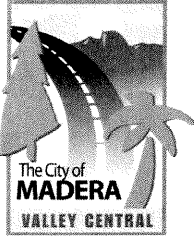


Item:	B-1
Minutes for:	6/17/15
Adopted:	12/16/15



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

**June 17, 2015  
6:00 p.m.**

**Council Chambers  
City Hall**

**CALL TO ORDER**

The regular meeting for 6/17/15 was called to order by Mayor Pro Tem Oliver at 6:00 p.m.

**ROLL CALL:**

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

**Absent:** Mayor Robert L. Poythress

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, Planning Manager Chris Boyle, Commander Dino Lawson, and Division Fire Chief Ron Eldridge.

**INVOCATION:** Pastor Randy Brannon, Grace Community Church

**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.

Moses Ibarra, residing in Reedley, California, stated he is a retired vegetable farmer, math teacher and also a Vietnam veteran. He is here on behalf of the Dinuba Vietnam Memorial Wall. He advised that a lot of cities had the opportunity to have the wall in their particular city. When it came to them they had the chance and they took it and they are running with it. He commented that on April 19, 2015 they brought the wall to the Dinuba Memorial Hall. It is set up right now in a temporary position. He stated that in a year's time they will have it mounted on an elliptical or an oval shape configuration. Mr. Ibarra distributed some information to the Council. He stated this is an ongoing thing. He commented that the wall is costing them

\$177,000. So far they have reached \$45,000. They are continuing to ask for donations. They have a whole bunch of different ways of coming up with the money. Mr. Ibarra stated that the Vietnam Wall is a unique memorial in such that everybody that had perished or died in combat has their name inscribed on the wall. He advised that is over 58,300 individuals and it is the only memorial that does that. He stated that it is really sad when they take a look at the wall and they see so many names on there. A lot of times if there were something else that could have been done, it should have been done. He stated that politicians, to him, they are the ones that start the wars and if they have a chance to view the names or just to go ahead and see the wall and then see all the names on it they will probably think twice before starting another conflict. He wanted to make it short and brief. He introduced Frank Nunez who will speak on one of their donations.

Frank Nunez stated he is also a Vietnam Veteran. When he was a young buck he volunteered. He thought he was going to go out and fight and win the war but he forgot one thing, they shoot back tremendously. He stated that along with Moses here, on Flag Day they had the opportunity of adding 70 more members of the remains that were found. They were able to put them back on the wall. He commented that there are still people out there. He added that in going around and talking to people, some people may think it is a Dinuba thing, it is a Tulare kind of thing; it is a Veteran thing. He stated that it is not just the Dinuba group of people that died. There are people here from Madera and in fact, Moses has statistics of how many members were killed in Vietnam during that timeframe. He stated that one of the functions they just had, Flag Day, they had a number of people coming in and they accepted donations. He advised that one of the fundraisers that they are working on right now is they are making a walkway from the building to the wall itself and it is a brick. He referred to one particular brick which states in loving memory. He advised that they can put whatever they want to do for \$125. Mr. Nunez stated if anyone is interested, he has a worksheet and he can leave it with the City Council. He added that if they have any questions his number is on there. They would like to come back and give the Council a status report on how they are doing.

Mayor Pro Tem Oliver thanked Mr. Ibarra and Mr. Nunez for their service and for traveling all this way to share that information.

Mike Fuller, residing in Madera, California, stated he is here to give them a brief update on an issue that he spoke about at their last meeting in regards to his efforts to do what he can to improve the security and other conditions in his neighborhood. He advised that he lives right across the street from the new courthouse. When he spoke at their last meeting, Steve Montes who is here tonight was here then, and he got right on it and he set up a meeting between himself, Mr. Fuller, Jim Taubert and Andrew Martinez from Code Enforcement. Mr. Fuller stated he was really happy to find out that they have already been working in his neighborhood particularly targeting some vacant apartment buildings which any vacant building really creates big problems for them. He added that they are doing some other work in the neighborhood as well. He noted that Mr. Taubert also suggested that he do what has been done in other neighborhoods to organize a community meeting particularly based on finding out what his neighbor's issues are, if they are the same as his or others, and then get people from the City and the County Departments that are responsible for those issue areas and then try to focus some effort in that neighborhood for a period of time and hopefully improve the situation a little bit and then they move on to the next neighborhood. He thinks it is a good start. He stated, to be honest, crime, poverty, homelessness and world peace, they are pretty tough nuts to crack but he thinks this is a really good first step. He advised that he spoke to the County the other day and Eric Fleming, their CAO, and Darin McCandless his deputy, they have been very helpful also which is really important because he is surrounded by County property and they own several vacant buildings in his neighborhood. He noted that they have been really great to work with as well and they are eager to participate. When he updated the Board of Supervisors the other day, Supervisor Farinelli suggested that neighborhood watch is really a great approach. He thinks there is some potential for that but he thinks there are going to be some other things that they can do to further things along but he doesn't know what they are. What he is going to do is draft a questionnaire or a survey, noting that he is just getting ready to leave for six weeks so he probably won't begin this effort until the middle of August, but before he goes he will get a draft to Jim Taubert and get some feedback from him and then he will circulate the survey amongst his neighbors and get a better sense of what their concerns are and hopefully through this initial effort they will build at least the beginnings of a map of how they can begin to work on what probably is

going to be a long term problem. He stated that is where they are right now. He just wanted to give them an update and hopefully he will come back to City staff with a written report probably sometime in early September, set up a meeting date, and then go from there. He offered to answer any questions. He stated his appreciation of how responsive both the City and County have been so far.

Mayor Pro Tem Oliver thanked Mr. Fuller for the update.

Thomas Greci stated he is the General Manager for Madera Irrigation District (District) and he is here for a couple of reasons. One is just to introduce himself to the Council and also introduce the District to the Council. He has been with the District for about four years; three years now, working on his fourth water season. Every year he keeps saying it can't get any worse and it has but they are doing a lot at the District and he wants to start sharing that with the City. He stated there are a number of reasons for that. He advised that the District's mission is to obtain and manage affordable surface water and groundwater supplies in a manner which will ensure long term viability of irrigated agriculture in the District. He commented that they cover about 130,000 acres. He noted it is a pretty large district. He stated that 9,400 of those acres are actually in the City of Madera so the majority of the City of Madera is actually within Madera Irrigation District and that is important to consider. They have about 300 miles of pipelines, 300 miles of canals and 150 miles of large diameter pipelines with a lot of those pipelines running right through the City of Madera as they are very well aware and they are constantly working with the City Engineering Department on managing that system including the conveyance of some of the City's stormwater system. He advised that their water supplies include pre-1914 water rights off of Merced River, the San Joaquin River and the Fresno River and these are dated back to the mid-1800's actually originating with the development of the flume to float lumber to the City of Madera which is where their City originated. They still realize those rights today. They also have contracts with the Bureau of Reclamation off of the San Joaquin River, Friant Dam, and Millerton Lake for a Class I supply of 85,000 acre feet and Class II supply of 186,000 acre feet along with a contract on Hensley Lake or Hidden Dam. He added that for the full yield of that project they pay for about 24,000 acre feet but that is a 90,000 acre foot storage facility. He stated they have very good water rights and those are directly to the City's water supply. He advised that every acre foot of water that they deliver to their growers shuts off a well and that water stays in the ground in the aquifer which is then utilized by the City for their supply. He commented that their success and the amount of water they deliver directly impacts the City's supplies and the City is the heart of their District. He noted that by shutting off those wells in the peak irrigation demand of the summer months when they typically run, they preserve that water for future years and for the City's supply. He stated it is important that they work together and they do. They are involved in a number of groups including the Regional Water Management group, which also includes the City, Groundwater Management Planning which they recently completed and also included the City of Madera, the CASGEM group. He added that recently they formed the JPA which is the organization kind of ahead of the groundwater legislation. They formed that to work together to get around the table and start cooperating which the City is also a member of. Now they are working along with the City to form a GSA to manage groundwater in their area and they will be hearing a lot of that in the near future. As they can see they already have great working relationships and they have strengthened those over the last couple of years with the City. He thinks there are a lot of good programs that will be coming, ways that they can cooperate to make sure that they secure their water supplies. Mr. Greci stated he is here tonight because they are going to talk about water conservation. Because of the serious drought conditions that they are dealing with over the last two years, the first years ever in the history of the Central Valley Project, they received zero water supply allocations. That has never occurred before and that is due to environmental regulations and pumping restrictions in the Delta. They never had to deal with Delta issues before and now they are in that game just like the west side. He stated it is a whole new world. They have the groundwater legislation coming to play so they will be seeing a lot of him in the near future and he thinks the relationship they are building with the City and the District is an important one and he looks forward to continuing to grow that. Mr. Greci state he will stick around for the conservation item and if the Council has any questions he will be happy to answer those. He looks forward to coming back any time staff or Council feels they want a full presentation on the District and what they are doing or updates on any specific program, he is happy to do that and he looks forward to it. He encourages them to invite him back to do that.

Mayor Pro Tem Oliver stated they definitely will and thanked Mr. Greci for their partnership.

Mayor Pro Tem Oliver asked if anyone else wishes to address Council at this time.

Bill Jones, residing in Madera, California, stated he has a question of public concern and it really bothers him and that is the septic tank south of Lowe's on Dutra and Schnoor. He stated that entire collecting pond has a thick coating of green on it. He doesn't know how many mosquitos are there and what kind of a health problem this adds to the City of Madera. He would like to have somebody look into it and if necessary drain the thing. He added that he too is a former Vietnam Veteran, 29 months, 1,000 combat missions, shot down five times but God said you are not dying today, you've got to come to the City Council.

Mayor Pro Tem Oliver thanked Mr. Jones for his service. He asked Mr. Jones to leave his contact information with staff and they will have the Public Works Director reach out to him to set up a one on one meeting.

Mayor Pro Tem Oliver asked if any other members of the public wish to speak during public comment. No other requests were made.

## **PRESENTATIONS**

### **1. Recognition of Rotary for the Pavilion Rehab**

Mayor Pro Tem Oliver invited Mary Anne Seay from Parks and Community Services to join him at the podium to provide an update and overview of a recent Rotary Pavilion Park Project. He stated that afterwards he would like to invite some representatives of Rotary to join them at the podium as well.

Mary Anne Seay, Director of Parks and Community Services, stated that in 2011 and 2012, the City wrote successful CDBG grants for pavilion replacements in Pan Am Park and Rotary Park. They were successful for a portion of that. What they did not get was about \$180,000 for tearing down and replacing of the pavilion at Rotary Park on Gateway, the southerly most pavilion. They reached out to their brothers and sisters in the Rotary Club and as always they came to save the day. She stated that the Madera Noon and Sunrise Rotary Clubs put down their clubs and expressed a desire to work together jointly with the City to rehabilitate that picnic pavilion. Ms. Seay advised that a couple of months ago staff came to the Council and talked about the success that they had with the Madera Sunrise Rotary Club constructing the new restroom out there. She commented that in much the same way much of this work was done with resources either sweat equity or actual dollars from Madera Rotary Clubs. Each of them wrote some grants and then also dipped into their own coffers for a little bit more than \$6,100 toward the materials for the project. She added that there were several volunteer days where they came out. She noted that the most recent was Saturday. She thinks it was 195 degrees on that day but they still had a nice turnout. She stated that she doesn't see what the big deal was, what the problem was, it looks fine to her as she displayed a before picture of the structure before any rehabilitation took place. They can see why their partners would agree to help them. She displayed another slide showing another angle where they can see how the wood is rotting on the fascia and the trim. They can see that it is not just the fascia but it is actually in the roof under the tile. That gives them an idea of where they are headed. Ms. Seay displayed a photo of the roof. She noted that they actually had a picture with somebody working on top of the roof. The view was on the roof and they could see through the roof down to the picnic tables so it was quite a lot of damage up there. Ms. Seay displayed another photo noting that it is after all the construction but before the last slick layer of paint and a final photo of the completed project.

Ms. Seay stated that normally during presentations like this they don't take the time to show photos but they thought because of how far they came it is something to celebrate. She commented that the partnership the City has with service clubs and specifically both Rotary Clubs is so important to their everyday operations. They help so much with volunteer hours when needed whether it is on the program side or infrastructure side and they just really appreciate their partnership. She noted that Mayor Pro Tem Oliver is going to speak a little bit more about that. Ms. Seay displayed a photo of the finished project with

the Rotary Seal. She noted that gives them a little bit of an idea of the size and scope of that pavilion. She is sure most of them have been there. She added that one of the things they liked about not tearing this down and replacing it with one of the steel structures as they did on the other side of the park is that in addition to not having to spend \$180,000 plus, there is a little bit of lure in this facility; a lot of baptisms, quinceañeras, parties, and birthday parties. They get a lot of stories from Maderans about events that have happened there. They are really pleased and encourage them to go by and take a look at the fine work that has been done.

Ms. Seay stated they want to give a very specific thank you to the Madera Rotary Clubs, both Sunrise and Noon, for their donations of time and money; Madera Roofing for roofing; S & J Lumber for reduced rates for lumber and construction materials; and they really want to thank the City Building Department and Public Works for their support; and her colleague John Scarborough, present this evening, who really worked hard with Mr. Velasquez and Mr. Palacios from the Parks Department. They are really, really pleased to bring this project to the Council today. Ms. Seay displayed more photos. She noted that the facility is available for rentals. She offered to answer any questions.

Mayor Pro Tem Oliver invited Rotary representatives to join him at the podium. He noted, for full disclosure, that he is a proud Sunrise Rotarian so as pleased as they are to see this project come to fruition, they are also impressed to see that both clubs are able to set aside their Rotarian rivalry and come together at a service of the greater good. He stated, in all honesty, that if it wasn't for organizations like Rotary, especially in their community, projects like this just would not get off the ground. Mayor Pro Tem Oliver added that he also has to credit staff in the Parks and Community Services Department and among other departments. They often have to look and be proactive and identify partners in their community who they know they can rely on, who will step up with them to leverage their time, energy and resource to meet their communities growing needs. He noted that they cannot say thank you enough. He stated that obviously the Rotarian Motto Service Above Self is an understatement for these two clubs. Their positive input is felt in their community and many, many corners throughout their world. He thanked them for their service, for their continued partnership. He added that the Parks and Community Services organization would be a shell organization if it wasn't for clubs like theirs that really help serve as another arm to their great City.

Mayor Pro Tem Oliver invited Gordon Kennedy and Diana Barden to the podium.

