



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

Council Meeting:	3/04/15
Item:	B-1
Minutes:	2/04/15

**February 4, 2015
6:00 p.m.**

**Council Chambers
City Hall**

CALL TO ORDER

The regular meeting for 2/04/15 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 Sally J. Bomprezzi
Council Member Andrew J. Medellin
Council Member Donald E. Holley
Council Member Derek O. Robinson Sr.

Absent: Council Member Charles F. Rigby

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Community Development David Merchen, Director of Financial Services Tim Przybyla, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Chief of Police Steve Frazier, Director of Parks and Community Services Mary Anne Seay, Director of Human Resources Wendy Silva, Grant Administrator Daniel Abdella, Chief Building Official Steve Woodworth, Information Services Manager Ted Uyesaka, Procurement Services Manager Becky McCurdy, Planning Manager Chris Boyle, and Commander Dino Lawson.

INVOCATION: Chaplain Mike Unger, Madera Rescue Mission

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

PUBLIC COMMENT:

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

No comments were offered.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

B-1 Minutes – 12/17/14, 1/07/15

- B-2 Information Only – Warrant Disbursement Report
- B-3 Consideration of a Resolution Consenting to a Short Sale for a HOME-Assisted First Time Homebuyer and Authorizing the City Administrator to Sign the Subordinate Lien Approval Letter (Report by Daniel Abdella)
- B-4 Consideration of a Resolution Appointing William Jacobsen and Nick Davis to the City of Madera Airport Advisory Commission (Report by Dave Randall)

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

ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 15-22 A RESOLUTION OF THE CITY OF MADERA, CALIFORNIA CONSENTING TO A SHORT SALE FOR A HOME-ASSISTED FIRST TIME HOMEBUYER AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE SUBORDINATE LIEN APPROVAL LETTER

RES. NO. 15-23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPOINTING WILLIAM JACOBSEN AND NICK DAVIS TO THE CITY OF MADERA AIRPORT ADVISORY COMMISSION

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

- C-1 Public Hearing and Consideration of a Resolution Adopting a Negative Declaration Prepared in Accordance with the California Environmental Quality Act and Approving a Precise Plan for the Development of a Fifty-Four (54) Unit Multifamily Apartment Complex**

And

Introduction of an Ordinance Rezoning 2.39-acres Located on the East Side of Emily Way at its Intersection with Joya Drive from the PD-3000 (Planned Development) Zone District to the PD-1500 (Planned Development) Zone District

Planning Manager Chris Boyle stated the first public hearing item tonight will be a rezone, a precise plan, and a negative declaration which will cumulatively allow for the construction of a 54 unit apartment complex on 2.39 acres on the east side of Emily Way at its intersection with Joya Drive.

Mr. Boyle advised that currently the property is zoned a planned development, PD-3000, which allows for one unit for each 3,000 square feet. He noted that the property is in a high density general plan land use designation and the appropriate zoning designation would be PD-1500 which would allow for the property to have conformance with zoning in the general plan. He added that it would also provide for the construction of a 54 unit apartment complex as outlined through the conditions of approval for the precise plan. He noted this is a three story project which provides for 18 one bedroom, 18 two bedroom, and 18 three bedroom models along with a plethora, he would think, of amenities in the common areas including a swimming pool, a tot lot, barbeques, even a dog walk as proposed as a component of this apartment complex. He displayed a conceptual of the project provided by the applicant, minus the carports. He joked that they might add an urban forest as a component as depicted in the conceptual drawing noting however, that it does a pretty good job of giving them an outlook as to how the project would ultimately

construct. He commented that it is a market rate project that is in conformance with the general plan both in its quality and its scope.

