

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

Item:	B-1
Minutes for:	02/03/16
Adopted:	02/01/17

February 3, 2016
6:00 p.m.

Council Chambers
City Hall

CALL TO ORDER

The regular meeting for 2/03/16 was called to order by Mayor Poythress at 6:00 p.m.

ROLL CALL:

Present: Mayor Robert L. Poythress
Council Member Donald E. Holley
Council Member Derek O. Robinson Sr.
Council Member William Oliver

Absent: Mayor Pro Tem Charles F. Rigby
Council Member Andrew J. Medellin

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Community Development David Merchen, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Chief of Police Steve Frazier, Director of Parks and Community Services Mary Anne Seay, Director of Human Resources Wendy Silva, Chief Building Official Steve Woodworth, Information Services Manager Ted Uyesaka, Planning Manager Chris Boyle, Battalion Chief Jim Forga, Commander Dino Lawson, Deputy City Engineer Jose Aguilar, Special Transportation Projects Coordinator Les Jorgensen and Assistant Engineer Rose Ramirez.

INVOCATION: Pastor Barry Benard, Westside Christian Fellowship

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

PUBLIC COMMENT:

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

No comments were offered.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

- B-1 Minutes – 7/15/15
- B-2 Information Only – Warrant Disbursement Report
- B-3 Weekly Water Conservation Report (Report by Dave Randall)
- B-4 Consideration of a Resolution Approving the List of Projects for Congestion Mitigation and Air Quality (CMAQ) Funding under the Lifeline Allocation of Map-21 CMAQ Program – October 2015 Cycle to be Submitted for Inclusion in the 2017 Federal Transportation Improvement Program (Report by Keith Helmuth)
- B-5 Consideration of a Resolution Calling For and Giving Notice of the Holding of a Special Municipal Election to be Held June 7, 2016 for the Election of a Council Member to Fill the District 1 Vacancy, Requesting Consolidation with the Statewide Election and Requesting the Madera County Clerk to Conduct the Election (Report by Sonia Alvarez)
- B-6 Consideration of a Minute Order of the Council of the City of Madera, California Authorizing the Acceptance of a \$1,000 Donation to the Madera Police Department (Report by Steve Frazier)
- B-7 Consideration of a Minute Order Acceptance of the Revised Notice of Completion Recorded Document Number 2015029633 for the Dual Left Turn Lanes, Schnoor Avenue and Cleveland Avenue Federal Project No. CML 5157 (079) City Project No. ST 11-04 (Report by Keith Helmuth)
- B-8 Consideration of a Resolution Approving the Program Supplement Agreement N053 and Authorizing the City Engineer to Execute the Program Supplement Agreement N053 for the New Traffic Signal at the Intersection of Howard Road and Westberry Boulevard City Project Number TS 19 Federal Project Number CML 5157 (103) (Report by Keith Helmuth)
- B-9 Consideration of a Minute Order Acceptance of the Gateway Drive-Cleveland Avenue Section 130 Intersection Improvements Federal Project No. STPLR-7500 (208) City Project No. ST 14-09 (Report by Keith Helmuth)

Mayor Poythress announced that Council Member Oliver would like to pull item B-3. Mayor Poythress asked if there are any other items that a Council Member who would like to have pulled for further discussion. No other requests were made and Mayor Poythress announced that he would accept a motion on the remaining items.

ON MOTION BY COUNCIL MEMBER ROBINSON, AND SECONDED BY COUNCIL MEMBER OLIVER, THE CONSENT CALENDAR, WITH THE EXCEPTION OF ITEM B-3 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

RES. NO. 16-12 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE LIST OF PROJECTS FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING UNDER THE LIFELINE ALLOCATION OF MAP-21 CMAQ PROGRAM - OCTOBER 2015 CYCLE TO BE SUBMITTED FOR INCLUSION IN THE 2017 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

RES. NO. 16-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION FOR DISTRICT 1 OF THE CITY OF MADERA TO BE HELD IN THE CITY OF MADERA ON JUNE 7, 2016, FOR THE

ELECTION OF A CERTAIN MUNICIPAL OFFICER OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, AND REQUESTING CONSOLIDATION THEREOF WITH ANY OTHER ELECTION TO BE HELD ON THE SAME DATE AND REQUESTING THE MADERA COUNTY BOARD OF SUPERVISORS TO PERMIT THE MADERA COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY OF MADERA RELATING TO THE CONDUCT OF THE SPECIAL MUNICIPAL ELECTION

RES. NO. 16-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING THE PROGRAM SUPPLEMENT AGREEMENT N053 AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE PROGRAM SUPPLEMENT AGREEMENT N053 FOR THE NEW TRAFFIC SIGNAL AT THE INTERSECTION OF HOWARD ROAD AND WESTBERRY BOULEVARD CITY PROJECT NUMBER TS 19, FEDERAL PROJECT NUMBER CML 5157 (103)

Mayor Poythress called item B-3 for discussion.

B-3 Weekly Water Conservation Report (Report by Dave Randall)

Council Member Oliver stated he just wanted to have Mr. Randall (Public Works Operations Director) come up and just elaborate a little bit regarding item B-3. He knows before they put this item on the consent calendar, Mr. Randall was providing them bi-weekly updates as to their conservation efforts. He thinks right about that time he started to notice a very steep decline in their conservation figure so he just wanted Mr. Randall to kind of elaborate on this report.

Public Works Operations Director Dave Randall agreed that this report does reflect a significant drop. As they have seen and as they get further into the winter, they have seen their numbers fall. He noted that the total for the month of January was actually 4.6%. They might see that on the signs that are posted and any report at that point, they were actually at 5%. Add a few more days that they didn't do so well so they are at 4.6%. He explained that it is not totally unanticipated though. When they began this process, they knew that conservation is largely a function of outdoor irrigation. As they get into the winter weather and there is less opportunity to make those savings, there is less opportunity for conservation. The other factor is that they are compared not against an average of years but one particular year, 2013. He noted that when they did have, even though it was a drought year, some rain, the deltas aren't as good because they are matching out. Mr. Randall agreed that they have seen a period where they are dropping significantly. He added that the amount of water savings is very small and the ability to change that becomes very hard in the winter. They will see that probably for another month, maybe two before they return to getting back into the 20's and maybe then on to the 30% range where they do in the summer and where they are exceeding those goals; the 28% that is requested by the State. He noted that overall they have dropped a little bit. He added that because their numbers are so small, it is not dropping them too fast but, they are down to a cumulative 26% of savings since the beginning of the restrictions in June.