Gordon Kennedy stated he is a Past President of the Madera Sunrise Rotary Club and also a Past District Governor for the District of about 53 or 54 clubs now. He advised that they are in the southern end of the district and it goes clear up to Galt on the north from the I-5 corridor, on the west of Los Banos to Tracy and up into the foothills Oakhurst, Yosemite, Mariposa, and Sonora. They have been fortunate enough to be able to get grant monies to help in their communities. He advised that this is a fairly new project that they have been able to do just in the last four or five years now and it will be continuing. They donate to the Rotary Foundation and each club gets back a certain amount of money according to the amount of money they donate and that can be used for match money in the communities where they live and work and that is how they did with this project. He noted that the two clubs put their match money together from the Rotary Foundation through their Rotary District and then they matched that so that is how they came up with the money to do the roofing. As has been said, a lot of the work was done by Rotarians, friends of Rotarians, and spouses of Rotarians. They have been very fortunate to be able to give back to the community some of the things that the community has given to them. He added that they will be doing more of those projects. He advised that they have one in the works right now for this year. For the year 2015/16 which starts first of July there will be another joint project for the two clubs to work with their library here to provide much needed books. He stated that if there are other projects in the community that the City knows of, they would be more than happy to talk to the City about those for the future. He stated that their projects will probably be in the \$6,000 to \$8,000 grant type projects but working with other people in the community and Madera Roofing was very good to work with them on this project and save a lot of money both for the City and for the Rotary Clubs to be able to reroof the pavilion. Mr. Kennedy stated that the two clubs have been working together on a number of other things in the community. They both raise funds in the community and a lot of them have been to functions that they both put on and they appreciate that because a lot of that money is put right back into the community. He added that is how they get their

grant money too. Mr. Kennedy thanked the City Council for doing some things for them such as for permits and so on that they are able to do short form on them to be able to do projects like this. They have done others in the sports complex and will continue to do other projects there too.

Diana Barden stated she is Past President of the Madera Rotary Club that meets at noon. She wants to say that they have a vested interest particularly in this large pavilion because in the early 1980's it was members of their club that built it. They hated to see it come down. They are anxious to get out there and do the repairs to make it last another 15-20 years for their City. She added that she particularly wants to thank John Scarborough and the crew that works for him because they were with the club from the very beginning working with them side by side on all the work that they did, all the planning that they did, and it really has been a wonderful relationship that they have with the Parks Department. Ms. Barden thanked them all very much.

Mayor Pro Tem Oliver stated he was informed he would get a fine for not wearing his Rotary t-shirt.

## **2. CMAQ Check Presentation for New Street Sweeper**

Mayor Pro Tem Oliver invited Jason Rogers from the Public Works Department to give a presentation on CMAQ.

Jason Rogers, Administrative Analyst for Public Works, stated they are presenting a check tonight for \$204,000 for reimbursement of a street sweeper that they recently purchased. They were able to get funding through the federal CMAQ (Congestion Mitigation Air Quality) program that they give to the states to fund air quality improvement projects. He stated that they were able to submit an application several years ago for reimbursement for a street sweeper. Once they were able to jump through several hoops with Caltrans and DOT (Department of Transportation), they were able to recently purchase this vehicle and it is sitting over in the Public Works yard getting ready to go out. He noted that it will be going out five days a week, eight hours a day and should reduce fine particulate matter by about 127 lbs. a year making the area around here a little bit cleaner to breathe. Mr. Rogers presented the ceremonial check to Mayor Pro Tem Oliver.

## **3. Air District Grant Awards**

Mayor Pro Tem Oliver invited Tim Przybyla from the Finance Department to give the presentation on the San Joaquin Air District Remove Grant Award.

Tim Przybyla, Director of Financial Services, stated he is aware of the CNG Vehicle Training that was paid for out of part of this amount. He asked Mr. Abdella to share what the remaining portion was for.

Daniel Abdella, Grants Administrator, stated the grant covers the Signal Light Project on 4<sup>th</sup> Street and the other \$100,000 is for the purchase of five new CNG vehicles.

Mr. Przybyla stated he was assuming it was the other grant for the training. He commented that they have \$100,000 where they will be able to apply \$20,000 per CNG vehicle which is very nice. They have been waiting over a year to receive that funding and the street signal lights also courtesy of the Air Pollution Control District. Mr. Przybyla stated he is happy to receive those funds. He added that the Fleet Services Manager Randy Collin is on vacation so he is not here to receive for the Fleet Department but they are looking at purchasing five brand new compressed natural gas vehicles here shortly. Mr. Przybyla presented the ceremonial check to Mayor Pro Tem Oliver.

Mayor Pro Tem Oliver stated that in order to make these opportunities possible staff puts in a lot of time, a lot of hard work to see that gets done. He added that they have a great representative on the Air Control District Board with Council Member Bompreszi so her service is always appreciated and thanked her.

**A. WORKSHOP**

There are no items for this section.

**B. CONSENT CALENDAR**

- B-1 Minutes – There are no minutes for consideration.
- B-2 Information Only – Warrant Disbursement Report 5/22/15-6/4/15
- B-3 Consideration of a Resolution Approving an Agreement with Madera County to Provide Dial-A-Ride Transit Services to County Residents for Fiscal Year 2015-16 and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Daniel Abdella)
- B-4 Consideration of a Resolution of the City Council of the City of Madera, Authorizing City Designee(s) to Make Application for and to Sign Appropriate Documentation for Federal Transit Administration (FTA) Programs, Projects, and Grants (Report by Daniel Abdella)
- B-5 Consideration of a Resolution Recognizing the San Joaquin River Valley as a Travel and Tourism Destination to Promote Economic Development Opportunities for the City of Madera and the San Joaquin River Valley Region (Report by Sonia Alvarez)
- B-6 Consideration of a Resolution Approving an Agreement with Bedrock Engineering for Professional Surveying and Engineering Services to the City of Madera for the Olive Avenue Widening, Gateway Drive to Knox Street Project (Report by Keith Helmuth)
- B-7 Consideration of a Resolution Consenting to the Inclusion of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto (Report by Daniel Abdella)
- B-8 Consideration of a Resolution Approving an Agreement with Central Cal Communications for Products and Services to re-cable Madera City Hall and Engineering Building Data Infrastructure and Authorizing the Mayor to Execute the Agreement (Report by Ted Uyesaka)
- B-9 Consideration of a Resolution Approving an Agreement with Info-Tech Research Group Inc. for Research and/or Consulting Services to Assist the City of Madera Information Services Department with Project and Product Research, Creation of Policies and Procedures, and other Various Technology Consulting Services and Authorizing the Mayor to Execute the Agreement (Report by Ted Uyesaka)
- B-10 Consideration of a Resolution Setting the Monthly Health Benefit Allowance for the City Council of the City of Madera (Report by Wendy Silva)
- B-11 Consideration of a Resolution Approving Amendments Regarding Health Benefits to Employment Agreements with the City Administrator, City Clerk, City Attorney, Executive Director of the Successor Agency to the Former Madera Redevelopment Agency, Planning Manager, Grant Administrator, Director of Community Development, Public Works Operations Director, City Engineer, Director of Parks & Community Services, Chief of

Police, Chief Building Official, Information Services Manager, Director of Financial Services, and Director of Human Resources (Report by Wendy Silva)

- B-12 Consideration of a Resolution Approving the Award of Contract for the Gateway Drive-Cleveland Avenue Section 130 Intersection Improvements Federal Project No. STPLR-7500 (208) City Project No. ST 14-09 in the Amount of \$143,900.50 to A-C Electric Company, Authorizing Construction Contingencies of Up to 20% and Construction Inspection and Management of Up to 15%, and Authorizing the Mayor to Execute the Contract (Report by Keith Helmuth)
- B-13 Consideration of a Resolution Approving Amendment No. 1 to Service Contract No. 75LX232 between the State of California Department of Transportation and The City of Madera Under the Section 130 Grade Crossing Improvement Program for Improvements to the Cleveland Avenue Crossing and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Keith Helmuth)
- B-14 Consideration of a Resolution Approving an Agreement with Krazan & Associates, Inc. for Professional On-Demand Services for Quality Assurance and Materials Testing Services for Highway Safety Improvement Program (HSIP) at Various Locations Federal Project No. HISPL 5157 (084) / City Project No. TS-18 (Report by Keith Helmuth)
- B-15 Consideration of a Resolution Approving an Agreement with Kleinfelder West, Inc. for Professional On-Demand Services for Quality Assurance and Materials Testing Services for Gateway Drive – Cleveland Avenue Section 130 Intersection Improvements Federal Project No. STPLR-7500 (208) City Project No. ST 14-09 (Report by Keith Helmuth)
- B-16 Consideration of a Resolution Approving an Agreement with Moore Twining Associates, Inc. for Professional On-Demand Services for Quality Assurance and Materials Testing Services for Laurel Street Bike Path Sunset Avenue to Fresno River Trail Federal Project No. CML 5157 (097) SJVAPCD Project No. C-28159-A City Project No. PK-12 (Report by Keith Helmuth)
- B-17 Consideration of a Resolution Approving Request for Outside of City Water Service for Property Located at 27337 Ellis Street (Report by Keith Helmuth)
- B-18 Consideration of a Resolution Authorizing the City Administrator or Other Authorized Representative to: Execute all Implicated Documentation for Pre-Application and Application to the Federal Aviation Administration (FAA) for Airport Improvement Program (AIP) Grants for Federal Fiscal Years 2016 and 2017 for the Madera Municipal Airport (MAE) as Shown in the City's Capital Improvement Plan; Accept FAA AIP Grant(s) for FY 2016 and FY 2017 Projects at the Airport Including All Subsequent Amendments Thereto Offered by the FAA; and Apply for and Accept Grants and All Subsequent Amendments Thereto Offered by the California Department of Transportation Aeronautics Division for Matching Funds for FY 2016 and 2017 FAA-Approved Projects at the Madera Municipal Airport (Report by Dave Randall)
- B-19 Consideration of a Resolution of the City Council of the City of Madera, California, Ratifying and Approving a New Schedule "A" Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) from July 1, 2014 to June 30, 2016 for Fire Service Operations, and Authorizes the Mayor to Sign the Agreement on behalf of the City of Madera (Report by Jim Forga)
- B-20 Consideration of a Minute Order Acceptance of the Installation of Water Meter in Private Residential Subdivisions City Project No. W 14-01 (Report by Keith Helmuth)



- B-21 Consideration of a Resolution Approving a Special Services Agreement with Sonia Hall of Granted Solutions for Consulting Services Related to Grant Administration for the City of Madera (Report by Tim Przybyla)
- B-22 Consideration of a Resolution Approving an Administrative Policy Regarding Compliance with Continuing Disclosure Requirements (Report by Brent Richardson)
- B-23 Consideration of a Resolution Approving a Special Services Agreement with Urban Futures Inc. for Continuing Disclosure Services Related to City of Madera Bonds (Report by Tim Przybyla)
- B-24 Consideration of a Resolution Approving a Side Letter Agreement between the City of Madera and the Law Enforcement Mid Management Group Related to Health Benefits and Authorizing the City Administrator to Execute the Agreement (Report by Wendy Silva)
- B-25 Consideration of a Resolution Approving a Side Letter Agreement between the City of Madera and the Madera Police Officers' Association Related to Health Benefits and Authorizing the City Administrator to Execute the Agreement (Report by Wendy Silva)
- B-26 Consideration of a Resolution Approving a Side Letter Agreement between the City of Madera and the Mid Management Employee Group Related to Health Benefits and Authorizing the City Administrator to Execute the Agreement (Report by Wendy Silva)
- B-27 Consideration of a Resolution Approving a Side Letter Agreement between the City of Madera and Operating Engineers Local Union No. 3 Related to Health Benefits and Authorizing the City Administrator to Execute the Agreement (Report by Wendy Silva)
- B-28 Consideration of a Resolution Accepting a Grant Award from the San Joaquin Valley Air Pollution Control District Public Benefit Program Alt-Fuel Component and Authorizing the City Administrator, or designee, to Execute All Required Grant Documents (Report by Daniel Abdella)

Mayor Pro Tem Oliver announced that staff has requested item B-27 pulled from the consent calendar and no action will be taken at this time.

Mayor Pro Tem Oliver asked if members of the Council would like to pull any items from the consent calendar for further discussion.

Council Member Rigby requested item B-7 pulled for further discussion, the HERO program, as well as B-17 noting that he has a couple of questions.

Mayor Pro Tem Oliver asked if there are any other items. No others were pulled and Mayor Pro Tem Oliver announced that he would entertain a motion for the approval of the consent items except for item B-7 and B-17 and B-27.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEMS B-7, B-17, AND B-27 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: MAYOR POYTHRESS.**

**RES. NO. 15-108      A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE ONE YEAR FY 2015-16 AGREEMENT WITH THE COUNTY OF MADERA FOR DIAL-A-RIDE SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

- RES. NO. 15-109** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING CITY DESIGNEE(S) TO MAKE APPLICATION FOR AND TO SIGN APPROPRIATE DOCUMENTATION FOR FEDERAL TRANSIT ADMINISTRATION (FTA) PROGRAMS, PROJECTS OR GRANTS
- RES. NO. 15-110** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA RECOGNIZING THE SAN JOAQUIN RIVER VALLEY AS A TRAVEL AND TOURISM DESTINATION TO PROMOTE ECONOMIC DEVELOPMENT OPPORTUNITIES FOR THE CITY OF MADERA AND THE SAN JOAQUIN RIVER VALLEY REGION
- RES. NO. 15-111** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH BEDROCK ENGINEERING FOR PROFESSIONAL SURVEYING AND ENGINEERING SERVICES TO THE CITY OF MADERA FOR THE OLIVE AVENUE WIDENING, GATEWAY DRIVE TO KNOX STREET PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
- RES. NO. 15-112** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH CENTRAL CAL COMMUNICATIONS FOR PRODUCTS AND SERVICES TO RE-CABLE MADERA CITY HALL AND ENGINEERING BUILDING DATA INFRASTRUCTURE, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
- RES. NO. 15-113** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH INFO-TECH RESEARCH GROUP INC. FOR RESEARCH AND/OR CONSULTING SERVICES TO ASSIST THE CITY OF MADERA INFORMATION SERVICES DEPARTMENT WITH PROJECT AND PRODUCT RESEARCH, CREATION OF POLICIES AND PROCEDURES, AND OTHER VARIOUS TECHNOLOGY CONSULTING SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT
- RES. NO. 15-114** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA SETTING THE MONTHLY HEALTH BENEFIT ALLOWANCE FOR THE CITY COUNCIL
- RES. NO. 15-115** A RESOLUTION APPROVING AMENDMENTS REGARDING HEALTH BENEFITS TO EMPLOYMENT AGREEMENTS WITH THE CITY ADMINISTRATOR , CITY CLERK, CITY ATTORNEY, EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, PLANNING MANAGER, GRANT ADMINISTRATOR, DIRECTOR OF COMMUNITY DEVELOPMENT, PUBLIC WORKS OPERATIONS DIRECTOR, CITY ENGINEER, DIRECTOR OF PARKS & COMMUNITY SERVICES, CHIEF OF POLICE, CHIEF BUILDING OFFICIAL, INFORMATION SERVICES MANAGER, DIRECTOR OF FINANCIAL SERVICES AND DIRECTOR OF HUMAN RESOURCES
- RES. NO. 15-116** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AWARD OF CONTRACT FOR THE GATEWAY DRIVE-CLEVELAND AVENUE SECTION 130 INTERSECTION IMPROVEMENTS FEDERAL PROJECT NO. STPLR-7500 (208) CITY PROJECT NO. ST 14-09 IN THE AMOUNT OF \$143,900.50 TO A-C ELECTRIC COMPANY, AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 20% AND CONSTRUCTION INSPECTION AND MANAGEMENT OF UP TO 15%, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

