if they are two Democrats they tend to be extra Liberal. If they are two Republicans who live together, they tend to be extra conservative. If they are in a mixed household, they fight about politics and that has the tendency to mitigate their behavior. So, household party type is something that they pay a lot of attention to in their samples, because it's one of the strongest predictors of how people vote on tax measures. Mr. McLarney stated that they ensure that at the end of this process, their sample is in fact reflective of that likely November universe on all of those dimensions that he just mentioned.

Mr. McLarney stated that recognizing it was a small community and knowing they wanted to maximize the sample here, they used three recruiting methods. They recruited by mail, email and by telephone.

Mr. McLarney stated that the individuals were given an opportunity to participate on-line through a password protected website. They had to have their own unique pin number to enter, so that they [the firm] knew who was at the end of that link so they could protect the site.

Mr. McLarney stated that individuals also had the opportunity to participate by telephone and they gave people the opportunity to participate in the study in English or Spanish whichever was their preference.

Mr. McLarney stated that because this was a random sample of 544 and not a census of all of the City's almost 11,000 likely November voters, it has a known margin of error due to sampling and in this case that is 4.1%. Mr. McLarney stated that means that they can be 95% confident that the results they are going to talk about tonight are within 4% of what they would have found had they spoken with every single one of the City's likely November voters.

Mr. McLarney moved on to the results. McLarney stated that the first [presentation] slide shows the initial ballot test. The idea is that very early in the survey, before they start getting into the details of what the measure could fund, what the needs are, and the arguments pro and con, they want to present to them a mock-up of what they [the firm] think that the 75 word ballot statement that would appear on the ballot could look like and get their reaction. Mr. McLarney stated that it is a really good gauge of where the community is at on the natural with respect to the proposal that the Council sees here.

Mr. McLarney stated that the language that the Council sees [on the presentation slide] is actually language that is appropriate for what is called a general tax. A general tax allows the City to spend those funds on any general City services, so it's Council's discretion to decide how those monies are spent. The advantage of a general tax as opposed to a special tax – if it's earmarked specifically for a narrow purpose, is that a general tax can be passed with a simple majority whereas a special tax requires a two-thirds super majority for passage.

Mr. McLarney stated that the language seen here [presentation slide] is also compliant with the latest rules on how this language needs to appear on the ballot. One of the things that is new is that they have to specify the duration and they have to specify how much money is going to be raised by this annually. Mr. McLarney stated that if they had done this a year ago, they didn't necessarily have to say that a one cent (1¢) sales tax was going to generate \$3,500,000. The new legislation says you have to do that. Mr. McLarney stated they are using the latest language.

Mr. McLarney stated that the results of that initial ballot test indicate that 69% of the City's likely November voters said they would support this measure; 24% said they would oppose it and there was about 8% who were unsure. Mr. McLarney stated that for a general tax measure for a local municipality, they need 50%+1, so at this initial ballot test, they are about 19 points above the simple majority required for passage. Needless to say, that is a great place to start.

Mr. McLarney stated that another thing he would point out which the Council does not see here, is that when they break down these results they start looking at it by various sub-groups of the voters: by household, partisanship, age, gender, when they register, how long they've lived in the City, do they have kids, and by just about every other thing that the Council can imagine. There are about 40 different sub-groups that they look at. Mr. McLarney stated that there is only one out of all those 40 that supports this at less than 50%. Every single other one supports it at greater than a majority and there are only three that support it at less than 60%. Mr. McLarney stated that the City has very widespread support for this measure.

Mr. McLarney stated that they are not seeing a lot of variation in support for the measure by things like household party type; that is really unusual. Mr. McLarney stated that typically they see 30 and 40 points swings sometimes between dual Republican household and dual Democratic household in terms of their willingness to support tax measures. Mr. McLarney stated that in the City's community it was maybe 10% if he remembers correctly. So, there is a very widespread consensus that this is something that the community is interested in.

Mr. McLarney stated that they transitioned from that to their Projects and Services question. Mr. McLarney stated that the idea is two-fold. They are now going to start to educate the respondent more about what the measure can accomplish. Mr. McLarney stated they only had the 75 word statement up front; they can only say so many things in 75 words. Mr. McLarney stated that there they get to unpack this proposal into all the types of services and projects that could be funded and in that way they are starting to educate the respondent more about the proposal. The other thing it allows them to do is to understand of all the things you can spend the money on, which of these sort of rise to the top of the list from voters' priorities perspectives and are there things on this list that he would call an anchor; something that if the City had planned to use the funds for this, it may weigh down support. Mr. McLarney stated that there are no anchors on the list and in fact the lowest rated item had about three quarters of the voters say that they would favor spending some of the money on that and in fact just about everything on the list is wildly popular among the City's voters. The number one item being providing quick responses to 911 emergencies. Mr. McLarney stated that if the Council looked at the top [of the presentation slide] it is sort of a collection of public safety and public works together; those are the two categories that really capture the very top of this spectrum.

Mr. McLarney stated that if the Council were to choose to place this measure on the November ballot, there would be an election cycle and during that election cycle there would be a lot of

discussion and debate in the community about the measure. The City would have individuals who would recognize the need for it and would be strong advocates of the measure and stand up and argue to the community as to why this is needed and why they should vote yes. Mr. McLarney stated that the City might also have some opponents; people who think this is a bad idea and they are going to try to convince their neighbors and friends that they shouldn't be voting yes.

Mr. McLarney stated that for this to be a reliable gauge of the feasibility of the measure, they [the firm] need to simulate that kind of discussion and debate in the space of the interview so they know not only where the voter space is on the natural, which was that initial ballot test, and what's likely to happen to voter support to the measure once they encounter the type of discussion that they are going to be hearing in the ensuing months. Mr. McLarney stated that they do that by first testing positive arguments and the nature of the question is that supporters say blank and you insert a positive argument: Do you think this is a very convincing, somewhat convincing, or not at all convincing reason to support the measure. Mr. McLarney stated that the Council can see [by presentation slide] that a lot of those positive arguments resonate with the voters and many of them have better than 3 out of 4 voters saying that it's at least a somewhat convincing reason to support the measure.

Mr. McLarney stated that the top [of the presentation slide] is interesting because it's a little bit of a history lesson. The argument is that the City has grown to over 63,000 residents but the public safety services have not kept pace. The City has just four police officers on duty at a time and just two fire stations to serve the entire City. This measure will provide the funding needed to increase the City's police protection emergency response services to the level needed to keep the community safe. Mr. McLarney stated that was the number one positive argument.

Mr. McLarney stated that in this part of the interview, voters have heard more now about the City's proposal than they did initially. They have been exposed to a series of positive arguments and they also learn more about the services that can be funded by the measure and so they circle back to them and say, "Now that you've heard a bit more, where do you stand?" Mr. McLarney stated that despite starting at 69% which is quite a high number, it actually goes up to 72% at this point, so the City has almost 3 out of 4 voters saying they would support the measure; just 19% said no and again about 8.5% - 9% said they weren't sure.

Mr. McLarney stated that from here they also test negatives. The idea is that they will put on their opponent hat and they are going to think what an opponent of this measure might say or convey to the respondent. Mr. McLarney directed that the Council notice that they [the firm] test a somewhat shorter list of negatives than they do positives and there is a good reason for that. That tends to be an accurate reflection of what happens during a tax measure election cycle. The advocates of a measure tend to be larger in number, better organized, better funded and have a louder voice than folks who will oppose a measure so they [the firm] simulate that by testing fewer negatives.

Mr. McLarney stated that the negatives they test are designed to be hard hitting negative arguments. The kind of negative arguments that he would expect an opponent who would be worth their salt would come up with. For example, the number one was, "The County's planning to raise the sales tax too. We can't afford two sales tax increases." Mr. McLarney stated it is a little bit of a disingenuous argument because his understanding is that the County's sales tax is not going to include the City of Madera, but if he is an opponent, he could play on that and he could talk about double sales tax. Mr. McLarney stated that number two, they make the argument that City government can't be trusted with the tax dollars; they are going to mismanage the money. Mr. McLarney stated that he is not saying that is the City, but that is the kind of thing they tend to hear from opponents of tax measures. The reason he is bringing that up is because they are testing some hard hitting negatives because they want to know if should the City get that kind of opposition in their community, what happens to support for their measure. Mr. McLarney stated that this cools them back down to 69%, so they end right where they started; again, 19 points above the simple majority required for passage.

Mr. McLarney asked, "What does this all mean?" He stated that he had a couple of [presentation] slides on this and he would then hand [the presentation] back to Mr. Charles Heath. Mr. McLarney stated that he would circle back first to that over-arching question that he mentioned at the outset that they're trying to answer which is, "Is it feasible?" If this Council were to choose to place a sales tax measure on the November ballot, does it have a reasonable chance of success? Mr. McLarney stated that the answer to that question, in the City of Madera's case, is clearly yes. He stated that a lot of the things that they [the firm] want to see in place for a measure to be feasible are in place.

Mr. McLarney stated that they found through the space of the survey that they have a positive opinion of the City's performance in providing City services and that sentiment translated into strong natural support for the Council's measure. Mr. McLarney stated that right out of the gates with just that 75 word statement, the Council had 69% of the voters say they would support the measure and that is well above that 50% threshold that the City needs to be successful.

Mr. McLarney stated that the services and projects that the City can fund with the general tax and their anticipated funding were all popular. The positive arguments resonated and importantly at each point in the survey, where they [the firm] went back to the respondent and asked them that now that they'd heard more about the measure, where did they stand, all of those ballot tests checked in above the 50% threshold required for passage; in fact well above.

Mr. McLarney stated that the conclusion is not just that the City has a reasonable chance, the City is very well positioned to be successful in November should the Council choose to keep going. Mr. McLarney stated that having said that, he wanted to remind the Council that it is important to keep in mind that a poll like this is snapshot in time. It is not a crystal ball looking forward and saying that the City is going to get 69% on Election Day. What happens on Election Day isn't determined by what the City's poll says today. It is determined by everything that happens from here forward. Mr. McLarney stated that he said that because as promising as the poll results are, and they are very promising, it's always an uphill climb to Election Day. The City wants to be making smart decisions on how they structure the measure and the City needs to put the work in to have the conversation and keep that conversation going with their community about the measure so that the community understands the need, understands the plan and they understand ultimately the benefits to their community.

Mr. McLarney stated that the other thing he would mention is that as a general tax, again, one of the nice properties of the general tax is that it provides a lot of flexibility to the Council and they have the discretion to spend the money as they see fit. With that said, the public has made it pretty clear in this survey that they prioritize public safety and they prioritize public works and so as the Council discusses this measure moving forward, some of the bullets [shown in the presentation slide] regarding 911 emergency responses and reducing gang and drug-related crimes, those type of elements are the things that voters care about and those are the things that he thinks are underpinning the voters willingness to support the City's proposal at the level they have indicated.

Mr. McLarney stated that he would be glad to answer any question the Council may have about the survey or he could hand off to Mr. Heath so he could wrap up on his [presentation] slides and they can answer questions at the end.

No questions were asked at this time.

Mr. Charles Heath stated that these obviously were encouraging results and certainly suggest that there is an opportunity to move forward. Mr. Heath stated that he wanted to talk about what the process would be like should the Council choose to move forward, so as he mentioned at the outset, if the results of the feasibility study are a green light, the next step in the process is to begin the community outreach process. Mr. Heath stated that typically what they recommend is that the City think about two general audiences for conducting that outreach: The internal audiences such as public safety workers are obviously folks that will be asked questions about this, so the City

wants to make sure they are knowledgeable about what the City is proposing to do and can answer those questions as they come up in the community. Other City staff, Commissioners and the City Employee Associations are the types of groups the City would want to engage with first to be sure that a.) They are on board with the proposal and prepared to support it, but b.) Prepare to be ambassadors on the City's behalf in the community to talk about it and answer questions because inevitably they are going to be seen as experts and spokespeople for an effort like this.

Mr. Heath stated that from there he thinks the Council wants to think about a second broader audience of external stakeholders in the community. Those could be elected leaders, various other local agencies that cover the area, business leaders in the community as oftentimes when they talk about sales tax, businesses want to understand how this would impact them and sort of issues of competitiveness related to sales taxes in other areas so that is a level of outreach that needs to occur, faith community, agricultural community leaders and neighborhood leaders. Mr. Heath stated that they would want to work with the City to put together a list of those folks that they [the firm] would want to reach out to and make sure they understand what the City is proposing to do and also have an opportunity to provide feedback.

Mr. Heath stated that the last group that the City wants to think about is the voters at-large. Typically, it doesn't work well for voters to be surprised or caught off guard when they see a tax proposal on their ballot. Mr. Heath stated that they believe that proactive outreach to the voters oftentimes will use a combination of direct mail, e-mail and some of those tools to make sure that the City is able to tell their story about the current levels of public safety services that are available, some of the funding needs that the City has and why the City is thinking about a proposal to address those needs. Mr. Heath stated that is really priority number one here going forward to engage in this outreach process.

Mr. Heath stated that from there they [the firm] need to take what they've learned from Mr. McLarney's survey about the priorities in the City's community in order to build the actual documentation that would become the measure that goes before voters. Mr. Heath stated that takes a couple of forms: The resolution that the City adopts that would actually place the measure on this November's ballot. The ordinance that contains all the specific features of the measure which in essence is a legal document that the voters are adopting if they vote yes. The ballot question that the voters would actually vote on that would appear on their ballots this November.

Mr. Heath stated that it would be quite a long ballot, so there are many voters that will walk into the voting booth without having thought through the many, many issues they are going to be asked to vote on and so what they actually read on the ballot is going to be really important for determining how they vote and that process culminates with the Council vote to actually put this on the ballot.

Mr. Heath stated that they would then move into the advocacy campaign and as he mentioned earlier, this has to be privately funded. No City resources can be used to support advocacy on behalf of the ballot measure so they need to think about who might lead a group like that to take the process forward once the City needs to step back and how they raise the resources to make sure they can get the message out to voters about why this measure is worthy of their support. Mr. Heath stated that then there's a variety of different campaign strategies they would utilize to help build support and ensure success for this measure.

Mr. Heath stated that finally the last step in the process is to get out the vote process. The presidential general election this November is going to generate high voter turn-out so he doesn't think they have to worry about getting people to vote although local measures like this will appear at the bottom of a very long ballot. Mr. Heath stated that he thinks anybody with an interest in a local ballot measure this year needs to have a strategy to focus on making sure the voters go all the way down the ballot and don't forget the important local issues at the bottom of the ballot.

Mr. Heath stated that more specifically about the timeline, obviously they are here tonight talking about the findings from the feasibility study, where he thinks they need to go from here is to utilize the remainder of this month and next month to conduct that information outreach that he described and to begin the process of working with the City Attorney to draft the ballot measure so that can come back to the Council.

Mr. Heath stated that they are tentatively targeting the August 3<sup>rd</sup> Council meeting as the date that they would bring the proposed ballot measure back to the Council for formal action. The deadline to qualify a measure for the November 2016 ballot is August 12<sup>th</sup>, so August 3<sup>rd</sup> gives them time to conduct that outreach and time to develop the measure but still get in before that deadline.

Mr. Heath stated that September is when they would make that transition to the advocacy campaign so that group would need to get together and get organized because October 10<sup>th</sup> is when the County Registrar of Voters is going to mail ballots to those many permanent absentee voters and voting will begin, so an advocacy campaign would have needed to get a good start ahead of that October deadline.

Mr. Heath stated that later in October would be the deadline to register to vote and Election Day would be on November 8<sup>th</sup>.

Mr. Heath stated that is how they've mapped out the process from here. Mr. Heath stated that he and Mr. McLarney would both be happy to answer any questions the Council may have about the poll or the process.

Council Member Oliver asked if there was any analysis of how having a litany of tax and revenue generating measures on a November ballot might help or hurt the City's initiative.

Mr. Heath stated that they factored that into their thinking in conducting the feasibility study. One was if the levels of support they were seeing were much more marginal, for a 50% measure if the City was sitting at 53-54%, he would be concerned that the other competing tax proposals might be enough to drive the City under the threshold required for passage. Mr. Heath stated that the City has such a substantial margin above that threshold that they are comfortable and this is also one of the reasons they are placing their emphasis on a general tax as opposed to a special tax because the support is very strong. It is strong within the context of a simple majority measure. In the context of a two-thirds measure, he thinks the City is more vulnerable and those other competing issues could be a problem.

Mayor Pro Tem Rigby asked Mr. McLarney to hit quickly on the findings that the City had involving a sunset to the general tax versus not.

Mr. McLarney stated that one of the questions that they did address in the poll was if somebody was unsupportive of the measure at a certain point in the poll they were asked what if the measure that they just described was for a period of seven years would they vote yes or no on the measure. What they found was that it resulted in a modest boost in support for those; some of the no voters were willing to come on board because of that, however, he would be the first to say that there's certain things that surveys are really good at and that they can get really good accurate data on; sunset is not one of them.

Mr. McLarney stated that the reason was the following: When voters see that 75 word ballot statement, what they see is what it is funding and how much it is going to cost them. Those are the two things that are really the weighty matters that they consider when they are deciding to vote yes or no. Duration, at best, is a distant third and so much so, that they have done split sample tests where they've tested the same measure but with sunsets of 10, 20, 30 and 40 years; they get the same answer because the voters are looking right by it.