Mr. Boyle advised that before the Council are two actions that are recommended by staff and the Planning Commission. The first action would be to adopt a resolution adopting a negative declaration and approving a precise plan for those 2.39 acres of property located on the east side of Emily Way at its intersection with Joya Drive. The second action would be to introduce an ordinance amending the official City of Madera zoning map to rezone 2.39 acres of property from the PD-3000 planned development zone district to the PD-1500 planned development zone district. Mr. Boyle offered to answer any questions the Council may have. He noted that the representative on this project is unable to be in attendance tonight due to personal circumstances. He commented that the representative wanted to express to the Council that they are in complete agreement with the conditions of approval as agreed upon at Planning Commission.

Mayor Poythress asked members of the Council if there are any questions for Mr. Boyle. No questions were asked and Mayor Poythress opened the public hearing.

Benjamin Penfield with McClure Enterprises stated they are the owner of the project and they do concur with all the conditions the Planning Commission gave them. He commented that their architect unfortunately couldn't make it due to a family emergency. He wanted to come and say that they are onboard to build a project.

Council Member Holley asked why they won't have carports.

Mr. Penfield responded that they are having carports. They couldn't put them on the plan and see the buildings but they are there. He stated it would kind of take away from the picture

Council Member Robinson asked if they are going to have solar on the carports.

Mr. Penfield responded that they are definitely thinking about that. He commented that it wasn't presented at the Planning Commission. That is something that they would have to bring back up because of the precise plan and noted that it is something they will be bringing up because he thinks they actually really want to do it. They are just trying to figure out how to do it and give the look that the City wants and be in compliance with the Planning Commission. He restated that they definitely are interested in doing that on every project they do. He added that it saves them money too so it makes a lot of sense.

Mayor Poythress asked if members of the Council have any other questions. No other questions were asked.

Mayor Poythress asked if there are any members of the public who wish to comment on this item. No other comments were made and Mayor Poythress closed the public hearing and brought it back to Council for action.

Mayor Poythress advised that they have two action items. The first item is a resolution and the second one is an ordinance. Mayor Poythress noted they will take them separately.

Mayor Poythress announced he would accept a motion for action regarding the resolution.

ON MOTION BY COUNCIL MEMBER BOMPRESZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, RES. NO. 15-24 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

**RES. NO. 15-24 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
ADOPTING A NEGATIVE DECLARATION AND APPROVING A PRECISE
PLAN FOR 2.39 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF
EMILY WAY AT ITS INTERSECTION WITH JOYA DRIVE**

Mayor Poythress asked the City Clerk to read title on the ordinance.

The introduction of an ordinance was read by title by the City Clerk.

ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY COUNCIL MEMBER MEDELLIN, FURTHER READING WAS WAIVED, AND ITEM C-1, THE INTRODUCTION OF AN ORDINANCE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

INTRO. ORD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 2.39 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF EMILY WAY AT ITS INTERSECTION WITH JOYA DRIVE FROM THE PD-3000 (PLANNED DEVELOPMENT) ZONE DISTRICT TO THE PD-1500 (PLANNED DEVELOPMENT) ZONE DISTRICT

C-2 Public Hearing and Consideration of a Resolution of the City Council Confirming Special Assessments for Delinquent Administrative Fines

City Attorney Brent Richardson advised this is another public hearing on three properties where there are delinquent fines. They are looking for confirmation of placing a lien on the property.

Mayor Poythress asked if members of the Council have any questions for Mr. Richardson. No questions were asked.

Mayor Poythress announced that this is a 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 and Mayor Poythress closed the public hearing.

Mayor Poythress brought the item back to Council for action.

Council Member Bompreszi noted that there is actually one on Point West.

ON MOTION BY COUNCIL BOMPREZZI, AND SECONDED BY COUNCIL MEMBER OLIVER, ITEM C-2, RES. NO. 15-25 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 15-25 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CONFIRMING SPECIAL ASSESSMENTS FOR DELINQUENT ADMINISTRATIVE FINES

C-3 Consideration of a Resolution Approving a Labor Management Workers' Compensation Alternative Dispute Resolution Agreement Between the City of Madera and the Madera Police Officers' Association and Authorizing the City Administrator to Execute the Agreement

Director of Human Resources Wendy Silva stated before the Council is an agreement that was negotiated between City staff and the Madera Police Officers Association (MPOA) to provide an alternative to certain pieces of the current worker's compensation system provided by the state.