- RES. NO. 15-117** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING SERVICE CONTRACT NO. 75LX232 AMENDMENT NO. 1 BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF MADERA UNDER THE SECTION 130 GRADE CROSSING IMPROVEMENT PROGRAM FOR IMPROVEMENTS TO THE CLEVELAND AVENUE CROSSING AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY
- RES. NO. 15-118** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH KRAZAN & ASSOCIATES, INC., FOR PROFESSIONAL ON-DEMAND SERVICES FOR QUALITY ASSURANCE AND MATERIALS TESTING SERVICES FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) AT VARIOUS LOCATIONS FEDERAL PROJECT NO. HSIPL 5157 (084)/CITY PROJECT NO. TS-18
- RES. NO. 15-119** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH KLEINFELDER WEST, INC., FOR PROFESSIONAL ON-DEMAND SERVICES FOR QUALITY ASSURANCE AND MATERIALS TESTING SERVICES FOR GATEWAY DRIVE – CLEVELAND AVENUE SECTION 130 INTERSECTION IMPROVEMENTS FEDERAL PROJECT NO. STPLR-7500 (208) CITY PROJECT NO. ST 14-09
- RES. NO. 15-120** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH MOORE TWINING ASSOCIATES, INC., FOR PROFESSIONAL ON-DEMAND SERVICES FOR LAUREL STREET BIKE PATH SUNSET AVENUE TO FRESNO RIVER TRAIL FEDERAL PROJECT NO. CML 5157 (097) SJVAPCD PROJECT NO. C-28159-A CITY PROJECT NO. PK-12
- RES. NO. 15-121** RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE CITY ADMINISTRATOR OR OTHER AUTHORIZED REPRESENTATIVE TO: EXECUTE ALL IMPLICATED DOCUMENTATION FOR PRE-APPLICATION AND APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR AIRPORT IMPROVEMENT PROGRAM (AIP) GRANTS FOR FEDERAL FISCAL YEARS 2016 AND 2017 FOR THE MADERA MUNICIPAL AIRPORT (MAE) AS SHOWN IN THE CITY'S CAPITAL IMPROVEMENT PLAN; ACCEPT FAA AIP GRANT(S) FOR FY 2016 AND FY 2017 PROJECTS AT THE AIRPORT INCLUDING ALL SUBSEQUENT AMENDMENTS THERETO OFFERED BY THE FAA; AND APPLY FOR AND ACCEPT GRANTS AND ALL SUBSEQUENT AMENDMENTS THERETO OFFERED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AERONAUTICS DIVISION FOR MATCHING FUNDS FOR FY 2016 AND 2017 FAA-APPROVED PROJECTS AT THE MADERA MUNICIPAL AIRPORT
- RES. NO. 15-122** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA RATIFYING AND APPROVING A NEW SCHEDULE "A" AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CALFIRE) FROM JULY 1, 2014 TO JUNE 30, 2016 FOR FIRE SERVICE OPERATIONS, AND AUTHORIZES THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF MADERA
- RES. NO. 15-123** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SPECIAL SERVICES AGREEMENT WITH SONIA HALL OF GRANTED SOLUTIONS FOR CONSULTING SERVICES RELATED TO GRANT

**ADMINISTRATION FOR THE CITY OF MADERA, AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT**

- RES. NO. 15-124**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN ADMINISTRATIVE POLICY REGARDING COMPLIANCE WITH CONTINUING DISCLOSURE REQUIREMENTS**
- RES. NO. 15-125**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AGREEMENT WITH URBAN FUTURES, INC. FOR CONTINUING DISCLOSURE SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**
- RES. NO. 15-126**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF MADERA AND THE LAW ENFORCEMENT MID MANAGEMENT GROUP RELATED TO HEALTH BENEFITS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT**
- RES. NO. 15-127**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF MADERA AND THE MADERA POLICE OFFICERS' ASSOCIATION RELATED TO HEALTH BENEFITS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT**
- RES. NO. 15-128**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF MADERA AND THE MID MANAGEMENT EMPLOYEE GROUP RELATED TO HEALTH BENEFITS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENT**
- RES. NO. 15-129**      **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT PUBLIC BENEFIT PROGRAM ALT-FUEL COMPONENT AND AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ALL REQUIRED GRANT DOCUMENTS**

Mayor Pro Tem Oliver called item B-7 for discussion.

*B-7      Consideration of a Resolution Consenting to the Inclusion of Properties within the City's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto*

Council Member Rigby stated he would like a little more information as to what exactly the HERO program is; number one as to how their City will use it to help benefit its private citizens understanding that it is an energy renovation opportunity program. He noted that the nuts and bolts of it is pretty easy to understand but he is just sort of curious where the City fits in to the equation of it all.

Mayor Pro Tem Oliver responded that he is vaguely familiar with the program. He believes it has been in action for the last several years now and it provides average homeowners the opportunity to leverage their home equity rather than their personal credit to fund projects that save water and save energy. As they know, especially in light of recent discussions over the last several months, folks are looking for creative ways to look at home energy improvements and greater efficiencies. He added that this is something that many valley communities including Lemoore, Fresno, their friends at Madera County, City of Merced and

larger metropolitan cities like San Francisco and LA have adopted to afford that resource to its homeowners. Outside of that he doesn't know if Mr. Tooley or anyone else would like to chime in.

City Administrator David Tooley commented that it simply provides an additional financial tool for homeowners who want to make those kinds of improvements. He added that the more choices a homeowner has the better off they are generally going to be. If they are looking for a mechanics discussion that is going to be Mr. Abdella. Mr. Tooley stated he doesn't dabble in that part of the program.

Grant Administrator Daniel Abdella stated the mechanics are actually very simple. He commented that the City has little to no involvement. He noted that the item before the Council tonight would allow the City to join the joint powers authority that actually provides the funding, does the administration. What they do is they advance the funds to perform these enhancements and they recover their funding through the property tax payments. He restated that the City, like he said, has no real involvement. They do not administer or collect payments, nor do they extend the financing themselves.

Mr. Tooley stated, in summary fashion, it creates very little work for the City, it provides a tool for the homeowner, and it creates very little in terms of exposure for the City so it comes back to for goodness sakes, why not.

Mayor Pro Tem Oliver asked if there are any other questions regarding item B-7. No other questions were asked and Mayor Pro Tem Oliver announced he would entertain a motion for action.

**ON MOTION BY COUNCIL MEMBER BOMPREZZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM B-7, RES. NO. 15-130, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: MAYOR POYTHRESS.**

**RES. NO. 15-130      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO**

Mayor Pro Tem Oliver called item B-17 for discussion.

*B-17    Consideration of a Resolution Approving Request for Outside of City Water Service for Property Located at 27337 Ellis Street*

Council Member Rigby asked if this was a county address.

City Engineer Keith Helmuth responded yes.

Council Member Rigby asked what exactly is the service the City is going to be providing. He asked if they are requesting to come on to the City's line.

Mr. Helmuth responded that they are allowing them to connect on to the line with approval of this. He explained that what happens when they request out of City service is they typically say they have trouble with their well whether it is difficulty with delivery or the well just plain failed. It is approved by the City and LAFCO also gives a head nod approval to it. He added that when they connect they pay for half of the cost of a portion of the water line adjacent to it and they pay impact fees. Then they sign on for service with the City through the Finance Department.

Council Member Rigby asked if this is a temporary request or is this something that is going to be permanent.

Mr. Helmuth responded that it will be permanent. He added that typically the City requires that they let go of their well; the well needs to be abandoned. He noted there are exceptions where they want to keep the well. If it is still producing in a minor fashion, they might want it for major landscaping. What they do is they look for an air gap in the system to completely separate the well out from the rest of the system and they put a back flow prevention device on it as well.

Council Member Rigby thanked Mr. Helmuth and added that he had never seen this before.

Mayor Pro Tem Oliver asked if there are any other questions. No other questions were asked and Mayor Pro Tem Oliver announced he would entertain a motion for action.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM B-17, RES. NO. 15-131, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: MAYOR POYTHRESS.**

**RES. NO. 15-131      A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AGREEMENT WITH CHRISTINE BALBAS FOR OUTSIDE CITY WATER SERVICE FOR 27337 ELLIS STREET, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND COVENANT TO ANNEX TO THE CITY OF MADERA ON BEHALF OF THE CITY**

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

**C-1      Update on the Status of Water Conservation Efforts, Review of Current Drought Restriction Levels, Consideration of a Resolution Amending the Drought Restriction Level, and Direction to Staff Regarding Education and Enforcement Activities**

Mayor Pro Tem Oliver announced that Mr. Randall will give a report, then they will open it up for Council questions, and then they will open it up for the public to offer comment as well.

Public Works Operations Director Dave Randall stated he feels like he is preaching to the choir. He thinks they all are very astute and aware of this issue but they also know it is not a simple issue. He knows the Council is quite familiar with most of these provisions but they will run through them fairly quickly for the public.

Mr. Randall stated that as they all know, the Governor mandated reductions statewide, 25% of the residential consumption. He advised that gets spread to everybody differently. He noted that the state originally pointed to Madera and said 32%. He advised that is measured against the 2013 usage. Based on what they did in 2014, they had only conserved 8% and that would have left them another 24% to achieve. Mr. Randall stated they looked at the state's figures and figured that they missed a little bit. There was a little difference in population numbers and they had included the water that they were giving to Parkwood, about 50 million gallons. After they made those adjustments, the rate went down to 28% and it reflects a 9% achievement in reductions. He advised that still leaves them with 19% that they need to be able to achieve.

Mr. Randall commented that they might ask what other people have been tasked with. He displayed a quick map showing some of the surrounding areas. They range everywhere from 28%, Fresno, Sanger and Hanford in that range. They have Tulare are 32%, Kingsburg, Clovis, Merced all at 36%. They can see that everyone is sharing but they are doing a little more than 25%.

Mr. Randall walked them through a little bit of the time issues relative to this. He stated they are measuring everything from the year 2013. He noted that was about the year they started installing meters. At that

time they were also restricting watering to 3 days a week and then in January 2014 the Governor declared a state of emergency relative to the drought. At that time, in response to it, they went down to 2 days a week watering and they have been on that for quite a while until last May 20<sup>th</sup>, two Council meetings ago, and they adopted the 1 day per week standard. He stated that is in anticipation of the 28% mandate that they have to achieve. He noted that period of enforcement begins in June and runs through February 2016 so that last little block they see on the display is when they have to make the goals according to the state.

Mr. Randall restated that during 2014 they did 9%. In 2015, before they went to 1 day a week, they were doing 8.5% so a little bit different than the year before but as they said before, often a lot of these issues aren't just conservation issues, a lot of it has to do with weather. They most certainly saw that this last month of May. They did 26% but they weren't alone in that. He noted that valley cities all over the place were seeing great numbers. They were feeling like the drought is over but no, the difference between 2013 is that they had a half inch of rain they didn't have in 2013. They had much cooler temperatures and higher humidity so it was a natural consequence that these numbers would be artificially inflated.

Mr. Randall stated what they need to understand about how the state looks at this mandate, and they are very serious about it, and that is that they report those numbers monthly to them. For example, if in the month of June they make a 24% reduction so they miss their target by 4%. That doesn't mean that they are just going to say well you did real good, you are done, do better next time. He noted that they carry that balance forward so in the month of July now they are trying to do 32%. When they look at this, based upon the fact that they have different quantities that they use in different months, it doesn't make a lot of sense. The state hasn't really clarified a lot of their enforcement and implementation processes but generally this is what they are telling them is that it isn't a month to month issue, it is a cumulative issue over the entire 9 month period.

Mr. Randall commented on what they have done today in terms of moving this forward. They have put out an insert in the water billing newsletter telling people about the 1 day per week provision. They have sent out a frequently asked question (FAQ) publication to both their customers and every parcel in the City. The newspaper has had some articles with only one small misquote. They have put things on Facebook, the webpage has RFQ's and links to a lot of different resources and tips for water conservation and of course, their water conservation patrol is actively engaged. They may know that they have four individuals currently staffed for that effort. He stated it is a little difficult sometimes to keep it staffed. When they don't they backfill with people from other divisions. Mr. Randall addressed how it's working and stated it is not as well as they would like. Recently they took a look at 14 different customers, two from each of the districts. He stated that it most certainly isn't a statistically significant study but it did give them a good sense of what they saw. He noted that for an awful lot of the population there was a very erratic pattern of water use. In one case they saw a very regular water use but what is of note is of the 14 people they looked at, 10 of the people that were studied were watering more than 3 days per week already so compliance isn't really occurring even at the two days a week, nevertheless the 1 day a week but they are still a little bit early in terms of people understanding it but they do know that there is a lot of opportunity there to improve. He stated that overall, when they look at it, the opportunity really is for outdoor watering. He commented that in the two person household which had a very compliant pattern, 75% of the water still went towards outdoor watering. In a more common pattern, with a 5 person household, 53% of the water was still going to outdoor watering or landscaping.

Mr. Randall advised that their plan to continue public outreach includes a number of things. Obviously they are going to continue with their water billing inserts, another mailing with frequently asked questions both to all customers and parcels. They intend to do a door to door, door hangar on every address, every door in the City because sometimes it just doesn't get there via the mail. They will continue to ask for coverage in the newspaper both in the Tribune and in Spanish paper. They intend to put some ads on Spanish radio. Even in their local theatre, they hope to have them view a commercial before their next big summer blockbuster. Mr. Randall stated he won't be in it. They have some ads on Facebook noting they have to time those carefully. He has learned more about Facebook than he ever thought he would learn and Ms. Seay has been very helpful in teaching them a few things. They will be purchasing some pushes to try to get that circulation up. He added that the City webpage has a lot of information and they will try to make

that more functional. He noted that probably one of the more important tools they are excited about is the direct portal project which is a webpage where customers can go and look at their usage. They can look at how much water they have used this month. He stated it is very similar to their phone, how many minutes or how many megabytes of data they are using. The other really helpful portion of that program is because they get data reads every 15 minutes from the water meters, it tells them an awful lot of information. He advised that the system can analyze where there is a leak going on which is pretty easy to see when they look at the usage pattern; it is just a constant usage. It will tell them when they are watering on the wrong days. What it will do is that it has the ability to go ahead and then send a message to those individuals so staff isn't taking all the time trying to dial up 13,000 residents. He advised it can do that through a text, it can do it through email, it can do it through a phone, and it will do it in Spanish and in English. They have a pretty good communication tool. They are hoping to make some good use out of it.