Mr. Randall advised that the State is looking to extend the restrictions until October of next year which somewhat bodes well for the City because that will mean they will have a period of time in the summer where they should have very good savings. He added that the State has not come out with their specific revisions. They anticipate there will be some but, he doubts that they will be very large because the program is not going to go on supposedly past October. They will probably find out in July. He advised that is sort of what has occurred.

Mr. Randall noted that there obviously is not as much enforcement activity going on. They redirect a lot of that effort into making more public education outreach and then sometimes helping out with their storm drainage when it is raining. They usually don't go out and look for people wasting water in the rain but, that

is sort of what has been going on and it has resulted in some of their lowest numbers. Mr. Randall offered to answer any other questions.

Council Member Oliver replied that is all he had.

COUNCIL MEMBER OLIVER MADE A MOTION TO APPROVE ITEM B-3. THE MOTION WAS SECONDED BY COUNCIL MEMBER HOLLEY AND ITEM B-3 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

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

C-1 A Noticed Public Hearing and Consideration of Introduction of an Ordinance Prezoning Approximately 600 Properties Encompassing Approximately 490 Acres of Land Located in and near the Community of Parksdale (County Service Area #3) Immediately East of the City

And

Consideration of Adoption of a Resolution Amending the General Plan on 86 Acres of Parksdale Property in Order to Accurately Reflect Existing Land Uses

Planning Manager Chris Boyle stated that their first public hearing item tonight is an adoption of an amendment to the land use element of the General Plan to provide for consistency with existing land uses in the Parksdale area and a request to approve a prezone of Parksdale to allow the submittal of an annexation application for the existing unincorporated community.

Mr. Boyle stated that Parksdale is located in the southeast quadrant immediately abutting to the City. It is a census designated place that shows up on maps and it is also identified as a disadvantaged, unincorporated community. He noted that they might recall their recent General Plan amendment SB 244 compliance which identified Parksdale as a disadvantaged, unincorporated community. He advised that in essence, it is bounded immediately east of Road 28 or Tozer Street in the southeast quadrant of the City.

Mr. Boyle commented that in 2014, the City had an annexation approved for an area, about 340 acres, immediately south of the Parksdale community known as the Southeast Madera Development Annexation (SMD). He noted that a condition of approval within that annexation was that an application for annexation be submitted to LAFCO (Local Agency Formation Commission) by the City for the Parksdale area. He advised that specific boundaries of that are shown on the display. He noted that it is not absolutely consistent with the area to be prezoned but, the City has added additional parcels in order for LAFCO, if they so sought to add additional properties, that those parcels would be prezoned accordingly. Mr. Boyle stated that in 2014 the SMD Development annexation was completed and ultimately the condition of approval was that prior to recordation, the Southeast Madera Development annexation, the City of Madera should file an annexation application with Madera LAFCO for the disadvantaged community of Parksdale.

Mr. Boyle stated that at the last public hearing with the Planning Commission in January, a real concern was who LAFCO is. Who can I talk to concerning this body who ultimately will make a determination on the annexation of Parksdale? Mr. Boyle explained that the Madera LAFCO, or the Madera Local Agency Formation Commission is an autonomous agency whose mission is to coordinate logical and timely changes in local governmental boundaries and to implement the applicable provisions of State law, namely Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. It is made up of two members from the Madera County Board of Supervisors, a member of the City Council, a member of the City of Chowchilla Council as well as one public member at large. He noted that those individuals cumulatively make up the LAFCO which would ultimately take action on the annexation application.

Mr. Boyle advised that they have an annexation area that is mandated by a prior approved annexation application. In order to make an application for annexation, a prezoning application must be approved. He

explained that a rezoning provides for the area to have a zoning designation at the time that annexation is complete. He added that if a rezoning wasn't in place when an area transferred from a county jurisdiction into a city jurisdiction, there wouldn't be any guiding land use in place at the time of annexation. He stated that a rezoning is a precursor to an application for annexation.

Mr. Boyle stated that in the case of Parksdale, this is a good map of the rezoning that is proposed (displayed). He noted that it provides for acknowledgment of the existing commercial areas. It provides for an alignment with rural residential, or RA zone, aligns cleanly with the rural residential character of much of the area and where the General Plan is called out for a medium density land use designation on either underutilized or vacant properties, the PD 4500 zone district is applied. He added that it also has an RCO, resource conservation open space designation applied to the various ponding basins and the single park that is associated with the Self Help project.

Mr. Boyle reported that along with the rezoning there is a request for a General Plan amendment to bring about consistency with existing land uses. He referred to the areas on the display that are circled and highlighted blue on the map and advised that they are actually developed inconsistent with their current General Plan. He noted that it makes good land use policy to bring about General Plan conformance in advance of any potential application for annexation. Where they have already preexisting urbanization where single family residence development has occurred, staff has proposed a General Plan amendment to adequately reflect those land uses that are preexisting yet not consistent with their General Plan. He stated that cumulatively the General Plan and rezoning reflect the existing and future land uses within the Parksdale area.

Mr. Boyle commented on where they are in this process because it is important to note that tonight's public hearing is not taking action actually on an annexation. It is taking action on an application for rezoning and an application for a General Plan amendment. He added that the annexation action itself is not under discretion by the City Council; in fact, the City Council will not be the discretionary body as it relates to the annexation. He advised that the first time this was noticed to the public was their January 12th Planning Commission and the Planning Commission forwarded a recommendation to the City Council. He noted that in between that time, staff brought to the Council, at its January 20th regular meeting a resolution that initiated the annexation process. Tonight, staff is bringing to the Council, staff's and the Planning Commission's recommendation for the rezoning and General Plan amendment which will position the properties to complete the rezoning process. He noted that right now, it would be anticipated to be completed on February 17th and then there would be a 31-day waiting period for the ordinance to take effect. At the same time, over that period of time, the Council will have to take action on property tax exchange agreement as noted last week.

Mr. Boyle stated that the annexation process can then be started with LAFCO where the City would file a complete application with LAFCO which would include the property tax agreement. He stated that LAFCO would conduct the public hearings and make initial decisions. If the initial decision is yes, the additional protest hearings would be held and ultimately the community has the ability to stop annexation if it is desired.

Mr. Boyle stated that tonight, before the Council, is a General Plan amendment which looks to address preexisting conditions in the built environment of Parksdale and address the inconsistency with the City's current General Plan and then, provide consistency with the proposed rezoning of the property consistent with the subsequent application for annexation that the City would file.

Mr. Boyle stated that staff's recommendation would be that the Council adopt a resolution adopting the General Plan amendment and introduce the ordinance rezoning the subject properties. Mr. Boyle noted that concludes his presentation and stated he would be happy to answer any questions the Council may have.

Mayor Poythress thanked Mr. Boyle and asked if there are any questions for Mr. Boyle at this time.