Ms. Silva stated they mentioned the possibility of this back in June of 2014 when they made a presentation on all of their safety programs. She commented that they have worked with the MPOA and their representatives, the City had some representatives involved, and this is where they are at. Ms. Silva advised she would give a little background. She knows Mayor Pro Tem Oliver is new and he wasn't here

in June. She added that Council Member Rigby is out due to birth of new baby but they will get him caught up too.

Ms. Silva advised that the alternative dispute resolution (ADR) is a negotiated agreement between an employer and a recognized employee group. They have to officially be an employee group. It has to be started by the employee group. They had to send an application to the state requesting permission to negotiate this and they had to provide proof that they were a recognized bargaining unit. For example, unrecognized management employees would not have this option at this moment. She restated that it can only be with recognized bargaining groups. She commented that they may have heard this referred to as a carve out but in all of the legal terms it is an alternative dispute resolution process.

Ms. Silva commented that certain statutory benefits such as temporary disability, permanent disability, and medical treatment for the effects of an injury cannot be changed by the agreement. She noted that they are set by state statute and they can't touch them. They can't change the temporary disability rate. They can't say you know what, lets negotiate, we are only going to pay you 50% instead of two-thirds. She noted they cannot touch that because the state said no. She commented that they can't talk about those at all even though they would have a direct monetary benefit but it is off the table.

Ms. Silva displayed the list of items that can be negotiated. They did not include all of these in their agreement. She stated that basically the last three they did not include. The reason being, a light duty modified job or return to work program, they already have one. It is a citywide program. She commented that there is no point in negotiating something separate with a particular bargaining unit in this agreement. She advised that the citywide program works so there was no reason to include it at this point.

Ms. Silva referred to the vocational rehabilitation or retraining programs and commented that this would be a benefit enhancement. It is not necessarily currently provided under the state system. She commented that their goal was not to increase the amount of benefits, it was to improve the system that they have so they did not include that in their agreement. She stated that they can, in the agreement, specify sharing of the cost savings. They did not want to do that. What they talked to the bargaining units about are two things. One, it is hard to actually put a dollar value on it. They have to get some actuarial science in there because what they are doing is measuring what happens against what might have been so it is not an exact science. Number two, if they are spending less money on worker's compensation, which is their hope in the end, it is really at Council's discretion when it approves the budget where it spends its money. She noted that less happens to be spent here but where does that go? Does that go to personnel costs? Does that go to capital projects? Where does that go? She stated that decision should really be in the hands of the City Council not the four of them sitting around the table negotiating this agreement related to worker's compensation. She commented that they left those three out but they did include the rest.

Ms. Silva commented that the proposed agreement in front of them has a joint labor management committee. She advised that it will consist of two members of the Police Officers Association and two members of City staff that work with worker's compensation claims. She commented that their role will be to administer the agreement and basically manage the various pieces that she will be talking to the Council about.

Ms. Silva advised that the first piece is specialist referral. For example, if an officer is injured and needs to be referred to an orthopedist. They will have an approved list of specialists that they can be referred to and if the doctor wants to refer to someone not on that list, they have to get approval from their third party administrator. She commented that right now someone can go to whoever they want. She stated this helps them manage where the medical care is being provided. She commented that it is not an MPN, or Medical Provider Network, that they might hear. She mentioned that is something completely separate under the worker's compensation system. She stated this is an agreed upon list between the MPOA and the City that says these are the doctors that we both agree do a good job. They don't take people off necessarily. They provide complete reports. They have quick resolution. They have appointments available to actually see their people in a timely manner. She commented that the specialist referral will help them manage that medical portion as treatment is being provided.