Mr. Randall noted that everyone's question is what is the state going to do. What is the worry? What are they concerned about that the state might do to them? He stated again, this has been done in a very rapid fashion. He hates to say this but the state is usually slower than the City, but in this case they are really moving fast and it is hard to really get a clear read. What they are hearing from the state's webinar and their representatives, some of the things that they are clearly saying is that they are not going to spend very much time on warnings. There are going to be very few warnings to agencies that aren't compliant. They are saying that they can make specific mandates to specify particular conservation measures for those jurisdictions that aren't in compliance with their goals. They talk about issuing cease and desist orders. He isn't sure exactly how that works but it sounds scary. He commented that the last or probably ominous or popular issue that people concern themselves with is their ability to fine them up to \$10,000 a day. Mr. Randall noted that is sort of the stick they are worried about.

Mr. Randall stated the big question is how they get there. How do they conserve an additional 19%? He thinks everyone realizes there is no silver bullet. There is not one answer. There are not even two or three answers; it is a multifaceted approach. He stated they have to use a lot of education. They have to use enforcement. They have to use enticements; anything they can do to try to get there. He advised that there are really two types of timeframes which they also look at. He noted that this is different than most programs that they look at where they try to change public behavior overtime. He stated that it usually takes a lot of time to change public behavior but because they are in this crunch of time, it is right now, they have to look at programs sometimes that have more immediate results even though they may not be the most effective but they do still want to make sure that they have a sustainable community and practices that aren't going to be short-lived. They also have to look at the long term, what is convenient for them in the future. They would all love to see the rains this winter and think they are headed towards the end of the drought but they don't know. He just hopes they aren't going to be Australia.

Mr. Randall stated the thought tonight really was that there are two main provisions that were being considered. One is the current provision which is a 1 day a week watering restriction. He noted that it was sort of chosen because that was the next level in their drought process. It was a continuation. He added that in as much as they have been on 2 days for over a year and not being able to achieve significant numbers relative to what the state wants, it seemed that would be a quick way to make a hopefully significant change. He noted they have already started this so they have a little bit of four weeks of a beginning, and time is an issue when they are already in the first month of their compliance, it does do what most people want when they are in a really severe situation, and that is to keep the trees and bushes. They may remember when Parkwood was placed on no watering and the residents figured that they could come here and get the City to relieve the County's rules. They had to educate them a little bit, but their main concern was they wanted to not lose that investment in their trees and bushes. He noted that is the hope that they can do that. What they know from talking to experts in the field is that it depends. He commented that obviously those trees and vegetation that take a lot of water such as redwoods are more likely to be lost in this type of situation. He noted that the more hearty trees and more semi-drought resistant vegetation is more likely to survive but with 1 day a week, if people will take the time to water, use a drip system, get a good soak, they should be able to keep their trees. They may not be as vibrant as they would like but they should be able to survive the hot summer spell. Mr. Randall stated the other thing is, noting that this is a very apparent issue, it is one that they believe the state would feel that they are sincere and may



appease to see their action. He stated that obviously there are some downsides. It is likely that they are going to lose most of their lawns; very few lawns can survive on watering one day a week and there is a real consideration, he thinks most people recognize, that a lot of people will just overcompensate that they will put on maybe three times as much water to make up for only having 1 day as they would have if they had 2 days. He stated there is always going to be a percentage of that. If they have no numbers there is no way.

Mr. Randall commented on the 2 day a week scenario. He stated that basically it has some obvious options. Hopefully some people can keep their lawns at least in some state so they can come back a little more readily when water becomes more available. He noted that there is obviously less public outcry; a little more acceptance of that level of restriction. He added that depending, unless they change it, that also would put the carwashes back into play. He advised that the Council most certainly has the option to take that out of the mix but currently, as their ordinance is construed, it is only at level C which is the 1 day a week scenario where carwashes for non-commercial uses, organizations, charity carwashes are restricted. He advised that this type of effort, if they aren't doing something regulatory is going to require a lot more change in public behavior and that only comes through education and enforcement. He noted it is the only tools they will have and that needs to be significant. Their concern about that is that typically takes time. He noted that even the most well-mannered people, it takes time to change habits and time is the thing that they are having the problem with the state mandates. He commented that the other potential is sort of what they described earlier is if that time takes them a while to get up to their goals well then they can build up a number of months where they are not meeting the goals and they have to play catch up to pay for those past failures to meet them. He advised that there is a lot of uncertain risk and it becomes a very difficult decision for the community and more specifically for the Council to look at.

Mr. Randall advised they have two options for the Council's decision. If they were to take the first option they really would keep the existing ordinance as it currently is and the resolution that enacted the level C. It doesn't require any action on the Council's part; everything is in place as is. Staff would continue with the planned education and public outreach which they described and they would continue with the current level of enforcement.

Mr. Randall advised that the second option that they would suggest if the Council is going to consider that is staff has provided the Council with a resolution that could change it to level B which is the 2 days a week provision. As mentioned, there are some provisions in there that the Council may want to consider changing such as the carwashes or potentially maybe some other assets as maybe the length of time they water on a day. If they do that then they need to bring back an urgency ordinance that makes that amendment. They can't do that with a resolution this evening.

Mr. Randall advised that the third thing that they would be asking to do is direct that the enforcement be escalated. He noted that they worked very heavily with education with a lot of encouragement and hand holding and very small amount of citations. They would really need to change that around. He stated that it is sort of the nature of the beast if they are going to do enforcement but they would want that direction from Council. They would not want to take that on their own behalf.

Mr. Randall stated that lastly they would ask that they fund some additional costs for some additional mailers, door hangars, radio ads, etc. and that they fund two additional enforcement officers. Currently they are staffed at four and they cannot provide 24/7 coverage so everybody knows if they want to cheat just do it at night and that might be part of the reason why they don't get very good compliance.

Mr. Randall advised those are the two options that they sort of have put before them and offered to answer any questions.

Mayor Pro Tem Oliver asked Mr. Randall to go over their enforcement program. In reading the paper he was a little alarmed as well. He asked for a little more detail and answer why they are not doing night patrols.

Mr. Randall responded that was a misstatement; it is not four months. He noted that anytime they begin a new enforcement level it takes a little educational time. During the first four weeks they were not going to enforce that provision solely. They still have those issues. If they are still wasting water they are still going to receive a citation but if they just didn't realize they were down to one day; they are there to inform them not to beat on them. He added that the fact that they only have four people obviously just the number doesn't give them enough coverage to do seven days a week. He noted that in the past they did have some night coverage but there were some difficulties and they curtailed that. They talked to risk management on some of those other issues and they believe that they can resume that problem if they have enough staff to cover it. That is the thought is that they will do that. He commented that they are not unique in having the problem of trying to cover other jurisdictions. He noted that in terms of staffing per capita, they are doing fairly well if they look at other cities. What he found in surveying and talking with a lot of other cities is they had a lot of programs that they said they did for example maybe they do drought audits etc., but they didn't have the staff to do it. He advised that Fresno has a program but they are at least three months out to get an appointment so it is very difficult. They have 500,000/600,000 people and how much staff does it take to serve that. He noted the City has 63,000 and it still takes a lot of people; 13,000 customers is a lot.

City Administrator David Tooley stated what they also see is an opportunity to change the way that they do enforcement. He commented that with the portal program that was discussed with them, it is going to spit out offenders and identify the timeframes in which those events are taking place so it is like we will be making an appointment to catch them in the act. He noted that nobody likes the idea of big brother watching them, himself included, but nonetheless it gives them a very powerful enforcement tool where they can use their manpower more effectively and go to the greatest offenders to start and then work their way down the food chain.

Mayor Pro Tem Oliver asked that they quantify their production and the measures that are before them. He asked what is the number in 2013 that the state is using as their baseline as far as gallons that were consumed and what are they looking at, 2015 numbers, at a 28% reduction, the number of gallons that equates to.

Mr. Randall replied that he doesn't have his cheat sheet with him. He advised that they do 12,000 acre feet a year so at 28% they are going to be over 4,000 acre feet. He would like to say that in gallons but he just doesn't have that off the top of his head. He is sorry. He knows they prefer it that way.

Mayor Pro Tem Oliver commented that maybe they can circle back. At the end of the day agree additional education and outreach is key. Council Member Rigby provided Mayor Pro Tem Oliver with the number of 904 million gallons of water. Mayor Pro Tem Oliver added, as a side note, he thinks it is important especially with their outreach and their messaging whether it be their water bill notices that they put these things in a language not only they can understand but the public can understand. He doesn't think folks should have to have a calculator by their side to understand what the type of consumption is in terms of gallons.

Council Member Bompreszi stated they had mentioned that there are going to be some additional ways that residents can be notified via email text messages. She asked how the residents are going to sign up for that.

Mr. Randall replied there are two ways. Part of it is already in their customer database and they hope to try to expand that because a lot of their database doesn't have email and other things but they do have phones numbers etc. Mr. Randall added that particularly electronic stuff, it still is only going to get a portion. He noted that some of the firms they have been looking at estimate like 20% of their population is going to be able to be reached through that and that is why the direct dialing, to him, is quite helpful and just about everybody does have a phone. To be able to receive a call even though it may be annoying as heck and they feel like a telemarketer but at least they will have heard a message, and in Spanish if that is their given language, so that they hopefully get people the information they need to try to do what they can.

Council Member Medellin referred to the state noting that they have to report monthly on their consumption savings. Regarding enforcement, obviously the state will be very concerned if they show that they are conserving or not. He asked Mr. Randall to explain that they have until February of next year and asked if at that time, is that when they will start to incur fines if the City did not; he knows it will carry over if they don't meet those demands. He asked how soon could they or would they start to.

Mr. Randall responded that the state will start taking measures next month after they get the June numbers. Whether they are going to jump right in with a \$10,000 fine day one, he thinks most of them don't think it will be day one but they don't think they are going to have much patience. He noted that is what they have sort of said that they are not going to give them very many warnings. They are not interested in warnings. They hold them accountable to know these facts. They have the data. They know the rules. They want to see them. They have explained in the webinars the fact that you write a lot of citations and collect a lot of fees won't be adequate. They want to see the numbers. They want to see the results. He added that often a lot of times they will do programs and they know that if they just simply put the programs in place, the agency is pretty happy with them regardless of whether the program is as effective and maybe they would hope it would be but in this case they are looking for results. They are measuring on a monthly basis but it is brand new and he doesn't want to play chicken little and tell them that the sky is falling and they are going to come and give them the \$10,000 fine every day. He doesn't think anybody believes that but there is potential that they could significantly cause them to do things that they didn't choose to do. He noted that one of the things that they have to remember is if they are really willing to start mandating what programs they have, they may take some of these decisions out of the City's hands. They may tell them you have to go to 1 day a week or you have to go to no watering. He stated those seem like pretty draconian measures but so far the state has been pretty hard hit. The issues with senior water rights and the various things that the state has been doing is pretty unprecedented so they know that it seems to be more than just lip service.

Council Member Medellin stated that obviously time is of the essence. Before them tonight, if they accept it as is, it is for 1 day. If for some reason they deviate from that they have to come back with a whole new resolution which they can't do until their next scheduled Council meeting in July and asked if that is correct.

City Attorney Brent Richardson stated he is not sure he understands the question.

Council Member Medellin clarified that if they deviate from what they have before them tonight on the resolution, are they prepared for any kind of change tonight that would take effect immediately or do they have to come back to another meeting.

Mr. Richardson responded that they would have to. He advised that the resolution basically only designates a restriction level. If they are looking for language changes within the restriction those are actually set out in the ordinance. They would have to bring back an ordinance because there is not one amended tonight. It would have to come back at the next meeting.

Council Member Medellin restated that it would have to come back which would be in July.

Mr. Tooley stated if the Council makes a change in direction tonight, if their vote is to act in a certain manner then he thinks that what they as a staff would want to do is consider suspending action on those provisions that they find most objectionable until they have a chance to come back and vote on the item as a whole.

Mr. Richardson added that if it is just that they are not in there then that is a whole different issue. If they aren't in there, they aren't in there.

Mayor Pro Tem Oliver stated if the state were to enforce ultimate measures and fine the City is that going to be a water fund hit, is that going to be something that the general fund might take on. He asked how that might be absorbed.

Mr. Randall responded that would be a hit to the water fund and ultimately the ratepayers are the people that pay that.

Council Member Rigby asked Mr. Randall to repeat that.

Mr. Randall stated the fines would be a cost against the water fund so it would affect the ratepayers. He added that there are different ways that it could affect it. It might be simply that they have to postpone needed capital improvements. Later on, as they know, they are looking at rates. It could affect future rate adjustments. Those are all decisions, a lot of variable there again, but it most certainly is that there is nobody else that is going to pay it. It would not come out of the general fund while the general fund always could pay it but he will let the City Administrator answer that a little more fully.

Mr. Tooley commented that the Council will recall that their prospective water rates have a \$1 million conservation element. Should they lose money to the state then that just begins to minimize the money that they might otherwise use for conservation incentives for people washers, faucets, sprinkler heads, all of those kinds of things which are probably the most important elements in terms of moving the community from where they are to something different. Mr. Tooley noted that the general fund is always their safety net for every activity of the City but at the very beginning it is reasonable to anticipate that all their fines would be paid from their water fund.

Council Member Holley referred to the watering time schedule. If they went to 1 day a week. They start at 7:00 o'clock in the evening to 10:00 o'clock the next morning and asked for confirmation.

Mr. Randall responded correct but then corrected himself. He noted sometimes they state it that way and it is a little bit of a misnomer. He explained that on the day of your watering it starts at midnight. You can water from midnight until 10:00 but then that evening you can water from 7:00 to midnight. He noted they can't start and leave it on for the whole time. That is two different days.

Council Member Holley stated they need to rewrite that then. That is what brought him to this point. The way they wrote it from 7:00 p.m. to 10:00 a.m. that is 15 hours. He commented that if they tell them they can water until midnight, the water is going to run all night so they are really wasting water. If they decide to put it on a time schedule because in a week's time they are going to lose a lot of lawns by 1 day a week. He thinks if they look at this as two eight hour days, they can water from 7:00 in the evening until 7:00 o'clock at night and come back the next day water from 7:00 to 10:00 o'clock in the morning. If they break it up that way people that have more conscience about keeping their lawns alive because they are still going to use the same amount of water or more if they tell them come to 1 day a week. He stated a lot of people aren't home on Saturday or Sunday. Their best times are in the evening when they get off work or early in the morning before they go to work. He would like to see something happen in that than just tell someone they should just water 1 day a week because they are still using the same amount of hours if they just break it down in two day increments.