Council Member Oliver asked if the condition for Parksdale annexation is a discretionary condition or is it something that is guided by State law.

Mr. Boyle replied that it is guided by State law. He advised that State law calls out that municipalities will take action on annexing disadvantaged unincorporated communities that abut or in their path of development; that the city's limits are in their path of development. He explained that the requirement from LAFCO is really an expression of compliance with State law.

Council Member Oliver referred to the timeframe today to meet these conditions and to move forward with this application, and asked what they are looking at. He asked if they are looking at a year, two years; what the most up to date timeframe is.

Mr. Boyle replied that recently the City was granted a one year extension to complete the SMD annexation. In order to complete the SMD annexation, staff must file an application for annexation of Parksdale area within the next 12 months. He added that staff would move with purpose though in completing the process.

Mayor Poythress asked if there are any other questions for Mr. Boyle. No other questions were asked and Mayor Poythress announced that this is a public hearing and opened the public hearing. He noted that they have a sign in sheet for those who wish to speak at this public hearing. He asked if there is anybody else who would like to sign in to speak this evening that hasn't signed up yet.

Mayor Poythress announced that they do have an overflow room in the main lobby area so if there is anybody who would like to have a seat and watch it on the screen, they can do so.

City Clerk Sonia Alvarez advised, if the Mayor would like, that they can start with the folks she has on the list while Mr. Merchen gathers additional sign ins.

Mayor Poythress asked the City Clerk if she has their names and addresses.

Ms. Alvarez replied that she has names and addresses on there and anyone who hasn't signed in, the Mayor may open up to at the end. She asked that folks still give their name and address for the record when they come up whether they signed in or not.

Mayor Poythress added that they will limit each person to three minutes that way they can get through this and he is sure that three minutes is plenty of time to state whatever speakers want to state.

Mr. Alvarez advised that she would call up three folks at this point: Elnora Garcia, Richard Ray, and Lester Moore.

Elnora Garcia, Parksdale resident, stated she falls smack dab in the middle of that. She is here not just for herself but on behalf of five other family members and their spouses who own property within this zone in question, but, due to the death of her mother-in-law, they were unable to make it. She stated that she and her husband have lived here in this area for 20 years, him actually much longer, and they own a half acre lot there. She stated that she just has a lot of questions. She feels a little bit at a disadvantage because she didn't make it to that first meeting because of her mother-in-law's illness so she is a little bit in the dark.

Ms. Garcia stated she heard the word disadvantaged and asked what are the other reasons why this is being considered for rezoning. She has heard speculations about something between sheriff and police patrolling. She doesn't know if that has anything to do with it and she has questions as to that. She just wanted to state that if they are so disadvantaged then this would be costly for most people. She noted that this is going to up their trash pickup because she and her husband take their own. She has two dogs and that is going to actually up the price of their yearly renewal for their tags. She asked if their homes will be reassessed and their taxes go up noting that is a great concern for all of them. Like she said, this is six family members that live in this area. She was just wondering about these questions. She would appreciate some answers if possible.

Richard Ray, Parksdale resident, stated he has lived on this property all his life, 57 years. He noted that it has always been agricultural area out there. He stated that if they put this into City, they've got a lot of people out there that are going to have no usage probably to be able to have any livestock out there if they could by City ordinances. They won't be able to have their cattle. They won't be able to have their horses. Where he lives at, they just put in a major, major amount of almond trees; vineyards around there. They are taking away a lot of people's livelihoods. A lot of them who have lived out there for that many years, they wanted to stay country. They don't want that city out there. That is the first thing that he would tell anybody. That is why he likes living in Parksdale. He noted that he has lived there so long that a lot of the people here can probably tell them the nickname of it, Little Okie. His grandparents lived out there since 1943. If this passes through, they are going to devastate a lot, a lot of families. For himself right now, if it was to be voted, he would definitely vote no. He thanked the Council. *[The audience applauded.]*

Mayor Poythress stated he appreciates that they appreciate the speakers but asked that they keep it down and accept the testimony. He would appreciate it and thanked them.

Lester Moore, Parksdale resident, stated he moved out there in 1977. He moved out of Fresno to get out of the city. He bought a couple of acres out there. He built his home out there to stay out of the city. He hauled in over 600 tons of gravel to gravel the road that he lives on. He noted that the city/county had nothing to do with it. They didn't even want to look at it until now. They invested a lot of money in their places out there so they would be out of the City. Even now, he doesn't even know if the Planners know whether he is going to be in it or not. They said the boundaries are bound up on Road 29 ¼ and 13 ½. He lives on 29 ½ and 13 ½ but still yet they have his APN number listed there. He stated it is a graveled road. He is not on sewer. He is not on gas and asked who is going to put in all this. They have moved out there to save money to pay for their burial when it is time to come. He added that everybody out there just about lives on a fixed income. He asked who is going to pay for all the curb and gutter, sidewalks, all the new stuff that is going to be put in, brought up to city standards. He stated that people in here cannot afford that and here they go, the ones that have saved their money and done what they needed to do through life to pay off their places, they are going to have to mortgage it, go in debt all over again and they are not able to start over again. Mr. Moore commented that there are a whole lot of questions that need to be answered before they even think about this. He noted that the room was filled with chairs piled all up and down there and all up and down here last time; everybody said no. He added that the man said, well we talked to hundreds of people out there. Mr. Moore stated that no one has talked to any of them yet that he knows of. He added that no one he has talked to has been notified by them. He commented that it seems like this is trying to be pushed down their throats and they are not liking it.

Ms. Alvarez called up Eliseo Solis, Maura Solis, and Mark Garcia.

Maura Solis, Parksdale resident, stated her father bought that home maybe when she was 4th/5th grade. They have lived there. She moved out when she turned 18, went to college, did what she had to do. She moved into the City while she was trying to go to college. She moved back to help her father and for him to help her as well. She didn't like the City. She moved out there. She stated, God forbid it happens, but when he decides to leave, they have talked about him leaving it to her. She has children now and she plans to leave that to them when she builds her own home whether it is there or whether it is somewhere else. At this moment she wants it to be there. She knows they brought up the fact that they would be grandfathered in to have the livestock that they have and everything that they want but when he leaves that to them, to his daughters, not just herself, that will all change. They will have to abide by more rules and regulations than they are used to. She enjoys living out there in the country. She stated that her father made the right choice by bringing them up there in the country where they know their neighbors. There is no traffic out there. There is not a high density of people out there walking and roaming around so when they do see that, their neighbors, they look out for each other you know: hey, there is a suspicious behavior. Ms. Solis noted that in the City it is not like that; it is traffic, cars, people. They are used to a certain way of living. She commented that they were showing a graph of four businesses that are out there, commercial, and stated that there are only two businesses out there in Parksdale. She noted that the other one burnt down and they left the recycling center. She advised that there was a little store and a recycling center and

they left. Ms. Solis stated that she, her family, and her father would vote no on this if they had a say in anything and hopefully, that the Council can listen to their concerns. They don't feel like it would benefit any of them. They enjoy it the way it is. Ms. Solis thanked the Council.