Mr. McLarney stated that if the election cycle were to happen in a vacuum and they don't have a sunset, for the most part, voters don't pay a lot of attention to that. The issue of the sunset really becomes does it get raised by an opposition. Does it become something that the opponents focus their attention on? Once a voter's attention is focused on the duration, 10 years sounds like an eternity. Mr. McLarney stated that his point to that is they did test it and it showed a modest increase but it's really not so much what the poll says as that the Council needs to think about what is likely to transpire during the election cycle.

Mayor Pro Tem Rigby thanked Mr. McLarney.

Council Member Holley asked for clarification regarding a general tax versus a special tax.

Mr. McLarney stated that they are recommending a general tax because as Mr. Heath mentioned, the poll numbers the City has are very strong. For a City measure to come in at 69% is great. The problem is that a special tax requires two-thirds so even at 69%, as strong as those numbers are, the City is within the margin of error of the two-thirds limit that the City would need to make sure they hit in order to be successful plus as Mr. Heath also discussed, it's going to be a crowded ballot, it's going to be noisy. If the City were to go for a special tax at two-thirds, the risks that the City doesn't actually hit the two-thirds due to events that happen between now and Election Day are quite high whereas with a simple majority measure, the City has much more room and buffer above the required threshold for success and the reality is that it doesn't impact how you can spend the money anyways. The City raises the same amount of money and the City spends it on the same type of services, then the question becomes do you want to set the bar at 50% or do you want to set the bar at two-thirds. They are recommending that the City go for the general tax which has a 50% threshold.

David Tooley, City Administrator stated that obviously the Council is not doing anything that is binding tonight. What staff is looking for is a sense of direction from the Council. Mr. Tooley asked if the Council would like staff to proceed down this path with the next incremental steps. Mr. Tooley stated that ultimately where the path leads the Council is that they will make a decision on whether or not the Council will present a ballot measure for the public's consideration. Mr. Tooley stated that he believes the target date on that, if they proceed down the path, is the first meeting in August, so again, that is kind of the Council's timeline. Mr. Tooley addressed the Mayor and stated that staff was looking for direction this evening.

Mayor Poythress asked the Council if they were good for moving forward. Council gave a consensus.

Mr. Tooley thanked the Council.

Mayor Poythress stated that it was a great presentation.

**F. COUNCIL REPORTS**

There were no items for this section.

**G. CLOSED SESSION**

There are no items for this section.

The meeting was transitioned and the gavel was handed to Chairman Derek Robinson to proceed with the other meetings on this joint agenda.

**ADJOURNMENT**

The Special Meeting of the City Council was adjourned by Mayor Poythress at 7:19 p.m.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

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

\_\_\_\_\_  
SONIA ALVAREZ, City Clerk

\_\_\_\_\_  
ROBERT L. POYTHRESS, Mayor

\_\_\_\_\_  
Prepared by:  
ZELDA LEÓN, Deputy City Clerk



City of Madera

Council Meeting Of October 5th, 2016  
Agenda Item No. B-2

Memorandum To: The Honorable Mayor,  
City Council and City Administrator

From: Office of the Director of Finance

Subject: Listing of Warrants Issued

Date: 10/05/2016

Attached, for your information, is the register of the warrants for the City of Madera covering obligations paid during the period of:

Septemeber 13th, 2016 to September 26th, 2016

Each demand has been audited and I hereby certify to their accuracy and that there were sufficient funds for their payment.

General Warrant:	10449-10624	\$	1,486,898.63
Wire Transfer	Union Bank Payroll and Taxes	\$	627,619.84
Wire Transfer	SDI	\$	1,793.64
Wire Transfer	Cal Pers	\$	0.00

Respectfully submitted,



Tim Przybyla  
Financial Services Director

**CITY OF MADERA**  
**REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT**  
**September 26th, 2016**

CHECK	PAY DATE	ISSUED TO	DESCRIPTION	AMOUNT
10449	09/19/2016	ADMINISTRATIVE SOLUTIONS INC.	MONTHLY ADMINISTRATIVE FEE AUGUST 2016	4,111.00
10450	09/19/2016	AMERICAN MOBILE SHREDDING	SHREDDING SVS	280.00
10451	09/19/2016	ANDY'S SPORTS AND DESIGN	FRIZBEES & GLOW STICKS PURCHASE	2,869.65
10452	09/19/2016	AT&T	PD PRIVATE LINE SVS 07/19- 08/18	302.71
10453	09/19/2016	BASILA CONSTRUCTION	NEW OFFICES	540.00
10454	09/19/2016	CEMEX CONSTRUCTION MATERIALS PACIFIC LLC	REFUND CREDIT ON ACCOUNT	300.00
10455	09/19/2016	SHAMROCK FOODS COMPANY	REFUND CREDIT ON ACCOUNT	240.00
10456	09/19/2016	INFINITY ENERGY	REFUND CREDIT ON ACCOUNT	275.12
10457	09/19/2016	RAINBOW ROOFING	REFUND CREDIT ON ACCOUNT	183.80
10458	09/19/2016	BSN SPORTS	SOFTBALLS FOR SOFTBALL LEAGUE	294.20
10459	09/19/2016	C B MERCHANT SERVICES	VIDEGAIN 60325- EMERGENCY RESP REIMB	30.78
10460	09/19/2016	CALIFORNIA CITY MANAGEMENT FOUNDATION	FY 16/17 CCMF MEMBERSHIP DUE	400.00
10461	09/19/2016	CALIFORNIA DEPARTMENT OF JUSTICE	AUGUST 2016 FINGERPRINTING	128.00
10462	09/19/2016	CALIFORNIA PARK & RECREATION SOCIETY,INC	CPRS ANNUAL RENEWAL FEES	480.00
10463	09/19/2016	CITY OF MADERA	09/16 UTILITIES ACCT #003040431-8	318.93
10464	09/19/2016	CONCENTRA MEDICAL CENTERS	PRE-EMPLOYMENT PHYSICAL	190.00
10465	09/19/2016	DE LAGE LANDEN FINANCIAL SERVICES INC.	LOCAL TAXES PC LEASE	1,165.19
10466	09/19/2016	DIAMOND COMMUNICATIONS	FIRE ALARM MONITORING PAN AM	26.00
10467	09/19/2016	FRESNO COUNTY ECONOMIC OPPTY. COMMISSION	AUGUST 2016 ADC MEALS	634.03
10468	09/19/2016	FRESNO COUNTY TREASURER	WATER SAMPLES	1,885.00
10469	09/19/2016	GOLDEN STATE OVERNIGHT	OVERNIGHT SHIPPING	9.50
10470	09/19/2016	GUARDIAN WESTERN SWEEPING INC.	MONTHLY POWER SWEEPING	521.00
10471	09/19/2016	HALE, DAVID P	LEGAL FEES	528.00
10472	09/19/2016	LIEBERT CASSIDY WHITMORE	LEGAL FEES	2,548.60
10473	09/19/2016	LINCOLN AQUATICS INC.	SHLORINE FOR POOL	942.95
10474	09/19/2016	MADERA CLEANERS AND LAUNDRY INC.	YOUTH CENTER MAT SERVICE	32.30
10475	09/19/2016	MADERA TRIBUNE	ASSOCIATE PLANNER AD	181.80
10476	09/19/2016	MADERA TROPHY	SHIRTS FOR FAIR	254.88
10477	09/19/2016	MOTOROLA SOLUTIONS INC.	PO 8373 from MAIS	27,601.02
10478	09/19/2016	LAW OFFICES OF GREGORY L. MYERS	LEGAL FEES	1,139.50
10479	09/19/2016	O'DELL ENGINEERING, INC.	Remainder of PO 7997 from MAIS	3,734.50
10480	09/19/2016	GREGORSKI, EUGENE	TURF REPLACEMENT REBATE	217.50
10481	09/19/2016	TORRES, LORNA	TURF REPLACEMENT REBATE	750.00
10482	09/19/2016	P G AND E	08/16 SVS 9787342989-4	143.62
10483	09/19/2016	PACIFIC GAS & ELECTRIC	08/16 SVS 3533032414-2	164,047.82
10484	09/19/2016	ARREOLA, EFRAIN	PARK DEPOSIT REFUND	150.00
10485	09/19/2016	AUSBURN, RAINBOW	PARK DEPOSIT REFUND	100.00
10486	09/19/2016	CHAVEZ, MAGGIE	PARK DEPOSIT REFUND	100.00
10487	09/19/2016	INIGUEZ, LESLIE	PARK DEPOSIT REFUND	100.00
10488	09/19/2016	MATA, OLGA	PARK DEPOSIT REFUND	50.00
10489	09/19/2016	MELGOZA, YVONNE	PARK DEPOSIT REFUND	100.00
10490	09/19/2016	MITCHELL, DWIGHT	PARK DEPOSIT REFUND	50.00
10491	09/19/2016	PALACIOZ, RUSSEL	PARK DEPOSIT REFUND	50.00
10492	09/19/2016	RODRIGUEZ, YOLANDA	PARK DEPOSIT REFUND	50.00
10493	09/19/2016	SALAS, MINERVA	PARK DEPOSIT REFUND	100.00
10494	09/19/2016	SECONDARY MISSIONARY BAPTIST CHURCH	PARK DEPOSIT REFUND	50.00
10495	09/19/2016	VALENZUELA, MARGARITA	PARK DEPOSIT REFUND	100.00
10496	09/19/2016	PECK'S PRINTERY	POLICE OFFICER BADGE STICKERS	1,053.00
10497	09/19/2016	PITNEY BOWES, INC.	YOUTH CENTER POSTAGE RENTAL FEE	167.79
10498	09/19/2016	PRICE PAIGE AND COMPANY	AUDIT SERVICES RENDERED JUNE 30, 2016	4,595.00
10499	09/19/2016	PRINTASAURUS	LIL HOOPSTERS T-SHIRTS	242.42
10500	09/19/2016	PROGRAM WORKS, INC	PT EMPLOYEE SCHEDULING SOFTWARE	522.00
10501	09/19/2016	RED WAVE COMMUNICATION INC.	PO 8461 forward from MAIS	15,542.82
10502	09/19/2016	SEBASTIAN	REPAIR COUNCIL CHAMBER SOUND SYSTEM	974.44
10503	09/19/2016	SOFTWAREONE INC	CoreCALBridgeOff365 UsrCAL	2,598.50
10504	09/19/2016	SUNEDISON, LLC	SOLAR ELECTRIC UTILITY AUGUST 2016	26,560.72
10505	09/19/2016	TESEI PETROLEUM INC.	FUEL CHARGES 08/21- 08/31/16	13,501.92
10506	09/19/2016	TRUXELL & VALENTINO	CENTENNIAL PARK PLAYGORUND PRO	54,419.71
10507	09/19/2016	UNITED MUNICIPAL SECURITY	CD CHARGES	2,865.33
10508	09/19/2016	US BANK CORPORATE PAYMENT SYSTEMS	08/16 CAL-CARD CHARGES	134,088.15
10509	09/19/2016	WILLDAN FINANCIAL SERVICES	CFD ADMIN FEES FOR SEPTEMBER 2016	792.16
10510	09/19/2016	STERLING HOME SHOWCASE	14-CalHome-9834	11,237.00

10511	09/20/2016 AT&T	07/16 CALNET 3 SVS 9391026392	392.67
10512	09/20/2016 AT&T	08/16 CALNET 3 SVS 9391026407	609.39
10513	09/20/2016 AT&T	07/16 CALNET 3 SVS 9391031561	2,694.24
10514	09/20/2016 AT&T	08/16 CALNET 3 SVS 9391031580	3,426.47
10515	09/20/2016 AT&T	08/16 CALNET 3 SVS 9391031570	5,343.55
10516	09/20/2016 GROENIGER & COMPANY	WATER SAMPLE STATIONS	5,691.34
10517	09/20/2016 ALHOMEDI, MOSALH	UTILITY DEPOSIT REFUND	174.15
10518	09/20/2016 BATES, ANN	UTILITY DEPOSIT REFUND	70.20
10519	09/20/2016 BESS, SHARON	UTILITY DEPOSIT REFUND	32.97
10520	09/20/2016 BRESEE, LINDA	UTILITY DEPOSIT REFUND	148.88
10521	09/20/2016 BURNTHORNE, CHRISTOPHER	UTILITY DEPOSIT REFUND	134.74
10522	09/20/2016 CANO, MARILU	UTILITY DEPOSIT REFUND	74.27
10523	09/20/2016 CHORADJIEN, HAGOP	UTILITY DEPOSIT REFUND	196.10
10524	09/20/2016 DA SILVA FAMILY TRUST	UTILITY DEPOSIT REFUND	111.88
10525	09/20/2016 DARIANO, JOHN	UTILITY DEPOSIT REFUND	172.59
10526	09/20/2016 DE LEON, MAGALI PAOLA OR CITY OF MADERA	UTILITY DEPOSIT REFUND	140.10
10527	09/20/2016 DHANOA TEGINDER SINGH	UTILITY DEPOSIT REFUND	165.81
10528	09/20/2016 ESTRADA, ENRIQUE	UTILITY DEPOSIT REFUND	119.34
10529	09/20/2016 FELIX, MARIA E OR CITY OF MADERA	UTILITY DEPOSIT REFUND	131.25
10530	09/20/2016 GABINO RIOS, FRANCO	UTILITY DEPOSIT REFUND	111.37
10531	09/20/2016 GARCIA, ABRAM JR	UTILITY DEPOSIT REFUND	150.00
10532	09/20/2016 GOMES, JOSE ANTONIO GUERRA	UTILITY DEPOSIT REFUND	24.94
10533	09/20/2016 GONZALEZ, ANNETTE OR CITY OF MADERA	UTILITY DEPOSIT REFUND	150.33
10534	09/20/2016 HERNANDEZ, KAREN	UTILITY DEPOSIT REFUND	61.36
10535	09/20/2016 KENNEMUR, JAMES AND BETTY OR CITY OF MADERA	UTILITY DEPOSIT REFUND	150.30
10536	09/20/2016 KINKADE, GEORGE B	UTILITY DEPOSIT REFUND	321.33
10537	09/20/2016 KRAGIE, GEORGE AND SUSAN	UTILITY DEPOSIT REFUND	192.66
10538	09/20/2016 LAYNE, JAMES AND KELLY L	UTILITY DEPOSIT REFUND	11.85
10539	09/20/2016 LOPEZ, DEBBIE	UTILITY DEPOSIT REFUND	31.37
10540	09/20/2016 MANSELL-RAMIREZ, TERESA OR CITY OF MADERA	UTILITY DEPOSIT REFUND	224.12
10541	09/20/2016 MARCELO, DENISE OR CITY OF MADERA	UTILITY DEPOSIT REFUND	150.31
10542	09/20/2016 MATA, ANNA	UTILITY DEPOSIT REFUND	161.31
10543	09/20/2016 MCDANIEL, PAT	UTILITY DEPOSIT REFUND	157.06
10544	09/20/2016 MEZA, MARIA L	UTILITY DEPOSIT REFUND	176.27
10545	09/20/2016 MUNOZ, RICHARD AND HERNANDEZ, ALBERTO	UTILITY DEPOSIT REFUND	150.53
10546	09/20/2016 OBREGON, JENNIFER OR CITY OF MADERA	UTILITY DEPOSIT REFUND	39.73
10547	09/20/2016 ORTIZ, PAULINO	UTILITY DEPOSIT REFUND	77.43
10548	09/20/2016 PADILLA, FELIPE OR CITY OF MADERA	UTILITY DEPOSIT REFUND	150.43
10549	09/20/2016 PAOLINELLI, KIRK	UTILITY DEPOSIT REFUND	27.06
10550	09/20/2016 RAMIREZ, EVA	UTILITY DEPOSIT REFUND	118.64
10551	09/20/2016 RAMIREZ, JUAN OR CITY OF MADERA	UTILITY DEPOSIT REFUND	223.92
10552	09/20/2016 SHAHINIEN, WILLIAM A	UTILITY DEPOSIT REFUND	166.58
10553	09/20/2016 SNOWDEN, BRANDY D	UTILITY DEPOSIT REFUND	232.37
10554	09/20/2016 STEVENS, KRISTAL	UTILITY DEPOSIT REFUND	29.03
10555	09/20/2016 WELLING, ROBERT	UTILITY DEPOSIT REFUND	267.89
10556	09/22/2016 ALL VALLEY ADMINISTRATORS	ADMIN FEES FOR SEPTEMBER 2016	833.16
10557	09/22/2016 ALVAREZ, SONIA	OLD TIMERS DAY PARADE ENTRY FEE REIMBURSEMNT	75.00
10558	09/22/2016 AMERICAN BUSINESS MACHINES	COPIER LEASE AGREEMENT SEPTEMBER 2016	1,557.17
10559	09/22/2016 AMERICAN MOBILE SHREDDING	SHREDDING SVS	280.00
10560	09/22/2016 JEFFRIES, MICHAEL	CREDIT REFUND	10.00
10561	09/22/2016 MOORE, JANET L	CREDIT REFUND	205.00
10562	09/22/2016 AT&T	08/16 CALNET 3 SVS 9391031578	339.90
10563	09/22/2016 BOYLE ELECTRIC	REFUND	50.74
10564	09/22/2016 BRYAN, JAMES K	REFUND	500.00
10565	09/22/2016 C B MERCHANT SERVICES	CONTRACTED SVS FOR UTILITY COLLECTION FEES	67.55
10566	09/22/2016 CALIFORNIA CLIMATE CONTROL, INC.	HVAC MAINTENANCE	362.41
10567	09/22/2016 CALIFORNIA DEPARTMENT OF JUSTICE	FINGERPRINTING APPS	962.00
10568	09/22/2016 CALIFORNIA DISTRICT ATTORNEY'S ASSOC	ASSET FORFEITURE DISTRIBUTION	39.83
10569	09/22/2016 CANON FINANCIAL SERVICES	COPIER CHARGES	3,366.17
10570	09/22/2016 CBCINNOVIS, INC	ACCESS FEE	16.00
10571	09/22/2016 CITY OF MADERA	09/16 UTILITY SVS ACCT# 000005635	200.27
10572	09/22/2016 CITY OF MADERA	LOW FLOW TOILET REBATE APPLY TO 9909969	225.00
10573	09/22/2016 COLONIAL LIFE & ACCIDENT INSURANCE CO	E700482-3 FOR 09/23/2016 PAYROLL	1,148.24
10574	09/22/2016 COMCAST	09/16 SVS 8155500320340479	215.59
10575	09/22/2016 COOK'S COMMUNICATIONS	RADIOS	145.00
10576	09/22/2016 COUNTY OF MERCED	H&S COURSE TUITION FOR 3 OFFICERS	175.00