Council Member Bompreszi stated she knows the rest of the Council has had a lot of calls and a lot of concerns. She agreed with Council Member Holley because she thinks what is going to happen is, is it better to water one time a week where they are going to water for 45 minutes or two times a week for 15 minutes. Unless they are going to really be good at the enforcement of it, she thinks it is going to be abused. What she would recommend is that she would like to see them go back to the 2 days a week but only during a certain period. She has called landscapers and it is better to water, during this heat, in the evening time so she suggested to do it two times a week between the hours of 6:00 p.m. and midnight instead of allowing them that eight hour period to do it. She has had many, many comments from many residents is you're holding us to 1 day a week yet we still see water going over the medians; we still see water leaks that aren't being fixed in the various areas; what are we doing to address that.

Mr. Randall replied that in terms of water leaks they have moved some of their personnel into their water leaks. He noted that water leaks run in sort of seasons. He added that often temperature change or earthquakes or whatever but they tend to run in batches. He stated most people just don't understand the USA underground issues and there is really not too many ways they are going to get around that; that is just part of it. They did have for a while a little bit of a backlog so they were having to triage which ones got

done first and then get to the lower ones. They pretty much eliminated that recently and they have just sort of made it job one and they are going to make sure that everything gets addressed as soon as they hit that 72 hour timeframe for their USA's to clear. He advised that often people ask them well can't you just suspend that USA rule; isn't there some way around it; can't we get PG&E to agree or whatever. He noted that believe him everybody has tried and everybody would like to but there really isn't. They could just choose to dig but then they assume a huge liability. He noted they will always do whatever the Council asks them to but no one really does that because of the potential of the loss they could incur. They have increased, in terms of leaks some shift of resources to try to make that happen. He would have to defer to Ms. Seay in terms of the medians. He knows they are hiring a lot of people and they are working very diligently but the details, he will have to give to Ms. Seay.

Mary Anne Seay, Director of Parks and Community Services, stated they take calls and emails daily from the public when they see issues and problems. They encourage people to contact them as soon as possible. They address them and try to get back to the residents as soon as they possibly can. She added that each of their Parks and Community Services employees, and she is sure the same holds true for her colleagues sitting at this table, that everybody is on high alert so nobody is going to witness a water leak problem and not address it immediately. They encourage the public to contact them. They have their information on the website. They try to communicate with their users regularly. It is don't just see a problem and get frustrated with us; call us and let us know. She noted that each of them who has a residence, they have water problems in their own yards that they need to address, and if you extrapolate that out throughout the City they are going to have problems and it is priority one to get those addressed as soon as they know about them.

Council Member Bompreszi stated if they do decide to go back to the 2 days a week, if by July 31<sup>st</sup> they don't achieve a certain percentage whatever that percentage is 10%, than they put the residents on warning. If we don't achieve a 10% reduction, the 1 day a week will go back into effect. She asked if there is a way to do that if they brought back a resolution or would they have to...

Mr. Richardson responded that the way the ordinance is structured they would just need to bring back another resolution and adopt it setting the different restriction level. He added that there is nothing in the ordinance as it is configured now that says if you don't achieve something it will go to a certain level.

Council Member Bompreszi stated she is real concerned with the Fourth of July coming up and everything is just brown everywhere. She thinks they have a real risk there as far as fire goes especially with fireworks being allowed in the City. She would like to see them get through that period at least. She commented that she is relying on the residents to find ways to conserve noting that this is their chance. If they want the 2 days a week then they are going to have to step up to the plate and they are going to have to do some conservation in other ways in order for the City to achieve what their goal is. She goes around Madera. It doesn't matter where she goes in Madera, it is brown everywhere brown, brown, brown. She added that hopefully the building boom comes back and they start building again and wondered who is going to want to come to Madera with everything brown. She noted that every other City that she has checked has gone to 2 days. She commented that there was an article in the paper tonight where Visalia enacted the 2 day a week. It is during the evening times that they have restrictions. She asked why we are the one city that is going to 1 day a week when every city around them is still at 2. She noted that they have higher percentages to reach than we do.

Council Member Rigby stated he is curious about that too and commented that maybe Mr. Randall can help him understand. He noted that some of these cities have surface water and we do not. He asked Mr. Randall to elaborate on that a little bit.

Mr. Randall responded that in terms of the surface water, Council Member Rigby is correct that the City does not use surface water. They don't have a means to achieve that currently. They are constantly looking for ways to diversify their water supply but they don't have that in the foreseeable future. He commented that cities such as Fresno and Clovis that do have surface water do have a little more flexibility in that they have more reservoir capacity but that doesn't mean that they don't have the same demands to try to

conserve. He noted that Clovis is at 36%; they have surface water. He added that water comes at a much more expensive price; it is not as cheap but there are obviously some advantages to doing that. For the City to get into that business he thinks, Mr. Tooley has expressed before, it is a very capital intensive process in the neighborhood of \$50 million for a beginning plant and that is assuming that they could get the water rights. He advised that it is not something in their immediate future. How it plays into the water restrictions, and it is a very reasonable question to ask, how come we have it worse than somebody else. He noted that there are a lot of inequities in the legislation that was enacted by the Governor real quick. He stated it is not the same for everybody and for some people it is harder. He commented that the fact that the City was already at 2 when other people weren't makes it harder for them. He added that other people make different choices about how they do them noting that Clovis is a good example. They know that Clovis fines people based upon their meter usage. They simply send them the fine if they go over and they don't make their 36% reduction. He advised that is another mechanism noting that there will be a whole bunch of people that don't like that one too. He noted that it is a hard set of choices. There are some problems for them using that type of mechanism currently. They addressed that in the staff report and talked about it recently. He stated there are different ways to accomplish this. It is not one size fits all. It sometimes feels punitive that they already had water meters; they already were at 1 day a week and yet they still have to do this reduction which is hard to do because people feel they already got there. He added that other places it is more of a cultural thing. There are so many variables it is hard to point to one thing.

Mayor Pro Tem Oliver stated he wanted to add to Council Member Bompreszi's point and Mr. Randall mentioned obviously that the state's order is not equitable. He noted that the fact is that Maderans are already stewards of their water supply. They were ahead of the game showing leadership on this issue as a voluntary order last year and going to 2 days a week looking at the data that the state has provided as far as their residential per capita use. He noted that as far as the Central Valley they are leaders in that regard. He knows if they look at Clovis, although they have recycling of water and surface water treatment, from the months of July through September of 2014, they averaged over 100 gallons more water per person, per day. At 36% that puts them right where Maderans already are and it is incredibly frustrating because it is absolutely not equitable. He knows that a lot of folks have sacrificed for 2 days a week for a long period of time. He wished they could provide better balance there but he thinks it is important that Maderans aren't water wasters and they certainly have been leaders in the valley in that regard.

Council Member Bompreszi stated she couldn't find a whole lot of information on the different tiers. She noted that the City is at Tier 7. Number one, she even pulled Governor Brown's emergency regulation and it said that they were going to be broken into 1 to 8 tiers yet Clovis is a Tier 9, Kingsburg is a Tier 9, Merced is a Tier 9. She asked how they determine the different tiers.

Mr. Randall replied that they went back to 2014. They took the months of August through October and they measured their consumption. They took a point in time. Then they compared everybody and said on a per capita basis, who uses more. So they have people like San Francisco that is way down there. They obviously don't have too much landscaping. Then they have people that maybe have a little more ornate landscaping, a little more disposable income so maybe that community, Clovis, is going to be using a little more water. He stated that is how they broke it up; it is segmented into tiers. They went down a tier. That is why they went from 32% to 28%.

Council Member Bompreszi asked if there indeed are only 8 tiers. If they are a Tier 9 they are just really, really bad.

Mr. Randall replied that he does not know the details.

Council Member Bompreszi stated she just noticed that after she pulled the story.

Mr. Randall commented that they often do things differently than they say they are going to do; it is the state.

Council Member Bompreszi asked how they get a Tier 9 if there are only 8 tiers.

Mayor Pro Tem Oliver thanked Mr. Randall and announced that he would like to open it for the public. He knows there are a lot of folks that would like to speak about their water challenges and he is sure it is going to pivot into a discussion about conservation elements, xeriscape, you name it.

Mayor Pro Tem Oliver opened the discussion to the public for item C-1. He asked that they try to keep it to three minutes so they can get as many folks up there as possible.

Bill Jones, residing in Madera, California, stated he has two questions. Number one, he has been listening to the discussion and he is of the opinion that this is only residents in Madera, not agriculture. He added, point number two is that Sacramento is sitting on \$320 million out of a \$100 million drought fund that the federal government gave the State of California. He commented that if it is going to cost them \$6 million to tap into surface water, why can't they use part of that \$320 million that the state is sitting on. He commented that it seems to him that they always go the easy route and that is to increase taxes on the common citizen instead of looking at other alternatives. He pays taxes. He is not happy with it but he understands them and he pays them but they always look at that revenue first rather than other alternatives. His two questions are: number one, is this resident only and not agriculture; and number two, why can't they tap into that \$320 million that the state is sitting on for drought fund.

Chris Simonian, residing in Madera, California, stated that Mr. Jones asked her first question. Her second question is, in the executive order it says that there are funds set aside for underserved communities. She commented aren't they the poster child for the underserved community. Are they getting any of these funds? Can someone help them? She doesn't like xeriscape it all. She will do her front yard but can she have some help.

Robin Alcalá, residing in Madera, California, stated she has to agree that there are people in the City who are not going by the 1 day noting that she just found out by the way that it was supposed to be only 1 day. Her mother told her because she read the Tribune. She is sorry, noting no offense against the Tribune, but she takes the Bee and she thinks that they should do some outreach using the Bee as well because not everybody takes the Tribune. She stated that is just a suggestion. She commented that the other thing is that she thought the watering hours were between midnight and say 7:00 in the morning and then 7:00 in the evening until midnight on her day whether it is 1 or 2 days so she set her timers to be in the morning and in the evening. She stated that maybe if they adopt a resolution that says that, there should be something and some really good outreach for people to know, choose one or the other. She added that they don't necessarily say only in the evening because then everybody is watering; there will be no water pressure or whatever depending upon their neighborhood. She suggested that they at least put some really good outreach out there so people know. She is not a social media person. She goes on Facebook to see what her family is doing. She would like to see some other kinds of outreach. She added that also, in some of the discussion from their staff, she thinks they mentioned that there were going to be some incentives and some money for incentives later after they possibly do this increase in their rates in July. She guesses she is kind of wondering why wouldn't that incentive money be available now instead of having to wait until they increase her water rates. She stated that somebody else here who was talking, she doesn't know their name, but they mentioned something about getting washers and faucets and sprinkler heads. She asked if that is something like their staff would come out and give them new sprinkler heads or is it that they would ask them. They would come out and inspect and kind of go through and say here is how you can save go out now and make these improvements in your landscaping, and make these improvements in your house all on your own. She stated she just forked out \$500 to get some of her landscaping things done so that they weren't leaking and things like that but if that is available to low income people or whatever, that really needs to be publicized and put out there. She like the idea of going door to door and saying that is available but a lot of people take those things, just like the stuff they put on windshields and it is in the trash right away so there needs to be other ways. She stated that the dial up thing doesn't always work because not everybody has a phone or they will click it; they screen their calls. She noted she is one of those people that screens calls. She commented those are the kinds of things to think about.

Mike Fuller, residing in Madera, California, stated, as he said a couple of weeks ago, he thinks there is a lot more they can do not only to meet the reductions but to adapt to what could be very much a new normal. He commented that a few months ago he suggested to the Parks and Community Services Director, Ms. Seay, that they go to stage 4 sooner rather than later just to jump start a transition that they are going to have to make anyway, a pretty comprehensive transition. He stated he knows that is radical suggesting. He won't say it is not a serious one but he thinks there are some other alternatives. He commented that as far as enforcement, he thinks the only way they are going to be able to really adequately do it is electronically through the meters, through the internet. He added that people who don't have access to the internet, well a fine in the mail would catch their attention. He stated that he is a very data driven person. Just to give them a really quick example, they can use PG&E as an example. As he said a couple of weeks ago, he had \$4,000 worth of work done to his house at no cost to him. He stated it was hugely beneficial. He monitors his energy use online every day. His cutoff is tomorrow and his utility bill last month was \$24.99. He cools his house in the morning. He closes his windows because they are open all night so he is using energy not during the peak of the day but in the morning. He noted that is just one example both for enforcement but also how conservation will be facilitated, he thinks greatly by electronically. Regarding incentives, there really is no incentive for him to, referring to what he did a couple of weeks ago, installing a gray water system. He stated that one, there is no funding available to do that and currently, the rules as they are now, they don't affect him at all. He doesn't have any grass so he waters far less frequently but deeper though he must admit he does water for longer periods of time. He noticed in the City's rules that vegetables for personal consumption they can water whenever they want. He thinks that would apply to fruit trees as well because it is basically the same. He stated he doesn't have any restrictions really on how he can water. His yard is green. He just offered, as one example, of some alternatives. He really believes the City is going to have to, as much as possible, move away from grass for residents. He noted there are quite a few alternatives. He offered quick examples. He stated he was in yoga this morning and a resident was speaking that her husband is going to water three times as long for his grass. He noted they agreed that it is not going to work. He commented that the grass is going to die from being overwatered; it is just going to be a waste of water. He advised that his neighbor the Elks Lodge, they are already not complying. You can see their standing water on the street. He doesn't mean to rat on them. He sent Mayor Pro Tem Oliver an app the other day that people can take a picture with a smart phone. It is automatically loaded up; shaming things like that. He thinks there is a lot they are going to have to do. There are groundwater regulations coming down the pike but it is going to take quite a long time and there is none for farmers currently. He doesn't mean to put the blame on them at all but there are initiatives in place. He stated that the gentleman from Madera Irrigation District referred to it earlier, the Groundwater Sustainability Plan. His concern is all these efforts are not going to happen in time to facilitate the changes they are going to have to make anyways. He advised that he is going to end his time there but he can talk for a lot longer because he thinks there are some very focused, very specific, far more effective, far more efficient solutions.

Mayor Pro Tem Oliver asked if any other members of the public wish to address the Council. No other requests were made and Mayor Pro Tem Oliver closed the public comment portion.

Mayor Pro Tem Oliver stated if the water rates are approved there is a conservation element and asked Mr. Tooley if there is a way that that program will be launched earlier. Do they have to wait for that new fund of money to generate some funds? Is there a way they can roll that sooner rather than later especially during the summer months?

Mr. Tooley stated, as a quick reminder, fund balances serve two purposes. One is for cash flow purposes and second is for catastrophic events. He would be comfortable accelerating the use of some money from their fund balance position contingent upon the successful passage of the new rates. He added that if the rates do not pass then they are going to have a much larger problem with regard to coverage of their debt coverage requirements and meeting their ongoing expenses. He commented, to answer directly, hypothetically if the rates were to pass on July 15<sup>th</sup>, they could probably be in a position immediately thereafter to front, let's say, half a million dollars to accelerate that incentive program.



