

REGULAR MEETING OF THE MADERA CITY COUNCIL

205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

Wednesday, September 21, 2016 6:00 p.m.

Council Chambers City Hall

CALL TO ORDER

ROLL CALL:

Mayor Robert L. Poythress

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

Council Member William Oliver
Council Member Cece Foley Gallegos

INVOCATION:

Mr. Alan Shearer, St. Joachim Church

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENT:

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

PRESENTATIONS

Proclamation Recognizing Hispanic Heritage Month

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

- B-1 Minutes There are no minutes for consideration.
- B-2 Information Only Warrant Disbursement Report

- B-3 Consideration of a Resolution Reappointing Bruce Norton to the City of Madera Planning Commission (Report by Chris Boyle)
- B-4 Consideration of a Resolution Appointing Christopher Huerta to the City of Madera Beautification Committee (Report by Mary Anne Seay)
- B-5 Consideration of a Resolution Rescinding Resolution No. 16-29 and Approving an Amended Application for Transportation Development Act Local Transportation Funds for FY 2015/16 with FY 2014/15 Carryover Balances (Report by Keith Helmuth)
- B-6 Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending June 30, 2016 (Report by Tim Przybyla)
- B-7 Consideration of a Resolution Appointing Robin Ware and Brian Malady and Reappointing Loretta Castro and Linda Clark as Members of the City of Madera Transit Advisory Board (Report by Ivette Iraheta)
- B-8 Weekly Water Conservation Report September 5th thru September 11th (Report by Dave Randall)
- B-9 Consideration of a Minute Order Accepting the Delivery and Installation of the Modular Restroom at Centennial Park and Authorizing the Recording of a Notice of Completion and the Release of Retention after Recording of the Notice (Report by Mary Anne Seay)

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

C-1 A Public Hearing to Consider an Appeal by Merchant Men Inc., Christopher Montoya, of the July 12, 2016 Decision of the Planning Commission Revoking Conditional Use Permit 1963-23, 1989-30 and 1991-13 which Cumulatively Allow for an Athletic Fitness Club Located at 1803 Sunset Avenue

And

Consideration of a Resolution of Determination on Appeal (Report by Chris Boyle)

- C-2 Public Hearing and Consideration of a Resolution Approving the 2015/2016 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and Financial Summary (Report by Ivette Iraheta)
- C-3 Consideration of:
 - (1) A Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to City of Madera Community Facilities District No. 2005-01.
 - (2) A Resolution Declaring the City's Intention to Authorize the Annexation of Territory into City Of Madera Community Facilities District No. 2005-01 (Report by Chris Boyle)
- C-4 Public Hearing and Consideration of Introduction of an Ordinance Amending Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code Relating to the Adjustment of Speed Limits in Certain Zones (Report by Keith Helmuth)
- C-5 Consideration of a Resolution Approving a Second Amendment to the City Attorney At-Will Employment Agreement Relating to Ceasing Receipt of a Technology Allowance and Authorizing the Mayor to Execute the Amendment (Report by Wendy Silva)

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Consideration of a Resolution Approving Agreement with Akel Engineering Group for Professional Engineering Services for Preparation of Sewer and Water System Condition Assessments and an Asset Management Plan and Authorizing the Mayor to Execute the Agreement (Report by Keith Helmuth)

F. COUNCIL REPORTS

G. CLOSED SESSION

- G-1 Closed Session Announcement City Attorney
- G-2 PERSONNEL EVALUATION--Pursuant to Government Code §54957

Position: City Administrator

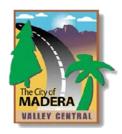
G-3 Closed Session Report – City Attorney

ADJOURNMENT - Next regular meeting October 5, 2016

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

I, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the regular meeting of the Madera City Council for September 21, 2016, near the front entrances of City Hall at 4:00 p.m. on September 16, 2016.

Sonia Alvarez, City Clerk



Madera City Council Agenda 9/21/16 Agenda Item B-1

There are no minutes for consideration.

City of Madera

Council Meeting Of Agenda Item No.

September 21st, 2016 B-2

Memorandum To:

The Honorable Mayor,

City Council and City Administrator

From:

Office of the Director of Finance

Subject:

Listing of Warrants Issued

Date:

09/21/2016

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

August 30st, 2016 to Septemeber 12th, 2016

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

General Warrant:	10267-10448	\$ 1,773,139.13
Wire Transfer	Union Bank Payroll and Taxes	\$ 630,738.76
Wire Transfer	SDI	\$ 1,866.82
Wire Transfer	Cal Pers	\$ 168,553.27

Respectfully submitted,

Tim L. Przybyła

Tim Przybyla Financial Services Director

CITY OF MADERA REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT September 12th, 2016

		September 12th, 20		
CHECK	PAY DATE	ISSUED TO	DESCRIPTION	AMOUNT
10267	08/31/2016 22007	CEDAR VETERINARY HOSPITAL, INC	VETERINARY SERVICES	92.38
10268	08/31/2016 28558	DELL MARKETING LP	DELL QUOTE 1024385575146-1 DELL	86,445.15
10269	08/31/2016 31670	ENTENMANN-ROVIN CO	BADGES	280.82
10271	08/31/2016 53854	MADERA TRIBUNE	RECRUITMENT ADS	282.60
10272	08/31/2016 54315	MADERA UNIFORM & ACCESSORIES	UNIFORM	241.04
10273	08/31/2016 54535	MADERA VETERINARY CENTER	VETERINARY SVS	136.50
10274	08/31/2016 65035	PRICE PAIGE AND COMPANY	PROFESSIONAL SVS RENDERED JUNE 30, 2016	5,400.00
10275 10276	08/31/2016 66935 08/31/2016 16170	REINARD W. BRANDLEY CONSULTING SHIFT3 TECHNOLOGIES	APRON PHASE II ENGINEERING - PO #30170032 DESIGN & BUILD OF CITY WEBSITE/TRANSLATION SVS	84,500.00
10270	08/31/2016 73961	SOUTHERN COMPUTER WAREHOUSE, INC.	IPAD REPLACEMENT/IPAD AIR 2 WIFI TABLET	12,600.00 9,465.01
10278	08/31/2016 75355	STATE CONTROLLER'S OFFICE	INTEREST ASSESSMENT 2014 UNCLAIMED PROP	576.61
10279	08/31/2016 76746	SUNEDISON, LLC	SOLAR ELECTRIC UTILITY JUNE 2016	34,031.02
10280	08/31/2016 78976	TOTER INC.	CART LIDS	9,511.84
10281	08/31/2016 34971	UNITY IT	CONSULTING & TECHNOLOGY PO #30170012	75.00
10282	08/31/2016 83340	WEST VALLEY CONSTRUCTION CO. INC.	COMMERCIAL WATER METER INSTALL PO #30170001	239,107.09
10283	09/01/2016 30225	ADMINISTRATIVE SOLUTIONS INC.	FUNDS ON DEPOSIT FOR MEDICAL CLAIMS	40,000.00
10284	09/01/2016 12405	AMERICAN BUSINESS MACHINES	TONER	20.64
10285 10286	09/01/2016 14530	BSK ASSOCIATES CAL VALLEY PRINT	WATER SAMPLES	1,995.00
10285	09/01/2016 20010 09/01/2016 19505	DIVISION OF AERONAUTICS	ADVERTISING T-HANGAR LOAN	103.68 28,480.00
10287	09/01/2016 34205	FRAZIER, STEVE	PER DIEM FBINAA CONFERENCE	240.50
10289	09/01/2016 36590	GEIL ENTERPRISES, INC.	AUGUST 2016 JANITORIAL SVS	8,489.08
10290	09/01/2016 37517	GLOBAL CTI GROUP	ANNUAL MAINTENANCE	11,644.00
10291	09/01/2016 37915	GREEN, JASON	ADPP AUGUST 2016	2,940.30
10292	09/01/2016 52014	KEISER, ALICIA	PER DIEM CDAA SART SUMMIT V	224.00
10293	09/01/2016 47375	LIEBERT CASSIDY WHITMORE	LEGAL FEES	1,950.50
10294	09/01/2016 65060	PRINCIPAL LIFE INSURANCE COMPANY	SEPTEMBER 2016 DENTAL BILL	16,680.52
10295	09/01/2016 65742	RBC CAPITAL MARKETS	REMARKETING AGREEMENT 05/02/16 - 07/31/16	756.78
10296 10297	09/01/2016 67375 09/01/2016 77445	REGENCE BLUECROSSS BLUESHIELD OF UTAH TAMARACK PEST CONTROL	CITY PAID RETIREE PRES BILL 09/16 CHUMLEY AUGUST 2016 PEST CONTROL	299.60
10297	09/01/2016 7/443	AGUILAR LETICIA	UTILITY BILLING CREDIT REFUND	450.00 129.55
10299	09/01/2016 99998	AMRO OBADA	UTILITY BILLING CREDIT REFUND	260.41
10300	09/01/2016 99998	CAPPELLUTI, LOURDES	UTILITY BILLING CREDIT REFUND	61.87
10301	09/01/2016 99998	CORTEZ ANDRES	UTILITY BILLING CREDIT REFUND	51.96
10302	09/01/2016 99998	GARCIA ENEDINA	UTILITY BILLING CREDIT REFUND	150.39
10303	09/01/2016 99998	HOWARD KARA	UTILITY BILLING CREDIT REFUND	138.93
10304	09/01/2016 99998	JONES SAMUEL JR AND ERICA	UTILITY BILLING CREDIT REFUND	77.94
10305	09/01/2016 99998	LEE, TISHAMIKA	UTILITY BILLING CREDIT REFUND	74.06
10306 10307	09/01/2016 99998 09/01/2016 99998	MELGOZA ISABEL MIKKELSON BRET	UTILITY BILLING CREDIT REFUND UTILITY BILLING CREDIT REFUND	157.67 150.30
10307	09/01/2016 99998	MILLER HANNAH	UTILITY BILLING CREDIT REFUND	160.33
10309	09/01/2016 99998	OBENSHAIN, JUDY	UTILITY BILLING CREDIT REFUND	34.57
10310	09/01/2016 99998	OLIVERA SHEELA ROSE	UTILITY BILLING CREDIT REFUND	87.62
10311	09/01/2016 99998	PRICE ALLEN	UTILITY BILLING CREDIT REFUND	169.92
10312	09/01/2016 99998	REYES GREGORIO	UTILITY BILLING CREDIT REFUND	44.71
10313	09/01/2016 99998	ROMERO, ERNEST	UTILITY BILLING CREDIT REFUND	106.97
10314	09/01/2016 99998	ROOD JOHNIE	UTILITY BILLING CREDIT REFUND	37.85
10315	09/01/2016 99998	SAUCEDO PETE	UTILITY BILLING CREDIT REFUND	190.77
10316 10317	09/01/2016 99998 09/01/2016 99998	TARLTON ESTATE AND ASSET MANAEMENT VASQUEZ EUDELIA HERNANDEZ	UTILITY BILLING CREDIT REFUND UTILITY BILLING CREDIT REFUND	37.57
10317	09/01/2016 99998	WALKER RENEE	UTILITY BILLING CREDIT REFUND	150.88 107.49
10319	09/01/2016 80238	UNITED HEALTHCARE INSURANCE COMPANY	CITY PAID UNITED HEALTH CARE SEPT 2016	244,191.54
10320	09/09/2016 30225	ADMINISTRATIVE SOLUTIONS INC.	MONTHLY ADMIN FEE SEPTEMBER 2016	50,443.32
10321	09/09/2016 11800	ALERT-O-LITE	REFLECTIVE CONE RENTAL SCHNOOR SEWER	1,154.00
10322	09/09/2016 11892	ALL VALLEY ADMINISTRATORS	MEDICAL & CHILD CARE EXPENSE ACCT 09/09/16 PAYROLL	731.16
10323	09/09/2016 12405	AMERICAN BUSINESS MACHINES	COPIER LEASE AGREEMENT AUGUST 2016	563.20
10324	09/09/2016 99992	ALL STAGE CONSTRUCTION	DEPOSIT REFUND	1,599.72
10325	09/09/2016 99992	JIM CRAWFORD CONSTRUCTION CO INC	DEPOSIT REFUND	1,637.01
10326 10327	09/09/2016 12998	ARAMARK UNIFORM SERVICES	07/16 UNIFORM SERVICES	3,221.81
10327	09/09/2016 10383 09/09/2016 17100	AT&T BRIDGE STORE	PD PRIVATE LINE SVS 08/19- 09/18 ALTERNATIVE PAY STATION SVS FOR JULY 2016	378.42 683.00
10329	09/09/2016 14530	BSK ASSOCIATES	WATER SAMPLES	1,474.00
10330	09/09/2016 18340	BUGGY SHOWER CAR WASH	PD CAR WASHES FOR JULY 2016	241.50
10331	09/09/2016 19627	CALIFORNIA FORENSIC INSTITUTE	PRE-EMPLOYMENT PSYCH EXAM	800.00
10332	09/09/2016 22049	CANON FINANCIAL SERVICES	COPIER CHARGES	8,012.63
10333	09/09/2016 99989	CONNER, SUSAN ANNE	CAT TRAP DEPOSIT REFUND	21.00
10334	09/09/2016 99989	MORRIS WAYNE JR, KYLE	CAT TRAP DEPOSIT REFUND	23.00
10335	09/09/2016 22865	CHICK, CHARLES	MILEAGE REIMBURSEMENT 08/30/2016	18.90
10336 10337	09/09/2016 50000 09/09/2016 24280	CITY OF MADERA COLONIAL LIFE & ACCIDENT INSURANCE CO	LOW FLOW TOILET REBATE APPLY TO 9901516	215.00
10331	03/03/2010 24200	COLONIAL EILE & ACCIDENT INSONANCE CO	E700482-3 FOR 09/09/2016 PAYROLL	1,222.20

CITY OF MADERA REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT September 12th, 2016