10577	09/22/2016 CROXEN, MARIANNE	PER DIEM ADVANCED DISPATCHER UPDATE	241.50
10578	09/22/2016 CS & FD MEDICAL WASTE DISPOSAL	BIO-HAZARD	139.00
10579	09/22/2016 CSJVRMA	2ND QTR LIABILITY WC & BTA	469,244.00
10580	09/22/2016 DE LAGE LANDEN FINANCIAL SERVICES INC.	ANNUAL PC LEASE PAYMENT	62,215.42
10581	09/22/2016 DIAMOND COMMUNICATIONS	ADDITIONAL PROTECTION FOR NEW OFFICE	957.00
10582	09/22/2016 FIRE SAFETY SOLUTIONS, LLC	FIRE PROTECTION ENG SVS 09/01- 09/15/16	6,900.00
10583	09/22/2016 FORENSIC NURSE SPECIALISTS, INC.	INVESTIGATION	1,800.00
10584	09/22/2016 GEIL ENTERPRISES, INC.	EXTRA CLEANING	25.00
10585	09/22/2016 GREEN, JASON	ADPP SEPTEMBER 2016	2,940.30
10586	09/22/2016 HERC RENTALS	EQUIPMENT RENTAL	1,583.28
10587	09/22/2016 JOHNSON REAL ESTATE APPRAISAL	IN/EXT INSPECTION 2959 WINTERWAY	400.00
10588	09/22/2016 KAISER FOUNDATION HEALTH PLAN	PHYSICALS	1,312.00
10589	09/22/2016 LEGACY K9 INC.	K-9 BI-MONTHLY MAINTENANCE TRAINING	3,466.64
10590	09/22/2016 M A C E A	SEPTEMBER 2016 MONTHLY DUES	25.00
10591	09/22/2016 M P O A	SEPTEMBER 2016 MONTHLY DUES	6,332.48
10592	09/22/2016 M.C.E.A.	SEPTEMBER 2016 MONTHLY DUES	375.00
10593	09/22/2016 MADERA COUNTY	ASSET FORFEITURE FUND 7101, ACCT 601000	956.48
10594	09/22/2016 MADERA COUNTY DISTRICT ATTORNEY	ASSET FORFEITURE ORG KEY 03510, ACCT 673903	809.46
10595	09/22/2016 MADERA HONDA SUZUKI	VEHICLE MAINTENANCE	259.70
10596	09/22/2016 MADERA POLICE DEPARTMENT	ASSET FORFEITURE DISTRIBUTION	1,992.69
10597	09/22/2016 MADERA UNIFORM & ACCESSORIES	MOTOR UNIFORM	913.52
10598	09/22/2016 MARTINEZ, GRISELDA	PER DIEM ADVANCED DISPATCHER UPDATE	241.50
10599	09/22/2016 MILLER, BARBARA	PER DIEM ADVANCED DISPATCHER UPDATE	224.00
10600	09/22/2016 N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-01 FOR 09/23/2016 PAYROLL	6,711.49
10601	09/22/2016 N.P.C.-ORCHARD TRUST COMPANY	PLAN #340227-02 FOR 09/23/2016 PAYROLL	3,139.46
10602	09/22/2016 O'DELL ENGINEERING, INC.	Remainder of PO 7997 from MAIS	1,600.50
10603	09/22/2016 OPERATING ENGINEERS, LOCAL #3	SEPTEMBER 2016 MONTHLY DUES	308.00
10604	09/22/2016 KAMPSCHMIDT, JOHN	TURF REPLACEMENT REBATE	697.50
10605	09/22/2016 KINCADE, SHEILA	TURF REPLACEMENT REBATE	337.50
10606	09/22/2016 QUAD-KNOPF ENGINEERING	LOVES EIR 07-17	6,152.35
10607	09/22/2016 REGENCE BLUECROSS BLUESHIELD OF UTAH	CITY PD RETIREE MED BILL CHUMLEY 10/16	175.00
10608	09/22/2016 REINARD W. BRANDLEY CONSULTING	Apron Phase II Engineering	25,053.60
10609	09/22/2016 RIGBY, CHARLES	PER DIEM LOCC ANNUAL CONFERENCE	413.12
10610	09/22/2016 ROBINSON, DEREK	PER DIEM LOCC ANNUAL CONFERENCE	413.12
10611	09/22/2016 RON'S TOWING & ROAD SERVICE	TOWING AND ROAD SERVICE	585.00
10612	09/22/2016 SEQUOIA EQUIPMENT CO. INC	New 570N EP 4wd Tractor Loader	72,914.41
10613	09/22/2016 SILVA, WENDY	MILEAGE REIMBURSEMENT 08/10 & 08/25/16	73.44
10614	09/22/2016 SITE ONE LANDSCAPE SUPPLY LLC	COMMERCIAL IRRIGATION CONTROLLER	568.54
10615	09/22/2016 TESEI PETROLEUM INC.	PROPANE	3.36
10616	09/22/2016 TESEI PETROLEUM, INC.	FUEL	875.03
10617	09/22/2016 THE ARC FRESNO	CITY CART ORDERS	1,454.19
10618	09/22/2016 THRIVE FITNESS	SEPTEMBER 2016 MONTHLY DUES	81.00
10619	09/22/2016 UNITED HEALTHCARE INSURANCE COMPANY	CITY PAID UNITED HEALTH CARE OCTOBER 2016	245,302.22
10620	09/22/2016 VERIZON WIRELESS	COUNCIL IPAD DATA PLAN AUG 11- SEP 10	304.08
10621	09/22/2016 VILLA GARDENING SERVICE INC	AUGUST GARDENING SVS	550.00
10622	09/22/2016 WEST COAST ARBORISTS, INC.	TREE MAINTENANCE	33,075.00
10623	09/22/2016 WILDLIFE CONTROL TECHNOLOGY, INC.	JULY RODENT CONTROL SERVICE	1,035.00
10624	09/22/2016 ZEE MEDICAL SERVICE CO.	SUPPLIES	91.23
		Bank # 1 - Union Bank General Account Total	1,486,898.63

# REPORT TO CITY COUNCIL

MEETING DATE: October 5, 2016

AGENDA ITEM NUMBER: B-3

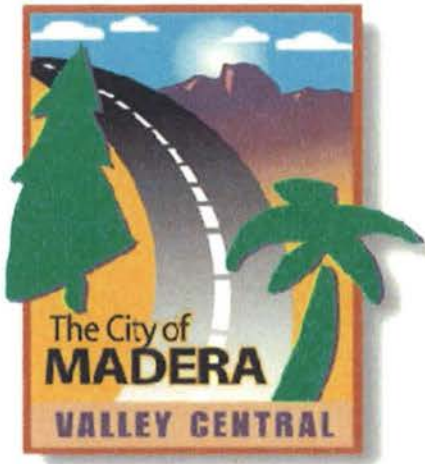
Approved By:



PUBLIC WORKS DIRECTOR



CITY ADMINISTRATOR



**SUBJECT:** Weekly Water Conservation Report for September 19<sup>th</sup> thru September 25<sup>th</sup>.

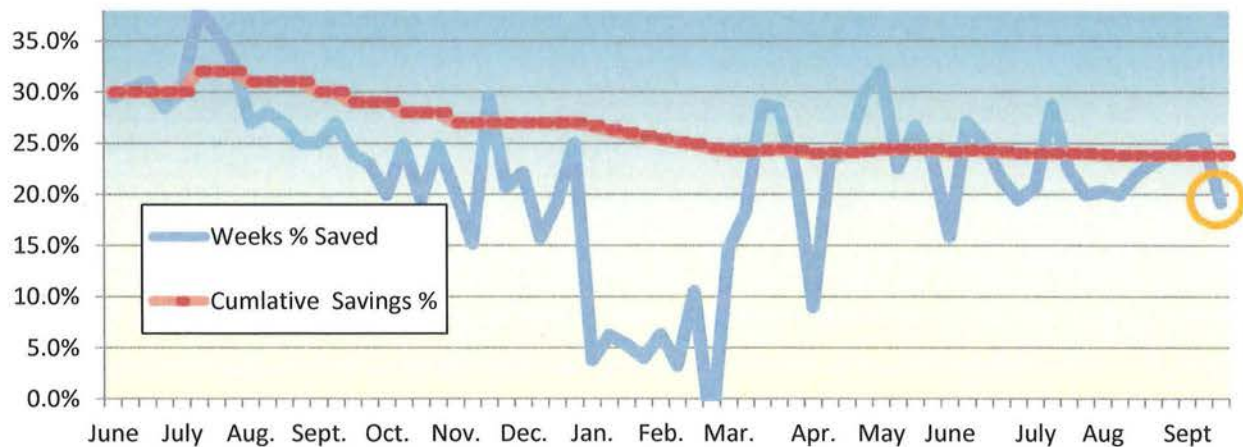
**RECOMMENDATION:** Staff recommends that the Council review the attached weekly report of water conservation activities and progress in reducing residential water consumption.

**SUMMARY/ DISCUSSION:** The City's water conservation rate fell from 25% to 19%, but as illustrated in the graph below is still comparable to where we were last August. Staff has been working with local retailers to get rebate information in the stores and on ideas for encouraging water conservation. A separate agenda item on the Council's agenda is proposing two additional water conservation rebates.

Below is the most current water conservation data.



Below is the weekly and cumulative water conservation including the latest data.



Enforcement			
<b>Public Contacts</b>	<b>112</b>	<b>1<sup>st</sup> offenses (\$75)</b>	<b>25</b>
<b>Verbal warning</b>	<b>1</b>	<b>2<sup>nd</sup> offenses (\$250)</b>	<b>1</b>
<b>Correction Notices</b>	<b>46</b>	<b>3<sup>rd</sup> or more offense (\$500)</b>	<b>1</b>

**FINANCIAL IMPACT:**

The expenses for implementing and administering these water conservation activities occur within the Water Fund and do not impact the General Fund.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

While the proposed actions are not specifically addressed as part of the Plan, they are not in conflict with it and are sympathetic of the underlying principles of the 2025 Plan.

# REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF October 5, 2016

AGENDA ITEM NUMBER B-4

APPROVED BY

  
DEPARTMENT DIRECTOR

  
CITY ADMINISTRATOR

**SUBJECT: CONSIDERATION OF A MINUTE ORDER OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING THE ACCEPTANCE OF A NATIONAL INSURANCE CRIME BUREAU VEHICLE DONATED TO THE MADERA POLICE DEPARTMENT AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCEPT THE DONATION.**

## RECOMMENDATION:

Council approves the minute order accepting the donation from the National Insurance Crime Bureau and authorizing the Chief of Police to execute all documents necessary to accept the donation.

## BACKGROUND:

National Insurance Crime Bureau has a vehicle that they would like to donate to Madera PD to enhance the PD's efforts in vehicle theft suppression.

In 2008 we requested and received approval from Council to participate in a vehicle lease agreement with The National Insurance Crime Bureau (NICB). The NICB has developed a program designed to assist law enforcement agencies by providing them with recovered stolen vehicles. The program leases recovered stolen vehicles to agencies for one dollar; the lease is for one to three years. The vehicles in question were stolen and the owner/lending institution have received compensation from their insurance agency. The insurance agency takes possession of the recovered vehicle and the vehicles are thoroughly inspected, repaired if needed and certified as sound. The vehicles are then turned over to the NICB who is the nation's leading not-for-profit organization dedicated exclusively to preventing, detecting and defeating insurance fraud and vehicle theft. The NICB then offers vehicles for use to law enforcement agencies

as long as the agency dedicates some time to the prevention, investigation and apprehension of vehicle theft crimes. The Department has benefited from this program since 2008. NICB vehicles are used by our Special Investigation Team at an approximate savings of \$75,000 to the City.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

Strategy 115 – Economic resources provision: ensure sufficient economic resources to provide adequate City services and prepare for future growth.





# VEHICLE DONATION AGREEMENT

The National Insurance Crime Bureau ("NICB") does hereby donate to Madera Police Department (the "Agency") the vehicle described as:

Year: 2007  
Make: FORD  
Model: F-150  
VIN: 1FTRX12W57NA51677

This vehicle will be used by the Agency for Drive/Surveillance.

This Agreement is subject to the following conditions:

1. The Agency accepts from the NICB, the above-described vehicle for use in pursuit of its lawful purposes. The Agency shall accept said vehicle "as is" and shall re-title the vehicle in the name of the Agency prior to any use.
2. In the event the vehicle is not re-titled in the name of the Agency within 90 days from the date last written below, the Agency shall immediately return said vehicle to the NICB.
3. In the event that any injury or property damage results from the above described activities while the vehicle is in the custody of the Agency, its agents or assigns, the Agency shall assume all liability.
4. The Agency does hereby release the NICB from any and all claims arising from its use of the vehicle.
5. The Agency agrees and warrants that it shall, if applicable, provide insurance coverage (self-insured agency) for the above-described vehicle in the normal course of its business.
6. The effective date of this Agreement shall be the date the vehicle is delivered into the custody of the Agency.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this 30th day of August, 2016.

THE AGENCY:

NATIONAL INSURANCE CRIME BUREAU:

By: \_\_\_\_\_  
Signature

By:   
Signature  
Director - Field Operations  
West Region

Its: \_\_\_\_\_  
Title

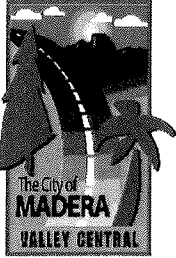
Its: \_\_\_\_\_  
Title

Date: \_\_\_\_\_

Date: 7/19/2016

VIN: 1FTRX12W57NA51677

NICB File #: C0806700008



## REPORT TO CITY COUNCIL

COUNCIL MEETING OF October 5, 2016

AGENDA ITEM NUMBER B-5

APPROVED BY:

  
\_\_\_\_\_  
GRANTS ADMINISTRATOR

  
\_\_\_\_\_  
CITY ADMINISTRATOR

### SUBJECT:

**Consideration of a Resolution Adopting the 2016-2019 City of Madera Title VI Program Update**

### RECOMMENDATION:

Staff recommends adoption of a resolution adopting the 2016-2019 City of Madera Title VI Program Update.

### DISCUSSION:

The Federal Transit Administration (FTA) provides grant funding to the City of Madera for its public transit system. The City is required to ensure that its transit services comply with Title VI regulations, and to submit an updated Title VI Program every three years.

Title VI is a federal statute and provides that “no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance”.

The City of Madera has therefore prepared its 2016-2019 Title VI Program Update in compliance with U.S. Department of Transportation Title VI regulations, 49 Code of Federal Regulations (CFR) part 21.

### FISCAL IMPACT:

The adoption of this resolution will not impact the General Fund.

**VISION MADERA 2025 ACTION PLAN CONSISTENCY:**

Adoption of the attached resolution is consistent with Strategy 121 of the City of Madera Vision 2025 Plan particularly with regard to providing safe transit services and amenities.

***Strategy 121 Multi-modal transportation:*** *Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.*

RESOLUTION NO. 16- \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
ADOPTING THE 2016-2019 CITY OF MADERA TITLE VI PROGRAM UPDATE**

**WHEREAS**, the City of Madera operates Madera Area Express and Madera Dial-A-Ride;  
and

**WHEREAS**, the City of Madera obtains financial assistance from the Federal Transit Administration (FTA) and must comply with applicable federal regulations including Title VI, Civil Rights Program, 49 CFR, and FTA Circular 4702.1B; and

**WHEREAS**, the purpose of the Title VI Program is to prohibit discrimination on the basis of race, color, or national origin in programs and activities; and

**WHEREAS**, the City of Madera must update its Title VI Program every three years;

**NOW, THEREFORE**, the Council of the City of Madera hereby finds, orders, and resolves as follows:

1. The above recitals are true and correct.
2. The Council hereby adopts the 2016-2019 City of Madera Title VI Program Update, a copy of which is on file in the office of the City Clerk and referred to for particulars.
3. This resolution is effective immediately upon adoption.