Eliseo Solis, Parksdale resident, stated he bought the property for his kids. He just moved recently, two years ago because he likes the place. He came first, all his family. He has two kids and they really love it. He raised the other ones in the City and it is messed up to tell them the truth. Here, his kids love it. He has two grandchildren and they love his animals. He raises goats, horse, and also they love it. He doesn't think they are going to approve that. Mr. Eliseo thanked the Council.

Ms. Alvarez called for Enrique Renteria.

Mark Garcia, Parksdale resident, stated their main concern is that there are a lot of retired people living down their street. He noted they are all concerned because they live on a pension, social security checks, etc. They don't like coming in because they say everything is going to go up. Behind them, as he brought up last time, there is a street behind them. It is unpaved. It is one way. They will have to make it two way but like he called it last time it is a way, unpaved. If you go through there it is flooded. He asked who is going to pay for all this pavement. There is no sidewalk there. There is no pavement. It is not even gravel road. There is another street not even a block or two away and their main concern is who is going to pay for all that. If the City goes in, they are going to have sidewalks in there. They are worried because they say they don't have the money to put up the money for the sidewalk or for the paving of those two streets. He asked who is going to pay for it. That is their main concern because they are just living paycheck to paycheck and they are elderly folks. If you go back over there and talk to them, they don't even get out of their house now and that is what a lot of those retirees are concerned about. They couldn't even make it over here. If they talk to them, they come over to them and say, hey we can't do it. He says well you have to show up and they say they can't. Some can't even walk across the street. They have other people pick up their mail for them and they are very concerned. They just said they can't come over here to voice their opinions. So, they are elected to come over here and voice their opinions in a public forum. He stated this is just their street Lada and there are a lot of houses going across the street. If they see the map, they know where all those houses are and everything else on that side of the street, it is City. On their side, it is County. He thinks that is why they want to do it because down their street, the sidewalk is already in, water is already there, sewage is already there. They've got good water. They don't have to do anything. All they have to do is just collect taxes that they raised. He added that they raised all their taxes in that area 2% across the board so what are they going to do. Annex this one and raise it another 2% which is the maximum allowed by Prop 13; is that what their main agenda is. Other than this, there is nobody going out there and saying no, we are going to do this and that one or this is going to be your advantage to this or everything else. Mr. Garcia noted that everything is oh, everything is in place, ok, let's annex it. Let's raise taxes but they aren't told the advantages of it and asked what advantage is there to that. He agreed that they all like their way of life. They don't have a problem out there but yet with everything else that is going in there, there will be problems soon. He added that by way of taxes and everything, there are a lot of people that aren't going to be able to afford so what is going to happen to them. They are going to have to either move out or they are going to be kicked out or they are going to lose their housing to taxes and where are they going to go.

Mayor Poythress advised Mr. Garcia that his three minutes are up.

Mr. Garcia stated that was the main concern of all the people and if they want to check on that he asked that they look at the age. They are 60 to 90 in the area. He thanked the Council.

Ms. Alvarez called up Enrique Renteria.

Enrique Renteria, Parksdale resident, stated he is happy to say that he is a very content resident just like his family in Parksdale. They chose to live there because of its unique way of life, suburban life. He has not always lived there. This is his third year in the Parksdale area but, he has been over 10 years in Madera County. He left inner-city Fresno for this. He commutes. He works in Merced. He commutes 45 minutes

each way and even at \$4.00 a gallon he was still happy to come back home to Parksdale. He offered to tell a little of what happened, a recap, at the last meeting. He thinks it is important for the Council to know that the Planning Commission did not vote unanimously. It was a 3 to 2 vote. He stated that two members did hear their concerns. They are urging the Council to let them continue the way they live; let them be an island, a county island. He asked the Council to feel free to annex around them noting that there are many possibilities. They hope that the Council hears their concerns. He would like to preserve his life the way they like to preserve theirs in their homes. They all choose to live where they want to choose and that is why out of so many places, when he was hunting for a home, he loves Parksdale. He loves his neighbors. He feels safe and he thinks annexing would change that for him and not necessarily in a positive sense. He knows, and with all due respect to those who do choose to live in the City, he hopes they do hear them, talk to them, but asked that they please vote no on the rezoning. He thanked the Council.

Mayor Poythress asked if there is anybody else that would like to address the Council.

Bernice Jackson Hyatt, Parksdale resident, stated she does want answers because they are asking all these questions but nobody is ever answering them so she hopes they get some answers tonight. She asked why their community is a disadvantage to the City and why does City feel that it is a disadvantage. She referred to the letter they got where it says her APN (assessor's parcel number) number is a planned development and asked what that means. What is the low density? What does it mean to the people who got that as their APN? She asked if they can get some answers tonight because like everybody else in here, she moved from San Jose, California to Madera eight years ago. She could have moved into the City but she had a house built next door to her parents so that she could be next to them in the country. She enjoys her country life like she said before. Like she said, her great nieces and nephews that are eight and under, and her granddaughter, when they play outside, she doesn't have to worry about looking out after them. They are gated in. She doesn't have to worry about somebody walking down the sidewalk picking them up, kidnapping them. That is something she doesn't have to worry about and when she has more grandchildren, she wants them to have that. She added that the land she lives on, that she had her house built on, her grandfather acquired that over 70 years ago. She lives next door to her parents. Her grandfather built that house with his hands with the help of others, that her parents live in today. She would like to pass what she has got on to her children too. She is a third generation on that land and she would like for it to continue on so she really wishes that they (Council) could hear them today because she didn't move from the big city to be put back in the City. If she wanted to stay in the City she wouldn't be in Madera, California today. She asked that they please give her some answers on why they are disadvantaged and what all this planned development means from low density. If they can get answers tonight, that would help a lot of them.

Mayor Poythress asked if anybody else would like to make a comment at this time. No one else came forward. Mayor Poythress closed the public hearing and brought the discussion back to Council for further discussion.