	PAY DATE	ISSUED TO	September 12th, 2010	DESCRIPTION	AMOUNT
10338	09/09/2016 24323	COMCAST		08/22- 09/21 SVS 8155500320322006	86.10
10339	09/09/2016 25825	CORELOGIC INFORMATION SOLUTI	ONS INC	REALQUEST 08/16	325.00
10340	09/09/2016 27595	DAHL-BECK ELECTRIC		REPAIRS TO OXIDATIN DITCH MOTO	20,594.34
10341	09/09/2016 28033	DATAPROSE, LLC		AUGUST UB STATEMENTS/48 HR	16,762.86
10342	09/09/2016 29200	DIAMOND COMMUNICATIONS		SEP TELEPHONE ANSWERING SERVICE	626.45
10343	09/09/2016 19515	DIVISION OF THE STATE ARCHITECT	Г	PLAN/FIELD REVIEW FEE PROJ NO. R-000051	1,250.00
10344	09/09/2016 31670	ENTENMANN-ROVIN CO		BADGES	278.06
10345	09/09/2016 32002	ESRI		SOFTWARE LICENSE FEE	1,040.00
10346	09/09/2016 33157	FIRE SAFETY SOLUTIONS, LLC		FIRE PROTECTION ENG SVS 08/16- 08/31/16	8,231.25
10347	09/09/2016 46324	FIRST TRANSIT INC.		FIRST TRANSIT JULY 2016	69,443.46
10347				ASSOCIATE PLANNER RECRUITMENT AD	3,582.80
	09/09/2016 34400	FRESNO BEE, THE			37.64
10349	09/09/2016 37529	GOLDEN STATE OVERNIGHT GROENIGER & COMPANY		OVERNIGHT SHIPPING	
10350	09/09/2016 38128			WATER SAMPLE STATIONS	5,691.34
10351	09/09/2016 33	HERC RENTALS		EQUIPMENT RENTAL	1,583.28
10352	09/09/2016 31106	JAKUSZ PROPERTY MAINTENANCE	.1	AUGUST 2016 MONTHLY MAINTENANCE	12,284.00
10353	09/09/2016 45555	KAISER FOUNDATION HEALTH PLAI	V	PRE-EMPLOYMENT EXAM	1,312.00
10354	09/09/2016 46755	LAW & ASSOCIATES		BACKGROUND CHECK	700.00
10355	09/09/2016 47353	LEXISNEXIS		AUGUST CHARGES	274.00
10356	09/09/2016 47375	LIEBERT CASSIDY WHITMORE		LEGAL FEES	1,170.00
10357	09/09/2016 47805	LINCOLN FINANCIAL		LIFE & LTD INSURANCE SEPTEMBER 2016	7,187.67
10358	09/09/2016 48382	LOU'S GLOVES, INC.		GLOVES	260.00
10359	09/09/2016 48750	LYNN PEAVEY COMPANY		EVIDENCE SUPPLIES	185.34
10360	09/09/2016 50352	MADERA CLEANERS AND LAUNDRY	'INC.	MAT CLEANING	32.30
10361	09/09/2016 50404	MADERA COUNTY TREASURER		PARKING PENALTIES JULY 2016	171.00
10362	09/09/2016 53350	MADERA RADIO DISPATCH, INC.		TOWER RENT	281.40
10363	09/09/2016 53850	MADERA TRIBUNE		ANNUAL SUBSCRIPTION	49.00
10364	09/09/2016 53854	MADERA TRIBUNE		RECRUITMENT AD	433.12
10365	09/09/2016 20870	MADERA TROPHY		OFFICE SUPPLIES	37.80
10366	09/09/2016 55130	SAN RAMON MARRIOTT		LODGING FOR 2016 CALBO EDUCATION	330.00
10367	09/09/2016 55130	SAN RAMON MARRIOTT		LODGING FOR 2016 CALBO EDUCATION	330.00
10368	09/09/2016 48870	MUNISERVICES, LLC		SUTA SERVICES FOR QTR ENDING 03/31/16	2,676.56
10369	09/09/2016 59950	N.P.CORCHARD TRUST COMPANY	•	PLAN #340227-01 FOR 09/09/2016 PAYROLL	6,902.76
10370	09/09/2016 59951	N.P.CORCHARD TRUST COMPANY	,	PLAN #340227-02 FOR 09/09/2016 PAYROLL	3,093.18
10371	09/09/2016 55780	NOLAN MCGUIRE CONSTRUCTION		12-CalHome-8711 12-03	11,062.50
10372	09/09/2016 61519	OFFICE DEPOT		CHAIR	345.60
10373	09/09/2016 99991	ELLIS, DIANE		REBATE	750.00
10374	09/09/2016 99991	LOPEZ, LEOPOLDO		REBATE	750.00
10375	09/09/2016 99987	PREMIER CARRIER INC		OVERPAYMENT REFUND	147.00
10376	09/09/2016 61901	P G AND E		07/16 SVS 5225647713-5	20,094.55
10377	09/09/2016 44523	PETTY CASH- PARKS		SNACKS/DRINKS FOR SISTER CITY VISIT	50.00
10378	09/09/2016 62655	PAY PLUS SOLUTIONS, INC.		CALPERS MONTHLY SUBSCRIPTION SEP 2016	247.00
10379	09/09/2016 63309	PETTY CASH - POLICE DEPT.		PETTY CASH REIMBURSEMENT	1,486.58
10380	09/09/2016 63356	PHOENIX GROUP INFO SYS		CITATIONS JULY 2016	260.85
10381	09/09/2016 64958	PRAXAIR DISTRIBUTION, INC.		CYLINDER DEMURRAGE RENTAL	486.30
10381	09/09/2016 64990	PREFERRED ALLIANCE, INC		PRE-EMPLOYMENT EXAMS	84.00
10382	09/09/2016 65561	PURCHASE POWER		POSTAGE METER REFILL	320.99
10383		CENTURY 21 M&M ASSOCIATES			
	09/09/2016 99988			UTILITY BILLING CREDIT REFUND	987.50
10385	09/09/2016 15101	RIDX PEST		518 VINEYARD ABATEMENT	175.00
10386	09/09/2016 68677	SAFETY NETWORK, INC.		SCHNOOR EMERGENCY SINKHOLE REP	11,290.38
10387	09/09/2016 40	SAK CONSTRUCTION, LLC		SCHNOOR PIPELINE REHABILITATION	603,867.50
10388	09/09/2016 73217	SNAP-ON-TOOLS		AUTOMOTIVE SHOP AND RELATED EQ	4,870.78
10389	09/09/2016 72350	SPARKLETTS		LAB & DRINKING WATER	146.47
10390	09/09/2016 77025	SUPERIOR VISION INC.		SEPTEMBER 2016 VISION PLAN	2,308.20
10391	09/09/2016 78220	TESEI PETROLEUM INC.		FUEL CHARGES 08/11- 08/20/16	20,825.99
10392	09/09/2016 78219	TESEI PETROLEUM, INC.		FUEL	284.13
10393	09/09/2016 79458	TRANSUNION RISK & ALTERNATIVE	DATA SOL.	DATABASE ACCESS AUGUST 2016	111.00
10394	09/09/2016 79494	TRI-SIGNAL INTEGRATION, INC.		KITCHEN HOOD SERVICE	85.80
10395	09/09/2016 99998	ADAN-CORTEZ, MAURO AND ROBL	ES, MARIANA	UTILITY BILLING CREDIT REFUND	142.04
10396	09/09/2016 99998	AGUIRRE, ANGEL		UTILITY BILLING CREDIT REFUND	311.22
10397	09/09/2016 99998	ALANIS, BRENDA AND BEJAR, MAR	COS	UTILITY BILLING CREDIT REFUND	347.24
10398	09/09/2016 99998	ALVES MS JEANNEL		UTILITY BILLING CREDIT REFUND	218.65
1.0399	09/09/2016 99998	ARANG, FRANCINE		UTILITY BILLING CREDIT REFUND	63.63
10400	09/09/2016 99998	AYALA, SHANTELL OR CITY OF MAD	ERA	UTILITY BILLING CREDIT REFUND	150.22
10401	09/09/2016 99998	BRANNAN, MELINDA		UTILITY BILLING CREDIT REFUND	162.62
10402	09/09/2016 99998	CAYETANO, TORRES		UTILITY BILLING CREDIT REFUND	72.08
10403	09/09/2016 99998	CONIGLIARO, DIANE		UTILITY BILLING CREDIT REFUND	72.52
10404	09/09/2016 99998	FUENTES, DAVID AND LEONOR		UTILITY BILLING CREDIT REFUND	199.08
10405	09/09/2016 99998	GAMINO, ANTHONY AND ALEXA		UTILITY BILLING CREDIT REFUND	129.42
10406	09/09/2016 99998	GARCIA, JUAN CARLOS OR CITY OF	MADERA	UTILITY BILLING CREDIT REFUND	150.43
10407	09/09/2016 99998	GARRISON, PAULA AND CLAY		UTILITY BILLING CREDIT REFUND	93.12
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CITY OF MADERA REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK GENERAL ACCOUNT September 12th, 2016

		September 12th, 20	016	
CHECK	PAY DATE	ISSUED TO	DESCRIPTION	AMOUNT
10408	09/09/2016 99998	GOMES, JOHN F	UTILITY BILLING CREDIT REFUND	6.71
10409	09/09/2016 99998	GONZALEZ, MARIA LUZ	UTILITY BILLING CREDIT REFUND	12.72
10410	09/09/2016 99998	HACHTMANN, BILL	UTILITY BILLING CREDIT REFUND	121.17
10411	09/09/2016 99998	HOLGUIN, MARY LOU	UTILITY BILLING CREDIT REFUND	53.33
10412	09/09/2016 99998	HOWARD PLAZA LLC	UTILITY BILLING CREDIT REFUND	95.70
10413	09/09/2016 99998	HOWARD PLAZA LLC	UTILITY BILLING CREDIT REFUND	176.54
10414	09/09/2016 99998	IQBAL SHOAIB MUHAMMAD	UTILITY BILLING CREDIT REFUND	163.63
10415	09/09/2016 99998	JONES, LINDA J	UTILITY BILLING CREDIT REFUND	150.46
10416	09/09/2016 99998	KIDWELL, THOMAS AND KRYSTLE	UTILITY BILLING CREDIT REFUND	256.15
10417	09/09/2016 99998	KING, MAE	UTILITY BILLING CREDIT REFUND	293.02
10418	09/09/2016 99998	MARIN, MARCELINO	UTILITY BILLING CREDIT REFUND	0.58
10419	09/09/2016 99998	MASSETTI, JAMES	UTILITY BILLING CREDIT REFUND	39.88
10420	09/09/2016 99998	MCGUIRE, NOLAN AND ANITA	UTILITY BILLING CREDIT REFUND	16.34
10421	09/09/2016 99998	MEDINA, ORFIL	UTILITY BILLING CREDIT REFUND	56.97
10422	09/09/2016 99998	MENDOZA, CYNTHIA	UTILITY BILLING CREDIT REFUND	204.54
10423	09/09/2016 99998	MEYERS, ELTON	UTILITY BILLING CREDIT REFUND	19.75
10424	09/09/2016 99998	OCHOA MACIEL, GUADALUPE OR CITY OF MADERA	UTILITY BILLING CREDIT REFUND	82.17
10425	09/09/2016 99998	PAYNTER, MARILYN	UTILITY BILLING CREDIT REFUND	90.34
10426	09/09/2016 99998	PESTORICH HOLDINGS OR MIKE PESTORICH	UTILITY BILLING CREDIT REFUND	161.56
10427	09/09/2016 99998	POWELL, JEFF	UTILITY BILLING CREDIT REFUND	173.66
10428	09/09/2016 99998	QUINONEZ, RONALD	UTILITY BILLING CREDIT REFUND	296.13
10429	09/09/2016 99998	RESENDEZ, ROSA MARIA	UTILITY BILLING CREDIT REFUND	150.35
10430	09/09/2016 99998	RIVERA, GABRIEL	UTILITY BILLING CREDIT REFUND	204.37
10431	09/09/2016 99998	ROGERS, MICHAEL	UTILITY BILLING CREDIT REFUND	149.77
10432	09/09/2016 99998	SANDERS, ALLAN	UTILITY BILLING CREDIT REFUND	14.28
10433	09/09/2016 99998	SANTOS, GENARO	UTILITY BILLING CREDIT REFUND	135.15
10434	09/09/2016 99998	SCHLUMBOHM J W	UTILITY BILLING CREDIT REFUND	13.75
10435	09/09/2016 99998	SEAGRAVES, JOHN L	UTILITY BILLING CREDIT REFUND	127.94
10436	09/09/2016 99998	SIMPSON, DONNIE	UTILITY BILLING CREDIT REFUND	85.20
10437	09/09/2016 99998	SINGH, JASWANT	UTILITY BILLING CREDIT REFUND	258.57
10438	09/09/2016 99998	SMITH, DARREN	UTILITY BILLING CREDIT REFUND	165.98
10439	09/09/2016 99998	TGP INVESTMENTS, LLC.	UTILITY BILLING CREDIT REFUND	103.62
10440	09/09/2016 99998	THIENPRASIT, DARAT	UTILITY BILLING CREDIT REFUND	308.14
10441	09/09/2016 99998	VALLEY LAND DEVELOPMENT LLC	UTILITY BILLING CREDIT REFUND	52.40
10442	09/09/2016 99998	VALVERDE MAYOLO DAZA OR CITY OF MADERA	UTILITY BILLING CREDIT REFUND	150.33
10443	09/09/2016 99998	VALVERDE, LEONEL	UTILITY BILLING CREDIT REFUND	124.33
10444	09/09/2016 99998	WARD, RACHEL	UTILITY BILLING CREDIT REFUND	322.64
10445	09/09/2016 99998	WATSON, ISABEL OR CITY OF MADERA	UTILITY BILLING CREDIT REFUND	118.48
10446	09/09/2016 99998	YBARRA, PATRICIA OR CITY OF MADERA	UTILITY BILLING CREDIT REFUND	150.39
10447	09/09/2016 80215	UNION BANK OF CALIFORNIA	SVS FOR PERIOD MAY 1 TO JUL 31, 2016	875.00
10448	09/09/2016 11892	ALL VALLEY ADMINISTRATORS	MEDICAL & CHILD CARE EXP ACCT 08/12/16 PAYROLL	731.16
			Bank # 1 - Union Bank General Account Total	1,773,139.13

REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF: September 21, 2016

AGENDA ITEM NUMBER:

B-3

Approved By:

PLANNING MANAGER

CITY ADMINISTRATOR

SUBJECT: Consideration of a Resolution Reappointing Bruce Norton to the City of Madera

Planning Commission.

RECOMMENDATION:

Staff recommends that the City Council accept the recommendation of District No. 1 Council Member Cece Foley Gallegos and adopt the resolution reappointing Bruce Norton to serve on the Planning Commission.

SUMMARY:

The term of office for Planning Commissioner Bruce Norton ended in June of 2016 in conjunction with the election of Cece Foley Gallegos to the District No. 1 seat of the City Council. Mr. Norton had been serving as the appointment of former District No. 1 Council Member Sally Bomprezzi. After consideration, it is the desire of Council Member Foley Gallegos to nominate Mr. Norton to continue to serve as her appointment to the Planning Commission. Staff recommends City Council adoption of a resolution reappointing Bruce Norton to the City of Madera Planning Commission. The appointment term will run through December of 2018.