\*\*\*\*\*

**CITY OF MADERA**  
**MAX AND DIAL-A-RIDE TRANSIT**

**2016-2019**

**TITLE VI PROGRAM**

**Prepared for Federal Transit Administration**

**October 5, 2016**

**City of Madera  
205 W. Fourth Street  
Madera, CA 93637**

**CITY OF MADERA  
MAX AND DIAL-A-RIDE  
TITLE VI PROGRAM**

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# CITY OF MADERA MADERA AREA EXPRESS/MAX AND DIAL-A-RIDE TITLE VI PROGRAM

## INTRODUCTION

The purpose of this Title VI Program is to establish guidelines to effectively monitor and ensure that the City of Madera's transit services, Madera Area Express/MAX and Dial-A-Ride, are in compliance with FTA Title VI requirements.

Title VI states that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The FTA is required to ensure that federally-supported transit services and related benefits are provided consistent with Title VI. The Title VI Report requires an update every three years.

The City of Madera will ensure that its programs, policies, and activities comply with Department of Transportation's (DOT) Title VI Regulations (49 CFR Part 21) and with Limited English Proficient (LEP) Persons requirements (70 FR 74087, December 14, 2005). The City is committed to creating and maintaining a public transportation system that is free of all forms of discrimination. The City will take necessary preventive corrective and disciplinary actions to stem behavior that violates this policy or the rights and privileges it is designed to protect. FTA requires recipients to documents compliance with DOT Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years.

## TITLE VI REQUIREMENTS

1. **Requirement to Notify Beneficiaries of Protection under Title VI.** In order to comply with 49 CFR, Section 21.9(d), the City shall provide information to the public regarding the City's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

*The City of Madera informs members of the public of their Title VI protection rights by several means, including posting of a Title VI Notice to the Public and providing bilingual complaint procedures, as shown in Exhibits A and B. A list of locations where notices are posted is reflected in Exhibit A.*

*The City also provides a bilingual complaint form and posts a Title VI bilingual notice for public viewing at the Intermodal Center, as shown in Exhibit C.*

2. **Requirement to Develop Title VI Complaint Procedures and Complaint Form.** The City is required to develop procedures for investigating and tracking Title VI complaints filed against the City and to make these procedures for filing a complaint available to the general public.

City of Madera Title VI Complaint Procedures

- Submission of Complaint: *If a customer believes he/she has received discriminatory treatment by the City of Madera transit system on the basis of race, color or national origin, the customer will have the right to file a complaint with the Transit Title VI Compliance Coordinator. The complaint must be filed no later than sixty (60) calendar days of the alleged discriminatory incident. Title VI complaint procedures included in Exhibit B are in both English and Spanish.*
- Investigation of Complaints  
*Upon receipt of the complaint, the Compliance Coordinator will begin an investigation. The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. Based upon the information received, the Compliance Coordinator will prepare an investigation report for submittal to the Transit Program Manager and Grants Administrator. The complainant will receive a letter from the Grants Administrator stating the final decision within forty-five (45) calendar days of receipt of the complaint.*

*If more time is needed to review the complaint, the Compliance Coordinator will notify the complainant of the estimated time-frame for completing the review. Upon completion of the review, the Grants Administrator shall make a recommendation regarding the merit of the complaint, whether remedial actions are available to provide redress, and whether improvements to the City's Title VI process are needed.*

- Request for Reconsideration  
*The complainant shall be notified of his/her right to appeal the decision. If the complainant disagrees with the Grant Administrator's finding, the complainant may request reconsideration by submitting a written request to the Grants Administrator within ten (10) calendar days after receipt of the Grant Administrator's response. The complainant shall provide a detailed description of items not fully understood. The Grants Administrator will notify the complainant of his/her decision either to accept or reject the request for reconsideration within ten (10) calendar days. When the Grant Administrator agrees to reconsider the matter, the complaint shall be returned to the Compliance Coordinator for re-evaluation in accordance with the "Investigation of Complaint" procedures described above.*
- Appeal Process  
*If the request for reconsideration is denied, the complainant may appeal the Grant Administrator's response to the complaint by submitting a written request to the Compliance Coordinator. The appeal request will be forwarded to the Grants Administrator and City attorney for final determination.*
- Submission of Complaint to the Department of Transportation  
*If the complainant is dissatisfied with the City's resolution of the complaint, he or she may submit a complaint to the Department of Transportation for investigation. In accordance with Chapter 9, Complaints, of FTA Circular 4702.1B, such a complaint must be filed within 180 calendar days after the date of the alleged discrimination. Chapter 9 of FTA Circular*



4702.1B, which outlines the complaint process to the Department of Transportation, may be obtained by requesting a copy from the City's Compliance Coordinator at (559) 661-3692.

- 3. Requirement to Record and Report Transit-Related Title VI Investigations, Complaints, and Lawsuits.** The City is required to prepare and maintain a list of investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the entity submitting the report, not necessarily the larger agency or department of which the entity is a part.

*The City of Madera Title VI Transit Compliance Coordinator will maintain a list of Title VI investigations, complaints, and lawsuits utilizing the form shown in Exhibit D, including a comprehensive summary and description of actions taken by the City, as required by the Title VI regulations. The list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation; lawsuit, or complaint; and actions taken by the City in response, or final findings related to the investigation, lawsuit, or complaint. The list shall be included in the City's Title VI submittal to FTA every three years.*

- 4. Promoting Inclusive Public Participation and Language Assistance Plan.** The City is required to develop a public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission. The City also must have a language assistance plan for providing language assistance to persons with limited English proficiency (LEP).

*The City's Public Participation Plan is reflected in the "City of Madera Transit Services title VI Limited English Proficiency (LEP) Plan" under "Outreach Techniques." The City's public participation activities, public meetings, and participation in community activities are described in the LEP Plan.*

*City transit staff also participates in the development and updates to the Madera County Transportation Commission (MCTC) "Public Participation Plan" and coordinates and integrates its outreach efforts with the MCTC as needed.*

*The City's Language Assistance Plan is reflected in the City's LEP Plan and includes language assistance measures. The City's approach includes a number of options available to LEP persons, including both oral and written language services. Specific details are included in the City's LEP Plan in Exhibit E.*

5. **Requirement to Provide Meaningful Access to LEP Persons.** Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

*The City of Madera web site posts MAX and Dial-A-Ride schedules. The City's web site provides material in both English and Spanish. The City also provides easy access to bilingual (English and Spanish) administrative staff and drivers at the City's Downtown Intermodal Center during operating hours to answer questions during their regular shift schedules for those LEP passengers who use the City's bus system.*

*The City conducts Transit Advisory Board (TAB) meetings that are open to the general public. The TAB is composed of diverse public citizens of the community and takes public testimony prior to initiation of each meeting. The City also collaborates with the Madera County Transportation Commission (MCTC), the Metropolitan Planning Organization (MPO), in its Unmet Transit Needs process. The Unmet Transit Needs hearings are accessible to the general public, offer bilingual translation, and are consistent with MCTC's comprehensive Public Participation Plan and process that ensures meaningful access to LEP throughout the Madera County region.*

6. **Minority Representation on Planning and Advisory Bodies.** The City must describe efforts to encourage participation of minorities on committees, councils, or other bodies. City must provide a table of transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the City, and must indicate the racial breakdown of the membership of such committees or councils.

*Exhibit F reflects the City's membership of transit-related non-elected committees (by race).*

7. **Requirement to Provide Additional Information upon Request.** At the discretion of the FTA, information other than that required by the referenced circular, may be requested in writing from a recipient in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI requirements.

*The City of Madera Transit Program Manager and Title VI Transit Compliance Coordinator will be available to provide additional information, as needed, and to respond to any verbal or written complaint.*

8. **Requirement to Develop System-Wide Standards and Policies.** FTA requires all fixed-route transit providers to develop quantitative service standards and policies for their fixed-route service. Individual public transportation providers may set standards that best reflect their local environment.

*The City has developed service standards and policies for its fixed-route system, Madera Area Express, consistent with Title VI requirements. The standards are included in Exhibit G and include (a) vehicle load; (b) vehicle headways; (c) on-time performance; and (d) service availability.*

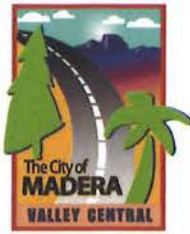
**EXHIBIT A**

**CITY OF MADERA**

**Notice to the Public**

**and**

**List of Locations**



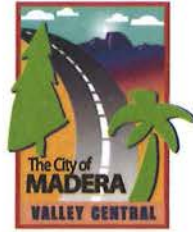
**CITY OF MADERA  
MAX and Dial-A-Ride  
Title VI Notice & Complaint Process**

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with the City within 60 calendar days from the date of the alleged discrimination.

**Complaints may be filed with the City in writing and may be addressed to:**

Ms. Ivette Iraheta  
Grants Administrator  
City of Madera  
205 West Fourth Street  
Madera, CA 93637

A copy of the Title VI Complaint Form (in English or Spanish) and additional information may be obtained from the City's web site at "[www.cityofmadera.org](http://www.cityofmadera.org)" (under "Departments – Administrative Services – Housing, CDBG & Transit") or by calling 559-661-3689. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English.



**CIUDAD DE MADERA  
MAX y Dial-A-Ride  
Título VI Noticia y Proceso de Quejas**

La Ciudad de Madera, se compromete a garantizar que ninguna persona sea excluida de participar o denegar los beneficios de servicios basado por raza, color, linaje u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964. Cualquier persona que cree que él o ella ha sido objeto de discriminación en virtud del Título VI basado por raza, color u origen nacional puede presentar una queja del Título VI con la Ciudad dentro de 60 días del calendario a partir de la fecha de la supuesta discriminación.

**Las quejas pueden ser presentadas en la Ciudad por escrito y pueden ser dirigidas a:**

La Sra. Ivette Iraheta  
Administradora de Becas  
Ciudad de Madera  
205 West Fourth Street  
Madera, CA 93637

Una copia del Título VI Formulario de Queja (en Inglés o Español) y la información adicional se puede obtener desde el sitio web de la Ciudad en "[www.cityofmadera.org](http://www.cityofmadera.org)" (en "Departamentos - Servicios administrativos - Vivienda, CDBG y Tránsito") o llamando al 559-661-3689. La Ciudad proveerá asistencia apropiada para los denunciantes que sean limitados en su capacidad de comunicarse en inglés.

**CITY OF MADERA  
TITLE VI  
LIST OF LOCATIONS**

The following is a list of locations where transit-related bilingual Title VI Public Notices are posted:

1. City of Madera Intermodal Transit Facility  
Transit Administrations Office  
123 North 'E' Street  
Madera, CA 93637
  
2. [www.cityofmadera.org](http://www.cityofmadera.org)

# **EXHIBIT B**

## **CITY OF MADERA MAX and Dial-A-Ride**

### **Title VI Complaint Process**

**CITY OF MADERA  
MAX and Dial-A-Ride  
Title VI Complaint Process**

The City of Madera is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color or national origin may file a Title VI complaint with the City within 60 days from the date of the alleged discrimination.

**Complaints may be filed with the City in writing and may be addressed to:**

*Ms. Ivette Iraheta  
Grants Administrator  
City of Madera  
205 West Fourth Street  
Madera, CA 93637*

The Title VI Complaint Form is available for download at the following web sites:

English:

<http://www.cityofmadera.ca.gov/wp-content/uploads/2016/05/Title-VI-Complaint-Form-English.pdf>

Spanish:

<http://www.cityofmadera.ca.gov/wp-content/uploads/2016/05/Title-VI-Complaint-Form-Spanish.pdf>

A copy of the Title VI Complaint Form may also be obtained by calling 559-661-3689. The City will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

**Title VI Transit Complaint Process**

Once a complaint is received, it will be assigned to an investigator. In instances where additional information is needed, the investigator will contact the complainant by phone or in writing. Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

Based upon receipt of all the information required, the City will investigate a Title VI complaint within 45 days of receipt but will notify complainant if additional time is required. Receipt of additional relevant information and/or simultaneous filing of a complaint with the City and an external entity may expand the timing of the complaint resolution.



## **City of Madera Title VI Policy Statement**

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. The City's objectives are to:

- Ensure that the level and quality of transportation service is provided without regard to race, color or national origin.
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations.
- Promote the full and fair participation of all affected populations in transportation decision making.
- Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

For additional information on the City's non-discrimination obligations, please contact:

*Ms. Ivette Iraheta  
Grants Administrator  
City of Madera  
205 West Fourth Street  
Madera, CA 93637  
Phone: 559-661-3689*

# **EXHIBIT C**

## **CITY OF MADERA MAX and Dial-A-Ride**

### **Title VI Complaint Form**

**CITY OF MADERA  
MADERA AREA EXPRESS AND DIAL-A-RIDE  
Title VI Complaint Form**

The City of Madera is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Compliance Coordinator at (559) 661-3689. The completed form must be returned to City of Madera, Title VI Compliance Coordinator, Grants Department, 205 West Fourth Street, Madera, CA 93637.

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternative Phone: \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Which of the following best describes the reason for the alleged discrimination? (Check one)

\_\_\_\_\_ Race

\_\_\_\_\_ Color

\_\_\_\_\_ National Origin (Limited English Proficiency)

Please describe the alleged discrimination incident. Explain what happened, whom you believe was responsible, and other specific relevant information. Please use the next page of this form if additional space is required.

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(Complete next page of form)

**CITY OF MADERA  
MADERA AREA EXPRESS AND DIAL-A-RIDE  
Title VI Complaint Form**

Have you filed a complaint with any other federal, state or local agencies (Check one)

\_\_\_\_\_ No

\_\_\_\_\_ Yes

If yes, list agency or agencies and contact information below:

Agency: \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Agency: \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Contact Name: \_\_\_\_\_

I affirm that I have read the above charge, and it is true to the best of my knowledge.

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Complainant

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

**CIUDAD DE MADERA  
MADERA AREA EXPRESS Y DIAL-A-RIDE  
Formulario de Quejas Titulo VI**

La Ciudad de Madera centra sus esfuerzos en garantizar que nadie sea excluido de la participación en sus servicios ni que nieguen los beneficios de estos, con base en raza, color u origen nacional, en conformidad con las disposiciones del Título VI de la Ley de Derechos Civiles de 1964 y enmiendas.

La siguiente información es necesaria para ayudarnos en el procesamiento de su queja. Si requiere ayuda para llenar este formulario, por favor de dirigirse al Título VI Coordinador de Cumplimiento, al teléfono (559) 661-3689. El formulario completo debe devolverse al Coordinador de Cumplimiento Titulo VI, Departamento de Becas (Grants Department), 205 West Fourth Street, Madera, CA 93637.

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Teléfono: \_\_\_\_\_ Segundo Teléfono: \_\_\_\_\_

Fecha del incidente: \_\_\_\_\_ Hora del incidente: \_\_\_\_\_

¿Cuál de los siguientes describe mejor la razón por la supuesta discriminación? (Marque Uno)

\_\_\_\_\_ Raza

\_\_\_\_\_ Color

\_\_\_\_\_ Origen nacional

Por favor, describa el supuesto incidente de discriminación. Explique lo sucedido; quien considera que fue responsable; y otra información específica pertinente. (Por favor, use el reverso de este formulario si requiere espacio adicional.)

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**CIUDAD DE MADERA  
MADERA AREA EXPRESS Y DIAL-A-RIDE  
Formulario de Quejas Titulo VI**

¿Ha presentado alguna queja ante otra agencia federal, estatal o local con respecto a este incidente? (Marque Uno)

\_\_\_\_\_ No

\_\_\_\_\_ Si

Si la respuesta es afirmativa, por favor, a continuación enumere la agencia o agencias y la información de contacto:

Agencia: \_\_\_\_\_

Dirección: \_\_\_\_\_

Teléfono: \_\_\_\_\_

Nombre de contacto: \_\_\_\_\_

Agencia: \_\_\_\_\_

Dirección: \_\_\_\_\_

Teléfono: \_\_\_\_\_

Nombre de contacto: \_\_\_\_\_

Confirmando que he leído el cargo que se indica arriba y que es verdadero hasta donde tengo conocimiento.

\_\_\_\_\_  
Firma del declarante

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Imprima o escriba el nombre del declarante

Fecha de recepción: \_\_\_\_\_

Recibido por: \_\_\_\_\_

# **EXHIBIT D**

## **CITY OF MADERA MAX and Dial-A-Ride**

### **List of Transit Related Title VI Investigations, Complaints and Lawsuits**

**CITY OF MADERA**

**LIST OF TRANSIT-RELATED TITLE VI  
INVESTIGATIONS, COMPLAINTS AND LAWSUITS**

The City of Madera has neither been involved in any civil rights compliance review activities nor has received any Title VI complaints in the past three years. Furthermore, the City of Madera has not been named in any lawsuit or compliance issue alleging discrimination on the basis of race, color, or national origin.