Council Member Oliver thanked everyone for being here tonight and voicing their concerns. He understands that this isn't just an issue today. He noted that a lot of folks are looking out for the next generation so he appreciates that. He thinks there are a lot of good questions that were asked. He thinks that there were some very genuine concerns that were expressed and like Ms. Hyatt, he would like to see that they provide some of those answers where they can. He stated that in the form of a comment and maybe a recommendation, he might suggest, before they move forward on a vote, that they direct staff to compile some answers to the folks that asked some questions tonight within the next two weeks and perhaps table this item for their February 17th meeting. Also for those that did not speak at the podium to allow the chance either during or after the meeting to also put down their questions on paper so that the City can provide some formal responses. As for him, he would like to see those responses as well before taking a vote. He noted that would be his recommendation; just comments.

Mayor Poythress noted that the City Administrator looks like he is wanting to make a comment.

City Administrator David Tooley stated he doesn't want to interrupt the Council thought process so he will make a few suggestions depending on where the Council goes.

Council Member Robinson stated they should be happy that they live in America because like in Cuba, communist country, they took over the properties and the businesses but here they get to vote. If the majority agree to maintain what they have now they have no problem. He stated that is the solution right there, they get to vote. They are in America.

Mayor Poythress stated he thinks they are probably done as far as comments and asked the City Administrator to provide his input.

Mr. Tooley stated he would do a little exploration. He stated if there is an interest by the Council in tabling the item for some period of time, again, recognize that the residents have the ability through the vote process to turn down the annexation, in all cases, they want people to make an informed decision. They want to be transparent with the information. Mr. Tooley asked the Community Development Director David Merchen if it is a reasonable expectation that they could put together a list of commonly answered questions that were raised this evening, get distribution in advance of their next Council meeting, and is that enough lead time.

Community Development Director David Merchen replied that he thinks they can prepare that kind of background. His question is when they say distribute, he is not sure what they mean.

Mr. Tooley replied that he thinks, in as much as they have individuals that have given their address this evening he thinks they do two things. They send them directly to those people or anyone else who would like to receive a copy, they provide those to everyone who makes a request. He added that through word of mouth (directing his comment to the audience) because they are a close community, they could make others aware that that information is available. He added that anyone who has a question that has not been addressed, they can certainly come down to city hall and have a one on one conversation with one of their staff. He stated that it would be the City's intent to provide all the information possible so that they can adequately respond to this issue. He asked the Council if that would be consistent with their desires.

Council concurred.

Mr. Merchen replied that he thinks staff understands that direction. Just to reiterate, what he believes Council Members recognize, that as part of the notice process they did invite members of the community to call with any questions that they had. They did take at least a couple of hundred phone calls earlier in the process, mostly fewer between the Planning Commission and tonight, so many, many members of the community did call and ask those direct questions and staff was happy to provide answers. He advised that opportunity still exists. They can call the City directly even if they didn't speak this evening. Also, they have spoken to several members of the community who have taken the opportunity to come and talk to staff. He spent 15 or 20 minutes with a member of the Parksdale community just this afternoon. He commented that staff absolutely understand the unfamiliarity with the issues and they are happy to do their best to walk the residents through those issues so that they understand them as best as they can. He thinks, to put words in their mouth as he understands them at least, they would prepare a set of questions and answers. They would provide them to the folks that spoke tonight and anybody else that has provided their address or has expressed an interest, gives staff their address later this evening. They can take that out in the lobby, he thinks, right after they are done here. Then they will bring that information back to the Council, the FAQ's (frequently asked questions), with the normal staff report packet for the 17th.

Council Member Holley stated he has been on the Planning Commission and when this thing first started about what they want to do with Parksdale and what he has been hearing from a lot of folks, they are not concerned about what they talk about here. They want to hear it as a whole. They want to hear what they just spoke about tonight. They want to hear those questions answered individually. He noted that what the City is doing is that they want to send them notice to some of the questions that were raised but all of them are not going to understand what those things are. They feel, and he is getting this feeling because he has

talked to some of them, the questions that they asked the City tonight, they would like them answered as they ask them. He thinks that is what they are looking for. They are not looking for it to come back on a piece of paper. They want staff to stand up here and as the questions they presented to the City, they want an answer to them so when they leave here, they all have the same understanding of what is going on.

Mayor Poythress stated that what they want to do is make sure that they can cover in detail what some of the questions are because he thinks there may be a few cases where they don't have the information readily available and they might come off the cuff or something where it is not totally accurate. He thinks that by postponing and moving this thing out, and allowing them to gather the information, he thinks they accomplish the same thing.

Council Member Oliver agreed. He noted that it goes beyond just meeting a condition of approval. It comes down to people and they have to be accountable to that and be open and accessible. At minimum he does agree with Council Member Holley in that he thinks they should acknowledge the question that was asked and they try to answer it to the best of their ability whether it is about offsite improvements or...he understands there is going to be a general Q&A (questions and answers) that they are going to develop out of this discussion and he recognizes that there are a lot of folks that might not have asked the question just yet or they may very well do so but at minimum, for the handful of speakers that did speak, he would like in that correspondence a formal acknowledgment of at least the question asked and again, their hope that they do their best to answer it.

Mayor Poythress commented that they can memorialize it because there is going to be others than just the folks that asked those questions, they are going to have those same questions. He noted that if one person asked it there has got to be others that have the same question. They are not trying to dodge it. They just want to get them very accurate, complete, specific information.

Mr. Tooley stated so they are clear, every question that was asked this evening is on the public record. That will be included in the response. They will provide other frequently asked questions and answers so that there is a good basis for discussion and when they return, he thinks they can have an extended face to face with the individuals involved and everybody is operating off of the same sheet of music at that point.

Council Member Robinson stated that the Governor had placed in the budget funds to improve disadvantaged areas according to the income in that area. That is another reason why they put down disadvantaged.

City Attorney Brent Richardson stated if they are contemplating moving this to a date certain, he thinks they ought to do it by formal motion to that date.

COUNCIL MEMBER OLIVER MADE A MOTION TO TABLE ITEM C-1 TO THEIR FEBRUARY 17TH MEETING. THE MOTION WAS SECONDED BY COUNCIL MEMBER HOLLEY AND WAS APPROVED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

Mayor Poythress thanked everybody and stated his appreciation for their attention and comments.

Mr. Tooley asked Mayor Poythress if they want to have someone available in the lobby to take additional names and addresses for folks that would like copies of the correspondence.

City Clerk Sonia Alvarez advised that they have staff already in the lobby and she believes the Deputy City Clerk will go out there and advise them of that at this point.

Mayor Poythress announced that they have folks in the lobby to take additional names and addresses.