DISCUSSION:

The Planning Commission is comprised of seven (7) members. Planning Commissioners are nominated individually, one by the Mayor and one by each of the six Council Members. Appointments to the Planning Commission are for a term of four (4) years or until the Council Member who nominated the Commissioner is no longer serving as a Council Member, whichever period is less. When a Planning Commissioner vacates his/her office, their replacement completes the original term of office.

The current appointments to the Commission are as follows:

Council Member	Appointee	Term Expires
Mayor Robert Poythress	Jeff Dal Cerro	12/2016
Council Member Cece Foley Gallegos	Bruce Norton (nominated)	12/2018
Council Member Andy Medellin	Jim DaSilva	12/2016
Council Member Derek Robinson	Ruben Mendoza	12/2016
Council Member Charles Rigby	Robert Gran, Jr.	12/2018
Council Member Donald Holley	Pamela Tyler	12/2016
Council Member William Oliver	Ken Hutchings	12/2018

FISCAL IMPACT:

None.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Although appointments of citizens to the Planning Commission are not specifically addressed in the Vision and it's action plans, the purpose of the Commission as a whole addresses components within the Vision Plan and supports the concept of public participation.

ATTACHED:

Resolution

RESOL	UTION	NO.	

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA REAPPOINTING BRUCE NORTON TO THE CITY OF MADERA PLANNING COMMISSION

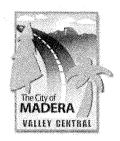
WHEREAS, Bruce Norton has been nominated by Council Member Foley Gallegos to serve on the City of Madera Planning Commission; and

WHEREAS, it is the intention and desire of the City Council to reappoint Bruce Norton to the Planning Commission.

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

- 1. The above recitals are true and correct.
- 2. Bruce Norton is reappointed to serve on the City of Madera Planning Commission as a Commissioner for the term provided by law.
- 3. This resolution is effective immediately upon adoption.

* * * * * *



REPORT TO CITY COUNCIL

COUNCIL MEETING OF <u>September 21, 2016</u>				
AGENDA ITEM NUMBER	RB_4			

PREPARED BY:

Mary Anne Seay, Director

Parks & Community Services Department

APPROVED BY:

David R. Tooley, City Administrator

SUBJECT:

CONSIDERATION OF A RESOLUTION APPOINTING CHRISTOPHER HUERTA TO

THE CITY OF MADERA BEAUTIFICATION COMMITTEE

RECOMMENDATION:

Staff recommends that the Council adopt a Resolution appointing Christopher Huerta to the City of Madera Beautification Committee.

DISCUSSION:

The City of Madera Beautification Committee is a City Council appointed advisory body that focuses on efforts to enhance the aesthetic appearance of the Madera community. The Committee supports and encourages public participation with regard to beautification, and serves as an advocate for ongoing beautification activities throughout the City.

Committee members serve four-year terms coinciding with the term of the Mayor or Council Person who put their name forward for consideration. In the event that a Council Person's tenure is shorter than 4 years, the Beautification Committee Member's term will coincide with the Council Member's term.

The seven-member volunteer, uncompensated panel has been active in drafting and reviewing landscape design standards, engaging in landscape award programs and special projects such as Love Madera and other community-wide days of service. Most recently, the Beautification Committee has focused its energy on landscape awards, rewarding and advocating water conservation efforts, review of Parks Capital projects and planning a volunteer event downtown.

Councilwoman Foley Gallegos has indicated that she would like to appoint Christopher Huerta to the committee. In addition to being a proud Maderan with many civic ties, Mr. Huerta has experience with many local service and volunteer groups and works in the golf industry at Copper River (see his attached application). The existing Committee is made up of the following residents:

Mayor (Poythress) Rosanne Bonilla

District 1 (Foley Gallegos) Christopher Huerta (pending approval)

District 2 (Medellin) Kristy Anderson
District 3 (Oliver) Dynette Fernandez

District 4 (Robinson) Corky Walters
District 5 (Rigby) Karen Brown
District 6 (Holley) Maxine Barnett

FINANCIAL IMPACT:

There are no General Fund impacts from the recommended action.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Many elements in the adopted vision and action plans represent an effort to beautify Madera. Consequently the recommended actions support and facilitate Vision Madera 2025. Specific elements of the Committee's efforts are closely linked to the following vision plan strategies and actions:

Strategy 413 – Develop volunteer opportunities to help maintain and enhance community spaces.

Action 134.1 — Consider establishment of design/landscape standards for neighborhoods and business construction.

Action 126.2 – Analyze best practices for street and median island beautification program.

Action 134.2 – Consider establishment of Tree Canopy Standards and shading requirements.

Action 401.2 – Develop Master Tree Plan to include city-approved tree list.

DESOL	UTION	NO	16	
KESUL		NU.	TO -	

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING CHRISTOPHER HUERTA TO THE CITY OF MADERA BEAUTIFICATION COMMITTEE

WHEREAS, a vacancy exists in the City of Madera Beautification Committee for the office of Council Member Foley Gallegos; and

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

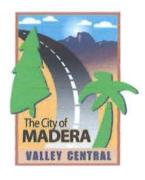
WHEREAS, Christopher Huerta has been duly nominated by Council Member Foley
Gallegos to fill the vacancy; and

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

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

- 1. The recitals listed above are true and correct.
- Christopher Huerta is hereby appointed to the Beautification Committee of the
 City of Madera for the term prescribed by Ordinance.
- 3. This resolution is effective immediately upon adoption.

* * * * * * *



CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

APPLICATION

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

PLEASE CHECK ONE OR M	MORE:		
ADA Advisory Counc	il	Airpo	ort Advisory Commission
Beautification Commi	ttee	Civil	Service Commission
CDBG Review and Ac	lvisory Committee	Loan	Review Committee
Planning Commission		Trans	sit Advisory Board
Other:			
Please type or print in ink.			
Huerta	Christophe	er	
LAST NAME	FIRST NA. Madera, C	ME	M.I.
HOME ADDRESS Same	CITY, STA		HOME PHONE
MAILING ADDRESS	CITY, STA	TE ZIP	E-MAIL ADDRESS
Copper River County Club		Superintendent	559-434-5200
EMPLOYER	JOB TITLE	3	BUSINESS PHONE
LENGTH OF RESIDENCE IN CITY OF MADERA 44 YEARSMONTHS	ARE YOU A REGISTER OF THE CITY OF MADE		HAVE YOU EVER BEEN CONVICTED OF A FELONY? YES NO
EDUCATIONAL BACKGRO	OUND:		
Madera High School Graudate,	Fresno City College		

OFFICES YOU HAVE HELD IN THO	NS OF WHICH YOU ARE A MEMBER AND ANY OSE ORGANIZATIONS:
Youth Football, Madera High Booster, Mad Building for Class of 2016 and MHS Pep 8 football, t-ball.	dera High Pep & Cheer, Madera Little League, MHS Floating & Cheer, PAC Studios Dance DADS, Coached-basketball,
	BLIC BOARDS OR COMMISSIONS ON WHICH YOU E AND ANY CHAIRMANSHIP OR OFFICE HELD:
N/A	
AM INTERESTED IN SERVING FO	R THE FOLLOWING REASONS:
look it's best for our community. By being	raised Maderan. I feel it is important for our City to always a part of the Beautification Committee, I will be able to give spoke with me about this position I was truly honored and of keeping Madera BEAUTIFUL!
REFERENCES (Optional):	
Natalie Garcia	
Joe Valladares	
Sandra Carrillo	
2/21/11	Chan Dung
DATE	SIGNATURE

PLEASE RETURN COMPLETED APPLICATION TO:

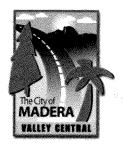
CITY OF MADERA OFFICE OF THE CITY CLERK 205 West Fourth Street Madera, CA 93637 (559) 661-5405 (559) 674-2972 Fax

KEUEIVED

City of Madera City Clerk

By: Duluay

Date: 9216



REPORT TO CITY COUNCIL

Approved By:
Department Director

istrator

Council Meeting of September 21, 2016 Agenda Item Number B-5

SUBJECT:

CONSIDERATION OF A RESOLUTION RESCINDING RESOLUTION NO. 16-29 AND APPROVING AN AMENDED APPLICATION FOR TRANSPORTATION DEVELOPMENT ACT - LOCAL TRANSPORTATION FUNDS FOR FY 2015/16 WITH FY 2014/15 CARRYOVER BALANCES

RECOMMENDATION:

That the City Council approves the resolution:

- Rescinding Resolution No. 16-29 and Approving an Amended Application for Transportation Development Act (TDA) - Local Transportation Fund (LTF) for FY 2015/16 with FY 2014/15 Carryover Balances.
- 2. Authorizing the City Engineer to execute the amended application and submit to Madera County Transportation Commission (MCTC) for approval and adoption.

SUMMARY:

The Madera City Council approved Resolution No. 16-29 on March 16, 2016 for the use of Local Transportation Funds (LTF) as required by the Madera Transportation Commission (MCTC). This amended LTF application provides an additional amount of \$60,000 from rollover FY 2014/15 balances that can be used for Madera Area Express (MAX) and Dial-A-Ride (DAR) Operations. The amended application is required for proper accounting of the City's claim for expenditures of the LTF in FY 2015/16. The amendment to the LTF application is prepared and submitted to MCTC annually after prior year final expenses and claims have been

processed, and the excess prior year funds and carryover balances have been confirmed by MCTC.

DISCUSSION:

LTF applications are prepared for funds apportioned to the City of Madera, County of Madera and City of Chowchilla by the MCTC based on population pursuant to the Transportation Development Act (TDA). Changes to this application by the local agency can be made through an amended application at any time. The original 2015/16 LTF application was prepared to reflect the proposed expenditures for fiscal year 2015/16 and was amended in March 16, 2016 to include the carryover balances from fiscal year 2014/15.

The amended LTF application is necessary to support the additional expenditures incurred in fiscal year 2015-16 for the Transit department's MAX and Dial-A-Ride operations.

Additionally, the amended LTF application also include funding for programs and projects approved by City Council on June 3, 2015 as part of the fiscal year 2015/16 City budget process. The amended application includes the updated carryover balances of LTF from FY 2014/15 for use by ongoing projects and programs included in the City's 2015/16 Capital Improvement Program (CIP), and matching funds for other CIP projects.

FINANCIAL IMPACT:

There is no adverse fiscal impact to the City's General Fund. LTF are used to support Capital Improvement Program transportation related projects.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Action 126 – This project supports the strategy for providing clean attractive streets that are safe and aesthetically pleasing.

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

Including Sub-strategies:

- 121.1 Provide needs assessment including all forms of transportation.
- 121.2 Update the Master Transportation Plan.
- 121.11 Investigate or delineate standards for enhanced transit facilities.
- 121.12 Include expansion goals in Master Plan.

RESOLUTION NO. 16 -	
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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, RESCINDING RESOLUTION NO. 16-29 AND APPROVING AN AMENDED APPLICATION FOR TRANSPORTATION DEVELOPMENT ACTLOCAL TRANSPORTATION FUND FOR FISCAL YEAR 2015/16 WITH FISCAL YEAR 2014/15 CARRYOVER BALANCES AND AUTHORIZING THE CITY ENGINEER TO EXECUTE THE APPLICATION

WHEREAS, the City Council approved Resolution No. 16-29 on March 16, 2016; and

WHEREAS, the City of Madera prepares an application outlining the intended uses for the TDA-LTF funds each year and the application may be amended as needed; and

WHEREAS, the amended TDA-LTF Application must be submitted to the City Council for its consideration.

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

- 1. The above recitals are true and correct.
- 2. Resolution No. 16-29 approved on March 16, 2016 is hereby rescinded.
- 3. The Amended Application for Transportation Development Act-Local Transportation Fund for Fiscal Year 2015/16, with the FY 2014/15 Carryover Balances is approved.
- 4. The City Engineer is authorized to execute the Amended TDA-LTF Application and submit it to the MCTC for adoption.
- 5. This resolution is effective immediately upon adoption.

* * * * * * *

Application Number:	
Date of Submission:	

MADERA COUNTY TRANSPORTATION COMMISSION

Application for Transportation Development Act, Article 8 Funds

Local Transportation Fund (LTF)

Fiscal Year 2015/2016 Amended with 2014/2015 Carryover Balance

Applicant Agency, Address, and Project Director: City of Madera, 205 W. Fourth Street, Madera, CA 93637 - Keith B. Helmuth, City Engineer

This form is to be used when making an application to use TDA funds for Public Transportation Services, Transportation Planning Services, Pedestrian and Bicycle Facility Construction, and Street and Road Projects. All projects submitted must be included in the Regional Transportation Plan. MCTC is required to make a finding that "No unmet public transportation needs exist" in the county before this application can be approved.

FUNDING REQUEST:

Transportation Services Section 99400 (c):

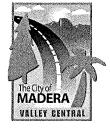
1. Name of Serv	ice, Contractor:	MAX, Dial-A-Ride, Intermodal	\$ 397,000.00
2. Name of Serv	ice, Contractor:		\$
3. Name of Serv	ice, Contractor:		\$
4. Name of Serv	ice, Contractor:		\$ NUM-1
5. Name of Serv	ice, Contractor:		\$
		TOTAL:	\$ 397,000.00
Pedestrian and	Bicycle Facilities Se	<u>ction 99400 (a):</u>	
Project Name, if	applicable		
1	Miscellaneous 1	Pedestrian/Bicycle Facilities	\$ 33,000.00
2.	Fresno	River Trail Projects	\$ 117,163.00
3	-		\$
		TOTAL:	\$ 150,163.00

Trans	portation	Planning	Services	Section	99402:

MCTC regional transportation planning activities on behal agencies (Circulation Studies, Traffic Counts, System Route Bike Lane Planning, General Data Collection, etc.)		\$ _	48,912.00
Local Agency transportation planning activities (or Contract	cted Services)	\$_	
Additional planning project or contracted transportation pla	nning work	\$	
Street and Road Projects Section 99402:	TOTAL:	\$	48,912.00
TDA, Article 8 Funds Requested for Street Maintenance TDA, Article 8, Other Road and Street Improvement Projec	ts	\$ \$	3,516,475.00
	TOTAL:	\$_	3,516,475.00
	GRAND TOTAL:	\$ _	4,112,550.00
The Standard Assurances Form has been attatched to this ap Submitted By:	oplication (initial here)	_	
Approved by MCTC:			
Approved by MCTC:			
Patricia Taylor, Executive Director Date			

Note:

TDA funds may be used to cover actual expenses during the fiscal year of the application only. Should carryover funds occur, MCTC should be notified



REPORT TO CITY COUNCIL

Approved by: one Gag for Tim Przybyla.	Council Meeting of: September 21, 2010
for Tim Przybyla.	Agenda Number:B_6
Department Director	
20 F	
City Administrator	

SUBJECT: Consideration of a Minute Order Approving and Accepting the City of Madera Investment Report for the Quarter Ending June 30, 2016

RECOMMENDATION: Staff recommends the Council approve and accept the City of Madera Investment Report for the quarter ending June 30, 2016 as presented by minute order.