# **EXHIBIT E**

## **CITY OF MADERA MAX and Dial-A-Ride**

### **Title VI Limited English Proficiency (LEP) Plan**

**(Including  
Public Participation Plan and Language  
Assistance Plan)**

# **City of Madera Transit Services Limited English Proficiency (LEP) Plan**

## **Introduction**

This Limited English Proficiency (LEP) Plan has been prepared to address the City of Madera Grants and Transit Division's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, Federal Transit Administration Circular 4702.1A dated May 13, 2007, which state that no person shall be subjected to discrimination on the basis of race, color, or national origin.

Executive Order 13166, titled Improving Access to services for Persons with Limited English Proficiency, indicated that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies which receive federal funds.

## **Background**

The City of Madera Grants and Transit Division administers the Madera Area Express (MAX) and Dial-A-Ride transit services that are operated by a contract service provider. The current transit service provider is First Transit, Incorporated.

The Madera City Council is the policymaking body for the system. A Transit Advisory Board (TAB) composed of residents appointed by the City Council, acts as a study and steering committee.

The City of Madera transit services consist of a fixed route service, Madera Area Express (MAX), and a Dial-a-Ride service (DAR). The City of Madera Grants and Transit Division has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by MAX and Dial-A-Ride. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, and how to notify LEP persons that assistance is available.

In order to prepare this plan, City of Madera transit staff undertook the U.S. Department of Transportation (U.S. DOT) four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the City of Madera transit programs, activities, or services.
2. The frequency with which LEP persons come in contact with City of Madera transit services programs, activities, or services.
3. The nature and importance of programs, activities, or services provided by the City of Madera transit services to the LEP population.
4. Resources available to the City of Madera Grants and Transit Division and overall cost to provide LEP assistance.

A summary of the results of the City of Madera transit services' four-factor analysis is in the following section.

**Four-Factor Analysis**

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**1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter City of Madera transit programs, activities, or services.**

City of Madera transit services staff reviewed the 2010 U.S. Census and determined that, out of a population of City of Madera 61,416 residents, 48,924 (79.6%) of City of Madera residents speak a language other than English. In the City of Madera 16,398 residents (26.7%) have limited English proficiency; that is, they speak English "not well" or "not at all". In the City of Madera, of those persons with limited English proficiency, the majority speak Spanish. The City's most current demographic analysis shows that the number or proportion of LEP served or encountered in the eligible service area is as follows:

	Census Tracts				
Description	5.02	6.01	6.02	8.0	9.0
Total Population	7,510	8,384	4,579	6,763	7,197
Hispanic/Latino	5,055	6,723	3,785	5,033	6,406
Percentage	67%	80%	83%	7%	89%

**2. The frequency with which LEP come in contact with City of Madera transit services programs, activities, or services.**

All transit services are provided in one or more of the above-referenced census tracts. A high percentage of Hispanic/Latino individuals therefore come into contact with the program. On-board ridership surveys conducted by the City reflect that 50 percent of riders utilize MAX or Dial-A-Ride services three to five days per week; 22 percent one to two days per week; and 14 percent six to seven days per week.

**3. The nature and importance of programs, activities, or services provided by City of Madera transit services to the LEP population.**

The largest geographic concentration of LEP individuals in the City of Madera transit services area is Spanish-speaking. On-board ridership surveys conducted by the City indicate that 49 percent are captive transit riders, and 17 percent could have made their trip by another means as a passenger. The key trip purposes indicated for trips were 55 percent for shopping; 46 percent for medical/dental; 33 percent for school; 14 percent for work; and 14 percent for other purposes.

**4. The resources available to City of Madera Transit Division and overall cost to provide LEP assistance.**

City of Madera transit staff has access to a variety of resources that can help in outreaching and providing LEP assistance at low or no cost. Community-based resources include:

- City of Madera Transit Advisory Board
- City of Madera Citizens Participation Committee
- City of Madera Senior Centers
- City of Madera Intermodal Center
- Madera County Transportation Commission (MCTC) Social Services Transportation Advisory Committee (SSTAC)
- MCTC Board Unmet Transit Needs Process
- MCTC Public Participation Committee
- Madera County Social Services Department
- Community Action Partnership of Madera County
- Camarena Health Center
- Translation Services

The above community resources will be used on a regular basis to assist in identifying needs of the City's LEP population. They will also serve as a means to widely disseminate bilingual transit service information and announcements and to notify the LEP population of planned workshops and outreach efforts.

Based on the four-factor analysis, the City of Madera will develop its LEP Plan as outlined in the following section.

## **Identification of LEP Population**

The Transit Division has developed several possible ways to assist in identifying LEP populations within the City, including:

1. Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
2. Have a staff person greet participants as they arrive to City of Madera transit-sponsored events. By informally engaging participants in conversation it is possible to gauge each attendee's ability to speak and understand English.
3. At City of Madera transit meetings and events, develop identification cards that indicate primary language spoken, as appropriate. This will assist the City in identifying language assistance needs for future events and meetings.
4. Survey vehicle operators and other front-line staff, like dispatchers, dial-a-ride schedulers, and service development planners on their experience concerning any contacts with LEP persons.
5. Network with local human services organizations (such as Social Services and Public Health) to assist in identifying LEP groups and individuals most in need of LEP assistance and to further facilitate dissemination of information about Madera's transit services.

## **Language Assistance Measures**

There are plans for a number of language assistance options available to LEP persons, including both oral and written language services. There are also various ways in which City of Madera transit staff can respond to LEP persons, whether in person, by telephone, or in writing.

- Provide a bilingual Community Outreach Coordinator at community events, public hearings, and Transit Advisory Board (TAB) meetings.
- Placement of statements in notices and publications that interpreter services are available for these meetings.
- Survey bus drivers and other front-line staff, like dispatchers, Dial-A-Ride schedulers, and service development planners on their experience concerning any contacts with LEP persons during the previous year.
- Post the City of Madera Transit Services Title VI Policy and LEP plan on the City of Madera website, [www.cityofmadera.com](http://www.cityofmadera.com).
- When an interpreter is needed, for a language other than Spanish, in person or on the telephone, staff will attempt to access language assistance services from a professional translation service or qualified community volunteers.

## **Outreach Techniques**

When staff prepares a document or schedules a meeting, for which the target audience is expected to include LEP individuals, documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population. Interpreters will be available as needed. The City currently uses a variety of outreach approaches, as described below.

### Public Outreach Activities

The City of Madera web site posts MAX and Dial-A-Ride schedules. The City's web site provides material in both English and Spanish. The City also provides easy access to bilingual (English and Spanish) administrative staff and drivers at the City's Downtown Intermodal Center during operating hours to answer questions during their regular shift schedules for those LEP passengers who use the City's bus system.

The City reaches out to the community directly through meetings with agency and community staff and their clients, as needed. Information regarding the City's transit services is disseminated at these meetings, including schedules and appropriate fliers. Schedules also are made available at a variety of locations throughout the community and on the MAX and Dial-A-Ride systems.

### Public Meetings

The City conducts Transit Advisory Board (TAB) meetings that are open to the general public. The TAB is composed of diverse public citizens of the community and takes to public testimony prior to initiation of each meeting.

The City also collaborates with the Madera County Transportation Commission (MCTC), the Metropolitan Planning Organization (MPO), in its Unmet Transit Needs process. The Unmet Transit Needs hearings are accessible to the general public, offer bilingual translation, and are consistent with MCTC's comprehensive Public Participation Plan and process that ensures meaningful access to LEP throughout the Madera County region. The MCTC public hearing is accessible by MAX fixed-route services or on Dial-A-Ride.

City transit staff also participates in the development of the MCTC "Public Participation Plan." A series of meetings are conducted with participants from throughout the community. Recommendations to maximize community involvement are reflected in this plan and adopted by the MCTC Board.

### Participation in Community Activities

The City engages in community activities that promote its transit services. These activities include the annual Downtown Madera Christmas Parade and functions sponsored by the City's Americans with Disabilities Committee where a broad cross-section of the community can access available transit information, including schedules, brochures and fliers.

## **Assurances**

The City of Madera transit services will ensure that no person, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination. Further, the City will notify the public of protections against discrimination afforded them by Title VI Regulations and will take preventive corrective and disciplinary action necessary to stem behavior that violates the rights and privileges the regulations are designed to protect.

The City will post information on its web site and ensure that it reflects up to date information consistent with the requirements of 49 CFR Section 21.9(d).

## **Monitoring and Updating the LEP Plan**

Madera will update the LEP as required by U.S. DOT. At a minimum, the plan will be reviewed and updated when more data from the 2010 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the City of Madera transit services area. Updates will include the following:

- Documentation of LEP personal contacts.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether City of Madera transit financial resources are sufficient to fund language assistance resources needed.
- Determine whether City of Madera has fully complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning Madera transit services' failure to meet the needs of LEP individuals.

## **Availability of Title VI Plans and Procedures**

The City of Madera LEP Plan and the Title VI Procedures are included in the City of Madera's website at [www.cityofmadera.com](http://www.cityofmadera.com). Any person or agency with internet access will be able to access and download the plan from the City of Madera website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan at no cost. LEP individuals may request copies of the translated plan which the City of Madera will provide, if feasible. Questions or comments regarding the LEP Plan may be submitted to the City of Madera Grant/Transit Division, Title VI Administrator or Transit Planner:

City of Madera  
Grants & Transit Division  
205 W. Fourth Street  
Madera, CA 93637

Phone: (559) 661-3692  
Fax: (559) 674-2972  
Email: [iiraheta@cityofmadera.com](mailto:iiraheta@cityofmadera.com)



# **EXHIBIT F**

## **CITY OF MADERA**

### **Title VI Membership of Transit-Related Non-Elected Committees and Councils**

**CITY OF MADERA**  
**TITLE VI**  
**MEMBERSHIP OF**  
**TRANSIT-RELATED**  
**NON-ELECTED COMMITTEES AND COUNCILS**

<b>Body</b>	<b>Hispanic</b>	<b>Caucasian</b>	<b>African American</b>	<b>Asian American</b>	<b>Native American</b>	<b>Other</b>
Population	40%	40%	10%	0%	0%	0%
Transit Advisory Board (TAB)	50.0%	33.3%	16.6%	0%	0%	0%

*Updated 9-21-2016*

# **EXHIBIT G**

## **CITY OF MADERA**

### **System-Wide Service Standards MAX Fixed Route System**

## SYSTEM-WIDE SERVICE STANDARDS MAX FIXED-ROUTE SYSTEM

### Background

FTA requires all fixed-route transit providers of public transportation to develop quantitative standards for the following indicators. Individual public transportation providers may establish their own standards.

### Definitions

- Vehicle load for each mode: Generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. (For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. Transit providers can specify vehicle loads for peak versus off-peak times, and for different modes of transit.)
- Vehicle headways for each mode: The amount of time between two vehicles traveling in the same direction on a given line or combination of lines.
- On-time performance for each mode: A measure of runs completed as schedules.
- Service availability for each mode: A general measure of the distribution of routes within an agency's service area.

### Vehicle Load Standards

Vehicle load thresholds will be used to measure service effectiveness or to determine remediation. The average of all loads during peak operating period should not exceed 1.25 (25% standees) and 1.0 (0% standees) during off-peak periods on the fixed-route system.

Vehicle Load Standard	Vehicle Load Standard	Standees
Peak Period	1.25	25%
Off-Peak Period	1.0	0%

### **Vehicle Headway Standards**

Vehicle headway is the time interval between vehicles on a route that allows passengers to gauge how long they will have to wait for the next vehicle. Similar to vehicle load, vehicle headway varies by mode and time of day. Vehicle headway will be determined by ridership and available resources to operate service.

Scheduling involves the consideration of a number of factors, including ridership, productivity, transit/pedestrian-friendly streets, density of transit-dependent population and activities, relationship to the Regional Transportation Plan, relationship to major transportation developments, land use connectivity, and transportation demand management.

### **On-Time Performance Standards**

A vehicle is considered on time if it departs a scheduled timepoint no more than one minute early and no more than five minutes late. The City of Madera's on-time performance objective is 90% or greater. The City of Madera continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

### **Service Availability Standards**

The City of Madera's service availability standards will strive to ensure that 90% of residents in the service area are within one-half mile of bus service. Like vehicle headways, the ability to provide increased service levels will be determined by ridership and available resources to operate service.

# **EXHIBIT H**

## **CITY OF MADERA System-Wide Service Policies MAX Fixed Route System**

## **SYSTEM-WIDE SERVICE POLICIES MAX FIXED-ROUTE SYSTEM**

### **Background**

FTA requires that all providers of fixed-route public transportation develop qualitative policies for the following procedures:

- Vehicle Assignment
- Transit Amenities

### **Policies**

#### Vehicle Assignment Policy

A vehicle(s) will be assigned to each of the MAX fixed-routes such that the average age of the fleet serving each route does not exceed over three years beyond the FTA useful life standard of the assigned vehicle type.

All vehicles will be equipped with air conditioning.

The capacity of vehicles will be matched to the operating characteristics of the route.

#### Transit Amenities Policy

Installation of transit amenities along bus routes will be based on the number of passenger boardings at stops along those routes.

**EXHIBIT I**

**CITY OF MADERA**

**Endorsement of**

**Contracted Transit Provider**

**(First Transit)**



# First Transit

September 22, 2016

Lynette Little  
Civil Rights Officer-Region IX  
U.S. Department of Transportation  
Federal Transit Administration, TRO-9  
90 Seventh Street, Suite 15-300  
San Francisco, CA 94103-6701

Dear Ms. Little:

As General Manager for First Transit in Madera, I affirmatively endorse the City of Madera's Title VI Program.

We have the proper postings in the buses; I have reviewed this policy with my office staff; and I have provided them with complaint forms should someone choose to file a complaint.

I also created a form to log any complaints that we may receive in our office. Any complaint received in our office will immediately be forwarded to the designated city complaint coordinator. I have attached a copy of the log for your review.

If there are any questions about this matter, please do not hesitate to contact me.

Sincerely,



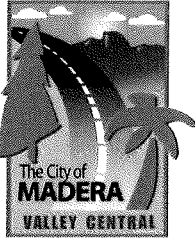
Doug Thomson  
General Manager

First Transit  
123 North E Street, Suite 102  
Madera, CA 93638  
[Douglas.thomson@firstgroup.com](mailto:Douglas.thomson@firstgroup.com)  
559-661-7435 (Phone)  
559-759-8759 (Cell)  
559-661-2146 (FAX)

First Transit  
123 N. E Street #102  
Madera, Ca. 93638

First Transit 55848 Madera  
 City of Madera Title VI  
 Complaint Log

Complaint received					
#	Date (mm/dd/yy)	Summary (basis of complaint: race, color, national origin)	Date Forwarded to City Staff	First Transit Investigator	Name of Complainant
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					



## REPORT TO CITY COUNCIL

**Council Meeting of:** October 5, 2016

**Agenda Item No.:** B-6 \_\_\_\_\_

**Approved by:**

  
\_\_\_\_\_  
Tim Przybyla, Director of Finance

  
\_\_\_\_\_  
David Tooley, City Administrator

**SUBJECT:**

Consideration of a Resolution Approving a Contract with Nichols Consulting for the Preparation and Filing of the State Mandated Cost Claims for the period from execution of Contract until June 30, 2017 and authorizing the Mayor to sign the Contract on behalf of the City.

**RECOMMENDATION:**

Staff recommends that the City Council of the City of Madera adopt the resolution approving a contract with Nichols Consulting for preparation and filing of state mandated cost claims and authorizing the Mayor to sign the Contract on behalf of the City.

**DISCUSSION/BACKGROUND:**

Section 6 of Article XIII B of the State Constitution requires that whenever the Legislature or any state agency mandates a new program or higher level of service on local government, the state must provide a subvention of funds to reimburse the associated costs, with certain exceptions. To implement section 6 of Article XIII B, the Legislature enacted Government Code Section 17500, under Chapter 1459, Statutes of 1984. Under Government Code section 17500, the State Controller's Office releases Claiming Instructions for SB90/State Mandated Cost Claims. Local Government Agencies have 120 days to file timely claims, and for up to a year after the deadline, a claim will be accepted as a "late" claim with a 10% penalty.

Nichols Consulting has prepared the State Mandated Cost Claims for the City of Madera for the past several years with excellent results. Nichols proposed fee for the current agreement is a fixed fee of \$3,600 to prepare the claims. The Finance Department has reviewed this cost as well as considering what it would cost to have this work done by others and find the cost as proposed by Nichols Consulting to be both fair and reasonable. Staff would, therefore recommend approval of the resolution allowing the contract with Nichols Consulting for Fiscal Years 2015/2016 and 2016/2017.

The scope of services to be performed under this agreement are:

- Driving Under Influence (DUI) - Administrative License Suspension
- Domestic Violence Calls – Reimbursable programs include: Domestic Violence Arrest Policies and Standards, Domestic Violence Arrests and Victim Assistance
- Peace Officer Procedural Bill of Rights (POBOR) - Reimbursement is based on the number of Full-Time Sworn Officers employed by the City
- Local Government Employee Relations
- All other opportunities for which the City is able to claim eligible costs.