Ms. Silva advised they will have, under this agreement, a process for an expedited medical dispute resolution process. She commented this would replace the existing AME/QME process. She stated that a lot of the claims, when she comes to the Council for settlement authority in closed session, they talk about the QME did the evaluation and this is how the report rated. Under the state system, to get to having that report in their hand, first the employee has to fill out a form and it is not an easy form to fill out. They have to submit it to the state and the state has to send them a list. She noted part of the process can take anywhere between six and eight weeks. Then the employee has to choose a doctor on the list, get an appointment which can take anywhere between normally three to nine months is what they are seeing depending on the specialty, and then they have to get the report back from the doctor. Those are supposed to be within a certain timeframe. If they don't happen, they can object and start all over but most of the time it is better to wait the extra two or three or four weeks to get the report because it takes so long to start over.

Ms. Silva commented that the process they will have in place through this agreement is that they have identified a medical dispute or they need to get to this type of appointment. The physicians have agreed to provide an appointment in 30 days and they have agreed to provide a report in 30 days so their maximum timeline is 60 days to get to resolution of the claim or any medical dispute. She advised that those agreements are already in place. She noted that because the intent is that the risk management association the City belongs to, other cities are hoping to do this as well, so what they did is they had the risk management authority enter into those contracts with the physicians so that any member of the risk management authority, City of Madera included, can utilize those contracts. She restated that they are already in place. They have signed on the dotted line. They have all of their insurance on file and they are ready to go. She added that they actually even stand alone, the way they wrote the contract, apart from the ADR so that if for some reason they can't get here, or you have a need for some other reason to have an expedited evaluation, they can still do that. Ms. Silva stated they are excited because they already used it once and it was worth it. She advised that there is a small premium. They pay depending on the type of evaluation. It is approximately between \$50 and \$100 extra to get the expedited report but when they are comparing a 60-day turnaround to a nine to twelve month turnaround for the total process, and they have someone out on temporary disability, \$50 is a drop in the bucket.

Ms. Silva commented that all medical dispute resolution under this agreement goes through these IME's that the joint labor management committee keeps on a list meaning both sides need to agree that they like this doctor. They have already gone through and vetted the physicians they want included. If there was a concern that they don't normally turn in timely reports they didn't include them. If there was a concern that they didn't normally have complete reports and you had to go back for supplemental reports, which takes time, they didn't include them. She commented that is was people that both sides of the table said yeah that is a good solid doctor, they do what they say they are going to do.

Ms. Silva advised that another piece they are including is mediation. She commented that mediation is available to both represented and non-represented employees. She stated that for some reason a lot of the existing ADR's only provide mediation to represented employees. She doesn't know why they wouldn't give it as an option to a non-represented employee. Why not give it to everyone because the intent is to expedite any legal dispute resolution that they can bring about. Ms. Silva stated that they can't require mediation but it is encouraged. She noted that the mediator list will once again be maintained by the joint labor management committee right now. She stated they are not proposing to just use, oh let's call the state mediation service. They have a commitment from two retired WCAB presiding judges that are well liked by both labor and management as understanding the system, making sound decisions that make sense, understanding case law and worker's compensation, and they have committed that they would be willing to act as mediators for this type of program. She stated it is people that know the system. They are not having to explain to them case law or anything like that. They are established in the system. They really think that this will help with a lot of their legal disputes and keep them out of the prolonged process of trying to get something in front of the worker's compensation appeals board. Ms. Silva stated that employees or the City can still go to the WCAB if they don't feel that their legal dispute was resolved through mediation but she would bet that most of the time, especially with the mediators

that they are going to be proposing, it is going to be resolved at mediation. There won't be a need to go the WCAB.