DISCUSSION: The City of Madera Investment Policy calls for a quarterly report to be presented to the City Council, giving detailed information on the portfolio and bank positions with summary information to permit an informed outside reader to evaluate the performance of the investment program. The Finance Director hereby submits the report for the quarter ending June 30, 2016.

The market values for the items being reported were obtained from Union Bank, who acts as the custodian for our investments and who we considered to be an independent source for such information. After reviewing the information included in the attached Investment Report, the Finance Director/Treasurer certifies that to the best of his knowledge: 1) all investment actions taken during this quarter have been made in full compliance with the City of Madera June 2016 Investment Policy and, 2) the City will meet its expenditure obligations for the next six months.

Beginning with this report, and based on recommendations, the 1-Year Treasury benchmark was replaced with the Local Agency Investment Fund or LAIF as a comparative benchmark. As can be seen in the summary information of the Council Investment Report, the City's investment program has out-performed the benchmarks, with a 1.20% yield as compared to 0.58% for the Local Agency Investment Fund [LAIF] and 0.73% for the 2-Year Treasury. Total Market Value of the City's investments equaled \$61.3 million as of June 30, 2016, with Federal Agency Securities, Interest Bearing Accounts, Medium Term Notes and Negotiable Certificates of Deposit Securities making up 80.5% of that total. The increase in market value is due, in large part, to new investment purchases almost across the board and that the majority of them are currently valued at higher than their cost.

The Portfolio Holdings Distribution by Maturity Range report is on the second page of the Council Investment Report and reflects the percentages of holdings for each maturity range as of June 30, 2016. All holdings are in line with the June 2016 investment policy.

FINANCIAL IMPACT: There is no fiscal impact of the Council's acceptance of this Investment Report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN: Approval of this item is consistent with Strategy 115 of the Vision Plan - Economic Resource Provision: Ensure sufficient economic resources to provide adequate City services and prepare for future growth.

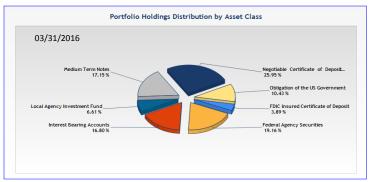
CITY OF MADERA

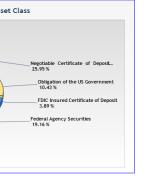
Council Investment Report

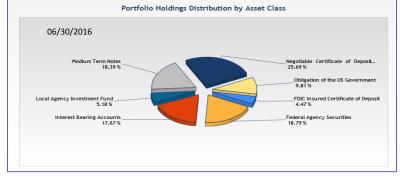
June 30, 2016

	Beginning	Ending
	Balance	Balance
Benchmark Performance	3/31/2016	6/30/2016
Weighted Average Yield	1.21	1.20
1 Year Treasury(3-31-16)/LAIF (6-30-16)	0.66	0.58
2 Year Treasury	0.88	0.73









Asset Class	Face Amount/Shares	YTM @ Cost	Cost Value	Days To Maturity	% of Portfolio	Market Value	Book Value	Duration To Maturity
FDIC Insured Certificate of Deposit	2,243,000.00	1.554	2,243,000.00	612	3.89	2,243,000.00	2,243,000.00	1.63
Federal Agency Securities	11,000,000.00	1.788	11,301,310.00	1024	19.16	11,038,615.00	11,012,488.71	2.72
Interest Bearing Accounts	9,677,634.58	0.040	9,677,634.58	1	16.80	9,677,634.58	9,677,634.58	0.00
Local Agency Investment Fund	3,806,153.49	0.508	3,806,153.49	1	6.61	3,808,153.49	3,806,153.49	0.00
Medium Term Notes	9,805,000.00	1.778	9,972,701.52	573	17.15	9,880,797.25	9,841,002.91	1.02
Negotiable Certificate of Deposit Securties	14,845,000.00	1.360	14,845,000.00	738	25.95	14,949,026.99	14,845,000.00	1.97
Obligation of the US Government	6,000,000.00	1.032	5,940,046.87	517	10.43	6,007,420.00	5,975,355.58	1.41
Total / Average	57,376,788.07	1.209	57,785,846.46	564	100	57,600,647.31	57,400,613.27	1.42

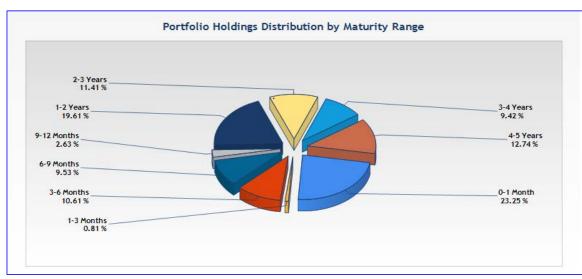
Asset Class	Face Amount/Shares	YTM @ Cost	Cost Value	Days To Maturity	% of Portfolio	Market Value	Book Value	Duration To Maturity
FDIC Insured Certificate of Deposit	2,741,000.00	1,651	2,741,000.00	755	4,47	2,741,000.00	2,741,000.00	1.99
Federal Agency Securities	11,500,000.00	1.657	11,497,500.00	1,222	10.79	11,522,485.00	11,497,790.30	3.26
Interest Dearing Accounts	10,032,062.29	0.000	10,632,662.29	1	17.67	10,632,662.29	10,832,662.29	0.00
Local Agency Investment Fund	3,174,701.90	0,691	3,174,701.90	1	5.18	3,174,701.90	3,174,701.90	0.00
Medium Term Notes	11,190,000.00	1.760	11,357,835.95	667	10.39	11,277,102.60	11,225,361.94	1.43
Negotiable Certificate of Deposit Securies	15,590,000.00	1.356	15,500,000.00	678	25.69	15,752,527.17	15,590,000.00	1.82
Obligation of the US Government	6,000,000.00	1.002	5,940,046.67	427	9.01	6,016,460.00	5,978,534.22	1:16
TOTAL / AVERAGE	61,036,364.19	1.198	61,133,747.01	602	100	61,316,938.96	61,040,058.65	1.55

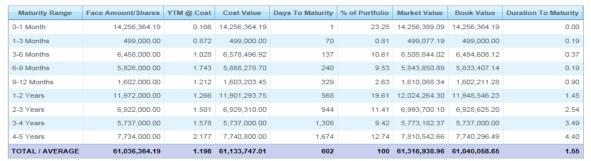
•	•	Max	
Investment Policy Compliance	Max	Maturity	Compliance
Bankers Acceptances	30%	180 days	Yes
Commercial Paper	25%/10% per issuer	270 days	Yes
FDIC Insured Certificate of Deposit	30%	5 Years	Yes
Federal Agency Securities	90%	5 Years	Yes
Interest Bearing Accounts	20%	n/a	Yes
Local Agency Investment Fund	65M	n/a	Yes
Medium Term Notes	30%	5 Years	Yes
Negotiable Certificate of Deposit Securities	30%	5 Years	Yes
Obligation of the US Government	90%	5 Years	Yes
Share Certificates	10%	5 Years	Yes
State Municipal Bonds	20%	5 Years	Yes

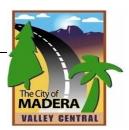
CITY OF MADERA

Council Investment Report

June 30, 2016







City of Madera
Council Investment Report
Report Format: By Transaction
Group By: Asset Class
Average By: Market Value
Portfolio / Report Group: Report Group: Investment Portfolio
As of 6/30/2016

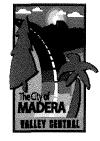
0.41 0.41 0.41 0.41 0.41 0.41 0.41 0.41	Certificate Of Deposit	4/2/2015 1/7/2015 9/3/2013 2/9/2015 6/13/2016 10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012 3/23/2016	1.200 2.230 1.094 1.830 2.050 1.400 2.130 1.300 1.195 1.490 2.250	249,000.00 249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	10/2/2016 1/7/2020 9/3/2016 2/9/2019 6/13/2021 10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016 3/22/2020	954 1,808 473 1,808 255 92 121
0.41 0.41 0.41 0.41 0.41 0.41 0.41 0.41 0.40	Certificate Of Deposit	1/7/2015 9/3/2013 2/9/2015 6/13/2016 10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012	2.230 1.094 1.830 2.050 1.400 2.130 1.300 1.195 1.490 2.250	249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	1/7/2020 9/3/2016 2/9/2019 6/13/2021 10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016	1,286 65 954 1,808 473 1,808 255 92 121
0.41 0.41 0.41 0.41 0.41 0.41 0.41 0.40	Certificate Of Deposit	9/3/2013 2/9/2015 6/13/2016 10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012	1.094 1.830 2.050 1.400 2.130 1.300 1.195 1.490 2.250	250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	250,000.00 249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	9/3/2016 2/9/2019 6/13/2021 10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016	65 954 1,809 473 1,809 255 92 121
0.41 0.41 0.41 0.41 0.41 0.41 0.40	Certificate Of Deposit	2/9/2015 6/13/2016 10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012	1.830 2.050 1.400 2.130 1.300 1.195 1.490 2.250	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	2/9/2019 6/13/2021 10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016	473 1,809 255 92 121 1,361
0.41 0.41 0.41 0.41 0.41 0.41	Certificate Of Deposit	6/13/2016 10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012	2.050 1.400 2.130 1.300 1.195 1.490 2.250	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 248,000.00	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	6/13/2021 10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016	1,809 473 1,809 255 92 121 1,361
0.41 0.41 0.41 0.41 0.41	Certificate Of Deposit	10/16/2015 6/13/2016 3/12/2015 9/30/2014 10/29/2012	1.400 2.130 1.300 1.195 1.490 2.250	249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 249,000.00 249,000.00 250,000.00 250,000.00	10/16/2017 6/13/2021 3/12/2017 9/30/2016 10/29/2016	1,809 255 92 121 1,361
0.41 0.41 0.41 0.41	Certificate Of Deposit Certificate Of Deposit Certificate Of Deposit Certificate Of Deposit	6/13/2016 3/12/2015 9/30/2014 10/29/2012	2.130 1.300 1.195 1.490 2.250	249,000.00 249,000.00 250,000.00 250,000.00	249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 249,000.00 250,000.00 250,000.00 248,000.00	6/13/2021 3/12/2017 9/30/2016 10/29/2016	255 92 121 1,361
0.41 0.41 0.41 0.40	Certificate Of Deposit Certificate Of Deposit Certificate Of Deposit	3/12/2015 9/30/2014 10/29/2012	1.300 1.195 1.490 2.250	249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 250,000.00 250,000.00 248,000.00	249,000.00 250,000.00 250,000.00 248,000.00	3/12/2017 9/30/2016 10/29/2016	1,809 255 92 121 1,361
0.41	Certificate Of Deposit Certificate Of Deposit	9/30/2014 10/29/2012	1.195 1.490 2.250	250,000.00 250,000.00 248,000.00	250,000.00 250,000.00 248,000.00	250,000.00 250,000.00 248,000.00	9/30/2016 10/29/2016	92 121 1,361
0.41	Certificate Of Deposit	10/29/2012	1.490 2.250	250,000.00 248,000.00	250,000.00	250,000.00	10/29/2016	121 1,361
0.40	2020 3000 70 5000 400 600 600 600 600 600 600 600 600		2.250	248,000.00	248,000.00	248,000.00		1,361
	Certificate Of Deposit	3/23/2016	2000 March 200	500.4400 Acritic #1.44.000		Proceedings.	3/22/2020	
4.47			1.651	2.741.000.00	2 741 000 00	2 744 000 00		
					2,741,000.00	2,741,000.00		755
0.82	FNMA Bond	8/22/2014	1.070	500,000.00	500,000.00	500,335.00	8/22/2017	418
1.64	FFCB Bond	12/21/2015	1.375	1,000,000.00	1,000,000.00	1,002,830.00	12/21/2018	904
1.63	FFCB Bond	10/7/2015	1.450	1,000,000.00	1,000,000.00	1,001,040.00	10/7/2019	1,194
0.82	FFCB Bond	6/14/2016	1.540	500,000.00	500,000.00	501,540.00	12/14/2020	1,628
1.63	FHLB Bond	12/29/2015	1.250	1,000,000.00	1,000,000.00	1,002,310.00	6/29/2018	729
1.64	FHLB Bond	12/28/2015	1.400	1,000,000.00	1,000,000.00	1,003,470.00	12/28/2018	911
0.82	FHLB Bond	6/15/2016	1.450	500,000.00	500,000.00	500,320.00	12/15/2020	1,629
0.82	FHLMC Bond	6/26/2014	1.200	500,000.00	500,000.00	504,280.00	12/26/2017	544
1.64	FHLMC Bond	6/27/2016	1.400	1,000,000.00	1,000,000.00	1,005,140.00	12/27/2019	1,275
0.82	FHLMC Bond	3/30/2016	1.500	500,000.00	500,000.00	500,405.00	12/30/2019	1,278
0.82	FHLMC Bond	3/30/2016	7.386	500,000.00	500,000.00	500,510.00	3/30/2021	1,734
1.63	FNMA Bond	6/30/2016	1.250	1,000,000.00	1,000,000.00	999,520.00	6/30/2020	1,461
1.63	FNMA Bond	6/30/2016	1.375	1,000,000.00	1,000,000.00	998,090.00	12/30/2020	1,644
0.82	FNMA Bond	5/26/2016	1.375	500,000.00	500,000.00	501,325.00	5/26/2020	1,426
	FNMA Bond	11/25/2015	1.803	1,000,000.00	997,500.00	1,001,370.00	11/25/2020	1,609
	1.64 0.82 0.82 1.63 1.63 0.82	0.82 FHLMC Bond 1.64 FHLMC Bond 0.82 FHLMC Bond 0.82 FHLMC Bond 1.63 FNMA Bond 1.63 FNMA Bond 0.82 FNMA Bond 1.63 FNMA Bond	1.64 FHLMC Bond 6/27/2016 0.82 FHLMC Bond 3/30/2016 0.82 FHLMC Bond 3/30/2016 1.63 FNMA Bond 6/30/2016 1.63 FNMA Bond 6/30/2016 0.82 FNMA Bond 5/26/2016	1.64 FHLMC Bond 6/27/2016 1.400 0.82 FHLMC Bond 3/30/2016 1.500 0.82 FHLMC Bond 3/30/2016 7.386 1.63 FNMA Bond 6/30/2016 1.250 1.63 FNMA Bond 6/30/2016 1.375 0.82 FNMA Bond 5/26/2016 1.375	1.64 FHLMC Bond 6/27/2016 1.400 1,000,000.00 0.82 FHLMC Bond 3/30/2016 1.500 500,000.00 0.82 FHLMC Bond 3/30/2016 7.386 500,000.00 1.63 FNMA Bond 6/30/2016 1.250 1,000,000.00 1.63 FNMA Bond 6/30/2016 1.375 1,000,000.00 0.82 FNMA Bond 5/26/2016 1.375 500,000.00	1.64 FHLMC Bond 6/27/2016 1.400 1,000,000.00 1,000,000.00 0.82 FHLMC Bond 3/30/2016 1.500 500,000.00 500,000.00 0.82 FHLMC Bond 3/30/2016 7.386 500,000.00 500,000.00 1.63 FNMA Bond 6/30/2016 1.250 1,000,000.00 1,000,000.00 1.63 FNMA Bond 6/30/2016 1.375 1,000,000.00 1,000,000.00 0.82 FNMA Bond 5/26/2016 1.375 500,000.00 500,000.00	1.64 FHLMC Bond 6/27/2016 1.400 1,000,000.00 1,000,000.00 1,005,140.00 0.82 FHLMC Bond 3/30/2016 1.500 500,000.00 500,000.00 500,405.00 0.82 FHLMC Bond 3/30/2016 7.386 500,000.00 500,000.00 500,510.00 1.63 FNMA Bond 6/30/2016 1.250 1,000,000.00 1,000,000.00 999,520.00 1.63 FNMA Bond 6/30/2016 1.375 1,000,000.00 1,000,000.00 998,090.00 0.82 FNMA Bond 5/26/2016 1.375 500,000.00 500,000.00 501,325.00	1.64 FHLMC Bond 6/27/2016 1.400 1,000,000.00 1,000,000.00 1,005,140.00 12/27/2019 0.82 FHLMC Bond 3/30/2016 1.500 500,000.00 500,000.00 500,405.00 12/30/2019 0.82 FHLMC Bond 3/30/2016 7.386 500,000.00 500,000.00 500,510.00 3/30/2021 1.63 FNMA Bond 6/30/2016 1.250 1,000,000.00 1,000,000.00 999,520.00 6/30/2020 1.63 FNMA Bond 6/30/2016 1.375 1,000,000.00 1,000,000.00 998,090.00 12/30/2020 0.82 FNMA Bond 5/26/2016 1.375 500,000.00 500,000.00 501,325.00 5/26/2020