**C-2 A Noticed Public Hearing and Consideration of Introduction of an Ordinance
Rezoning Property Located at 1006 and 1010 West Yosemite Avenue from the R1**

(Low Density Residential) Zone District to the WY (West Yosemite Professional Office) Zone District

Planning Manager Chris Boyle stated this item is a rezone that was submitted for two parcels located on West Yosemite Avenue just west of "O" Street. He noted that as a background, they might recall that staff brought to the Council a General Plan amendment which was a precursor to their zoning update and within that General Plan amendment they sought to resolve General Plan land use designations and inconsistency with existing zoning. He advised that these two parcels were pulled from that consideration. He added that originally, because of their residential character, staff had penciled these properties as being low density residential properties. He noted that they still function as homes but upon noticing property owners, the individual property owner noted that he had purchased these homes with the expectation of developing upon them office uses. The owner requested that he be allowed to rezone the property in lieu of the Planning Department's action to change its land use designation instead of these two parcels being changed to a low density designation consistent their R1 zoning.

Mr. Boyle advised that the applicant made application for a change in the zoning to better align with the office General Plan land use designation and made a request for the West Yosemite Office Zoning District. He noted that would provide General Plan consistency between the proposed zoning and the existing General Plan land use designation. Consequently, the Planning Commission and staff recommend that the Council, after considering public testimony introduce the ordinance rezoning the subject properties. Mr. Boyle stated that completes his presentation and offered to answer any questions.

Council Member Holley asked if there aren't three properties on that same lot.

Mr. Boyle replied that there are three properties on that block and at first glance, the property on the corner appears to be a single family residential parcel but it is currently zoned in the West Yosemite Overlay and it actually, in the 90's, had an approval for the conversion of that site to a Professional Office designation. He added that the improvements required were never completed and the actual conversion to office was never consummated but the zoning is still in place because it was enacted by ordinance and in speaking with the property owner, they would prefer to retain its General Plan land use designation and the existing zoning on the site. He noted this action provides for consistency across the block.

Mayor Poythress asked if there are any other questions. No other questions were asked and Mayor Poythress opened the public hearing for any comments from the public. No one came forward and Mayor Poythress brought the item back to Council. Mayor Poythress called for title.

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

ON MOTION BY COUNCIL MEMBER OLIVER, AND SECONDED BY COUNCIL MEMBER HOLLEY, FURTHER READING WAS WAIVED AND THE INTRODUCTION OF AN ORDINANCE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

INTRO. ORD.

INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 12,500 SQUARE FEET OF PROPERTY LOCATED AT 1006 AND 1010 WEST YOSEMITE AVENUE IN PROXIMITY TO THE INTERSECTION OF WEST YOSEMITE AVENUE AND O STREET FROM THE R1 (LOW DENSITY RESIDENTIAL) ZONE DISTRICT TO THE WY (WEST YOSEMITE PROFESSIONAL OFFICE) ZONE DISTRICT

- C-3 Consideration and Acceptance of a Report on the Proposed Projects in the Capital Improvement Program for FY 16/17 to FY 20/21 and Authorization to Submit the Capital Improvement Program for FY 16/17 to FY 20/21 to the Planning Commission for Determination of Conformity to the City's General Plan**

City Engineer Keith Helmuth stated this item is intended to serve two different purposes. First is to allow Council the opportunity to review and comment on a list of projects in the next fiscal year in the life of the five year CIP (Capital Improvement Program). He advised that the CIP runs through the 20/21 fiscal year. Second is to authorize the submission of these projects to the Planning Commission for approval of the conformity with the General Plan. He noted the conforming requirement is an annual requirement with the City. They must meet conformity before they take it forward as a project.

Mr. Helmuth advised that because the last item went long, he will try to jump to the gist of his item. He noted that the first is that there are several projects in the CIP. They haven't quite gone through a detailed review of all funding therefore, he wanted to go ahead and note that some projects could jockey around a little bit in terms of schedule in terms of the funding but generally, what they see is what it is. He stated that the projects that they have are proposed and the schedules are reasonably accurate. He advised that there are also a couple of projects in the CIP that they are recommending be adjusted in terms of the schedule. Those projects are the Lake Street Project that runs from Cleveland to Riverside and the other is Olive Avenue which runs from Roosevelt to Gateway.

Mr. Helmuth referred to the Lake project that they have going right now and advised that they have been into it for about a year / year and one-half and they have been working through about 30% plans and the environmental reviews on that. He commented that project has turned out to be more impactful than originally thought. At this point they've shifted the project to the best of their ability to try and avoid impacts and right now what it is showing is as many as nine properties could require total takes. Of the 33 properties that front it, they will also require right of way from those properties. On that basis, they are recommending that that project be delayed, they work through it better, and allow for better public involvement on it. He added that in lieu of that project moving forward, they are asking that Olive Avenue be moved forward. He advised that Olive Avenue is a little bit simpler; not completely simpler but it does have one property on it that may require a total take as well. He noted that it is a residential property and it also has railroad as part of it. He added that the railroad tends to run them up about a year or so in the coordination with that. He stated that overall, Olive is a little bit simpler. It is probably needing expansion greater than Lake. He added that there is continued development in that area which will push Olive, he thinks, to the front of the pack.

Mr. Helmuth offered to answer any questions and added that Les Jorgensen and Jose Aguilar are in audience for questions he is can't answer.

Mayor Poythress noted that Mr. Helmuth brought the A team. Mayor Poythress asked if there are any questions. No questions were asked and Mayor Poythress announced that he would accept a motion for the acceptance of the report.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, THE MOTION FOR ACCEPTANCE OF A REPORT ON THE PROPOSED PROJECTS IN THE CAPITAL IMPROVEMENT PROGRAM FOR FY 16/17 TO FY 20/21 AND AUTHORIZATION TO SUBMIT THE CAPITAL IMPROVEMENT PROGRAM FOR FY 16/17 TO FY 20/21 TO THE PLANNING COMMISSION FOR DETERMINATION OF CONFORMITY TO THE CITY'S GENERAL PLAN WAS ADOPTED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

D. WRITTEN COMMUNICATIONS

D-1 Written Communication from Aldridge | Pite, LLP, Representing CitiMortgage Inc., Regarding Property Fines for 213 Mainberry Dr. and 2814 Orange Tree Ct.

Cuong Nguyen stated he is an attorney with the firm Aldridge Pite which was retained by CitiMortgage (Citi). He advised that CitiMortgage took ownership of two properties that were foreclosed in Madera. He noted

that they may have other properties but he is only here on these two particular properties. One is at 213 Mainberry Drive and the other one is at 2814 Orange Tree Court. He noted that both properties have been the subject of code violations and various issues with the property, primarily landscaping issues, vegetation, securing the property because of vandalism, and transient activity. The reason he is here this evening is because CitiMortgage was assessed quite a bit in terms of citations and they would like to request that the citations be reduced down to some reasonable level primarily because Citi has been in contact with Code Enforcement and has been actively trying to bring the property into compliance; both properties.