Ms. Silva stated that the final piece is a little bit smaller piece, nurse case management. Under the current state system, the employer can decide to assign a nurse case manager but the employee has no authority to request it. She stated that most of the time as soon as they request it they are going to approve it but basically the agreement says, you know what either side can request it. She commented that nurse case managers basically work, if there is more than one doctor involved, or there is some surgery, or there is some specialist, they are helping the employee understand what is going on. They are calling the officer to see what they need to help expedite it, make sure that when they get to the day of surgery, they are saying you know we never got that MRI so we can't do it. They make sure everything is in place so this basically just says, you know both sides can request it and we have a list of people that we like and the joint labor management committee maintains that.

Ms. Silva referred to the anticipated outcomes from the agreement as stated, they expect to reduce the time to resolve medical disputes. What this will translate to is a reduction in the exposure to temporary disability benefits and specifically for police officers the Labor Code 4850 benefit which is full salary replacement as opposed to two-thirds replacement. She stated it will hopefully reduce the time an employee may be assigned to modified duty because sometimes what they have are work restrictions from a local treating physician but they can't get to that permanent point until they get that final evaluation. Now they have their IME process. They can get resolution within 60 days so they don't have them not working full capacity. She stated that the intent is also to reduce frustration. She commented that employees get frustrated with the current system because they feel that somehow the City is slowing them down but they are trying to work in the established system. She noted this will provide for faster resolution and hopefully just help everyone understand that we are not out trying to keep you from "getting something." We are trying to help you. We are trying to get fast resolution and we are trying to move things forward.

Ms. Silva commented that they are hoping for a reduction in time to resolve legal disputes through the use of mediation. Instead of having to wait on the WCAB, for example, they had a motion to quash on a subpoena filed probably at least six months ago and they still haven't even looked at it. She noted that it is backed up the same as every other system. Also, increased control of the medical process especially through the approval process that is proposed for the referral list.

Ms. Silva stated that is the proposed agreement, their anticipated outcomes. Staff recommendation at this point is that Council approves the agreement. At that point it would be sent to the state. They have to approve it. Once they approve it, it would become final and implemented. Ms. Silva offered to answer any questions.

Mayor Poythress commented that it was a great presentation.

City Administrator David Tooley stated he thinks it is important to acknowledge and express thanks to the MPOA for their willingness to engage in problem solving. This is something that serves both their interests, their ability to keep police officers on the street, and the City's ability to pay for services. They need to thank them for their willingness to engage in a problem solving process.

Mayor Poythress commented that if there are no questions for Ms. Silva or clarification then he will consider a motion for action on the subject resolution.

ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-3, RES. NO. 15-26 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

RES. NO. 15-26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING LABOR MANAGEMENT WORKERS' COMPENSATION ALTERNATIVE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY

**OF MADERA AND THE MADERA POLICE OFFICERS' ASSOCIATION AND
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE
AGREEMENT**

**C-4 First Reading and Consideration of Introduction of an Ordinance Amending
Section 7 of Chapter 9 of Title I of the Madera Municipal Code Pertaining to Notice**

City Attorney Brent Richardson commented that this item deals with their administrative citation process. Currently the administrative citation process requires a notice of violation be issued when there is a violation of the Municipal Code. Thereafter citations can be issued based on that notice. He added that the code also allows that subsequent citations for that same violation do not need a new notice of violation. In other words, every citation doesn't need a new one however, currently it has a catch that wreaks a little bit of havoc with their vehicle abatement and that is that it has to be in the same location. What they are finding is that essentially people are learning to game the system. The abandoned vehicles identified and notice of violations issued are having it in a certain place and then it moves about ½ a block to a couple of blocks, same car, same violation, same owner but now they have gamed the system and require new notice of violation. He noted it is a little loophole in the system. Basically what this does is remove the same location language but then adds in the word related. In other words if it is the same owner, the same vehicle, the same violation, then they could still dispense with another notice of violation and just issue the citation. Hopefully that will end some frustration due to a loophole that kind of keeps them from enforcing some of the abandoned vehicles that are out there in the City. Mr. Richardson offered to answer any questions.