Description	CUSIP/Ticker	% of Portfolio	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Maturity Date	Days To Maturity
Interest Bearing Accounts										
Union Bank - General Fund Cash	CASH2166	17.42	Cash	6/30/2013	0.000	10,681,298.15	10,681,298.15	10,681,298.15	N/A	1
Union Bank - Parking Fines Cash	CASH3596	0.10	Cash	6/30/2013	0.000	64,058.98	64,058.98	64,058.98	N/A	1
Union Bank - Special Program Cash	CASH6508	0.14	Cash	6/30/2013	0.000	87,305.16	87,305.16	87,305.16	N/A	1
Sub Total / Average		17.67			0.000	10,832,662.29	10,832,662.29	10,832,662.29		1
Local Agency Investment Fund										
LAIF LGIP	LGIP0502	6.21	Local Government Investment Pool	6/30/2013	0.576	3,810,546.99	3,810,546.99	3,810,546.99	N/A	1
Union Bank Cash	CASH4900	-1.04	Cash	6/30/2016	0.000	-635,845.09	-635,845.09	-635,845.09	N/A	1
Sub Total / Average	3,1	5.18			0.691	3,174,701.90	3,174,701.90	3,174,701.90		1
Medium Term Notes										
Bershire Hathaway 1.6 5/15/2017-12	084664BS9	0.19	Corporate Bond	5/24/2012	1.378	113,000.00	114,203.45	113,937.90	5/15/2017	319
Boeing Co 3.75 11/20/2016	097023BC8	0.17	Corporate Bond	5/24/2012	0.878	105,000.00	118,246.80	106,171.80	11/20/2016	143
FHLMC Step 6/30/2021-16	3134G9WX1	1.63	FHLMC Bond	6/30/2016	1.500	1,000,000.00	1,000,000.00	998,820.00	6/30/2021	1,826
FNMA 1.75 6/16/2021-16	3136G3QC2	0.82	FNMA Bond	6/16/2016	1.750	500,000.00	500,000.00	500,185.00	6/16/2021	1,812
General Electric 2.9 1/9/2017	36962G5N0	1.31	Corporate Bond	2/27/2012	1.912	792,000.00	828,186.48	800,719.92	1/9/2017	193
General Electric 3.35 10/17/2016	36962G5H3	1.31	Corporate Bond	2/27/2012	1.856	800,000.00	852,872.00	806,184.00	10/17/2016	109
General Electric 5.375 10/20/2016	36962GY40	0.17	Corporate Bond	2/27/2012	1.996	100,000.00	114,925.00	101,314.00	10/20/2016	112
General Electric 5.4 2/15/2017	36962G2G8	0.29	Corporate Bond	2/22/2012	2.281	175,000.00	200,562.25	179,837.00	2/15/2017	230
General Electric Var. Corp 8/1/2017	36962G6B5	1.64	Corporate Bond	7/31/2012	1.637	1,000,000.00	1,000,000.00	1,004,890.00	8/1/2017	397
JPMorgan Chase Var. Corp 3/7/2017	48125VQE3	6.53	Corporate Bond	3/7/2012	1.832	4,000,000.00	4,000,000.00	4,002,680.00	3/7/2017	250
Royal Bk CDA MTN 2.5 1/19/2021	78012KKU0	1.69	Corporate Bond	1/25/2016	2.301	1,000,000.00	1,009,300.00	1,033,260.00	1/19/2021	1,664
Toronto Dominion Bank 1.4 4/30/2018	89114QAG3	0.82	Corporate Bond	9/29/2015	1.503	500,000.00	498,700.00	501,865.00	4/30/2018	669
Toronto-Dominion Bank 1.95 1/22/2019	89114QBE7	0.83	Corporate Bond	3/24/2016	1.652	500,000.00	504,100.00	507,570.00	1/22/2019	936
Toyota Motor Credit Corp 1.7 2/19/2019	89236TCU7	0.83	Corporate Bond	3/24/2016	1.473	500,000.00	503,210.00	506,390.00	2/19/2019	964
Walt Disney 1.125 2/15/2017	25468PCS3	0.18	Corporate Bond	5/24/2012	1.023	113,000.00	113,529.97	113,277.98	2/15/2017	230
Sub Total / Average	25	18.39			1.780	11,198,000.00	11,357,835.95	11,277,102.60		667
Negotiable Certificate of Deposit Secu	ırties									
1st Merit Bank 1 10/31/2016	320844PB3	0.41	Negotiable Certificate Of Deposit	10/31/2014	1.000	248,000.00	248,000.00	248,396.80	10/31/2016	123
1st Priority 0.8 12/27/2016	33612JFA2	0.41	Negotiable Certificate Of Deposit	6/25/2014	0.800	249,000.00	249,000.00	249,468.12	12/27/2016	180
Access Nat'l Bank 1.25 3/29/2018	00432KDF7	0.41	Certificate Of Deposit	6/30/2015	1.250	249,000.00	249,000.00	250,282.35	3/29/2018	637
Ally Bank 1 3/20/2017	02006LDL4	0.41	Negotiable Certificate Of Deposit	3/19/2014	1.000	248,000.00	248,000.00	248,900.24	3/20/2017	263
American Exp 1.05 7/10/2017	02587CAA8	0.41	Negotiable Certificate Of Deposit	7/10/2014	1.050	248,000.00	248,000.00	248,753.92	7/10/2017	375
American Express Centurion Bank 2.2 11/29/2019	02587DWK0	0.41	Negotiable Certificate Of Deposit	12/1/2014	2.200	247,000.00	247,000.00	254,096.31	11/29/2019	1,247
Banco Popular 2.25 10/7/2020	05965GVP8	0.42		10/7/2015	2.250	247,000.00	247,000.00	255,595.60	10/7/2020	1,560

Description	CUSIP/Ticker	% of Portfolio	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Maturity Date	Days To Maturity
			Negotiable Certificate Of Deposit		-		77.			
Bank Baroda NY 1.1 12/27/2016	06062ACV9	0.41	Negotiable Certificate Of Deposit	12/24/2013	1.100	248,000.00	248,000.00	248,736.56	12/27/2016	180
Bank Leumi USA 1.05 6/15/2018	063248FQ6	0.40	Negotiable Certificate Of Deposit	6/15/2016	1.050	248,000.00	248,000.00	248,183.52	6/15/2018	715
Barclays Bank 1.9 4/15/2019	06740KGG6	0.41	Negotiable Certificate Of Deposit	4/15/2014	1.900	247,000.00	247,000.00	252,873.66	4/15/2019	1,019
Belmont Savings Bank 1.4 6/26/2018	080515AU3	0.41	Deposit	6/26/2014	1.400	248,000.00	248,000.00	250,579.20	6/26/2018	726
BMW 2.2 9/30/2020	05580ACZ5	0.42	Negotiable Certificate Of Deposit	9/30/2015	2.200	247,000.00	247,000.00	255,607.95	9/30/2020	1,553
Capital One Bank 2.1 10/1/2019	140420PN4	0.41	Negotiable Certificate Of Deposit	10/1/2014	2.100	248,000.00	248,000.00	254,185.12	10/1/2019	1,188
Capital One NA 2.25 7/22/2020	14042E4Y3	0.42	Negotiable Certificate Of Deposit	7/22/2015	2.250	248,000.00	248,000.00	256,139.36	7/22/2020	1,483
Cardinal Bank NA 0.65 9/14/2016	14147VDU7	0.41	Negotiable Certificate Of Deposit	3/14/2014	0.650	249,000.00	249,000.00	249,077.19	9/14/2016	76
Cathay Bank 0.75 12/14/2016	149159JW6	0.41	Negotiable Certificate Of Deposit	3/14/2014	0.750	249,000.00	249,000.00	249,246.51	12/14/2016	167
Cit Bank Salt Lake City 2 5/28/2020	17284DBB7	0.41	Certificate Of Deposit	5/28/2015	2.000	247,000.00	247,000.00	252,772.39	5/28/2020	1,428
Comenity Bank Utah 1.75 1/2/2019	20033AEC6	0.41	Negotiable Certificate Of Deposit	1/2/2014	1.750	247,000.00	247,000.00	252,164.77	1/2/2019	916
Commerce St Bank 1.65 9/26/2019	20070PHK6	0.41	Certificate Of Deposit	6/26/2015	1.650	249,000.00	249,000.00	253,509.39	9/26/2019	1,183
Compass Bank 1.15 5/7/2018	20451PKP0	0.41	Certificate Of Deposit	5/6/2015	1.150	248,000.00	248,000.00	249,445.84	5/7/2018	676
Customers Bank 1 8/18/2017	23204HBJ6	0.41	Negotiable Certificate Of Deposit	6/18/2014	1.000	248,000.00	248,000.00	248,580.32	8/18/2017	414
Discover Greenwood 1.4 9/25/2017	254672AA6	0.41	Negotiable Certificate Of Deposit	9/24/2014	1.400	248,000.00	248,000.00	248,865.52	9/25/2017	452
East Boston Svgs Bank 1.1 12/24/2018	27113PAZ4	0.40	Negotiable Certificate Of Deposit	6/23/2016	1.100	248,000.00	248,000.00	248,019.84	12/24/2018	907
Enerbank 1.65 7/1/2019	29266NM95	0.41	Certificate Of Deposit	6/30/2015	1.650	249,000.00	249,000.00	253,608.99	7/1/2019	1,096
Everbank 1.5 3/29/2019	29976DVY3	0.41	Negotiable Certificate Of Deposit	3/30/2015	1.500	248,000.00	248,000.00	252,578.08	3/29/2019	1,002
First Bank 1.5 2/28/2019	319234AJ9	0.41	Certificate Of Deposit	6/30/2015	1.500	249,000.00	249,000.00	252,476.04	2/28/2019	973
First Kentucky 1 5/25/2017	32065TAH4	0.41	Negotiable Certificate Of Deposit	7/25/2014	1.000	249,000.00	249,000.00	249,702.18	5/25/2017	329
First Merchants Bank 1.5 10/30/2018	32082BDF3	0.41	Negotiable Certificate Of Deposit	4/30/2014	1.500	248,000.00	248,000.00	252,171.36	10/30/2018	852
First Premier Bank 1.55 12/24/2018	33610RPL1	0.41	Negotiable Certificate Of Deposit	6/25/2014	1.550	248,000.00	248,000.00	252,193.68	12/24/2018	907
Firstbank PR 1 12/20/2016	33764JQ57	0.41	Negotiable Certificate Of Deposit	12/20/2013	1.000	249,000.00	249,000.00	249,742.02	12/20/2016	173
FirstTrust Savings 1.1 12/10/2018	337630AX5	0.41	Negotiable Certificate Of Deposit	6/10/2016	1.100	249,000.00	249,000.00	249,064.74	12/10/2018	893
Flushing Bank NY 1 6/30/2017	34387AAA7	0.41	Negotiable Certificate Of Deposit	12/30/2013	1.000	249,000.00	249,000.00	250,613.52	6/30/2017	365