**FISCAL IMPACT:**

The Cost to prepare the claims is a fixed fee of \$3,600.00, and an appropriation has been set up in the Finance Departments budget under Contract Services. These claims are expected to generate revenues of at least \$20,000.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

Although approval of this item is not specifically addressed in the Vision or Action Plans, the requested action, resulting in financial gain to the City, will assist in the achieving the Vision Statement of a Well-Planned City.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA,  
APPROVING A CONTRACT WITH NICHOLS CONSULTING FOR THE  
PREPARATION AND FILING OF THE STATE MANDATED COST CLAIMS FOR THE  
PERIOD FROM EXECUTION OF CONTRACT UNTIL JUNE 30, 2017 AND  
AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY.**

WHEREAS, the City of Madera (the "City") is eligible to be reimbursed for certain state mandated costs in accordance with Senate Bill 90 (SB90); and

WHEREAS, the City of Madera is in need of a skilled consultant to assist in the filing of claims for the period referenced in the Contract; and

WHEREAS, Nichols Consulting has considerable experience in preparing the reports for the City; and

WHEREAS, the prices proposed for services as indicated in the Contract from Nichols Consulting are found to be fair and reasonable;

NOW THEREFORE, THE COUNCIL OF THE CITY OF MADERA does hereby resolve, find and order as follows:

1. The above recitals are true and correct.
2. The Contract between the City of Madera and Nichols Consulting, in an amount not to exceed \$3,600, a copy of which is on file in the office of the City Clerk and referred to for particulars, is hereby approved.
3. The Mayor is hereby authorized to execute the Contract with Nichols Consulting on behalf of the City.
4. The resolution is effective immediately upon adoption.

\*\*\*\*\*

# **Nichols Consulting**

## **CONTRACT FOR PROFESSIONAL SERVICES**

This Contract is made and entered into this \_\_\_\_\_ of \_\_\_\_\_ 2016, by and between the **City of Madera**, a city under the laws of the State of California (hereinafter referred to as "City") and Nichols Consulting, a sole-proprietor (hereinafter referred to as "Consultant").

### **RECITALS**

- A. City has the authority to seek reimbursement for certain costs from the State of California pursuant to California Government Code Section 17550 et seq.
- B. City has the authority to contract for the preparation of said Claims through a designated individual or entity.
- C. Consultant is qualified to provide the service of preparing said Claims in consideration for the fees, expenses, and costs stipulated in this Contract.

Therefore, the parties to this Contract agree as follows:

### **I. CONSULTANT'S RESPONSIBILITIES**

- A. Consultant shall review all eligible claiming opportunities and prepare all Claims whose State-imposed timely and late deadlines, for reimbursement, fall between the time of execution of this Contract and June 30, 2017. Consultant shall collect, document and process the information necessary for Consultant to file the claims on behalf of the City.
- B. Consultant will provide City with a copy of Claims and supporting documentation prepared pursuant to this Contract. The copy will be provided following the state imposed deadline for said Claims.
- C. Consultant shall implement a Claims monitoring and documentation process in the course of Consultant's duties.
- D. Consultant agrees not to exceed the amount of the fee proposal set forth in Appendix A to this Contract without prior written authorization of the City.

**Fixed Fee - \$3,600**

- E. Consultant will make good faith effort to file Claims in accordance with existing laws, regulations and applicable written guidelines but does not warrant the reimbursable nature or likelihood of success of reimbursement of any particular Claim.
- F. Consultant shall advise City of all official action which is necessary under applicable federal and state constitutional provisions, state statutes and regulations, and any other applicable provisions, in order that City may fulfill its responsibilities as set forth in Section II, paragraph C of this Contract for Services.

**II. CITY'S RESPONSIBILITIES**

- A. City will provide Consultant with all the documents, records and information necessary to prepare Claims in a timely manner.
- B. City agrees to pay Consultant, a fee of \$3,600 for services rendered. Consultant's fee is due and payable in three (3) separate and equal installments of \$1,200.00. The dates of these installment payments are: November 1, 2016, February 1, 2017 and May 1, 2017. Consultant's fee is not-to-exceed \$3,600.00, unless approved by City in writing. The payment of Consultant fee is not dependent on the amount of Claims ultimately reimbursed by the State of California.
- C. City agrees to take that official action which is necessary under applicable federal and state constitutional provisions, state statutes and regulations, and any other applicable provisions, to perform its obligations under this Contract in a timely manner.

**III. MODIFICATIONS**

This Contract may be modified only by a written amendment to this Contract, executed by both parties.

**IV. TERMINATION OF CONTRACT**

This Contract may be terminated by mutual written consent or by either party, provided that the terminating party gives ninety (90) days written notice to the other party, without cause. Upon receipt of a Notification of Termination, Consultant shall promptly discontinue all services affected. Consultant shall provide the City with all work products completed up to the date of termination. In the event of termination, City shall reimburse Consultant for all direct service hours on work-in-process at \$125.00 per hour. However, in no event shall City be obligated to pay more than the total amount of the Contract.

**V. ATTORNEY'S FEES AND COSTS**

In any litigation, arbitration or other proceeding by which one party either seeks to enforce its rights under this Contract (whether in contract, tort, or both) or seeks a declaration of any rights or obligations under this Contract, each party shall bear its own attorney fees, together with any costs and expenses to resolve the dispute and to enforce the final judgment.

**VI. SEVERABILITY**

If any term of this contract is held by a court of competent jurisdiction to be void or unenforceable, the remainder of this Contract shall remain in full force and effect and shall not be affected.

**VII. NOTICES**

All notices that are required to be given by one party to the other under this Contract shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope postage prepaid and deposited with an overnight delivery service or with a United States Post Office for delivery by first class and certified mail addressed to the parties at the following addresses, unless such addresses are changed by notice, in writing, to the other party.

**City of Madera  
Attn: Financial Services Manager  
205 West Fourth Street  
Madera, CA 93637**

**Nichols Consulting  
1857 44<sup>th</sup> Street  
Sacramento, CA 95819**

**VIII. AUTHORITY**

The individuals executing this Contract represent and warrant that they have the legal power and authority to this contract and to contractually bind their respective entities.

**IX. GOVERNING LAW**

The validity of this Contract and each of its terms and provisions, as well as the rights and duties of the parties under this Contract, shall be construed pursuant to and in accordance with the laws of the State of California.



**X. INDEMNIFICATION AND WAIVERS**

Service Provider shall indemnify, save, protect, and hold harmless the City of Madera, the members of the City Council of said City and all other officers, volunteers and employees of said City against and from all claims, suits, actions, demands or liability whatsoever to any person or persons by reason of personal injuries or death or damage or destruction of property caused by or arising out of Service Provider's operations under the terms of this Agreement, or extension thereof, or by Service Provider's failure to comply with any of the terms or provisions of said Agreement. Service Provider shall and does hereby waive any claim against the City of Madera, its officers, volunteers and employees, for any damage to equipment or other property connected with Service Providers operations under this Agreement arising from any cause.

**XI. INSURANCE REQUIREMENTS FOR CONSULTANT**

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, his/her agents, representatives, or employees.

***Minimum Scope and Limits of Insurance***

Consultant shall maintain limits no less than:

- \$1,000,000 General Liability (including operations, products and completed operations) per occurrence for bodily injury, personal injury and property damage at least as broad as Insurance Services Office (ISO) Commercial General Liability coverage (occurrence Form CG 00 01).
- \$1,000,000 Automobile Liability per accident for bodily injury or property damage at lease as broad as ISO Form CA 00 01 covering Automobile Liability, code 1 (any auto).
- Worker's Compensation as required by the State of California.
- \$1,000,000 Employer's Liability per accident for bodily injury or disease.
- \$1,000,000 Errors & Omissions Liability appropriate to the consultant's profession. Architect's and Engineer's coverage is to be endorsed to include contractual liability.

If Consultant maintains higher limits than the minimums required above, the entity shall be entitled to coverage at the higher limits maintained by Consultant.

***Deductibles and Self-Insured Retentions***

Any deductibles or self-insured retentions must be declared to and approved by the entity.

***Other Insurance Provisions***

The general liability policy and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

- The entity, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the consultant; and with respect to liability arising out of work or operations performed by or on behalf of the consultant. Additional insured coverage shall be effected by endorsement of the applicable policy specifically naming the insured as indicated herein.
- For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the entity, its officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
- Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the entity.
- Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

***Waiver of Subrogation***

Consultant hereby agrees to waive subrogation which any insurer of Consultant may acquire from Consultant by virtue of the payment of any loss. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

The workers' compensation policy shall be endorsed to contain a waiver of subrogation in favor of the entity for all work performed by the Consultant, its agents, employees, independent contractors and subcontractors.

***Acceptability of Insurers***

Insurance is to be placed with California admitted insurers with a current AM Best's rating of no less than A:VII, unless otherwise acceptable to the entity.

***Verification of Coverage***

Consultant shall furnish the entity with copies of original certificates and endorsements, including amendatory endorsements, effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the entity before work commences; however, failure to do so shall not operate as a waiver of these insurance requirements. The entity reserves the right to require complete, certified copies of all

**Fixed Fee - \$3,600**

required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

***Subcontractors***

Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

**XII. ENTIRE AGREEMENT**

This Contract, which includes the "Proposal for Contract for Professional Services" set forth as Appendix A, supersedes any and all other agreements, whether oral or in writing, between the parties with respect to the subject of this Contract. This Contract contains all of the covenants and agreements between the parties with respect to the subject of this Contract, and each party acknowledges that no representatives, inducements, promises, or agreements embodied in this Contract. No agreement, statement, or promise not contained in this Contract shall be valid or binding on the parties with respect to the subject of this Contract.

Executed at \_\_\_\_\_, California, on the day and year set forth above.

\_\_\_\_\_, **President**  
**F. Andy Nichols**

**Nichols Consulting**  
**1857 44<sup>th</sup> Street**  
**Sacramento, CA 95819**

\_\_\_\_\_, **Title** \_\_\_\_\_

\_\_\_\_\_, **Print Name**

**City of Madera**  
**205 West Fourth Street**  
**Madera, CA 93637**



**APPENDIX A**

**PROPOSAL FOR CONTRACT FOR SERVICES**

This proposal for the **City of Madera** is to provide the services set forth under Paragraph I of the Contract for Professional Services relating to the preparation of Claims for reimbursement pursuant to California Government Code Section 17550 et seq.

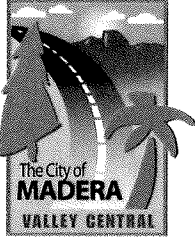
**Consultant's fee shall be \$3,600.00**, for claims prepared on behalf of the City beginning with the time of execution of this Contract and ending June 30, 2017. Consultant's fee is due and payable in three (3) separate and equal installments of \$1,200.00. The dates of these installment payments are: November 1, 2016, February 1, 2017 and May 1, 2017.

This Proposal is **valid until November 1, 2016** unless extended in writing by Consultant.

September 1, 2016

\_\_\_\_\_, **President**  
**F. Andy Nichols**

**Nichols Consulting**  
**1857 44<sup>th</sup> Street**  
**Sacramento, CA 95819**



## REPORT TO CITY COUNCIL

Council Meeting of: October 5, 2016

Agenda Item No.: B- 7

**Approved by:**

  
\_\_\_\_\_  
Tim Przybyla, Director of Finance

  
\_\_\_\_\_  
David Tooley, City Administrator

**SUBJECT:**

CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ENGAGEMENT LETTER FOR AUDIT SERVICES WITH PRICE, PAIGE & COMPANY AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE THE ENGAGEMENT LETTER AND ANY FURTHER ENGAGEMENT LETTERS DURING THE CONTRACT TERM.

**RECOMMENDATION:**

Staff recommends the City Council approve the attached resolution approving the Engagement Letter for audit services with Price, Paige & Company and authorizing the Mayor and the City Administrator to execute the Engagement Letter and any future engagement letters during the contract term.

**DISCUSSION/BACKGROUND:**

At the Council meeting of July 17, 2013, the Council adopted Resolution No. 13-126 approving the award of an agreement for audit services to Price, Paige and Company. Although the agreement includes the scope of work and other services to be performed, an Engagement Letter is required annually to further emphasize the work to be performed and the responsibilities of each party. In addition to the City Administrator's signature, the Mayor's signature is also required on the Engagement Letter. A new resolution has been prepared authorizing the Mayor and City Manager to sign the Engagement Letter.

**FISCAL IMPACT:**

The cost to prepare Fiscal Year 15/16 audit is \$39,500.00, the GASB 68 Implementation is \$2,250, and the Single Audit is \$7,600 for a total cost of \$49,350. If the City elected to prepare a comprehensive annual financial report (CAFR) this year, it would be an

additional \$4,500. However, the City of Madera has not prepared a CAFR since Fiscal Year 2009/2010. And, due to the current year workload created by the conversion from MAIS to Tyler Munis, the Finance Director would prefer to wait until the audit of the Fiscal Year 2016/2017 financial statements to prepare a CAFR. An appropriation has been set up under the Central Administration budget for auditing and GASB 68 Implementation. The cost for the Single Audit has been appropriated within the Finance Department budget under the Contract Services budget line item.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

Approval of this item is consistent with Strategy 115 of the Vision Plan – Economic Resource Provision: Ensure sufficient resources to provide adequate City services and prepare for future growth. It is also in line with funding core services as articulated by the Vision Madera 2025 Plan.

RESOLUTION No. 16 - \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING ENGAGEMENT LETTER FOR AUDIT SERVICES TO PRICE PAIGE & COMPANY, AND AUTHORIZING THE MAYOR AND THE CITY ADMINISTRATOR TO EXECUTE THE ENGAGEMENT LETTER AND ANY ENGAGEMENT LETTERS DURING THE CONTRACT TERM.

WHEREAS, the City of Madera (the "City") has a fiduciary responsibility to have its financial record and transactions audited each fiscal year by an independent Certified Public Accounting firm; and

WHEREAS, the City approved Resolution No. 13-126 on July 17, 2013 approving the award of agreement for audit services to Price Paige & Company; and

WHEREAS, the accounting firm of Price Paige & Company has requested the City sign an Engagement Letter that enhances the understanding of the work and responsibilities of the parties; and

WHEREAS, the signing of an Engagement Letter between the auditor and the City is standard operating procedures for such engagements; and

WHEREAS, the Engagement Letter will become part of the agreement; and

WHEREAS, it is anticipated that the City will be required to execute further engagement letters for subsequent years during the contract term with Price Paige & Company.

NOW THEREFORE, THE COUNCIL OF THE CITY OF MADERA does hereby resolve, find and order as follows

1. The above recitals are true and correct.
2. The Engagement Letter with Price Paige & Company a copy of which is on file in the office of the City Clerk and referred to for particulars, is hereby approved.
3. The Mayor and the City Administrator are hereby authorized to execute the Engagement Letter and further engagement letters with Price Paige & Company as necessary during the current term of the City's Agreement with that firm.
4. The resolution is effective immediately upon adoption.



September 9, 2016

Robert Poythress, Mayor  
David Tooley, City Administrator  
City of Madera  
205 West Fourth Street  
Madera, CA 93637

We are pleased to confirm our understanding of the services we are to provide to the City of Madera, California (the City) for the year ending June 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City as of and for the year ending June 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as the management's discussion and analysis (MD&A), to supplement City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary Comparison Schedules
2. GASB-required supplementary pension information
3. Schedule of Funding Progress

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements.

1. Schedule of Expenditures of Federal Awards
2. Combining and Individual Fund Statements

677 Scott Avenue  
Clovis, CA 93612

tel 559.299.9540  
fax 559.299.2344



## **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Mayor and Members of the City Council of the City of Madera. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

## **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or

governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the

financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Management Responsibilities**

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

#### **Engagement Administration, Fees and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Price Paige & Company and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to your cognizant agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Price Paige & Company personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date.

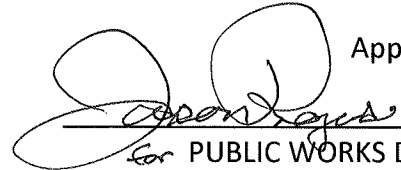


## REPORT TO CITY COUNCIL

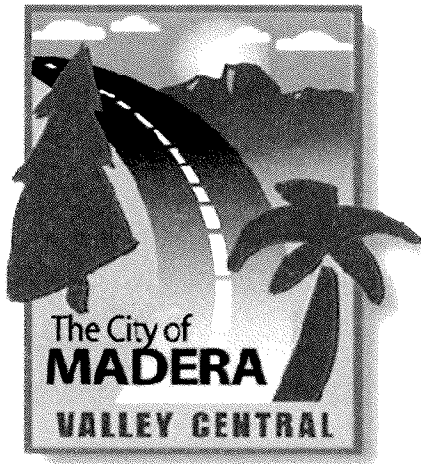
MEETING DATE: October 5, 2016

AGENDA ITEM NUMBER: B-8

Approved By:

  
for PUBLIC WORKS DIRECTOR

  
CITY ADMINISTRATOR



### SUBJECT:

Consideration of a Resolution Appointing Sam Weis to the City of Madera Airport Advisory Commission.

### RECOMMENDATION:

Staff recommends that the Council adopt a resolution appointing Sam Weis to the City of Madera Airport Advisory Commission.