Mayor Pro Tem Oliver referred to the existing structure and new structure and asked that staff talk a little bit about the nexus that is needed to justify those new tiers and those particular funds that will become available.

Mr. Tooley responded that he is always a little hesitant to talk about the legal requirements but he will start and the City Attorney will clean up his mess. He commented that there is a recent court case that came out of San Juan Bautista where they used a tiered rate structure but what they did was that they tried to achieve a certain set of budget outcomes from the tiered structure. He noted that the nexus requirement is that there has to be a direct relationship between the cost of service and the fees charged. In the City's case they did their rate analysis based on the actual usage of water and they believe that meets the legal standard. With regard to the City's rate structure, and again there is going to be a great deal of public information made available, there is a base rate, there is a middle rate, and then for very high users there is a much higher rate. He advised that the third tier structure is what is going to be largely funding the conservation element. Mr. Tooley asked Mayor Pro Tem Oliver if that answers his question.

Mayor Pro Tem Oliver responded yes. Mayor Pro Tem Oliver commented that he knows they touched on available money at the state. He knows with Prop 1A bond funding that there is some money designated to go towards a turf replacement initiative. He knows that there is language that places priority on central valley communities. He asked if there is any incentive for those that are taking extraordinary conservation measures to get in line. Is there anything like that where they could position themselves to go after those funds?

Mr. Randall responded that there were some funds and it was fairly limited. He advised that the state has already burned those. They were sort of earmarked unfortunately. He noted that they say there is going to be another round of funding. They are watching that, waiting for that. He added that a lot of the funding, when they are releasing it currently, they are focusing on those communities that don't have essential water. If you can't pump water, if you have to truck water in, those are the people that are getting financial assistance; the worst case. He noted that is not to say there is not going to be anything left for the rest. They are looking for that as well as other funding sources through IRWMP, 1B; all the rest of the various sources.

Mayor Pro Tem Oliver stated that in any event, they are at the epicenter of this crisis. He knows their Grant staff is going to look at every opportunity out there but to also look at their partners like MID and the County, and other water districts to see if there are any areas of opportunity to leverage their time and energy to go after those funds.

Council Member Medellin stated they have been dealing with this issue on water for quite some time; not just at their City Council level but for years. He thinks everybody realizes that they are in a drought. One question they don't ask themselves is are they in a crisis. They are in a crisis. He noted that is not a question. They are in a very serious crisis. To him it boils down to risk. He stated that some of the risk is are they responsible and they are going to say brown is the new green and I am going to do my part or I want my neighborhood to look good and I want to water so it looks good. They are asking 13,000 metered residents to behave in a similar manner which can't happen. He noted there are some people in this room that have conserved. There are people that he knows that take their warm up shower water and that is all they are using to water precious trees and shrubs and there are others obviously by the report they heard earlier, 10 of 14 homes are watering 3 plus days a week. He noted that it comes down to risk. What are they going to risk? Are they going to risk the state and challenge them and dare them to not fine them \$10,000 a day? Are they going to decide 2 days a week and after a 45-day period find out that they didn't even come close or that they actually exceeded and went over by a few percentage points? He is not saying that he completely has the answer because he is a little on the fence and he is trying to do what they were elected up here to do and that is do what is best for the City of Madera. If they go back to crisis, in the crisis they are in, they all have to do their part. If that means to call the City when they see water flowing down the street, which he has done when somebody emptied their pool or just basically took advantage and thought let the next guy conserve or if they have to show Fresno and Clovis that they are steps ahead of them which he truly feels that come September / October they are going to be down to zero

allocation. They are going to have green lawns in the summer and they will pay their fines and then they will have no choices come the fall. Council Member Medellin stated he will propose to Council, they have before them 1 day a week which is written. If they consider 2 days a week it has to be with strict enforcement which again goes back to risk. Do they want to collect \$1,000 in fines to pay the state \$10,000? He noted that does not make sense to him. He doesn't want to be in the fine business. He has no problem hiring two people and they could theoretically look, very difficult right now, they will not have that portal in place for about another eight weeks. He asked if that is right.

Mr. Randall responded correct, give or take.

Council Member Medellin stated they would have to basically handpick those people who are abusing the system which takes more staff time and more resources. If they did do the 2 days a week, he does like the idea that Council is proposing, a limited window. He thinks 6 hours and 4 hours were proposed, or 12 hours which he thinks may be too much, but a very limited window with high education that shows that anything more than 10 minutes basically is waste. If they had a 4 hour or 6 hour window 2 days a week, and he is not saying they will get there on those numbers because it is kind of a wait and see but they have to be prudent and they have to be strict because again they go back to human behavior which he can't sit up there and tell anybody he knows this is how they are going to react. But he will say this, they are in a crisis. MID gave their report and staff gives the same report. He has heard it. Should they have done this years ago, absolutely? Should they have been doing this months ago? Yes. He presents to his colleagues that the decision they make tonight has to be something that they could at best manage that risk and completely understand that this is not an east side or west side thing. This is a California thing which boils down to a central valley, heart of California, and agriculture, then to Madera County, and then of course their City. That is what they have to keep in mind. Council Member Medellin stated those are his thoughts for now.

Council Member Bompreszi stated she really would like to have them consider amending the resolution to go back to 2 days a week with restrictions and strict enforcement at least for a 45-day period until the end of July and that is her recommendation.

Council Member Robinson stated he went to the San Joaquin River Conservancy meeting this morning. They are working on their trails and they put in drought resistant plants, California natives. Also the day before he went to Lost Lake and he saw all the water flowing down. His kid had a good time there. Like he said he went through Clovis and he saw a lot of lawns brown and at Lost Lake he looked up the hills and they are golden brown. He added that like Council Member Medellin said, brown is the new green. They have to think outside the box. They have to look at new alternatives for landscaping. They can't afford to have a big lawn when they are in a drought of biblical proportion. They might go two more years in this same situation. They are not Texas where they are having massive storms. They need to think above and beyond. They can't just satisfy a few people to maintain a green lawn. They have to be responsible. Regarding Parkwood, they were complaining a lot but they made it through. He proposed 1 day. He has a large lawn and he is turning it into like a patio. He sits out there and he watches the neighborhood. The year before he went to the California League of Cities and he proposed during their think tank meeting that Madera has been having a problem with the drought and they have subsidence but they were thinking oh put that on the backburner, it doesn't mean anything. Now it is the number one problem. He thinks they should be considerate. Forget about the green lawns and just try to maintain your trees and shrubs. Cut the lawn down short as opposed to try to get the City to spend a lot of money on fines which they can't afford.

Council Member Rigby stated this has not been an easy issue. There is no easy answer. He thinks there are so many variables on all sides whether they choose to restrict their watering to days, hours, pockets, what have you. In order to get something you've never had before, a result you've never had before, you have to do something that you didn't do before. He stated that when they were at 2 days of watering, the numbers didn't lie. The best they conserved was 9% of their water. When they went down to 1 day, the best they conserved was 26% of their water. He noted that is recent. He commented that the compounding of percentages over the time period scares him. They could quickly escalate their percentage of restriction to somewhere near 60% by September if they are not careful enough. They could be at 70% by November

if they are not careful enough. He commented that is 70% of their water having to be conserved. Going from 1 day, back to 2 days, back to 1 day, is very confusing even for him. He stated that nobody on his block has a larger lawn or probably more trees or plants. He commented that there is a responsibility that they have as a Council, he thinks, to know that 70% of constituents are watering more than 3 days a week is astounding to him. It scares him quite frankly. He agrees with Councilman Medellin. He is not one to play Russian roulette especially with the state. He is sure there are a lot of legal things and maybe Mr. Richardson can fill him in on this sooner rather than later on how they can regulate water rights to a city or how they are playing God with the water but it is what it is. They have to be responsible and more importantly, he wants to be honorable to the State of California as the City of Madera. He is proposing that they remain at 1 day of watering in the City of Madera.

Mayor Pro Tem Oliver stated that at the end of the day, he thinks, most Maderans have heeded the call to save water and most understand they are in one of the worst droughts that they all know in their lifetimes. He added that although he is not a homeowner, he also recognizes that for a lot of folks, their homes, their landscapes, that is their sanctuary. His grandmother is no longer with them but her home is, her trees are, same with her flowers that she personally planted, some before his mother was even born and although she might not be with them, that is, it also rests on his mind that these decisions before them could change that a little bit. He commented that at the end of the day he believes they are in an unprecedented era. As they hear with the state, not only the Governor's mandates to their respective agencies and water purveyors, the curtailment for senior water rights holders, this is an unprecedented era and it obviously places them in a difficult position but he too doesn't want to call the Governor's bluff. Personally, at the same time, they have to recognize, they are representing 62,000 people at the epicenter of this crisis. He doesn't think 1 day versus 2 day absolutes is necessarily the answer. He thinks there should be a little bit more flexibility. What he wanted to propose is potentially staying with the 1 day especially until the July 15<sup>th</sup> date until they could see where they really are and maybe look at bringing in a clean up ordinance to allow drip irrigation for at least 2 days a week so they could protect some of their trees and shrubs and flowerbeds. He noted that is a thought that he wanted to present to his colleagues. At the end of the day he does appreciate everyone's input even if they agree or disagree. That is what he thinks he would suggest.

Council Member Bompreszi stated she wasn't going to go there tonight but she is going to go there. For the first time in her seven years on the Council, she was embarrassed the outreach that they didn't do to communicate the 1 day a week. They sent out a pink flyer with new water restrictions with no explanation. She commented that a lot of people don't get the Madera Tribune. They live in a community that is 60% plus Hispanic and they did not communicate why they were doing what they were doing until after the fact. She asked why they are at a Tier 7 and a lot of the other cities that are still at 2 days a week watering are at 8 and 9. She is totally against the 1 day a week because she thinks that they did not do the outreach that they should have done. She is lonely up here but it is not the first time.

Council Member Holley stated when he was a Planning Commissioner, he was down there in Livingston. To show them what their government thought, a lady out of the Governor's office was giving a presentation about Livingston building all these big high rising homes and he asked her a question about building homes. He said, where are they going to get the water. She said, build the homes and the water will come. That never left his mind. It came from her in that sense. Council Member Holley stated, as they know, they are going to live in a seven year drought. He noted that is automatic; that is scripture so they can live with that. He believes that if they are going to be good stewards, he doesn't like citations just like nobody else does, but he thinks they owe it to their City to give them the opportunity to try to do something better than what they are talking about here tonight. All he can see is the City giving them 2 days a week at a minimum with so many hours a day to water their yard. They need to try something before they just throw something down their throat. He feels with their concerns that they have here, and he understands the Governor makes all these decisions and they jump into hoops but yet everybody is not going to comply with that so they are still going to be jumping through hoops. He would rather see them try a timeframe of hourly watering per day instead of telling them they can water from 7:00 in the evening to 10:00 in the morning. He commented that is going to be a waste of water. He noted that nobody is going to stay up all night and what really he didn't like to see was sticking it on Saturday and Sunday. He noted that most people go out

of town on Saturday and Sunday and they are not going to sit at home watering their yard. He stated that maybe that is how they want to look at conserving their water but that is not going to help them because they are going to water every other day they come back. They are putting them at a minimum to not try something. He believes they can do this. He believes they can be restrictive. They are going to hire two people. They need to be more strict on what they are talking about. If you are going to water, these are the hours that you can water on these 2 days. Council Member Holley stated they need to give these people a chance. He commented that his neighbor has one of the prettiest lawns he has ever seen and to watch his lawn die like it is doing, he is very unhappy, and he asked Council Member Holley the other day, what are you people doing up there. He just looked at him and said right now I don't know the answer. Council Member Holley noted that they do have an answer. They can go to 2 days. He commented, say you only water 15-20 minutes in the morning, 15-20 minutes in the evening. He stated that is a whole lot better than telling them they are going to water from 7:00 to 10:00 in the morning because it will run all night. He feels that they need to try the 2 days a week with a minimum time of watering and that is all he has to say.

Council Member Medellín stated he is a little more fact and number driven. He will agree with Councilperson Bompreszi. He thinks outreach was poor at best and it could work both ways whether I'm involved in City government or not, or the outreach that they did. To Councilman Holley, they have been at 2 days so where the numbers come in, he thinks they have shown that at 2 days a week they were at 9%. He thinks in that sense they have given the community a chance but he wants to weigh both options again and make sure that they have it out there. Council Member Medellín stated that right now before them is to continue with what the resolution says and it is 1 day a week and that would be effective immediately.

Council Member Rigby stated it is still in effect.

Council Member Medellín stated he is right, it is in effect right now. If they show in a 30 or 45-day period it becomes a wishy, washy point but because they are not real fact driven they kind of don't know until they see that. He commented that those numbers may show that they are still, even at 1 day, or they may hit their mark. As he asked before, if they decide to change the resolution to 2 days, which is a complete change, it is not language change, it is a complete change, they will stay at 1 day a week until that new resolution is approved which will be the first meeting in July. He asked the City Attorney if that is right or they can actually change language to make it say today and that would be in effect immediately.

City Attorney Brent Richardson responded that tonight what they are considering is a resolution that changes the restriction to where it is 2 days and that would be immediate.

Council Member Medellín restated so it would be immediate.

Mr. Richardson responded yes. He added that basically, the way the ordinance is structured, this is a reminder, the ordinance has identified, he believes it is 5 different restriction levels, and those are implemented by resolution of the City Council. He noted that within those restriction levels, if they wanted to change any wording within those, they would have to bring it back for an ordinance. He stated that what is before them is the consideration of a resolution changing the restriction level to that which only allows 2 days a week.

Council Member Medellín referred to Council Member Bompreszi's suggestion, if they did do that to 2 days a week, to see what the 30-day numbers would be, they can't make a decision tonight but what Council Member Bompreszi is suggesting is that point, if these numbers do not show their conservation efforts then it is pretty much an automatic deal. He then referred to what Council Member Holley is saying is give the people a chance to show that we can conserve as a community even at 2 days a week, I'll follow strict guidelines, we will have strict enforcement, and we can prove to the City that at 2 days a week we could conserve and meet our numbers and if not then they are both proposing, at that point, it is automatic to go to 1 day a week. He said that is what is before them. That is what they are proposing.

Council Members Bompreszi and Holley agreed.

Council Member Medellin stated just so they are clear.

Council Member Rigby added to that conversation just so they are clear, and in that timeframe if their City does not meet those needs they are willing as a Council to pay up to possibly \$10,000 a day which could equate to somewhere near...depending on how long it takes them, to make that decision. He asked Mr. Randall if that is correct, per day.

Mr. Richardson responded it is what their capability is.