Description	CUSIP/Ticker	% of Portfolio	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Maturity Date	Days To Maturity
Goldman Sachs, NY 1.6 9/26/2017	38143AG66	0.41	Negotiable Certificate Of Deposit	9/26/2012	1.600	250,000.00	250,000.00	252,365.00	9/26/2017	453
Homebanc 1.35 4/17/2018	43738AEX0	0.41	Negotiable Certificate Of Deposit	4/17/2014	1.350	249,000.00	249,000.00	251,557.23	4/17/2018	656
Iberia Bank 0.7 12/13/2016	45083ADE9	0.41	Negotiable Certificate Of Deposit	6/13/2014	0.700	249,000.00	249,000.00	249,465.63	12/13/2016	166
Investors Svgs Bk 0.7 7/21/2016	46176PCX1	0.41	Negotiable Certificate Of Deposit	7/21/2014	0.700	249,000.00	249,000.00	249,024.90	7/21/2016	21
JP Morgan Chase Bank 1.3 4/10/2018	48125T6E0	0.41	Certificate Of Deposit	4/10/2015	1.300	248,000.00	248,000.00	248,513.36	4/10/2018	649
Marlin Business Bank 1.05 4/17/2017	57116AHV3	0.41	Negotiable Certificate Of Deposit	10/14/2014	1.050	249,000.00	249,000.00	249,682.26	4/17/2017	291
Mauch Chunck Tr Co 0.9 1/10/2017	577234BX4	0.41	Negotiable Certificate Of Deposit	10/10/2014	0.900	249,000.00	249,000.00	249,435.75	1/10/2017	194
MB Finl Bank 1.2 6/10/2019	55266CRX6	0.41	Negotiable Certificate Of Deposit	6/10/2016	1.200	249,000.00	249,000.00	249,256.47	6/10/2019	1,075
Medallion Bank 1.35 6/13/2018	58403BP34	0.41	Negotiable Certificate Of Deposit	6/13/2014	1.350	249,000.00	249,000.00	251,626.95	6/13/2018	713
Mercantil Commerce Bank 1.9 4/17/2019	58733AAU3	0.41	Negotiable Certificate Of Deposit	4/17/2014	1.900	247,000.00	247,000.00	252,881.07	4/17/2019	1,021
Merrick Bank 1 6/20/2017	59013JAG4	0.41	Negotiable Certificate Of Deposit	6/20/2014	1.000	249,000.00	249,000.00	249,632.46	6/20/2017	355
National Bank 0.75 12/20/2016	634030AK6	0.41	Negotiable Certificate Of Deposit	6/20/2014	0.750	249,000.00	249,000.00	249,460.65	12/20/2016	173
Oriental B&T 1.65 6/18/2018	686184WL2	0.41	Negotiable Certificate Of Deposit	12/16/2015	1.650	248,000.00	248,000.00	250,135.28	6/18/2018	718
Parkway Bank 1.15 4/7/2017	70153RHJ0	0.41	Negotiable Certificate Of Deposit	10/7/2014	1.150	248,000.00	248,000.00	248,555.52	4/7/2017	281
Patriot Bank 0.7 12/20/2016	70335XEP7	0.41	Negotiable Certificate Of Deposit	6/20/2014	0.700	249,000.00	249,000.00	249,460.65	12/20/2016	173
Peapack Gladstone Bank 1.4 4/17/2018	704692AH5	0.41	Negotiable Certificate Of Deposit	4/17/2014	1.400	249,000.00	249,000.00	251,554.74	4/17/2018	656
Peoples United Bank 0.9 10/6/2016	71270QJA5	0.40	Negotiable Certificate Of Deposit	10/15/2014	0.900	248,000.00	248,000.00	248,280.24	10/6/2016	98
PrivateBank 1.3 1/19/2018	74267GUM7	0.41	Negotiable Certificate Of Deposit	5/21/2014	1.300	248,000.00	248,000.00	249,812.88	1/19/2018	568
Rollstone Bank 0.75 11/30/2016	77579ABJ4	0.41	Negotiable Certificate Of Deposit	5/30/2014	0.750	248,000.00	248,000.00	248,446.40	11/30/2016	153
Sallie Mae 2.2 11/4/2020	795450WV3	0.42	Negotiable Certificate Of Deposit	11/4/2015	2.200	247,000.00	247,000.00	255,595.60	11/4/2020	1,588
Smartbank 1.2 2/23/2018	83172HCQ1	0.41	Negotiable Certificate Of Deposit	4/23/2014	1.200	249,000.00	249,000.00	251,178.75	2/23/2018	603
State Bank of India, NY 2 6/22/2017	856284F58	0.40	Negotiable Certificate Of Deposit	6/22/2012	2.000	245,000.00	245,000.00	247,964.50	6/22/2017	357
Sussex Bank 1.45 8/29/2018	86933DAM4	0.41	Negotiable Certificate Of Deposit	12/29/2015	1.450	248,000.00	248,000.00	250,194.80	8/29/2018	790
Synchrony Bank 2.2 9/18/2020	87164YKB9	0.42	Negotiable Certificate Of Deposit	9/18/2015	2.200	247,000.00	247,000.00	255,509.15	9/18/2020	1,541
Synovus Bank 0.9 10/21/2016	87164DFT2	0.40		10/21/2014	0.900	248,000.00	248,000.00	248,230.64	10/21/2016	113

Description	CUSIP/Ticker	% of Portfolio	Security Type	Settlement Date	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Maturity Date	Days To Maturity
			Negotiable Certificate Of Deposit	90						
Third Federal 1.05 7/24/2017	88413QAQ1	0.41	Negotiable Certificate Of Deposit	5/23/2014	1.050	248,000.00	248,000.00	249,041.60	7/24/2017	389
Unity Bank 1.7 12/30/2019	91330LAD5	0.41	Certificate Of Deposit	6/30/2015	1.700	249,000.00	249,000.00	254,189.16	12/30/2019	1,278
Washington TR 1.35 10/10/2017	940637GP0	0.41	Negotiable Certificate Of Deposit	10/8/2014	1.350	248,000.00	248,000.00	248,887.84	10/10/2017	467
Webster Bank 1.8 6/11/2019	94768NJS4	0.41	Negotiable Certificate Of Deposit	6/11/2014	1.800	247,000.00	247,000.00	253,024.33	6/11/2019	1,076
Wells Fargo 1.5 12/17/2018	9497482Z9	0.41	Negotiable Certificate Of Deposit	12/17/2015	1.500	249,000.00	249,000.00	252,294.27	12/17/2018	900
Worlds Foremost Bank 1.4 3/22/2019	981571BZ4	0.33	Certificate Of Deposit	3/24/2016	1.400	200,000.00	200,000.00	201,638.00	3/22/2019	995
Sub Total / Average	-	25.69		*.	1.356	15,590,000.00	15,590,000.00	15,752,527.17		678
Obligation of the US Government										
T-Note 0.625 11/30/2017	912828UA6	1.63	Treasury Note	6/12/2013	1.016	1,000,000.00	982,968.75	1,000,820.00	11/30/2017	518
T-Note 0.625 9/30/2017	912828TS9	1.63	Treasury Note	6/27/2013	1.222	1,000,000.00	975,312.50	1,000,940.00	9/30/2017	457
T-Note 0.75 2/28/2018	912828UR9	1.64	Treasury Note	6/27/2013	1.352	1,000,000.00	972,812.50	1,002,730.00	2/28/2018	608
T-Note 0.875 11/30/2016	912828RU6	1.63	Treasury Note	6/13/2013	0.708	1,000,000.00	1,005,703.12	1,002,050.00	11/30/2016	153
T-Note 1 10/31/2016	912828RM4	1.63	Treasury Note	6/27/2013	0.886	1,000,000.00	1,003,750.00	1,002,190.00	10/31/2016	123
T-Note 1 5/31/2018	912828VE7	1.64	Treasury Note	6/6/2013	1.010	1,000,000.00	999,500.00	1,007,730.00	5/31/2018	700
Sub Total / Average		9.81			1.032	6,000,000.00	5,940,046.87	6,016,460.00		427
Total / Average		100			1.198	61,036,364.19	61,133,747.01	61,316,938.96		602



REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF September 21, 2016

AGENDA ITEM NUMBER B-7

APPROVED BY

GRANT ADMINISTRATOR

CITY ADMINISTRATOR

SUBJECT: Consideration of a Resolution Appointing Robin Ware and Brian Malady and Reappointing Loretta Castro and Linda Clark as Members of the City of Madera Transit Advisory Board

RECOMMENDATION: Staff recommends adoption of a resolution appointing Robin Ware and Brian Malady and Re-appointing Loretta Castro and Linda Clark as members of the City of Madera Transit Advisory Board (TAB).

SUMMARY:

The appointments for the TAB previously held are no longer participating either due to a former member submitting a resignation or an appointee's term having expired. In order to continue to have TAB meetings, a quorum of four (4) members needs to be present. Councilmembers were asked to make nominations for new appointments to fill current vacancies. The City residents being appointed have submitted applications for the positions and are qualified, available and willing to serve. They also have transit experience and knowledge which will be beneficial when making recommendations to improve the City's transit services. The Transit Advisory Board is comprised of 7 members of whom 6 are nominated by individual Council Members and one (1) is appointed by the Mayor. Board Members serve a term of two (2) years or until the Mayor or Council Member who nominated the TAB member is no longer serving, whichever period is shorter.

The nominations for the Board are as follows:

Council Member	Appointee	Term Expires
Cece Foley Gallegos	Robin Ware	12/01/2018
Will Oliver	Loretta Castro	12/01/2018
Charles Rigby	Brian Malady	12/01/2018
Donald Holley	Linda Clark	12/01/2016

FINANCIAL IMPACT: None.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

The appointment of qualified Transit Advisory Board Members addresses components within Strategy 121. *Multi-modal transportation: Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.*

RESOLUTION NO. 16 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPOINTING ROBIN WARE AND BRIAN MALADY AND REAPPOINTING LORETTA CASTRO AND LINDA CLARK AS MEMBERS OF THE CITY OF MADERA TRANSIT ADVISORY BOARD

WHEREAS, Councilwoman Cece Foley Gallegos has nominated Ms. Robin Ware for appointment to the City of Madera Transit Advisory Board; and

WHEREAS, Councilman Charles Rigby has nominated Mr. Brian Malady for appointment to the City of Madera Transit Advisory Board; and

WHEREAS, Councilman Will Oliver has nominated Ms. Loretta Castro for reappointment to the City of Madera Transit Advisory Board; and

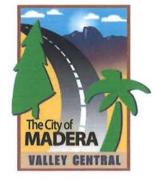
WHEREAS, Councilman Donald Holley has nominated Ms. Linda Clark for reappointment to the City of Madera Transit Advisory Board.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY FINDS RESOLVES AND ORDERS AS FOLLOWS:

- 1. Robin Ware is hereby appointed to the office of the Transit Advisory Board of the City of Madera for the term prescribed by law
- 2. Linda Clark is hereby appointed to the office of the Transit Advisory Board of the City of Madera for the term prescribed by law.
- 3. Brian Malady is hereby appointed to the office of the Transit Advisory Board of the City of Madera for the term prescribed by law.
- 4. Loretta Castro is hereby appointed to the office of the Transit Advisory Board of the City of Madera for the term prescribed by law.
- 5. This resolution is effective immediately upon adoption.

* * * * * * * * * *

SEP 0 7 2016



CITY OF MADERA BY: COMMISSION, BOARD, AND COMMITTEE

APPLICATION

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

PLEASE CHECK ONE OR MORE:
ADA Advisory Council Airport Advisory Commission
Beautification Committee Civil Service Commission
CDBG Review and Advisory Committee Loan Review Committee
Planning Commission Transit Advisory Board
Other:
Please type or print in ink. LAST NAME LAST NAME MOCLEYA CA 93/037 559 HOME ADDRESS CITY, STATE, ZIP HOME PHONE MAILING ADDRESS CITY, STATE ZIP E-MAIL ADDRESS EMPLOYER JOB TITLE BUSINESS PHONE S59 (13-1288) LENGTH OF RESIDENCE IN CITY OF MADERA OF THE CITY OF MADERA? SO YEARS 9 MONTHS WES NO YES NO
EDUCATIONAL BACKGROUND: H.S. Graduate

PLEASE LIST ANY ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND ANY
OFFICES YOU HAVE HELD IN THOSE ORGANIZATIONS: None
PLEASE LIST ANY APPOINTED PUBLIC BOARDS OR COMMISSIONS ON WHICH YOU HAVE SERVED, DATES OF SERVICE AND ANY CHAIRMANSHIP OR OFFICE HELD:
None
I AM INTERESTED IN SERVING FOR THE FOLLOWING REASONS:
To help better the Community I serve.
REFERENCES (Optional):
9-2-16 Robentare SIGNATURE
DATE SIGNATURE

PLEASE RETURN COMPLETED APPLICATION TO:

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

p.1

Page 1 of 2



City Clerk Update 7/19/13

CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

APPLICATION

I hereby request that I be cons	idered as a nominee	for the follow	ring City of	Madera Commission.		
Board, or Committee:						
PLEASE CHECK ONE OR M	ORE:					
ADA Advisory Counci	ADA Advisory Council Airport Adv					
Beautification Commit	Service Con	nmission				
CDBG Review and Ad	lvisory Committee	Loan	Review Con	nmittee		
Planning Commission		Trans	it Advisory	Board		
Other:						
Please type or print in ink.						
MALADY	BRIAN		j	I		
LAST NAME	FIRST NA	ME	N	1.I.		
	MADERA,	CA 93637	5	659		
HOME ADDRESS SAME	CITY, STA	TE, ZIP	H	OME PHONE		
MAILING ADDRESS	CITY, STA	TE ZIP	E	-MAIL ADDRESS		
RON LOPES FARMS	FARM SUP	ERVISOR	5	559 706-4879		
EMPLOYER	JOB TITLE	4	В	USINESS PHONE		
LENGTH OF RESIDENCE IN CITY OF MADERA	ARE YOU A REGISTER	· · · · · · · · · · · · · · · · · · ·	HAVE YOU E	VER BEEN OF A FELONY?		
6 YEARS 7 MONTHS	YES [] NO		YES 🚺 NO		
EDUCATIONAL BACKGRO	OUND:		; ; ;			
BS DEGREE IN BUSINESS MA	RKETING: FRESNO	STATE UNIVE	RSITY			
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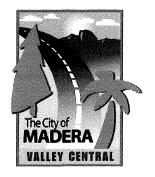
OFFICES YOU HAVE HELD IN THOSE ORGANIZAT NONE	IONS:
NUNE	
	:
PLEASE LIST ANY APPOINTED PUBLIC BOARDS OF HAVE SERVED, DATES OF SERVICE AND ANY CH	
NONE	
	•
AM INTERESTED IN SERVING FOR THE FOLLOW	ING REASONS:
AS PART OF MY CIVIC DUTY TO HELP MY CITY.	
l REFERENCES (Optional):	:
CHARLES RIGBY: CITY COUNCILMAN	:
	,
	1 / /
3 /	Milatinada
JULY 22, 2016 — JANN	1 Mallay
DATE	SIGNATURE /
PLEASE RETURN COMPLETED	APPLICATION TO: \(\begin{array}{c} \text{RECEIVED} \end{array}
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CITY OF MADERA
OFFICE OF THE CITY CLERK
205 West Fourth Street
Madera, CA 93637
(559) 661-5405
(559) 674-2972 Fax

City of Madera City Clerk

Date: 7/22/16

AUG 0-8 2016



CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

APPLICATION

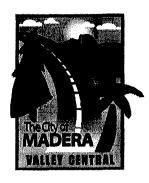
I hereby request that I be considered as a nominee for the following City of Madera Commission, Board, or Committee:

PLEASE CHECK ONE OR M	MORE:	
ADA Advisory Counc	il Airpo	ort Advisory Commission
Beautification Commi	ttee Civil	Service Commission
CDBG Review and Ac	dvisory Committee/Loan	Review Committee
Planning Commission	Trans	sit Advisory Board
Other:		
Please type or print in ink.	Touth.	J.
LAST NAME	FIRST NAME Walley a Colid	MI
HOME ADDRESS	CITY, STATE, ZIP	HOME PHONE
MAILING ADDRESS	CITY, STATE ZIP Ø	E-MAIL ADDRESS
EMPLOYER	JOB TITLE	BUSINESS PHONE
LENGTH OF RESIDENCE IN CITY OF MADERA 95 YEARSMONTHS	ARE YOU A REGISTERED VOTER OF THE CITY OF MADERA? YES NO	HAVE YOU EVER BEEN CONVICTED OF A FELONY? YES NO
EDUCATIONAL BACKGRO	OUND:	
College -	2 Four C for logal	Secnetary.