Mayor Poythress asked if there are any questions for Mr. Richardson. No questions were asked and Mayor Poythress asked for reading of title.

The introduction of an ordinance was read by title by the City Clerk.

**ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER,
FURTHER READING WAS WAIVED, AND THE INTRODUCTION OF AN ORDINANCE WAS
ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.**

**INTRO ORD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA,
CALIFORNIA, AMENDING SECTION 7 OF CHAPTER 9 OF TITLE I OF THE
MADERA MUNICIPAL CODE PERTAINING TO NOTICE**

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

**E-1 Consideration of the City of Madera Investment Report for the Quarter Ending
December 31, 2014 for Approval and Acceptance**

Director of Financial Services Tim Przybyla stated since they have some new Council Members and this is only the second investment report that he has given, he thought he might just walk through it with Council and discuss it in a little bit of detail. He advised that basically there are two purposes of this report, which in the future will probably just be a consent calendar item, but the purposes are to submit the quarterly report and second for him to certify that the investment actions are in compliance with their policy.

Mr. Przybyla advised that in the report it shows the comparison between the last quarter which was September 30, 2014 and the quarter being reported upon now which is 12/31/14. They can look at the pie chart and see that there is a pretty big increase in the orange piece of the pie and he mentioned in the report that is the interest bearing accounts, basically cash. He advised the reason that increased from

last quarter was they had \$3 million of the five year treasuries that got called right towards the end of the month. They didn't have time to replace them but then in January they quickly replaced them. He referred to the weighted average yield and noted that for the quarter ended in September was 1.21%. It has gone down this quarter to 1.14% but they are still well above the benchmark for the one year treasury and the two year treasury. They are doing well and as the older investments drop off they will probably continue to see lower yields coming off. If they bought something five years ago and it was earning 4%, as those things drop off their rates are going to go down.

Mr. Przybyla noted that in the report they will see that it shows all of the items now that are in compliance and advised that all the yeses are good things. He commented that there is a distribution of the maturity range. It shows them how long it will be for the different investments to mature. They can see 27% is zero to one month and that includes the cash investments basically. He stated a good chunk of that would be because of the U.S. Treasuries that were called. They will see that for three to five years they are only at about 15% between the two. Previously, in November of 2014, they changed the investment policy. They used to have a 20% limit for maturities of more than three years. At that time he mentioned that some of their five year investments weren't actually five year investments. They were callable step up CD's they knew would get called. They can see that in December \$3 million of those got called so they weren't actually five year treasuries. They were anticipating that they would get called and they did. He noted that it is good that they took that limit out so they can earn more interest. He looked at today's rates and LAIF is earning 0.22% to 0.26% projected and they are earning 1.14% on their investments. He commented that a lot of cities just put their money in LAIF because it is easy but they could actually earn more money by leaving their money in the bank because they get 0.3% against their bank charges if they leave it in there. He noted that sometimes they do leave quite a bit of money in the bank just because they are earning a decent amount of interest just against their banking fees.

Mr. Przybyla commented that he thinks the reports are self explanatory. He noted that if Council Members have any questions about these reports they can give him a call or contact him after the meeting. He advised this is a quarterly report and he has certified herein that the City of Madera's investments are within compliance. Mr. Przybyla recommended that the Council approve and accept the City of Madera investment report for the quarter ended December 31, 2014 as presented.

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

Mayor Poythress commended Mr. Przybyla on a great report and added that the way it is presented it is very simple to see where the investments are and the durations, average returns and so forth.

ON MOTION BY COUNCIL MEMBER BOMPRESZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE MOTION TO APPROVE AND ACCEPT THE CITY OF MADERA INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2014 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER RIGBY.