Council Member Rigby stated he knows and added that unfortunately this is all hypothetical.

Mr. Richardson stated that there is a dearth of information as to what they actually will do or how they are going to do it.

Council Member Bompreszi stated they can; it doesn't say they will.

Mr. Richardson stated they have no idea.

Council Member Medellin stated they know they can do anything they want.

Council Member Rigby stated he remembers when his dad said what he could and would do. He just wants to make sure adding not to be comedic; this is serious.

Council Member Bompreszi stated the Mayor is not even here. She really would like to hear his take on this. She noted that this is a very important issue that the whole Council should be here including the Mayor. That is another one of her issues. She doesn't even know how he feels on the subject.

Council Member Robinson stated he went to an Administrative Services Policy Committee meeting for the League in Sacramento on June 12<sup>th</sup>. They were talking about AB 400, Department of Transportation Changeable Message Sign which will allow changeable message sign on the state highway system to be used to remind people to vote and register to vote and that is because the record low voter turnout in 2014 Statewide Primary Election is evidence that California is facing a democracy crisis. They hope to increase civic engagement by displaying election related reminders on changeable message signs for motorists to read. If they can't get people to vote, how are they going to get people to follow not watering.

Mayor Pro Tem Oliver stated obviously, as Council Member Rigby said, he thinks everyone has kind of touched on it, this is difficult and they are in a period of the unknown, so to speak, as to how the state is going to level the hammer if they do. He thinks 2 days versus 1 day, black and white approach, is not satisfactory. It takes a level of, he thinks, flexibility to really address their concerns. He thinks that whether they stick at 1 day or 2 days, the funds to look at enforcement and outreach is absolutely imperative. He noted that at the end of the day, if they get 12 or 15 inches of rain, it is going to take years for that water to percolate and recharge their aquifer. They are going to be in a state of conservation mode whether it be 1 day a week or 2 days a week, he thinks, for some time. He thinks that outreach is important. He thinks, not only leaving deals at the door but knocking on the door and having a discussion about what their current requirements are and where they are going as a City. What he might suggest, with the July 15<sup>th</sup> date, that is a critical date for the state and for their City to measure where they are, he might suggest going back to 2 days temporarily with restrictions as to the amount of time to water. He like's Council Member Bompreszi's idea as far as limiting to 15 minutes or 30 minutes. His question is how soon would they have to bring something like that back. He thinks they can't go back to a simple 2 days and let people go through the times that they have stated before them now.

Mr. Richardson responded they could bring it back as an urgency ordinance. He advised that the next meeting would be on the first so the urgency ordinance is effective upon adoption.

Council Member Bompreszi asked if the Mayor will be here then.

City Clerk Sonia Alvarez responded that he expected to be there.

Mayor Pro Tem Oliver stated at that time he wants to see where they are hitting their mark to see if they are on pace but as part of the discussion, after July 15<sup>th</sup>, he thinks they have to look at their winter season and look at the possibility of zero watering during that time as other cities have done.

Council Member Medellin stated that is what he was going to suggest. They will seriously have to look at their consumption immediately but they are going to have to start having those talks on what they are going to do in the what if situation. He thinks the people of Madera are smart and they get it; that they understand where they are. It is up to the City to drive home that point and it starts here at the dais. He thinks Council Member Bompreszi is absolutely right. They have Facebook efforts and they have door hangar efforts and Madera Tribune and Fresno Bee efforts and that is what they need to do. If it is neighborhood watch meetings and if it is everybody in this room that goes home tonight that tells their ten neighbors and they tell their ten neighbors then so be it. He commented that it shouldn't have to be. He thinks they turn the news on and they are going to see that they are in that same crisis. He commented on 2 days a week and for enforcement questions...he doesn't want to have such a small window that they are allowed to water that the entire neighborhood has low pressure like someone else had brought up. He advised that the smaller their window, the easier it is to enforce, the easier it is for the City to educate versus mornings and nights and odd days and even days. He stated how simple can they put this in a 2 day form that shows there is just a four hour window to water on these 2 days, from the departments perspective and hiring two additional people, that would be attainable.

Mr. Randall responded that they can do that most certainly. They would gladly implement that but in terms of what result that will have, he is hoping that will do it but it is uncertainty.

Council Member Medellin stated there is uncertainty in everything; he gets that.

Mr. Randall agreed and stated he thinks, as seen here, it is probably their next best solution but there is no one actually better solution.

Council Member Medellin stated he understands that.

Mr. Tooley stated he doesn't want to fashion a motion that the Council is working on. He thinks part of what would be important is that if they are going to proceed forward with a 2 day a week program, that the expectation would be that they proceed with all of the public engagement items that the Council has discussed this evening. They are obviously going to add to that. He think they would want to instruct staff to add the additional expenses and positions to the prospective budget that Council will act on at their next meeting. He added that there is going to be some lead time involved in hiring additional people and getting up to speed. If they are going to do this they need to get started right now.

Council Member Medellin stated that is where he was going with that. He commented that since the very beginning his question has always been time on implementing something. Council Member Medellin directed his next question to Mr. Richardson. He commented that in a legal standpoint, to be able to monitor any one of the 13,000 meters that they have, how do they use that to their advantage. In order words, the City has right to go into a particular residence, look at the meter, and find out that the usage is over.

Mr. Richardson responded, noting that Mr. Randall can correct him if he is wrong, he believes the City already gets that data.

Council Member Medellin stated his question is to use it for enforcement.

Mr. Richardson responded if they are getting the data, they can use it. It is not like they got it in some sort of invasion of privacy. He added there is already an expectation that data is being transmitted to the City.

He doesn't see that as an issue. If they were to have a meter that was somewhere other than public right of way and they are trying to read it on private property there would be an issue.

Council Member Medellin stated he understands. He commented that he would be inclined to agree with 2 days a week.

Mr. Randall stated, just to make sure, that it sounds like the Council is getting to a consensus but there is one important point. As they have all said, education is paramount and one of the things that is hampering them is uncertainty of their actions. He doesn't want to go out and start telling their public one thing and maybe coming with something else. He noted that the message he is hearing tonight that they would start telling people tomorrow is you are going to get a chance but it may change. He commented that also has a bad connotation because it makes them look wishy washy but he doesn't want to not meet the Council's expectations in terms of getting the word out.

Council Member Medellin stated he thinks they are already at the wishy washy point. He thinks they have been there for the last few meetings.

Mr. Randall commented that the Council would want them to immediately begin.

Council Member Medellin responded that they have not taken the vote. He is now giving his decision on that. If they can do enforcement, have that smaller window, hire two new people, he would be willing to go to 2 days a week and have the numbers come back in the 30-45 days.

Mayor Pro Tem Oliver commented that he knows they are about a month away from July 15<sup>th</sup>. He asked how quickly can people get notice as far as direct mail and their water notice. He asked if it is once a week.

Mr. Randall responded that the utility billing is once a month. They can still hold for tonight's decision before they get their note in this cycle. They will get it around the 3<sup>rd</sup> to the 5<sup>th</sup> of the month of July.

Mayor Pro Tem Oliver commented that realistically he doesn't think it makes sense to bring back the item for discussion July 15<sup>th</sup>. He would set a benchmark maybe for the first meeting in August. That way they will have had 15 days to look at where they were in June and take a look at what their true numbers are and be prepared to make a decision at that time. He knows they are going to work real hard to bring on additional enforcement staff but they all have to be in this together. He doesn't think they should go to a point of water shaming folks and post it on Facebook and what not. He added that at the end of the day if they can direct or advise staff whether they be in Parks and Community Services, whether they be patrol units and police to be the eyes and ears to inform their respective departments of water waste or water abuse to make that call. He doesn't know if they are already advised to do so. He thinks they have a lot of eyes and ears out in the community with their respective departments so he would certainly encourage that as well.

Council Member Robinson commented that on a lot of the newer developments, the lawns are at a slope. So when you water it, the water is just going to drip down to the sidewalk and down the gutter. He commented that 2 days is not going to get it in like 3 months of 100 degree weather. He added that people need to learn to have their lawn restructured where it is smaller and get landscape design, get books and educate yourself on how to do your yard to fit the new condition they are in.

Council Member Medellin commented that he thinks developers and builders are doing that right now. They are going to xeriscape, to drought tolerant, and things of that nature.

Council Member Robinson stated he doesn't know why they are playing around going to 2 days when they are in this situation right now. It should be 1 day and just maintain your trees and your bushes.

Mayor Pro Tem Oliver stated they absolutely need to look at long term water supply. They have a lot of folks that are engaged on this issue; rightly so. They also have to tap that as an opportunity to channel

people to look at what they want their City to look at 5, 10, 15 years from now. He doesn't think it is too far away to look at building and development standards with xeriscape landscapes or great water systems. He stated there are a number of different things without deviating from the subject tonight but he thinks that is something that they also have to challenge the community to take part in and they shouldn't let the state's mandates blind their ability to innovate. He thinks they can be leaders on this and they already have but he thinks it is very, very important to note moving forward.

Council Member Robinson suggested that they look at what Jerry Brown did to redevelopment. He doesn't think he is playing around.

Mayor Pro Tem Oliver agreed.

Mayor Pro Tem Oliver stated they have a resolution that has been prepared and they have direction from Council on next steps moving forward and enforcement if that is the case. He added that otherwise he would be open to entertaining to vote.

Council Member Robinson asked if it is to the 2 days.

Mayor Pro Tem Oliver stated there is one resolution presented to the Council to go to 2 days, Level B.

Mr. Richardson stated it is yay or nay on that.

Mayor Pro Tem Oliver stated they can't alter that. They can't modify it. They have provided staff their direction moving forward especially with enforcement and outreach and that is what is before them. He restated that he would entertain a motion to vote if someone feels compelled to do so.

Council Member Holley made a motion that they adopt the 2 days a week with the restrictions.

Mr. Tooley stated he wants to ask for some clarification. He recommends that they act on this motion first and then they will seek the clarification.

Mayor Pro Tem Oliver returned to the motion to vote.

**THE MOTION WAS SECONDED BY COUNCIL MEMBER BOMPRESZI. MAYOR PRO TEM OLIVER REPEATED THAT THE MOTION IS TO RETURN TO LEVEL B AND ITEM C-1, RESOLUTION NO. 15-132 WAS ADOPTED BY A ROLL CALL VOTE OF 4-2. AYES: COUNCIL MEMBERS OLIVER, BOMPRESZI, MEDELLIN, HOLLEY. NOES: COUNCIL MEMBERS RIGBY, ROBINSON. ABSENT: MAYOR POYTHRESS.**

**RES. NO. 15-132      A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA ENACTING LEVEL B DROUGHT WATER RESTRICTIONS**

Mr. Tooley stated they would look for some clarification with regards to Council's direction on what they want staff to bring back at the first meeting in July. His understanding is that they would like to see 2 days a week. They would like to see it for a fixed period. He added that Council Member Bompreszi recommended 6:00 p.m. to midnight. He believes there was some discussion about a limitation on watering time. He asked that they define those elements for him so they can bring back a work product for Council's consideration.

Council Member Bompreszi stated a maximum of 15 minutes.

Council Member Rigby asked if 6:00 is peak time.

Council Member Medellin stated those hours may be wrong.



Council Member Rigby restated that those hours sound like peak times and called on Mr. Randall.

Mr. Randall responded that they do somewhat correlate with their peak demand times.

Council Member Medellin stated they will need to adjust that if that is peak demand time. He thinks no more than 10 minutes. He has been told by landscapers that anything after 10 minutes is pretty much runoff anyway.

Council Member Robinson asked if that is twice a day.

Council Member Medellin stated that as he suggested, a much smaller window, where it is basically once a day and a certain amount of time. He thinks they threw out 4 hours and 6 hours. He thinks 12 hours is too big a window but once a day in a 6 hour / 8 hour period.

Council Member Holley responded yes and that is what he had proposed.

Council Member Medellin restated so once a day only, twice a week, no more than 10 minutes.

Council Member Bompreszi responded yes.

Mr. Tooley stated he thinks the hours are important because there are a lot of people who don't have watering systems; they drag a hose. They need to select some times where they are at home and are able to do that so they don't lock people out of watering their yards.

Council Member Medellin commented on the evening time that Council Member Bompreszi suggested earlier, the 6:00 p.m. to midnight, 6 hour window. That is generally after work and at night time. Council Member Medellin asked Mr. Martin if he wants to chime in.

Danny Martin, Water and Sewer Operations Manager, stated he wouldn't want to be up there for all the money in China tonight. Second, regarding the time periods that they are predicting are historically the peak times for the City of Madera. He stated that the peak time for the City of Madera is between 7:00 o'clock at night and 11:30 at night. He added that 11:30 at night is usually about when the water tower is the lowest that it can go without it being in danger of dropping pressure for the City of Madera. He noted that they do have a major pressure problem out in the northeast and every summer that becomes an issue. He stated that becomes an issue during peak hours when everybody is taking showers, getting ready for school, getting ready for work. Everybody is watering their yards so if anything can be done to adjust the times to maybe later in the evening or early in the morning it would help with the peak time for the City of Madera's water demand. He restated that the peak time for the City of Madera water demand is between 7:00 and 11:30 in the evening.

Mr. Tooley stated to Mr. Martin that the two considerations are going to be people have to be home and they want to avoid peak times. He asked Mr. Martin if he has a specific recommendation for the Council.

Mr. Martin responded that if he had to be in the Council's shoes tonight and had his information that he sees on the computer, he would prefer early morning watering like before somebody went to work or something like that. He explained that they don't have the industrial businesses that time of morning. They don't have people, especially summer time right now when they are trying to conserve, they don't have all the kids getting ready to go to school. They have talked to the school district and they are trying to cooperate in every way that they can to help the City meet its demands. They have met numerous times with Parks staff, Mary Anne Seay and John Scarborough, and they are working very close with them. If they do decide to go back to the 2 days which it sounds like they just did, they need to work together on a correct time frame. He restated preferably a.m. If they are going to go to a timeframe, he prefers, even if they did it like it is currently, no watering after 10:00 in the morning and no watering before 8:00 at night; go from 7:00 to 8:00, move it up an hour. He commented that if they are saying just water one time on the 1 day a week, to him it does no more than the person that is going to water 2 times on the 1 day a week that they are

allowing. If they allow the double on Tuesday and the double on Saturday, that gives the homeowner four opportunities to water for 15 minutes and that is only one hour of water. He commented that he along with Parks have talked to professionals this week, that is still barely going to make their grass survive.

Council Member Medellin stated that is assuming that they follow those guidelines. That is what he is trying to kind of have the best of both worlds as to 2 days a week but only one particular period of time to water not like some people do once in the morning, once in the evening.