### DISCUSSION:

The City of Madera Airport Advisory Commission (AAC) is a Council appointed body established in order to serve in an advisory capacity only to the City Council and staff on matters involving the Madera Municipal Airport. The AAC is tasked with reviewing the annual budget, recommending capital projects, review and recommend airport policies and operation procedures, and to review and recommend action regarding land use surrounding the airport.

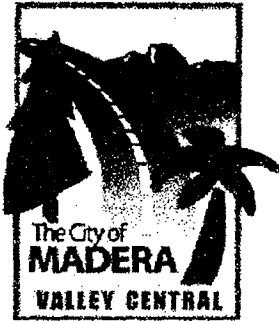
Councilmember Cece Foley Gallegos has indicated a desire to nominate and appoint Sam Weis to the AAC to serve a term concurrent with her own. Mr. Weis is a business owner and a private pilot experienced with single and multi-engine planes in addition to membership in the Airport Owners and Pilots Association (AOPA). Additionally, Mr. Weis previously served as Vice President of the Madera Golf and Country Club. As a result, he will bring a breadth of experience and understanding of aeronautical issues and concerns to the Airport Advisory Commission.

### FINANCIAL IMPACT:

There are no financial impacts from the recommended actions, as the Commission serves without compensation.

### CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

While this item does not directly implement a Vision action item, it is not in conflict with one either.



# CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

## APPLICATION

I hereby request that I be considered as a nominee for the following City of Madera Commission, Board, or Committee:

PLEASE CHECK ONE OR MORE:

- |  |   |
|--|---|
| <input type="checkbox"/> ADA Advisory Council<br><input type="checkbox"/> Beautification Committee<br><input type="checkbox"/> CDBG Review and Advisory Committee<br><input type="checkbox"/> Planning Commission<br><input type="checkbox"/> Other: _____ | <input checked="" type="checkbox"/> Airport Advisory Commission<br><input type="checkbox"/> Civil Service Commission<br><input type="checkbox"/> Loan Review Committee<br><input type="checkbox"/> Transit Advisory Board |
|--|---|

Please type or print in ink.

<u>WEIS</u>	<u>SAM</u>	<u>K</u>
LAST NAME	FIRST NAME	M.I.
[REDACTED]	<u>MADERA CA 93637</u>	[REDACTED]
MAILING ADDRESS	CITY, STATE, ZIP	E-MAIL ADDRESS
<u>self employed</u>	<u>Madera Ca 93637</u>	[REDACTED]
EMPLOYER	CITY, STATE ZIP	BUSINESS PHONE
	<u>owner/operator</u>	<u>559-647-1737</u>
JOB TITLE	BUSINESS PHONE	

LENGTH OF RESIDENCE IN CITY OF MADERA <u>51</u> YEARS <u>3</u> MONTHS	ARE YOU A REGISTERED VOTER OF THE CITY OF MADERA? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	HAVE YOU EVER BEEN CONVICTED OF A FELONY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	--	--

EDUCATIONAL BACKGROUND: SOME COLLEGE

PLEASE LIST ANY ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND ANY OFFICES YOU HAVE HELD IN THOSE ORGANIZATIONS:

MADERA GOLF AND COUNTRY CLUB - VICE PRESIDENT

PLEASE LIST ANY APPOINTED PUBLIC BOARDS OR COMMISSIONS ON WHICH YOU HAVE SERVED, DATES OF SERVICE AND ANY CHAIRMANSHIP OR OFFICE HELD:

I AM INTERESTED IN SERVING FOR THE FOLLOWING REASONS:

We have a great airport. Our facilities and rates charged are the best one can find. I would like to see us continue to be progressive in building both T-tengors and the corporate side.

REFERENCES (Optional):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9/12/16

DATE



SIGNATURE

PLEASE RETURN COMPLETED APPLICATION TO:

CITY OF MADERA  
OFFICE OF THE CITY CLERK  
205 West Fourth Street  
Madera, CA 93637  
(559) 661-5405  
(559) 674-2972 Fax

RECEIVED  
City of Madera City Clerk  
By: Dalvarez  
Date: 9/12/16



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MADERA, CALIFORNIA, APPOINTING SAM WEIS TO THE CITY  
OF MADERA AIRPORT ADVISORY COMMISSION

WHEREAS, a vacancy exists in the City of Madera Airport Advisory  
Commission; and

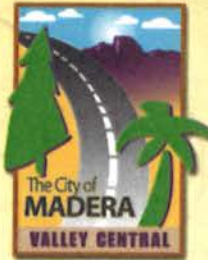
WHEREAS, the City Council in previous action has adopted an Ordinance  
that specifies nomination and appointment procedures, and terms of office for  
members of City Boards and Commissions; and

WHEREAS, Sam Weis has been duly nominated to fill the vacancy of the  
appointment by Councilmember Foley-Gallegos; and.

WHEREAS, the nominee has the requisite experience and desire to fulfill  
the responsibilities of the post.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA  
HEREBY finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. Sam Weis is hereby appointed to the office of the Airport Advisory  
Commission of the City of Madera for the term prescribed by Ordinance.
3. This resolution is effective immediately upon adoption.



## REPORT TO CITY COUNCIL

Approved By:

Department Director

City Administrator

Council Meeting of October 5, 2016

Agenda Item Number C-1

**SUBJECT:** SECOND READING AND CONSIDERATION OF ADOPTION OF AN ORDINANCE AMENDING SUBSECTION B OF SECTION 3-5.08 OF CHAPTER 5 OF TITLE III OF THE MADERA MUNICIPAL CODE RELATING TO THE ADJUSTMENT OF SPEED LIMITS IN CERTAIN ZONES

### RECOMMENDATION:

Staff recommends that the City Council adopt the ordinance amending Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code relating to the adjustment of speed limits in certain zones.

### SUMMARY:

At its September 21, 2016 meeting, the Council conducted a public hearing and introduced an ordinance amending speed limits at five (5) locations within the City. The amendment was proposed as a result of Staff's identification that three (3) of the fifty-two street segments included in the existing ordinance did not consider certain speed limit reductions that are available for the purposes of addressing previously identified safety concerns including the potential for such things as pedestrians in the roadway due to lack of sidewalks, sight distance concerns, etc. These factors were accounted for as part of the last speed survey five years ago but were not carried forward into the most current survey. This revision corrects this omission. Additionally, two (2) of the fifty-two street segments were reported inconsistently with the results of the recent speed surveys conducted at these segments and must be corrected within the ordinance to allow for enforcement by the Police Department.

### DISCUSSION:

As discussed in the Report to City Council dated September 21, 2016, Staff is proposing that speed limits at five (5) separate locations be revised within Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code to correct speed limits that were reported inconsistently with the results of the recent speed surveys. The corrections also account for certain speed limit reductions that are available for the purposes of addressing previously identified safety concerns including the potential for such things as pedestrians in the roadway due to lack of sidewalks, sight distance concerns, etc. These factors were accounted for as part of the last speed survey five years ago but were not carried forward into the most current survey. This revision corrects this omission. The locations are as follows:

### Engineering

205 W. Fourth Street • Madera, CA 93637 • TEL (559) 661-5418 • FAX (559) 675-6605

[www.madera-ca.gov](http://www.madera-ca.gov)

Granada Drive from Howard Road to Sunset Ave – Proposed ordinance shows a reduction of 5 mph to 35 mph as the speed in the June 1, 2016 survey results was rounded up when it should have been rounded down. This proposed speed limit of 35 mph matches the posting of this segment prior to the June 1, 2016 ordinance.

Granada Drive from Howard Road to South City Limits – Broken into two segments:

*Howard Road to Industrial Ave* – A separate survey was conducted for this segment within the last two months to account for known lower speeds adjacent to Town & Country Park. Proposed ordinance shows a reduction of 10 mph to 40 mph based on the 85<sup>th</sup>-percentile speed from the results of this survey. This proposed speed limit matches the posting of this segment prior to the June 1, 2016 ordinance.

*Industrial Ave to South City Limits* – Proposed ordinance shows a reduction of 5 mph from 50 mph in the June 1, 2016 ordinance due to limited sight distance at various locations. This proposed speed limit matches the speed limit listed in the municipal code prior to the June 1, 2016 ordinance. Staff has noted, however, that the speed limit sign at the north end of the segment for southbound traffic currently reads 40 mph while the speed limit sign at the south end of the segment for northbound traffic reads 45 mph. The posting at the north end of this segment for southbound traffic should be updated to 45 mph.

Howard Road from Autumn Road to Pine Street – Proposed ordinance shows a reduction of 5 mph to 35 mph due to the location of this segment being in a business district with multiple turn bays, frequent pedestrian crossings and street parking for sporting events at Town & Country Park. This proposed speed limit of 35 mph matches the posting of this segment prior to the June 1, 2016 ordinance.

Storey Road from Yosemite Ave to City Limits – Proposed ordinance shows a reduction of 5 mph to 45 mph as the speed in the June 1, 2016 survey results was rounded up when it should have been rounded down. This proposed speed limit is a reduction of 5 mph from the posting of this segment prior to the June 1, 2016 ordinance.

Sunset Ave from Fourth Street to Granada Drive – Proposed ordinance shows a reduction of 5 mph to 35 mph due to the location of this segment being in a residential area with a significant number of driveway access points in addition to sidewalks being discontinuous on both sides of the road. This proposed speed limit of 35 mph matches the posting of this segment prior to the June 1, 2016 ordinance.

In conclusion, the following table provides a summary of the proposed changes to the June 1, 2016 Ordinance:

LOCATION	Declared Prima Facie Speed Limit (MPH)
Adell Street from Country Club to "D" Street	40
Almond Ave. from Pine Street to Granada Drive	45
Almond Ave. from Golden State Hwy to Madera Ave	40
Almond Ave. from Madera Ave. to Stadium Road	40
Cleveland Ave. from Gateway Drive to Tulare St	40
Cleveland Ave. from Granada Drive to Schnoor Ave.	40

LOCATION	Declared Prima Facie Speed Limit (MPH)
Cleveland Ave from Granada Dr. to W. City Limits	45
Cleveland Ave. from Schnoor Ave. to Freeway 99	40
Cleveland Ave. from Tulare Street to Tozer Road	40
Clinton Ave. from Lilly St to Tozer Road	35
Country Club Drive from Cleveland Ave. to Clark	40
D Street from Central Ave. to Yosemite Ave.	35
D Street from Cleveland Ave. to Adell Street	40
D Street from Ninth Street to Olive Avenue	35
Ellis Street from Lake Street to Chapin Ave.	40
Fourth Street from I Street to Pine Street	35
Fourth Street from D Street to Lake Street	35
Gateway Drive from Cleveland Ave. to Avenue 16	50
Gateway Drive from Fresno River to Cleveland Ave.	40
Gateway Drive from Ninth Ave. to Olive Ave.	35
Granada Drive from Cleveland Ave. to Fresno River	45
Granada Drive from Howard Road to Sunset Ave.	<u>35 40</u>
<u>Granada Drive from Howard Rd. to South City Limits</u>	<u>50</u>
<u>Granada Drive from Howard Rd. to Industrial Ave.</u>	<u>40 50</u>
<u>Granada Drive from Industrial Ave. to South City Limits</u>	<u>45 50</u>
Granada Drive from Sunset Ave. to Riverview Drive	35
Howard Road from Autumn Road to Pine Street	<u>35 40</u>
I Street from 4th Street to Olive Avenue	35
I Street from 4th Street to Central Avenue	35
Industrial Ave. from Granada Dr. to Schnoor Ave.	40
Kennedy Street from Lake Street to Tulare Ave.	35
Kennedy Street from Tulare Street to City Limits	40
Lake Street from Cleveland Ave. to Ellis Street	40
Lake Street from Clinton Ave. to Sunrise Ave.	35
Pecan Ave. from Raymond Thomas to Golden State Blvd.	40
Pecan Ave. from Madera Ave. to Pine Street	45
Pecan Ave. from Schnoor Ave. to Pine Street	45
Pine Street from Howard Road to Pecan Street	45
Pine Street from Howard Road to Sunset Avenue	30
Schnoor Ave. from Dutra Way to Cleveland Ave.	35
Schnoor Ave. from Kennedy Street to Cleveland Ave.	40
Sherwood Way from Country Club Drive to Sonora Street	40
Sherwood Way from Sonora Street to Lake Street	35
Storey Road from Yosemite Ave. to City Limits	<u>45 50</u>
Sunrise Ave. from B Street to Lilly Street	40
Sunset Ave. from Fourth Street to Granada Drive	<u>35 40</u>

<b>LOCATION</b>	<b>Declared Prima Facie Speed Limit (MPH)</b>
Sunset Ave. from Granada Drive to City Limits	45
Tozer Street from Avenue 15 to A Street	50
Tozer Street from Yosemite Ave. to Avenue 15	45
Tozer Street from Olive Ave. to Knox Street	45
Vineyard Ave. from Clinton Ave. to Yosemite Ave.	35
Westberry Blvd. from Howard Road to Sunset Avenue	45
Yosemite Ave. from Gateway Drive to Olive Ave.	40

**FISCAL IMPACT:**

There is no direct impact to the City.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

The speed limits are integral in creating a good traffic flow which minimizes traffic accidents. Safe, clean and attractive streets accommodate traffic, providing easy access to all parts of the City.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SUBSECTION B OF SECTION 3-5.08 OF CHAPTER 5 OF TITLE III OF THE MADERA MUNICIPAL CODE RELATING TO THE ADJUSTMENT OF SPEED LIMITS IN CERTAIN ZONES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:**

SECTION 1. Subsection (B) of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code is hereby deleted in its entirety and replaced as follows:

[ (B) Section 16. It is determined upon the basis of an engineering and traffic investigation that the speed permitted by state law upon the following streets is less than is necessary for the safe operation of vehicles thereon by reason of the designation and sign-posting of such streets as through highways and/or by reason of widely-spaced intersections, and it is declared that the prima facie limit shall be as set forth in this section on those streets, or parts of streets, designated in this section when signs are erected giving notice thereof:

Item No.	LOCATION	Declared Prima Facie Speed Limit (MPH)
1	Adell Street from Country Club to "D" Street	40
2	Almond Ave. from Pine Street to Granada Drive	45
3	Almond Ave. from Golden State Hwy to Madera Ave	40
4	Almond Ave. from Madera Ave. to Stadium Road	40
5	Cleveland Ave. from Gateway Drive to Tulare St	40
6	Cleveland Ave. from Granada Drive to Schnoor Ave.	40
7	Cleveland Ave from Granada Dr. to W. City Limits	45
8	Cleveland Ave. from Schnoor Ave. to Freeway 99	40
9	Cleveland Ave. from Tulare Street to Tozer Road	40
10	Clinton Ave. from Lilly St to Tozer Road	35
11	Country Club Drive from Cleveland Ave. to Clark	40
12	D Street from Central Ave. to Yosemite Ave.	35
13	D Street from Cleveland Ave. to Adell Street	40
14	D Street from Ninth Street to Olive Avenue	35
15	Ellis Street from Lake Street to Chapin Ave.	40
16	Fourth Street from I Street to Pine Street	35
17	Fourth Street from D Street to Lake Street	35
18	Gateway Drive from Cleveland Ave. to Avenue 16	50
19	Gateway Drive from Fresno River to Cleveland Ave.	40
20	Gateway Drive from Ninth Ave. to Olive Ave.	35
21	Granada Drive from Cleveland Ave. to Fresno River	45
22	Granada Drive from Howard Road to Sunset Ave.	35
23	Granada Drive from Howard Rd. to Industrial Ave.	40
24	Granada Drive from Industrial Ave. to South City Limits	45
25	Granada Drive from Sunset Ave. to Riverview Drive	35
26	Howard Road from Autumn Road to Pine Street	35
27	I Street from 4th Street to Olive Avenue	35
28	I Street from 4th Street to Central Avenue	35
29	Industrial Ave. from Granada Dr. to Schnoor Ave.	40

Item No.	LOCATION	Declared Prima Facie Speed Limit (MPH)
30	Kennedy Street from Lake Street to Tulare Ave.	35
31	Kennedy Street from Tulare Street to City Limits	40
32	Lake Street from Cleveland Ave. to Ellis Street	40
33	Lake Street from Clinton Ave. to Sunrise Ave.	35
34	Pecan Ave. from Raymond Thomas to Golden State Blvd.	40
35	Pecan Ave. from Madera Ave. to Pine Street	45
36	Pecan Ave. from Schnoor Ave. to Pine Street	45
37	Pine Street from Howard Road to Pecan Street	45
38	Pine Street from Howard Road to Sunset Avenue	30
39	Schnoor Ave. from Dutra Way to Cleveland Ave.	35
40	Schnoor Ave. from Kennedy Street to Cleveland Ave.	40
41	Sherwood Way from Country Club Drive to Sonora Street	40
42	Sherwood Way from Sonora Street to Lake Street	35
43	Storey Road from Yosemite Ave. to City Limits	45
44	Sunrise Ave. from B Street to Lilly Street	40
45	Sunset Ave. from Fourth Street to Granada Drive	35
46	Sunset Ave. from Granada Drive to City Limits	45
47	Tozer Street from Avenue 15 to A Street	50
48	Tozer Street from Yosemite Ave. to Avenue 15	45
49	Tozer Street from Olive Ave. to Knox Street	45
50	Vineyard Ave. from Clinton Ave. to Yosemite Ave.	35
51	Westberry Blvd. from Howard Road to Sunset Avenue	45
52	Yosemite Ave. from Gateway Drive to Olive Ave.	40

]

Section 2. If any section, subsection, clause or phase of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and any section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsection, sentence, clause or phrase be declared unconstitutional or otherwise invalid.