F. COUNCIL REPORTS

Council Member Robinson reported that today he attended the Fresno Pacific groundbreaking for the AIMS Center. He commented that the center will work with teachers enrolled in the MATH and STEM Program which is science, technology, engineering, and mathematics education. He advised that it is a graduate program at Fresno Pacific University and it will help to expand STEM education in the central valley. He commented that the AIMS Education Foundation has pledged \$5 million to launch the AIMS Scholar Program that will fund scholarships awarded to up to 30 students enrolled in the graduate program every year with an estimated class enrollment of up to 90 students in three years. He added that new students will be added every year as students graduate from the program. He commented that math and science skills are required for jobs across many different industries. Examples are photography, nutrition, medicine, architecture, animation, video game design, aeronautics, and forensic science. He stated so it is one and a half million jobs coming up.

Mayor Poythress commented that is nice and those are some good education opportunities. He added that is privately run on the campus of Fresno Pacific he believes.

Council Member Bompreszi reported that she had the privilege of attending Civics Day. She thanked City staff for taking their Boy Scouts on their trip to the City. Council Member Bompreszi noted that she had to get back to a meeting. She added that Council Member Holley and Mayor Pro Tem Oliver were also there, and it was a nice luncheon.

Mayor Poythress asked if it is the 89th year.

Council Member Bompreszi responded that it is the 90th year and they received a commemorative coin.

Council Member Bompreszi reported that she attended the San Joaquin Valley Air Pollution Control District Governing Board meeting last week. She commented that it was brought up that the City's rep to the Environment of Justice Advisory Group hasn't been attending the meetings. She has never heard of the name they mentioned, Michelle Garcia, who is an at large representative. She stated that usually Don Horal was the City's rep. She added that this was probably a county appointment. She advised that it used to be called the Advisory Council and now it is EJAG. She told them she would bring it up and see if anybody knew who she was.

City Administrator David Tooley advised that staff would do a little research and provide some information.

Mayor Poythress commented that Council Member Rigby is not here but his father, grandpa, is in the audience and congratulated him.

Council Member Holley congratulated Mr. Rigby on his grandchild. Council Member Holley stated he just had a new great-grandson born last weekend, 9 lbs 3 oz, 20 inches long.

Council Member Holley reported that last Friday he attended Sierra Vista Elementary and he was able to watch over 40 kids receive awards from all grade levels. He commented that it was really exciting to be able to hand these children an award for their academics. They have some future council members, employees that will be coming their way a few years from now but that was exciting.

Council Member Holley commented, like was mentioned, they attended Civics Day this morning for the Boy Scouts. He commented that 90 years is a long time to be a part of that. He thanked City staff again for taking their young men and bringing them over here.

Council Member Holley stated he and Council Member Robinson will be honored this Saturday evening at the African American Cultural Museum Banquet to be held at the Golden Palace located off of Clinton. He wants everybody to know that good things are happening for the City of Madera that they are honoring two of their Council Members as trailblazers. In other words they say they are paving the road for other African Americans which makes him feel good that they are doing something.

Council Member Holley announced that Sierra Vista School is having a big community meeting tonight to talk about how Madera Unified School District is going to spend the \$30 million they will receive for the school district. They are having a planning meeting at the school. There will be another meeting on the 17th.

Council Member Holley reported that next Friday he will be in Reno celebrating his birthday. He is 65 and he is not ashamed. He commented that he looks better than the rest of them. He thanked everyone for all their support over the years for him and Derek and they appreciate it.

Mayor Poythress thanked Council Member Holley for working at Sierra Vista and added that is a great investment. He added that Council Member Holley is the original adopt a school guy.

Council Member Holley commented that he started there in 1955.