Mr. Martin stated that what he was hoping with the one day a week is to take the people watering 2 days a week and the 2 days a week people are watering 3 and 4 times a week. He was hoping that 1 day a week would bring the 3 and 4 timers down to 1 or 2 days a week. They are here to enforce whatever the Council tells them to enforce to the best of their ability.

Council Member Bompreszi asked Mr. Martin if he is saying after 8:00 p.m. at night.

Mr. Martin replied after 8:00 p.m. at night until midnight on their water day and in the morning before 10:00. He noted that currently they have from 10:00 to 7:00; he would like it to go 10:00 to 8:00 on the two water days that they currently have. He stated it will be easier to tell the public you are back to exactly where you were other than two hours. They took an hour in the morning and an hour in the evening instead of them going back and forth to changing what the public perception is of the City. He stated it is a lot easier to tell them your water days are exactly the same; one less hour in the evening, one less hour in the morning if they are trying to explain that to the public.

Mayor Pro Tem Oliver stated he would be comfortable with that arrangement.

Mr. Martin stated it is 8:00 to 12:00 on your water day in the p.m. and it is 12:00 to 10:00 a.m. on your water day. He stated that basically the people that are on automatic timers are going to water in the middle of the night like they usually do when there is more pressure and the people who have to pull hoses have until 10:00 o'clock in the morning and they have from 8:00 o'clock in the evening on.

Council Member Bompreszi stated she also talked to a landscaper today and with this heat it is better to water in the evening.

Mr. Martin agreed later in the evening. He stated the trouble is watering in the evening you have the water just sit in your grass at night and according to the landscape people they talked to they have more chance for disease than you do with watering in the morning because when the sun comes out...

Mr. Tooley stated they want to see if they can help the Council reach a decision point.

Mr. Martin responded the 10:00 and the 8:00.

Mayor Pro Tem Oliver stated what if they suggested in the evening 8:00 to 11:00 o'clock at night and the morning, 7:00 to 10:00 a.m.

Council Member Holley agreed.

Council Member Bompreszi restated 7:00 to 10:00 a.m. and asked what time at night.

Council Member Medellin stated those are their peak times.

Council Member Bompreszi asked Mr. Martin if he said after 10:00 at night.

Mr. Martin responded it is up to 10:00 in the morning and then after 8:00 in the evening. He added that if they cut it down to just two or three hours it is harder for them to patrol.

Council Member Bompreszi stated 8:00 p.m. to 7:00 a.m. and asked if that is what she is hearing.

Mr. Martin responded no.

Council Member Bompreszi stated she is confused.

Mr. Martin responded 8:00 to 12:00; that is four hours in the evening, two different times.

Council Member Bompreszi stated 8:00 to 12:00 and 7:00 to 10:00 and asked if that is right.

Mr. Randall commented that maybe it might be of value if staff does a little consultation amongst themselves and staff will bring them some opportunities and they will circulate some comments, and maybe Council can give them some input.

Council agreed.

**C-2 Public Hearing to Consider a Resolution Adopting the Article XIII B Appropriations Limit for Fiscal Year 2015-2016**

Director of Financial Services Tim Przybyla stated every year they are required to set this appropriation limit. He advised that this year they have done the calculations and it shows that their approved proposed expenditures for the 2015/2016 budget are well within the appropriation limits and they are asking Council to hold this public hearing and approve the appropriations limit as presented.

Mayor Pro Tem Oliver opened the public hearing and there being no speakers, he closed the public hearing.

**ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER BOMPRESZI, ITEM C-2, RES. NO. 15-133 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: MAYOR POYTHRESS.**

**RES. NO. 15-133 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA ADOPTING THE APPROPRIATION LIMITATION FOR THE 2015-16 FISCAL YEAR**

**D. WRITTEN COMMUNICATIONS**

**D-1 Request from Madera County Transportation Commission for Member Assessment Fee**

Troy McNeil stated he is the Fiscal Supervisor for the Madera County Transportation Commission. He advised that the Commission is again requesting the member assessment fee this year to help pay for the Valley Voice Program and other advocacy efforts. He explained that the Valley Voice Program is to advocate for transportation issues on the state and federal level. He added that Mayor Poythress has been directly involved with these efforts as Chair of the Regional Policy Council and is again planning to attend the Washington, D.C. trip in September. He commented that he believes that Mayor Poythress, even though he is not here, can attest to the importance of this program. Mr. McNeil advised that MCTC requests that the Council approve the assessment fee and offered to answer any questions.

Mayor Pro Tem Oliver asked if anyone has any questions for Mr. McNeil. No questions were asked and Mayor Pro Tem Oliver asked the City Attorney if this is something the Council will have to take action on to approve the member fee.

City Attorney Brent Richardson responded yes and added that they would have to do it by motion.

**ON MOTION BY COUNCIL MEMBER BOMPRESZI, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE MOTION TO APPROVE THE REQUEST FROM MADERA COUNTY TRANSPORTATION COMMISSION FOR MEMBER ASSESSMENT FEE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: MAYOR POYTHRESS.**

**D-2 Presentation by Dr. John Fitzer on the State Center Community College**

Dr. John Fitzer stated he is the Vice President of the Madera and Oakhurst Centers and with him is Dr. Sandra Caldwell, President of Reedley College, and Madera and Oakhurst. He advised that what they want to do tonight is just kind of give a real quick update on what has been happening at the Madera Community College Center recently. They have taken some very concrete steps in the past year / year and one-half to better serve their students here in Madera. He advised that he wants to talk to them about these things and share with the Council what their plans are coming up.

Dr. Sandra Caldwell thanked the Council for having them here tonight. She came to this Council about a year and one-half ago and some of them may remember. She noted it was a great experience. The Council asked them at that time to come back at a later date and they really wanted to get some things done in order to really bring something back. She commented that one of those things is hiring a vice president for their Madera Community College Center and that is why Dr. Fitzer is presenting tonight. She added that he hit the ground running and has done a lot of work that he is going to be sharing with the Council tonight. She added that she would be remiss if she did not also introduce Mr. Bobby Kahn who is their Trustee for the State Center Community College over their Madera County area so she wanted to make sure and acknowledge him tonight. She noted that he has been a great champion for the Madera community as their board member and she wanted to recognize him as well.

Dr. Fitzer stated he wants to talk a little bit about what they have done beginning with some introductory material. He advised that there has been an organizational change at the Madera Center. He commented that three years ago the Madera and Oakhurst Centers were tied to Willow International or what is now the Clovis Community College Center because of accreditation issues and Clovis' advancement to college status they have moved under securely under Reedley College so they are part of Reedley College.

Dr. Fitzer stated that their student count this semester was over 2,800. They have achieved a very, very healthy growth rate, in fact, second only to the Clovis Center so they are well above what the growth rate has been at City College or at the Reedley campus. He noted that what they have as part of their strategic plan is their Vision 2025 statement and that is that the Madera Community College Center will be an independently accredited comprehensive college by 2025 or at least will be well on the way to being that. Their goal is to really give their students here at Madera the same kinds of opportunities that they have at Fresno, at Clovis, and at Reedley; give them access to a comprehensive community college. To do so they need to do build programs and grow. They have made quite a bit of progress over the last year and really it is a different campus now. They have remodeled their student center, their cafeteria. They have remodeled their multi-purpose room and the classroom sits about 100 students. They hold various types of events. They have done a lot of things to improve their outdoor campus atmosphere such as adding benches and shade structure. They have built a career transfer center and they have also built a STEM (Science, Technology, Engineering, and Math) Tutorial Center. Dr. Fitzer displayed a before and after photo of their cafeteria. They can see it is much more inviting now. It is a much better facility. He added it is the same for their multi-use room, TM-11. Regarding their Career Transfer Center, before they had a beat up old bulletin board and a file cabinet. Now they have a fully functional Career Transfer Center where students can get career assessment, career education, transfer information, and employment services. He stated it is really upping the services for their students. Dr. Fitzer referred to the STEM Tutorial Center and advised that it helps serve students that are in the mathematics, science and engineering courses.

Dr. Fitzer commented that they have also dramatically increased their degrees and certificates offerings, their programs, and their courses. He noted that they were pretty devastated by the cuts that they suffered during the recession and those cuts left huge holes in their curriculum and in their schedule. Over the last year, year and one-half they have taken very determined steps to increase possibilities for their students.

They have added courses, programs, including science and math courses. They have hired chemistry instructors, biology instructors, and they are adding more math classes so they are really building out their programs and courses for their students. They have also looked at scheduling and arranged their schedule so that their students can complete in a shorter period of time. They have increased their efficiencies. Now they are pushing students through much more efficiently and much better. They have increased their degrees offerings at both the Madera and Oakhurst campus. He referred to the display which shows that Madera has increased their degree offerings by 44% and their certificate offerings by 33% in this past year and one-half. Dr. Fitzer referred to the next slide which shows a list of some of the degrees and certificates they now offer. He noted that the items with an asterisk are also available at their Oakhurst campus.

Dr. Fitzer commented that one thing that has been a real game changer for them is that last year they got a grant for \$280,000 and that grant enabled them to buy major equipment such as mills, lathes, and CNC machines so that they can offer a full range of advanced manufacturing courses. He noted that before students could come and take a couple of welding classes or some very basic CTE (Career Technical Education) type courses but not really get anything in terms of a certificate or a degree; now they can.

Dr. Fitzer stated moving forward what they need to do is that they need to increase their participation rate and increase their enrollment. They are looking to work with the high schools so that they provide pathways, dual enrollment opportunities so that students at their high schools can take college courses on their campus for credit. They are also looking at new education programs. They are expanding their STEM offerings, looking at offering a hospitality certificate in Oakhurst and other things. They are also trying to engage with the community more, having the community out to their campus more and having their faculty do different activities in the community.

Dr. Fitzer stated that in order to achieve their growth and their goal of becoming a fully accredited comprehensive college they need desperately regular transportation from the City out to their campus. They are kind of out there a ways and currently their students are depending on Dial-A-Ride which may not be the most efficient for them and a regular service at some point in the future would really advance their cause of becoming a comprehensive college.

Dr. Fitzer extended an invitation to Council to come out to the campus any time. He would be happy to show them around a little bit so they can see firsthand the changes and the positive improvements they have been making on campus.

Mayor Pro Tem Oliver thanked Dr. Fitzer for the presentation.

Council Member Medellin also thanked Dr. Fitzer for being here. He commented that he had a few questions but he thinks Dr. Fitzer answered them all in this presentation especially the transportation aspect. He thinks that is one of the areas where their students are having to have their schedule around transportation versus class schedules. Council Member Medellin stated he would like to talk about the proposed bond that may be on next year's ballot, \$475 million or so, and where Madera County schools such as Oakhurst and the Madera Center fall into that. He knows the 2025 Vision is to have it fully accredited but he was kind of hoping maybe a little sooner on the radar. He asked how this bond can help pursue that with the growth that they have at the Madera Center.

Dr. Caldwell responded that she can tell them that this will be critical for their growth. They absolutely need these facilities in order to build out their Madera Community College Center campus so that they can move into college status. She advised that they do need that capacity looking very much at both the current technical education programs. They want to move toward more ag based programs as well as engineering based programs that is more focusing on the sciences. She noted that they need the actual structures to make that happen. She advised that is really critical. Her recommendation, she can tell them that has come actually from the entire college base and also the charrettes that they had a couple of years ago have brought those recommendations forward. She stated those are the ones administratively that they are recommending to the board. She added that the board is now to the point where they are looking at those priority projects. She asked Trustee Kahn to address that from trustee perspective.

Bobby Kahn, Trustee for the State Center Community College District, stated as Dr. Caldwell said, the bond is critical. If they are going to grow, they have to have these structures. To kind of take them out of the fray of the politics that they are in the middle of as far as the board, he thinks that Council Members should be aware that there is a lot of politics being played right now. As a Council he would like them to stay very closely in tune with that. He thinks, if some of them saw the article in the Fresno Bee last Friday, he would ask that this Council take a strong stance in response to that article. He thinks that he needs to make it clear that Madera as well as Madera County needs to be represented in the bond, that they need to be accounted for, that they need the facilities here in Madera. Their campuses are some of the fastest growing in the district and that they need to have this bond passed but they also need to make sure that Madera is fully involved with that. He added that as a Council, he would encourage them to respond to that letter that was in it through letters to the editor or whatever other means they may take. He doesn't want to get the staff involved with some of the politics so that is why he would choose to speak to that part of it. He thanked Dr. Caldwell and Dr. Fitzer. They have done a tremendous job of taking the Madera campus and really moving it forward. He added that the work that they have done just in the last year has been absolutely incredible. They've got vision, they've got energy and they are lucky they have them on their team. He thanked the Council for their time.

Council Member Medellin added that especially working with their high schools, the CTE and the Pathways Program is absolutely phenomenal. Working together with their high schools and getting these kids certified in 9 months versus two years is going to be great for their job production and getting these kids to work. He thanked them for their efforts.

**E. ADMINISTRATIVE REPORTS**

There are no items for this section.

**F. COUNCIL REPORTS**

Council Member Robinson reported that today he attended the San Joaquin River meeting and they discussed building the trail from the Fish Hatchery all the way down to 99 freeway. He stated it was pretty interesting because he took a tour of the Fish Hatchery and it is amazing. They had all the fish in there and you get to feed them. They are also developing for kids a little trail and they have different stops, what the habitation is all about and how the fish evolve. He noted that it was pretty interesting.

Council Member Robinson reported that on June 12<sup>th</sup> he attended the Administrative Service Policy Committee meeting. Like he said before they discussed how to get people to vote and register to vote for the election.

**G. CLOSED SESSION**

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

City Attorney Brent Richardson announced that the Council will adjourn to closed session pursuant to Government Code Section 54956.9(d)(2) to discuss conference with legal counsel in anticipated litigation as described under item G-2; and pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-3.

The Council adjourned to closed session at 8:49 p.m. ABSENT: Mayor Poythress.

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

**G-3 CONFERENCE WITH LABOR NEGOTIATORS** - Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: David Tooley and Wendy Silva

Employee Organizations: General Bargaining Unit  
Mid Management Group  
Madera Police Officers' Association  
Law Enforcement Mid Management Group  
Management Employees

**G-4 Closed Session Report – City Attorney**

The Council returned from closed session at 9:37 p.m. with all members present. ABSENT: Mayor Poythress.

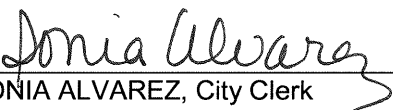
City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code Section 54956.9(d)(2) to discuss conference with legal counsel in anticipated litigation as described under item G-2 and reported that no reportable action was taken; and pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-3 and reported that no reportable action was taken.

**ADJOURNMENT**

The meeting was adjourned by Mayor Pro Tem Oliver at 9:38 p.m.

**CONSISTENCY WITH THE VISION MADERA 2025 PLAN**

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

  
SONIA ALVAREZ, City Clerk

  
ROBERT L. POYTHRESS, Mayor