PLEASE LIST ANY ORGANIZATIONS OF WHICH YOU ARE A MEMBER AND ANY
OFFIÇES YOU HAVE HELD IN THOSE ORGANIZATIONS:
I have held office in Madern of Fresho in the
Past through, my Church. Most necent chair Person
Per Amsit Adursoms Board.
PLEASE LIST ANY APPOINTED PUBLIC BOARDS OR COMMISSIONS ON WHICH YOU
HAVE SERVED, DATES OF SERVICE AND ANY CHAIRMANSHIP OR OFFICE HELD:
First Chansit Advisor's Board and would like
to contricee.
I AM INTERESTED IN SERVING FOR THE FOLLOWING REASONS:
Lo help disable Regions and ansme I can help with our Gransit System.
help with our chansit system.
DEFENSIVE (O. t. 1)
REFERENCES (Optional):
8/4/2016 Farette D. Castro
DATE SIGNATURE

PLEASE RETURN COMPLETED APPLICATION TO:

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



CITY OF MADERA COMMISSION, BOARD, AND COMMITTEE

APPLICATION

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

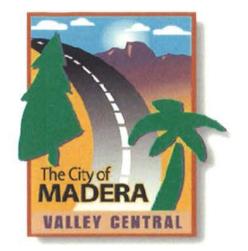
Commission, Board, or Commis	.	
PLEASE CHECK ONE OR MOR	RE:	
ADA Advisory Council	☐ Airport Adviso	ory Committee
☐ Beautification Committee	Civil Service	Commission
☐ Planning Commission	✓ Transit Adviso	ory Board
Other:		
Please type or print in ink.		•
CLARK	LINDA	D
LAST NAME	FIRST NAME	M.l
HOME ADDRESS	MADERA, CA 93638 CITY, STATE, ZIP	(559)
SAME	OITT, OTATE, ZII	
MAILING ADDRESS MADERA COUNTY WORKFORCE	CITY, STATE ZIP MADERA, CA 93638	E-MAIL ADDRESS 559-662-4505
EMPLOYER	JOB TITLE Business +	
LENGTH OF RESIDENCE IN CITY OF MADERA	ARE YOU A REGISTERED VOTER OF THE CITY OF MADERA?	HAVE YOU EVER BEEN CONVICTED OF A FELONY?
50 YEARSMONTHS	YES NO	☐ YES ✓ NO
EDUCATIONAL BACKGROUND);	
GRADUATE - MADERA HIGH SCHOOL 1969 GRADUATE - HEALD BUSINESS COLLEGE - ACCOUNTING COMPLETION OF HUMAN SERVICES CERTIFICATION - MADERA CENTER		

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

HOMELESS COALITION S.A.L.T. - SOCIAL AGENCIES LINKING TOGETHER TRANSIT ADVISORY BOARD - SECRETARY MCNALLY PARK JESSE OWENS GAMES - COORDINATOR 26 YEARS SSTAC - MCTC - CHAIRPERSON PLEASE LIST ANY APPOINTED PUBLIC BOARDS OR COMMISSIONS ON WHICH YOU HAVE SERVED, DATES OF SERVICE AND ANY CHAIRMANSHIP OR OFFICE HELD: TRANSIT ADVISORY BOARD - SECRETARY MCNALLY PARK JESSE OWENS GAMES - COORDINATOR 26 YEARS SSTAC - MCTC - CHAIRPERSON I AM INTERESTED IN SERVING FOR THE FOLLOWING REASONS: I AM INTERESTED IN TRANSPORTATION CONCERNS REGARDING MADERA COUNTY RESISENTS ESPECIALLY IN THE AREAS OF EMPLOYMENT AND TRAINING REFERENCES (Optional): DONALD E. HOLLEY - MAYOR PRO-TEM

PLEASE RETURN COMPLETED APPLICATION TO:

CITY OF MADERA
OFFICE OF THE CITY CLERK
205 West Fourth Street
Madera, CA 93637
(559) 661-5405
(559) 674-0446 Fax



REPORT TO CITY COUNCIL

MEETING DATE: September 21, 2016

AGENDA ITEM NUMBER:B-8

Approved By:

> Cadol

PUBLIC WORKS DIRECTOR

CITY ADMINISTRATOR

SUBJECT: Weekly Water Conservation Report for September 5th thru September 11th.

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

SUMMARY/ DISCUSSION: As illustrated in the graph below, the City's conservation rate increased slightly from the past four weeks, but is still below where we were last August. The increased rebate award amounts, approved by the Council at its last meeting, were announced and are included in the next Utility Billing News Letter. Public interest in the rebates, expressed during the Madera County Fair, is very encouraging and should result in an increased number of rebate applications.

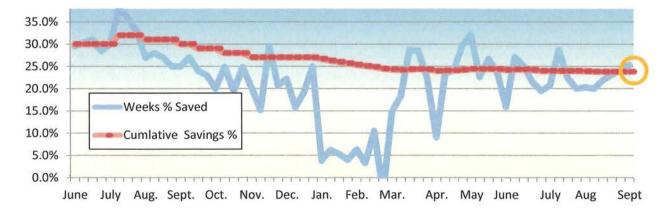
Below is the most current water conservation data.

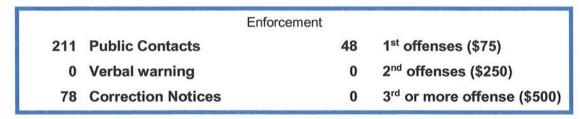
September 5th-11th

September 1st-11th

June 1, 2015 Sept. 11th 2016 **24%**

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



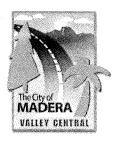


FINANCIAL IMPACT:

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

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

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



REPORT TO CITY COUNCIL

Approved by:	Council Meeting of September 21, 2016 Agenda Item NumberB-9
mes	
Mary Anne Seay,	
Parks & Community Services Director	
297	
David R Tooley, City Administrator	

SUBJECT:

APPROVAL OF A MINUTE ORDER ACCEPTING THE DELIVERY AND INSTALLATION OF THE MODULAR RESTROOM AT CENTENNIAL PARK AND AUTHORIZING THE RECORDING OF A NOTICE OF COMPLETION AND RELEASE OF RETENTION AFTER RECORDING OF THE NOTICE.

RECOMMENDATION:

That the City Council adopt a Minute Order approving:

- 1. Acceptance of the project to purchase and install a modular restroom at Centennial Park.
- 2. The recording of the Notice of Completion.
- 3. The release of retention in the amount of \$1,572.10 after recording of the Notice of Completion.

SUMMARY:

At the April 13, 2016 meeting City Council awarded a contract to Public Restroom Company to provide and install a modular (pre-fabricated) restroom at Centennial Park. The Contractor has completed the project in accordance with the plans and specifications. Staff recommends that the City Council accept the project.

SITUATION:

The installation of the Inclusive Playground at Centennial Park has been ongoing since April of this year. Centennial Park has no restroom facilities readily available to those using the park and this

problem will become worse when the playground is completed. During the design phase of the playground project, the decision was made to include a modular restroom as part of the project scope. The City Purchasing Department approved the use of a Cooperative Purchasing Agreement (CPA) in order to procure the restroom. CPA's are contracts for the purchase of commodities that have been "pre-bid" in order to determine the best price among a selection of vendor proposals. The use of a CPA saves the City the expense and time usually associated with a traditional competitive bid as well as allowing the City to benefit from the cost savings associated with nationally leveraged pricing. The City used the BuyBoard CPA in order to procure the construction and installation of the restroom from the Public Restroom Company.

The total contract amount was \$97,130.00 of which \$15,721.00 for installation was contractually subject to retention. A final project inspection was performed by staff and it was determined that the finished project conformed to the plans and specifications. There were no change orders issued, therefore the typical 10% retention of \$1,572.10 is due to the Public Restroom Company after the filing of a Notice of Completion.

FINANCIAL IMPACT:

The total \$97,130.00 cost of the project was funded by two Housing Related Parks Project grants (14-HRPP-9213 - \$48,565.00 and 14-HRPP-10353 - \$19,696.00) and Parks Development Impact Fees (\$28,869.00).

The project did not have a direct impact on the City's General Fund, however ongoing custodial and maintenance costs for the restroom, estimated by staff to be approximately \$7,800.00 per year, will be borne by the General Fund.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The recommended actions are consistent with the following Vision Strategies and Actions:

Strategy 113	Promote greater accessibility to City facilities and services to meet the needs of various cultural, socio-economic and disabled groups.
Action 314.2	Continue and expand facilities for youth-at-risk.
Strategy 411	Recreational Opportunities: Enhance and expand recreational activities available to Maderans.
Strategy 414	Neighborhood Parks: Ensure recreational availability by providing a park in close proximity to every neighborhood.

Strategy 404 Community Wellness: Promote increased community wellness.

RECORDING REQUESTED BY: CITY OF MADERA

AND WHEN RECORDED MAIL TO: CITY OF MADERA – CITY CLERK 205 W. 4TH STREET MADERA, CA 93637

SPACE ABOVE THIS LINE FOR RECORDER'S USE
FEE WAIVED PER SECTION 27383 OF THE GOVERNMENT CODE - NO DOCUMENT TAX DUE \$ -0-
NOTICE OF COMPLETION
Corporation

	NOTICE OF COM	PLETION
	Corporation	
NO	OTICE IS HEREBY GIVEN THAT:	
1.		d below in the property hereinafter described
2.		
3.		Street: Madera, CA 93637
4.		
	(If other than fee, strike "In fee" and insert, for example, "purchase	r under contract of purchase," or "lessee")
5.	The full names and full addresses of all persons, if any	, who hold title with the undersigned as joint
	tenants or as tenants in common are:	
	NAMES	ADDRESSES
	N/A	
6.	A work of improvement on the property hereinafter de	scribed was completed on September 9, 2016
7.	The name of the original contractor, if any, for such w	
	Public Restroom Company	
	(If no contractor for work of improvement	s as a whole, insert "none".)
8.		
	NAMES	ADDRESSES
	(Complete where undersigned is successor to owne	who caused improvement to be constructed)
9.	The property on which said work of improvement was	completed is in the City of Madora
<i>J</i> .	County of Madera, State of California, and is d	
INS	ISTALLATION OF MODULAR RESTROOM AT CEN	ITENNIAL PARK
10.	1 1 V	
	(If no street address has been officially ass	igned, insert "none".)
	(Signature of O	vner named In Paragraph 2)
Date	ated:	
		Helmuth, P.E
		ngineer

NOTICE OF COMPLETION - Page 2 of 2 10. Continued INSTALLATION OF MODULAR RESTROOM AT CENTENNIAL PARK STATE OF CALIFORNIA County of Madera Keith Brent Helmuth, being duly sworn says: That he is the City Engineer of the City of Madera, The corporation that executed the foregoing notice as owner of the aforesaid interest or estate in the property therein described; that he makes this verification on behalf of said corporation; That he has read said notice and knows the contents thereof, and that the facts therein stated are true: Signature of Officer: State of California County of Madera The officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. Keith Brent Helmuth, P.E

Subscribed and sworn to (or affirmed) before me on this 21st day of September, 2016, by Keith Brent Helmuth, proved to me on the basis of satisfactory evidence to be the person(s) who

appeared before me.

Sonia Alvarez, City Clerk

Date

)

REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF: September 21, 2016

AGENDA ITEM NUMBER: C-1

Approved By:

PLANNING MANAGER

CITY ADMINISTRATOR

SUBJECT:

A Public Hearing to Consider an Appeal by Merchant Men Inc., Christopher Montoya, of the July 12, 2016 Decision of the Planning Commission Revoking Conditional Use Permit 1963-23, 1989-30 and 1991-13 which cumulatively allow for an athletic fitness club located at 1803 Sunset Avenue, and Consideration of a Resolution of Determination on Appeal.

RECOMMENDATION

Staff recommends the City Council adopt a resolution of determination after an appeal hearing, affirming and upholding the Planning Commission's revocation of Conditional Use Permit 1963-23, 1989-30 and 1991-13.

ANALYSIS

Introduction

On July 12, 2016, the Planning Commission revoked Conditional Use Permit 1963-23, 1989-30 and 1991-13. The entitlements cumulatively allowed for an athletic fitness club located at 1803 Sunset Avenue.

The appellant, Mr. Christopher Montoya, filed an appeal of the Planning Commission revocation on July 25, 2016. Per Section 10-3.1310(C), the City Council must render a decision on the appeal within sixty days of receipt of the appeal. On August 3, 2016, the City Council scheduled the appeal hearing to September 21, 2016.

Procedurally, in the event of an appeal of a decision of the Planning Commission, the Madera Municipal Code Section 10-3.1310(D) provides that the City Council may, by resolution, affirm, reverse or modify the decision of the Planning Commission. That section also requires that, in the event it decides to reverse the decision of the Planning Commission, it must make a written finding of fact setting forth where the Planning Commission decision was in error.