Section 3. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage or when appropriate signs giving notice thereof are erected upon street and shall not thereafter be revised except upon the basis of an engineering and traffic survey, whichever occurs later.

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## REPORT TO CITY COUNCIL

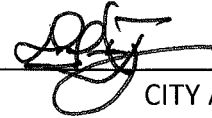
MEETING DATE: October 5, 2016

AGENDA ITEM NUMBER: E-1

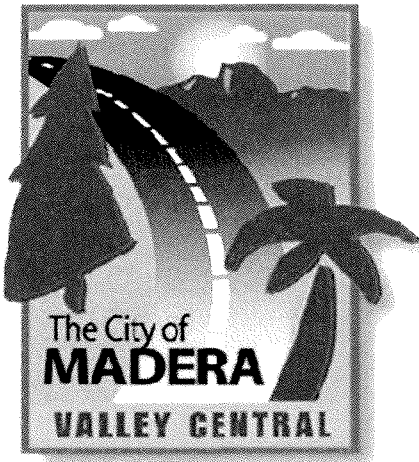
Approved By:



PUBLIC WORKS DIRECTOR



CITY ADMINISTRATOR



### SUBJECT:

Consideration of a Resolution Approving Additional Water Conservation Rebate Programs

### RECOMMENDATION:

Staff recommends that Council approve additional Water Conservation Rebate opportunities as outlined below.

### SUMMARY:

City Council previously directed staff to move forward in creating additional rebate opportunities in the Water Conservation Rebate Program. Staff has created guidelines for two additional rebates ready for implementation upon adoption.

### DISCUSSION:

On July 15, 2015, Council approved the Water Conservation Rebate Program which included the following rebate opportunities:

- Drip Irrigation
- Timer
- Turf Replacement
- Washing Machine
- Dishwasher
- Low Flow Toilet
- Smart Irrigation Controllers
- Mulch

This report provides information on two additional rebate programs that can be implemented immediately upon adoption by the Council. Program summaries are included below. More detailed descriptions are provided in the attached rebate handouts prepared for each specific program. The proposed additional rebate opportunities are:

- Rainwater Harvesting (Rain Barrel) Rebate
- Hose Bib Faucet Lock Rebate



### **Rainwater Harvesting (Rain Barrel)**

To conserve water and help prevent pollution, the City may choose to offer a rebate amount equal to 85% of the cost up to \$100 each for the purchase, installation and connection, of up to two approved rain barrels per customer account. Minimum size would be 40 gallons for each barrel. The City would provide a credit on an applicant's City utility account. To qualify for a rebate, the applicant must:

- Have a City of Madera utility account.
- Submit a completed application form.
- Have a utility account in good standing.
- Provide an original receipt for the equipment purchased & sign a statement that they have installed the system and will continue to use and maintain the system.
- Acknowledge that if their property is found without the system installed, the rebate credit will be forfeited and a penalty will be assessed to the account.

#### **Benefits:**

- Provide free water source for outdoor watering
- Plants and flowers prefer rainwater because it is naturally "soft"
- Minimizes the amount of water going into storm drains and ponding basins
- Helps reduce water bill
- Relatively easy-to-install

### **Hose Bib Faucet Lock**

Exterior hose bibs are exposed and vulnerable for vandalism and tampering increasing the potential for water theft. A faucet lock device installed on the exterior hose bibs will secure the faucets from water loss due to vandalism, unauthorized use, tampering, and water theft. The City of Madera may choose to offer a rebate of up to \$20.00 each for up to three locks per residence for the purchase and installation of a faucet lock device. The City would provide a credit on an applicant's City utility account. To qualify for a rebate, the applicant must:

- Have a City of Madera utility account.
- Submit a completed application form.
- Have a utility account in good standing.
- Provide an original receipt for the equipment & sign a statement that they have installed the system and will continue to use and maintain the system.
- Acknowledge that if their property is found without the system installed, the rebate credit will be forfeited and a penalty will be assessed to the account.

Benefits:

- The potential savings of water loss due to vandalism and water theft

Additionally, it should be noted that the above list of rebates should not be seen as permanently fixed. New proposals that could conserve water may be developed in partnership with the community and be brought back to the Council for consideration of adoption. For instance, Staff continues to evaluate the elements of a gray water system rebate and hopes to bring back defined recommendations for such a program in the next few weeks. The challenges for such a program include defining what should constitute an eligible system and what the rebate value should be in comparison to existing rebate offerings. A wide range of gray water technologies are available, all of which provide some conservation benefit. At the lower end, a washing machine diverter valve and discharge hose might cost \$100 or less. At the higher end, a direct-plumbed system taking gray water from multiple points of connection in a home will cost up to several thousand dollars and is more likely to be implemented with new construction.

**FINANCIAL IMPACT:**

This program has no impact on the General Fund, as these activities are funded from the Water Fund. Neither does this action have any financial impact on water funds; as it does not increase the amount of funding allocated for rebates. It only adds additional types of rebates that can draw from the funds that are already allocated in the Water Fund's budgets.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN:**

While this item is not directly addressed in the Vision Plan, it is consistent with Action Item 434: Ensure continued water supplies to meet the demands through innovative reclamation, conservation, and education on water use.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA,  
CALIFORNIA, APPROVING ADDITIONAL REBATES FOR THE  
WATER CONSERVATION REBATE PROGRAM**

WHEREAS, the City of Madera is committed to ensure continued water supplies to meet demands through conservation and education on water use; and

WHEREAS, it is widely recognized that water conservation provides the most immediate means of being able to meet our future water demands; and

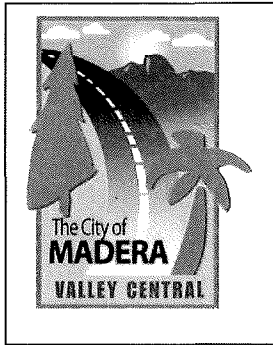
WHEREAS, in an effort to encourage further conservation the City has developed a Water Conservation Rebate Program; and

WHEREAS, the City has determined that it is necessary to add additional rebate offerings; and

WHEREAS, the proposed rebates have been deemed appropriate for the encouragement of water conservation.

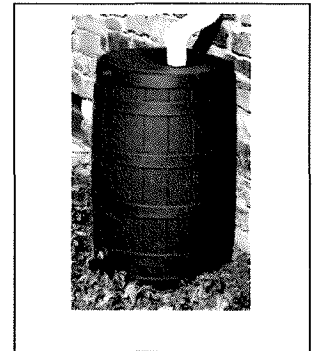
NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA HEREBY finds, orders and resolves as follows:

1. The above recitals are true and correct.
2. The rebates described in exhibit "A" and "B", attached hereto and incorporated herein by reference, are approved to be added to the existing Water Conservation Rebate Program.
3. This resolution is effective immediately upon adoption.



## City of Madera Rainwater Harvesting (Rain Barrel) Rebate

City of Madera will pay customers up to \$100 for a new qualified rain barrel purchased and properly installed.



### Reduce Water Use Outdoors by using re-captured water!

To conserve water and help prevent pollution, the City of Madera is offering a rebate amount equal to 85% of the cost up to \$100 each for the purchase, installation and connection, of up to two approved rain barrels per customer account. Minimum size is 40 gallons each barrel.

### Why a Rain Barrel?

Rain barrels are used to collect rainwater from hard surfaces such as rooftops. When you install a rain barrel at your home you are helping to conserve water by reducing the demand on the potable water system to irrigate your garden, and by reducing the amount of wet weather runoff that is collected and sent into the public storm water system. The amount of water harvested from a rooftop depends on several variables, including the dimensions of the rooftop, the collection capacity, and the amount and the timing of the rain received. Madera receives an average of 11 inches of rain annually. **1,000 square feet of roof surface captures 625 gallons of water for every 1 inch of rain that falls.** Some people also add clean water to the barrel that was collected while waiting for shower water to heat.

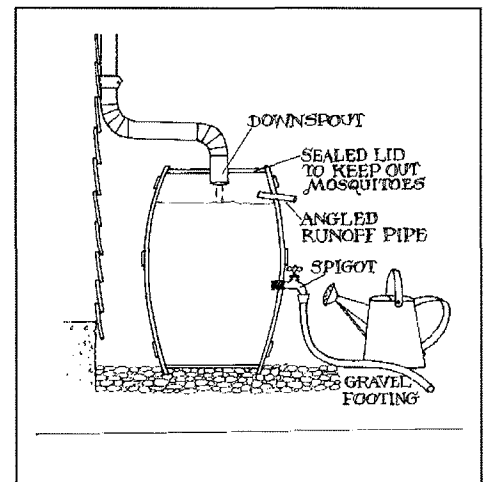
### Advantage of Using Captured Rainwater

- Provide free water source for outdoor watering
- Plants and flowers prefer rainwater because it is naturally "soft"
- Minimizes the amount of water going into storm drains and ponding basins
- Helps reduce your water bill
- Relatively easy-to-install

**APPLICATIONS:** City of Madera Water Conservation Program: 661-5466; email: [lmcperson@cityofmadera.com](mailto:lmcperson@cityofmadera.com)  
or go to: [www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)

### Rebate Process

1. Do not purchase Rain Barrel until you verify that the Rain Barrel you want meets rebate criteria listed in the *RAIN BARREL Rebate Program Guidelines & Conditions, Rain Barrel Qualifying for Rebates.*
2. Purchase and install rain barrel(s).
3. Take clear photos of the newly installed Rain Barrel (mail with application or email: [lmcperson@cityofmadera.com](mailto:lmcperson@cityofmadera.com))
4. Send signed, completed application along with a copy of original dated itemized sales purchase receipt, copy of Madera City utility bill, and photos to the Water Conservation Division.
5. Receive a rebate.
6. You will be notified if a brief inspection is required.
7. Rebate amount will be credited to your City of Madera utility account



## **Requirements**

- Only newly purchased rain barrels may qualify for rebate; homemade rain barrels do not qualify.
- Any additional expenses (i.e. delivery, shipping, extra materials, labor) are not eligible for rebate.
- Must have a secure cover or lid for safety and to prevent mosquitos from entering, and must be on a solid flat, stable surface.
- Manufacturer's installation and maintenance instructions must be followed.
- Rain barrel cannot be connected to the irrigation system and must be distributed with hose or bucket.
- *Rebate applies only to above ground rain capture devices that do not require pumps and backflow devices.*
- *Rain barrel must be designed for the intended purpose of rain capture and must be connected to a gutter downspout.*
- Program applies to qualified rain barrels purchased after 10/ 5 /16

## **Who Qualifies:**

- Rebate available to City of Madera water customers or landlords of property serviced by City of Madera Water Division where a tenant is the water customer.
- Limit one rebate per qualified account or one per master meter unit for a shared account. PUD's, HOA's, mobile homes, condos/townhouses or other shared billing account also qualify as individual units and may receive rebate
- Commercial, Industrial, and Institutional customers whose meter supplies water to an irrigation system. Multi-family complexes may also qualify.
- Renters or tenants must provide written approval from property owner or property manager if they are installing the barrel rather than the landlord.
- New construction does not qualify.

## **Application and Rebate Approval or Denial:**

- Rebate is equal to 85% of the cost up to \$100 each for up to two approved rain barrels per customer account and may not exceed the cost of the barrel purchased. Rebate amounts do not apply to sales tax, accessories and installation costs.
- Qualifying barrel must be completely installed at approved service location listed on the customer's City of Madera water utility bill account. Qualifying barrels must be new; not pre-owned or leased. Rain Barrel must remain installed at specified location for at least 6 months.
- Submit completed application with legible copy of the original itemized dated sales receipt after installation of barrel, and a recent City of Madera utility bill to the Water Conservation Program. Applicant must submit photos of their installed rain barrel with the application or by email to: [lmcperson@cityofmadera.com](mailto:lmcperson@cityofmadera.com).
- Application must be submitted within 90 days of purchase of Rain Barrel.
- Incomplete, incorrect or unsigned applications cannot be processed and will be denied and returned.
- Rain Barrels are subject to inspection for program compliance by random selection. By submitting this application you are agreeing to a post-installation verification of proper installation of devices eligible for rebate. The applicant will be contacted by the City of Madera if an inspection is to be scheduled.
- Customers must fulfill all program guidelines to be eligible for rebates. Rebates will only be awarded after verification of proper installation and compliance with the Guidelines and Conditions.
- Accounts must be current and non-delinquent.

## **Rain Barrel Rebate Guidelines and Conditions**

### **Other Considerations:**

- The Rebate Program is not responsible for materials lost by mail.
- Submission or possession of a rebate application does not guarantee receiving a rebate.
- Rebates are processed on a first come, first served basis and funding is limited to available resources.
- *This program shall at all times be subject to change or termination without prior notice.*
- Incentives will be awarded on a one time basis to any physical address regardless of changes in property ownership.
- The City is not responsible for product performance or water savings. No warranty or guarantee of the product or the vendor is provided

Rebate subject to available funds or discontinuation at any time.

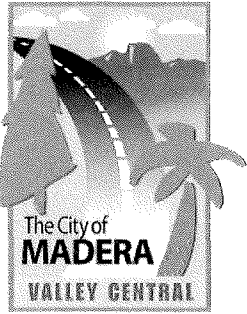
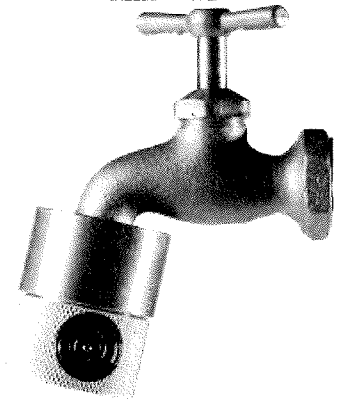


EXHIBIT B



## HOSE BIB FAUCET LOCK REBATE

City of Madera will rebate for installation of a faucet lock on exterior hose bibs

### Rebate for Faucet Lock

Install a faucet lock on the exterior hose bibs to receive a rebate of up to \$20.00 ea., for up to three rebates per residence, from the City of Madera. A faucet lock device installed on the exterior hose bibs will secure faucets from miscellaneous vandalism, unauthorized use, tampering and water theft.

**APPLICATIONS:** City of Madera Water Conservation Program: 661-5466; email: [lmcperson@cityofmadera.com](mailto:lmcperson@cityofmadera.com) or click on Rebates at [www.cityofmadera.ca.gov](http://www.cityofmadera.ca.gov)

### REBATE PROCESS

1. Do not purchase the faucet lock until you have read all the rebate criteria listed in *Rebate Program Guidelines & Conditions*.
2. Purchase supplies and install the faucet lock device
3. Submit application along with a copy of the purchase receipt and your recent Madera City utility bill.
4. Rebate will be applied to your utility bill after application approval.

### IMPORTANT MINIMUM REQUIREMENTS

- Faucet must be fully operational.
- Lock must be installed per manufacturer's directions.
- Rebates will not exceed the cost of the equipment purchased.

## Hose Bib Faucet Lock Rebate Guidelines and Conditions

### Requirements

- See Important Minimum Requirements on previous page.

### Who Qualifies:

- Rebate available to City of Madera water customers or landlords of property serviced by City of Madera Water Division where a tenant is the water customer.
- Limit one rebate per following qualified account: PUD's, HOA's, mobile homes, condos/townhouses or any other shared billing accounts also qualify as individual units and may receive rebate. Commercial, Industrial, and Institutional customers whose meter supplies water to an irrigation system. Multi-Family complexes also may qualify. Renters or tenants must provide written approval from property owner or property manager.
- New construction does not qualify.

### Application and Rebate Approval or Denial:

- The amount of the rebate shall be equal to the cost of the equipment purchased, but shall not exceed \$20, up to three rebates per residence. Labor is not an eligible cost.
- Lock must be installed at approved service location listed on the customer's City of Madera water utility bill account.
- Incomplete, incorrect or unsigned applications cannot be processed and will be denied and returned.
- By submitting this application you are agreeing to a verification inspection to be eligible for rebate.
- Customers must fulfill all program guidelines to be eligible for rebates. Rebates will only be awarded after verification of proper installation and compliance with the Guidelines and Conditions.
- Accounts must be current and non-delinquent.
- This Rebate is available 10/5/16. Retroactive rebates are not available.

### Rebates:

- Rebate amount up to \$ 20.00 for Hose Bib Faucet Lock, up to 3 per residence.
- Rebate amounts do not apply to labor or other costs. Rebate may not exceed the cost of the rebate offer.
- Failure to install the equipment will result in a loss of the rebate credit and a penalty equal to the rebate.
- The Rebate Program is not responsible for materials lost by mail.
- Submission or possession of a rebate application does not guarantee receiving a rebate.
- Rebates are processed on a first come, first served basis and funding is limited to available resources. *This program shall at all times be subject to change or termination without prior notice.*
- The City is not responsible for product performance or water savings. No warranty or guarantee of the products used or the vendor is provided.
- Rebate credit will be applied to utility billing account after completing the rebate process