Mr. Nguyen stated that the property at 213 Mainberry Drive was assessed a little over \$54,000 in citations and that is after the Code Enforcement Department had already reduced it. He noted that unfortunately the reduction was not that significant. It was only about a 10% reduction or so. They are asking for a much more substantive reduction. He advised that since September of 2012, Citi has spent over \$22,000 to bring the property into compliance. He stated that there were four notices of violation that were issued on this property and multiple citations. He noted that one notice of violation was issued in September of 2012 and the other was in March of 2013. He advised that Citi didn't even obtain ownership of the property until June of 2013 due to the foreclosure sale. His understanding is that originally this property, the homeowner vacated back in approximately, what they are showing is about June of 2012 or so and then the homeowner subsequently requested mortgage assistance from Citi so there was a period of time where the homeowner and CitiMortgage were engaged in loan modification discussions. Somewhere around October of 2012, the homeowner moved back into the property. He explained that when the homeowner takes possession it is kind of difficult to go in and basically correct any violations. He stated that a lot of those violations obviously carry over from the homeowner including the fact that the water bill was not being paid so the City of Madera shut down water access. That caused a lot of other issues including landscaping but primarily it caused the grass to die so Citi has had to go in. They re-sodded the front yard not once but twice and multiple times there have been issues with the City of Madera Water Department primarily due to the delinquent water payments and then at some point there was a break in the irrigation system so it was leaking, spraying water into the neighbor's yard or something so the City had to shut down the water multiple times. Then Citi had to go in, make the repairs, and then request the water be reopened. He advised that they've got a lot of these issues with the landscaping.

Mr. Nguyen stated that with respect to 2814 Orange Tree Court, this property, Citi foreclosed back in August of 2014 and there are approximately \$25,000 of outstanding citations. He noted that Citi has spent since August of 2014 over \$13,000 to bring the property into compliance. He stated that there are only two notices of violation that they see on this property, one back in August and one in October. He thinks there was a recognition from the City Code Enforcement Department that there was significant corrective activity done on the first notice of violation so the City kind of waived, he thinks, pretty much all of that but then the citations started compounding under the second notice of violation so now they are looking at somewhere around \$25,000 in citations.

Mr. Nguyen stated that they submitted written request to the City Council with basically all of the evidence that Citi has to show that they were not only in communication with the Code Enforcement officer regularly but they have their property management company Safeguard produce basically their logs of when they inspected the property, when the grass was cut, when landscaping was done, etc. He noted that all of the work orders are there including some of the amounts that were incurred by Citi. He stated that based on all of the evidence that Citi has shown, Citi would like to request that the City reduce the citations. He added that they understand that the City will incur amounts if they had to abate the property or inspections so any out of pocket costs certainly, the City should be reimbursed for those but the citations he thinks are a little extreme based on what is before them as far as the good faith efforts of Citi to try to bring the property into compliance.

Mayor Poythress thanked Mr. Nguyen. He then directed his question to the City Attorney. He asked if any waiver of fees constitute a use of public funds.

City Attorney Brent Richardson replied if the Mayor is asking...

Mayor Poythress corrected himself and stated gift of public funds.

Mr. Richardson replied that to the extent, he wants to say substantive basis for it, there is some sort of problem with the citations. In other words, there is a debt there and they would have to have some sort of valid reason for forgiveness of it. That is basically the deciding factor whether there is some sort of valid basis for doing so otherwise just forgiving a debt just because, he believes there is case law to support that that would be a gift of funds.

Mayor Poythress asked if there are any questions/comments from any of his colleagues.

Council Member Oliver stated that he appreciates Mr. Nguyen making a presentation and making the trip. Council Member Oliver stated his only concern would be if the City did move forward with a reduction that that might also set a terrible precedent moving forward with similar cases. With that he would just make a recommendation to not take action at all.

Mayor Poythress thanked Mr. Nguyen.

E. ADMINISTRATIVE REPORTS

E-1 Consideration of a Minute Order Acceptance of the Highway Safety Improvement Program (HSIP) at Various Locations Federal Project No. HSIPL 5157 (084), City Project No. TS-18

City Engineer Keith Helmuth introduced Rose Ramirez who will make the presentation.

Assistant Engineer Rose Ramirez stated she is here today to discuss with the Council the completion of a construction project that they received funding for from the Highway Safety Improvement Program (HSIP). She explained that the Highway Safety Improvement Program Grant or the HSIP grant is a federal aid grant that was awarded to local agencies to provide the money to implement projects that would help reduce traffic fatalities and/or serious injuries in their area. She advised that the City of Madera applied for this grant and was awarded funds in 2011 to address six locations within the City limits. She announced that in this presentation she will be discussing those locations and the improvements they implemented in them.

Ms. Ramirez advised that she would discuss a little bit more about the construction of this project. They completed construction in December 2015. Avison Construction was the contractor that was awarded the project. She noted that the original award amount was at \$239,000 and the final construction cost was at \$250,000. They stayed within the construction budget and under 5% contingencies.

Ms. Ramirez referred to the map which shows the six locations in the City that received the improvements from this grant. Four of these locations had improvements placed in that were directly adjacent or near schools. She stated that the locations and the schools that benefitted from the grant were Lincoln Elementary on Sunset Avenue, Pershing Elementary on Ellis Street, Parkwood Elementary on Pecan Avenue, Sierra Vista Elementary on Olive Avenue, the Youth Center on 4th and Flume Street, and Olive Avenue between Martin Street to Santa Cruz Street.

Ms. Ramirez stated that some of the improvements she will be discussing are the in pavement lighted crosswalks, advance warning signs with flashing beacons, LED (light-emitting diode) enhanced signs, concrete barricades, and high visibility crosswalks.

Ms. Ramirez stated that they installed three in pavement crosswalks for this project. She explained that the crosswalks have flashing lights embedded directly into the roadway along the crosswalk striping. When a pedestrian approaches a crosswalk, they can manually start flashing of these lights by pressing a push button installed at the corner ramp. She explained that the lights will begin flashing to alert drivers that a pedestrian is preparing to cross and it will continue flashing until after the pedestrian has crossed. She stated that the locations they installed these at are Ellis Street for Pershing Elementary, on Pecan Avenue

for Parkwood Elementary, and on Sunset Avenue at Lincoln Elementary. She advised that the images shown are the actual crosswalks that were installed for this project which show the completed lighted crosswalk at Pershing Elementary, and the lighted crosswalk during construction at Lincoln Elementary.