Council Member Medellin reported that he was contacted by a concerned citizen over issues in their parks specifically, there was crime and some other issues. He along with Mary Anne Seay and Hector Sanchez from Parks, and Chief Frazier, met with the young lady who was concerned. He appreciates the fact that she was willing not just to file a complaint but actually meet with them. After the hour or so long meeting they recruited somebody who is willing to step forward and do something about it not just file a complaint. He commented that Chief Frazier and Ms. Seay were excellent in letting her know of City services. He added that the Chief sent her an application for the Police Academy and he thinks she wants to join the Citizen's Academy as well so they can enlighten her on just what it takes to maintain a park. He commented that there were some fantastic numbers by Commander Lawson that the crime numbers in all of their parks are actually down from years past and that they are doing everything in their power to make sure that not only this person but everybody is safe. They sent the message back to her that the City is very big on neighborhood watch meetings and they invited her and her 286 friends that happened to support her to the park or wherever she would like. They can meet with City staff and they would be happy to share with them the same partnership and they encourage that partnership here in town with the citizens to help each other and be the eyes and ears. He stated that it was a great meeting and he wanted to thank them, as well as Mr. Sanchez, for meeting with her and once again sharing just what it takes to run a park, to keep everybody safe in this town.

Mayor Pro Tem Oliver stated that speaking of neighborhood watch organizations, last night, he along with Mayor Poythress and Council Member Holley attended a neighborhood watch leader meeting. There were over 40 people in attendance. He noted that it was a true success with a lot of great discussion, some good questions being asked, and a lot of folks really interested in continuing to move the ball forward. He commented that it was certainly a testament to staff's and the community's hard work in the neighborhood. He thanked staff.

Mayor Pro Tem Oliver reported that last week he attended the Coalition for Community Justice Interfaith Intercultural event. He commented that it was their 19th anniversary. He added that Council Member Holley was there as well. He believes there were over 70 faiths and cultures represented that night. They had a tremendous turnout. He had a great deal of fun. He offered, next year, to set up a table to showcase his family's Basque roots. He is excited for the 20th anniversary. He noted that it has been a good week.

Council Member Holley reported that he met with Mayor Poythress, the attorney, the Housing Authority, and Mr. Tooley over some things that Fresno Housing Authority was talking about. They are trying to come in and do something with Madera Housing. He wanted to share with Council that they had a discussion on that. If they hear about it, they should talk to the attorney about it and they can deal with them there.

Mayor Poythress reported that today he and Council Member Medellin attended the Economic Development Commission Executive Committee meeting. They really only had one item of business which was to approve a letter of support for some transmission lines for PG&E. He stated that somehow the meeting lasted for 45 minutes. He is not sure how.

Mayor Poythress reported that on January 23rd he attended his first meeting as a member of the Road Charge Technical Advisory Committee. He commented that it is a statewide committee made up of 15 people appointed by the California Transportation Commission. He represents the San Joaquin Valley and the purpose of this particular committee is to develop a plan to be implemented on 1/01/17 for a pilot program for road charge to study it. He thinks they have looked at tax on gasoline as being really not a level playing field these days because a lot of the cars are electric and they are getting higher mileage, and just all kinds of factors. He stated that it looks like Washington and Oregon are going to be implementing a road charge when driving. He thinks it is 1 ½ cents per mile so for every 10,000 miles it would be about \$150. He restated that they had their first meeting. They will be meeting once a month all around the state. He noted that the heavy lifting is going to be done this year and then next the plan is going to be developed and then again a pilot program presented. They are charged with having that out

there on the street on 1/01/17. Mayor Poythress added that he would appreciate any input staff may have in regards to this particular item. He commented that he is also chairing the Regional Policy Council, which is an eight county region, and he has asked for their support and input. He advised that in April or May the meeting is going to be here in the central valley and he thinks it is going to be in Fresno. That will give folks a chance to show up and provide some input.

Council Member Holley reported that tomorrow he will be attending the ADA meeting in Clovis. He commented that Senator Berryhill will be speaking on ADA compliance. There are some new ADA laws that passed. He will report more after that.

G. CLOSED SESSION

There are no items for this section.

ADJOURNMENT

The meeting was adjourned by Mayor Poythress at 6:48 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