Ms. Ramirez stated another form of improvements they installed were the LED enhanced signs and the signs with the flashing beacons. She advised that the LED enhanced signs that were installed were 25 mile per hour signs in the school zone area. These were installed on Pecan Avenue for Parkwood and on Olive Avenue for Sierra Vista. She explained that these are the 25 mile per hour signs but they include flashing lights. She noted that they are not push button activated. They are on a timer so they are set to go off for a period of time before school begins and a period of time after school begins, and for a short period of time before school ends and after school completes.

Ms. Ramirez explained that the other form of flashing signs they installed were the signs with the rectangular rapid flashing beacons. These are rectangular beacons that will alternate flashing. These work similar to the in pavement lighted crosswalk where a pedestrian will approach the crosswalk, push the push button and the lights will begin to flash alerting the drivers that a pedestrian is preparing to cross the crosswalk. Mr. Ramirez advised that studies have shown that these are as effective as the in pavement lighted crosswalks. They use these at these particular locations: Olive Street at Martin Street, Monterey Street and Santa Cruz. By installing these rapid flashing beacons as opposed to the in pavement lighted crosswalk, they were able to reduce the impact during construction to the local businesses, schools, and residents. They installed these not only on Olive Avenue at Monterey, Santa Cruz, and Martin Street, they also installed them on Olive Avenue at Sierra Vista for their crosswalk.

Ms. Ramirez stated that the last improvements they installed were concrete barricades at the Youth Center. These were installed at Fourth and Flume Street. She noted that because of the Youth Center, Flume Street is a high pedestrian volume area in the afternoons. They have a lot of young pedestrians, children and/or teenagers, that walk to the Youth Center to utilize the numerous activities offered and this street in particular has a higher speed of traffic that cut through the street to reach other streets. What the pedestrians would encounter is, in order to cross to get to the Youth Center, that they had to interact with these vehicles at higher speeds. What they installed were concrete barricades, or for this particular location planters. She referred to the middle image which shows the actual planters installed at the Youth Center. She noted that they currently do not have any plants in them but plants should be put in shortly.

Ms. Ramirez stated that the last improvement they installed were the high visibility crosswalks. This was installed on Olive Avenue at Santa Cruz Street. They can see the bolder crosswalk will stand out more to drivers and they installed those with the advanced shark's teeth also to bring to drivers attention that a crosswalk is nearing.

Ms. Ramirez stated that concludes her presentation. She advised that she does have a short video put together by the Communications Specialist with the City of Madera that she would like to play for them. Ms. Ramirez played the video. After the video ended, Ms. Ramirez offered to answer any questions.

Mayor Poythress asked if there are any questions/comments.

Council Member Oliver stated great job.

Mayor Poythress stated he would accept a motion for action.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER OLIVER, THE MINUTE ORDER ACCEPTANCE OF THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) AT VARIOUS LOCATIONS FEDERAL PROJECT NO. HSIPL 5157 (084), CITY PROJECT NO. TS-18 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 4-0. ABSENT: MAYOR PRO TEM RIGBY, COUNCIL MEMBER MEDELLIN.

E-2 Request for Ad Hoc Committee to Prepare Amendments to Agreement between City and North Fork Rancheria of Mono Indians of California

City Administrator David Tooley stated the City has been approached by members of the casino and Tribe. They are moving forward with their project and they anticipate that it will be completed in phases. As a result they will need to revisit some of the mitigation measures and timing of the commitments they have provided to the City via the MOU (memorandum of understanding) all of which dictate that an amendment to the MOU is probable. He advised that staff will do the heavy lifting on this but consistent with their past operating practice it would be useful to have a small Council ad hoc committee in case they run into any wrinkles. He added that ultimately any change to the agreement is approved by the Council as a whole. Mr. Tooley offered to answer any questions.

Mayor Poythress asked if there are any questions for Mr. Tooley.

Mayor Poythress stated this was interesting because he has helped put together ad hoc committees for quite a few years now but he has never had more interest in joining an ad hoc committee than this one. He thinks the only Council Member that didn't contact him about this was Council Member Oliver.

Council Member Oliver stated he still cares.

Mayor Poythress acknowledged the comment and added that it would have been very difficult to have six people as an ad hoc committee.

Mayor Poythress stated they can have three because it does not constitute a quorum. He would like to appoint Council Member Holley, Council Member Rigby, and Council Member Medellin. If one of those individuals fail to perform for whatever reason, they have Council Member Robinson in the wings that will...

City Attorney Brent Richardson stated when they go to a three member they really can't do the alternate because then you actually end up with a serial meeting so they can't do the alternate on that.

Mayor Poythress stated they would seriously consider Council Member Robinson in the event that somebody could not fulfill their duties.

Mr. Richardson stated he is no fun.

Mayor Poythress asked those that are here that he appointed if they are willing to serve. Council Member Holley replied yes. Mayor Poythress stated the other two can't answer for themselves but they did request.

F. COUNCIL REPORTS

Council Member Robinson reported that on February 11, 2016 they have the South San Joaquin Valley Division General Membership meeting in Visalia starting at 6:00 p.m. If anyone would like to attend, they can.

Council Member Holley reported that he attended the intercultural event at Hatfield Hall. He commented that it was really a wonderful turnout. He thought they did a wonderful job putting that together this year.

Council Member Holley stated that other than that, he is still talking to his colleagues about joining the Big Brother Big Sister Program for the lunch buddies.

Council Member Oliver stated that Council Member Holley said it well as far as the interfaith/intercultural event. It was their 20th year and he has vouched next year to do a Basque booth celebrating his families French Basque heritage. He noted that it was a really nice event and he looks forward to next year and the years after.

Mayor Poythress stated that something happened today at City Hall. He advised that it was Civics Day. He stated that as always he would like to thank pretty much everybody in this room. Staff was once again over the top. They did a great job teaching, guiding the scouts, and providing that great leadership. He added that after Mr. Tooley's presentation in regards to talking about what great career opportunities there are within government, he is sure that a lot of these young men are going to sign up right after college or at least those career courses.

Mr. Tooley stated he is always inspired when Council attends one of these. It pushes him to that next level.

Council Member Holley commented that was especially after they gave him a raise (referring to Civics Day activity).

Mayor Poythress stated that was fantastic and added that his little guy that he brought in was the first one. He was just this little guy and staff just really welcomed him. He added that the scout really responded well and he didn't back off for anything. Mayor Poythress commented that he thought he is going to be a little frightened but no he hung right in there. Mayor Poythress commended everyone again and added that it was the 91st Civics Day Program and it is the oldest one running in the United States. They have a lot to be proud of and everybody in this room really played an important role in that and thanked them.

G. CLOSED SESSION

There are no items for this section.


ADJOURNMENT

The meeting was adjourned by Mayor Poythress at 7:24 p.m.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

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


SONIA ALVAREZ, City Clerk


ANDREW J. MEDELLIN, Mayor