Per Section 10-3.1310(B), a member of the Planning Commission will be present to represent the Commission. The July 12, 2016 Planning Commission staff report is attached as Exhibit A.

Summary

Originally built in 1954 at the City's then sparsely populated western edge, the club and its environs were annexed into the City in 1963. At the time of annexation, the zoning for the subject property was changed from the C1 (Light Commercial) Zone District to the R3 (Residential) Zone District and Conditional Use Permit 1963-23 was granted to allow for an

athletic "club" in a residential zone. Over time, the club has changed hands and changed business models as market conditions evolved.

In 1991, the Madera Athletic Club included a full-court basketball court, eight (8) handball and racquetball courts, a swimming pool, weight room and a child care component. A parking facility and a five-stall parking variance were also in place. Findings were made at that time that the use was operating in harmony with the neighborhood. Since that time, all handball and racquetball courts have been converted to various weight training and cardiovascular training workout stations. The basketball court has been divided into two rooms which largely function as group workout rooms. Other services such as dance lessons, massage therapy, and yoga have been added, and hours of operation have incrementally expanded to as early as 5:00 a.m. until as late and 11:00 p.m. Cumulatively, substantial alterations to the business model have occurred, resulting in a breakdown in the ability of existing parking to satisfy the demands of the site, increased negative impacts on the surrounding residential neighborhood, and a migration away from compliance with the original conditions of approval which guided the operation of the club.

In the last few years, growing neighborhood dissatisfaction with increasingly negative impacts had led to the Neighborhood Preservation Department taking a lead in collaborating with the business and the neighborhood. When no resolution to the neighborhood concerns was reached, the issue was referred to the Planning Department. In response to Planning staff recommendation, the applicant made an application for an amendment to the athletic club's use permit(s). That application remains incomplete. Without a complete application from which to potentially identify revised conditions of approval that would bring about the ability to make findings of support for the continued utilization of the use permits, staff moved forward with a formal review and revocation hearing before the Planning Commission.

Findings for Revocation

Per Section 10-3.1311(B), use permits may be revoked by the Planning Commission whenever the benefactor of the use permit "breaches or fails to abide by any of the conditions designated in such permit, or conducts any use or activity on such property contrary to the provisions of this code." In this case, both circumstances meriting revocation are satisfied. Conditions of approval for the applicable use permits are not in compliance and other components of ordinance, such as sub-tenants operating without required permits and insufficient provision of parking, are not satisfied.

Included within this report, please find a matrix of the conditions of approval for Conditional Use Permits 1963-23, 1989-30 and 1991-13. These conditions were evaluated by staff and the Planning Commission for compliance. Shaded conditions of approval are currently not in compliance. Of the sixteen total conditions of approval, seven need attention in order to be in compliance with the conditions of approval. Compliance with nine of sixteen conditions equates to a 56 percent compliance rate.

Review of the applicable conditions of approval make clear the inability of the use to operate consistent with the required conditions of approval. Provision of parking, which requires a minimum of one stall per each 200 square feet of gross floor area, is also in noncompliance with ordinance.

Planning Commission Considerations

The Planning Commission revoked the use permits which allowed for the athletic fitness club after first reviewing the use on May 10, 2016. At the July 12, 2016 revocation hearing the Planning Commission relied upon staff's oral and written reports, and extensive testimony by affected parties, including the appellant's representative Sophie Treder and citizens of the

surrounding neighborhood. The Planning Commission then unanimously determined revocation was warranted, and moved to revoke Conditional Use Permits 1963-23, 1989-30 and 1991-13, effective immediately, subject to the following findings:

- Conditions of approval for Conditional Use Permit 1963-23, including Numbers 1, 2, 3, and 5, adopted by the Planning Commission are not in compliance.
- Condition of approval No. 7 for Conditional Use Permit 1989-30, adopted by the Planning Commission and agreed to by the applicant and property owner, has not been satisfied.
- Conditions of approval No. 1 and 2 for Conditional Use Permit 1991-13, adopted by the Planning Commission and agreed to by the applicant and property owner, have not been satisfied.
- Based on observations of staff and the evidence from the whole of the record, the use has not operated in compliance with conditions of approval; and
- The continued operation of the use in violation of the conditions of approval may be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City, and
- The above findings are supported by evidence presented at the public hearing, by field observations by multiple City departments, and in staff reports during the processing and review of this entitlement; which is made a part of this record by this reference.

The Planning Commission's action was stayed by the appeal to the City Council.

Recent Activities

Since the revocation of the use permits by the Planning Commission and subsequent stay of that decision as part of the appeal, additional activities have been observed at the 1803 Sunset Avenue site. Upon inspection, staff found new equipment had been installed and old equipment removed. Two of the former eight handball courts had been refurbished. Other repairs to the site had been performed. Tenants subleasing club space were still in operation without required business licenses. A petition to "Show Your Support" for the athletic club was prominently displayed.

SUMMARY

Maintaining compliance with all conditions of approval is a prerequisite of all conditional use permits. The Planning Commission did not error in the decision to revoke Conditional Use Permits 1963-23, 1989-30 and 1991-13. Staff recommends the City Council adopt a resolution affirming the Planning Commission decision revoking Conditional Use Permits 1963-23, 1989-30 and 1991-13.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

The vision plan "encourage[s] viable economic development," while equally valuing safe, "well-planned neighborhoods." Although good governance is a foundational goal of the City, an appeal of a Planning Commission revocation of a use permit is not directly addressed within the Vision for Madera.

FISCAL IMPACT

The fee assessed for processing an appeal request assists the City in recovering the costs expended in bringing the appeal request to the City Council.

ATTACHMENTS

Conditions of Approval Compliance Matrix
Application for Appeal of Administrative Decision
Resolution of Determination
Exhibit A – Planning Commission Report of July 12, 2016
Exhibit B – Minutes of July 12, 2016 Planning Commission
Exhibit C – Correspondence

Conditions of Approval Compliance Matrix

CUP 1963-23 1	That the Athletic Club operate in the same manner as it does today.	Not in compliance.
2	That the commercial uses be the same type that are in the use now.	Not in compliance.
3	That the owner and future owners of the property maintain the yards and buildings in a residential manner as is done now.	Not in compliance.
4	That all future buildings maintain residential set-backs.	Setbacks reductions were allowed with variances.
5	That all Municipal Code requirements be met.	Not in compliance. Use does not satisfy required parking and entitlements.
CUP 1989-30 1	A covenant, in a form satisfactory to the City Attorney shall be recorded on the three lots at the southwest corner of Orchard and Venturi Avenues whereby the parking spaces on these lots shall be maintained for use of the property at 1803 Sunset Ave.	No record found.
2	The development of the off-site parking lot shall commence at the earliest possible time and shall have been completed and approved prior to occupancy of the building expansion areas.	Procedural.
3	The off-site parking lot improvements shall include installation of park strip landscaping, relocation of a street light and the installation of a handicapped ramp.	Completed.
4	Grading and drainage plans, right-of-way improvement plans, landscaping and irrigation plans shall have been submitted for the project and approved prior to issuance of the building permit.	Completed.
5	The 20 foot wide alley adjacent to the site shall be paved to city standard along the entire length of the parcel and shall be completed prior to occupancy of the expansion areas.	Completed.
6	A new six foot masonry fence shall replace the existing fence along the north property line and may be increased to eight feet, forty feet behind the Orchard Avenue property line with the consent of the adjacent property owner.	Completed.
	The club manager shall make every effort to make members aware of the availability of off-street parking and encourage its use. One means of accomplishing this is regular reminders in the club newsletter.	Efforts have not been successful.

Conditions of Approval Compliance Matrix, Continued

CUP 1991-13 1	The original conditions of approval for Use Permit 89-30 and Variance 89-04 will remain applicable.	Not in compliance.
2	The applicant shall continue his efforts to encourage his employees and members of the club to utilize the existing off-street parking spaces. A definitive program to accomplish this shall be submitted to the Director of Community Development within 30 days of this approval.	Efforts have not been successful. No program is on record.
3	This matter shall be referred to the City Traffic Safety Committee for review of the on-street parking situation created by members and employees of the club. The results of this review and any action taken will be reported to the Planning Commission in conjunction with Condition #4 below. Review should include Orchard and Sunset Avenues and the intersection of Williams and Sunset Avenue.	Procedural.
4	This use Permit will be reviewed by the Planning Commission in six (6) months to determine if the number of off-street parking spaces is adequate for the needs of the club and if the on-street parking situation has improved.	Completed November, 1991.



APPLICATION FOR APPEAL OF THE CITY CLERK ADMINISTRATIVE DECISION

JUL 25 2016

APPLICANT NAME: Merchant Men Inc, Christopher Montoya

ADDRESS: 2037 W. Bullard Ave., Ste. 348

CITY: Fresno, CA 93711 PHONE: (559) 977-6767 + 1000 mma@gmail. (om

AN APPEAL CANNOT BE ACCEPTED FOR PROCESSING WITHOUT A FULL EXPLANATION OF THE CIRCUMSTANCES SURROUNDING THE ACTION, AND THE GROUNDS FOR THE APPEAL THEREOF. (USE ADDITIONAL SHEETS IF NECESSARY.)

I AM HEREBY APPEALING THE DECISION OF The City of Madera Planning Commission ON July 12, 2016 PERTAINING TO ACTION RELATING TO MY PROPERTY LOCATED AT 1803 Sunset Avenue, Madera, CA 93637, AND FURTHER IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 006-182-007. THIS APPEAL IS BASED ON:

- (1) The lack of substantial evidence in the record that the property owner was in violation of the conditions of the existing use permit. The property owner and operator is actually in compliance with all of the past conditions, with the exception of a condition from 1991 requiring the submittal of a written parking plan, which the current owner agreed to prepare and did prepare, and condition from 1983 requiring shared parking agreement with the nearby Church, which is an illegal condition that cannot be imposed without the Church's consent.
- (2) The Planning Commission and Staff improperly applied modern city code sections to this vested CUP in determining that the facility was out of compliance, when in actuality the permit is legally "grandfathered."
- (3) The lack of substantial evidence that the neighborhood problems complained of are attributable to the fitness facility, and not other factors.
- (4) The Planning Commission did not consider alternative or less drastic solutions other than revoking the use permit, and did not consider the property owner's investment-backed expectations prior to "taking" the use permit without just compensation for its value.

(5) The potential violation of due process in that some of the decision-makers may not have been unbiased prior to hearing the evidence.

THE SUBMISSION OF THIS FORM, COMPLETED AS REQUIRED, AND ACCOMPANIED BY THE APPLICATION FEE AS DETERMINED BY THE CITY COUNCIL, ENTITLES THE APPLICANT TO A HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MADERA AT THE NEXT AVAILABLE PUBLIC HEARING, UNLESS DELAYED AT REQUEST OF THE APPLICANT OR DUE TO CIRCUMSTANCES BEYOND THE CONTROL OF STAFF OR THE CITY COUNCIL OF THE CITY OF MADERA.

DATE FILED 7/25/16 DATE ACCEPTED 12516

APPLICATION FEE:

Administrative

\$1,204

Project Approvals (Fees Schedule Res. No. 14-137) \$605

RESOI	UTION	NO.
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, MAKING A DETERMINATION AFTER HEARING AN APPEAL OF THE PLANNING COMMISSION DECISION REVOKING CONDITIONAL USE PERMIT 1963-23, 1989-30, AND 1991-13

WHEREAS, the Planning Commission for the City of Madera Revoked Conditional Use Permit 1963-23, 1989-30, and 1991-13 which cumulatively allow for an athletic fitness club located at 1803 Sunset Avenue; and

WHEREAS, Merchant Men Inc., Christopher Montoya has filed an appeal of the Planning Commission decision to the City Council; and

WHEREAS, the Madera Municipal Code provides at section 10-3.1310(D) that the City Council may, by resolution, affirm, reverse or modify the decision of the Planning Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA HEREBY FINDS, ORDERS AND RESOLVES AS FOLLOWS:

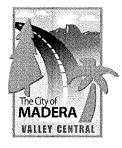
- 1. The above recitals are true and correct.
- 2. After duly conducting a public hearing on September 21, 2016, to hear the appeal by Merchant Men Inc., Christopher Montoya of the Planning Commission Decision revoking Conditional Use Permit 1963-23, 1989-30, and 1991-13, and after considering all of the evidence before it, the City Council hereby makes the following decision on said appeal:

The Decision of the Madera Planning Commission revoking Conditional Use Permit 1963-23, 1989-30, and 1991-13 is affirmed.

(or)

The Decision of the Madera Planning Commission revoking Conditional
Use Permit 1963-23, 1989-30, and 1991-13 is reversed based on the following
findings of error by the Planning Commission:

(or)



CITY OF MADERA PLANNING COMMISSION

205 W. Fourth Street Madera CA 93637 (559) 661-5430

Staff Report: Thrive Fitness Revocation CUP 1963-23, CUP 1989-30, and CUP 1991-13 Public Hearing Item #1 – July 12, 2016

PROPOSAL: A noticed public hearing to consider revocation of Conditional Use Permits 1963-23, 1989-30 and 1991-13 which cumulatively allow for the athletic fitness club located at 1803 Sunset Avenue.

APPLICANT:

Christopher Montoya

OWNER:

MCA 1803 LLC

ADDRESS:

1803 Sunset Avenue

APN:

006-182-007

APPLICATION:

CUP 1963-23

CEQA:

Categorical Exemption

LOCATION: The property is located on the northwest corner of Sunset Avenue and Orchard Avenue.

STREET ACCESS: The site has access to Sunset Avenue and Orchard Avenue.

PARCEL SIZE: 0.85-acre site; with an additional 0.52-acre parking field.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: R3 (Residential)

SITE CHARACTERISTICS: The site is a fully developed commercial site with approximately seventy (70%) percent of the property developed in structural improvements. An off-site parking lot provides parking to the site. Single family residential development surrounds the property. A church is immediately west of the athletic club site.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY: The site is not in compliance with the conditions of approval for Conditional Use Permits 1963-23, 1989-30 and 1991-13. Although staff has received an application to amend the conditions of approval for the athletic fitness club, the application remains incomplete and no additional information has been received from the applicant. It is recommended that the Planning Commission consider this information, together with testimony provided during the public hearing, and make the appropriate findings and decision regarding the project.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.405 Uses

MMC § 10-3.505 R; Conditional Uses; Commission Approval

MMC § 10-3.1301 Use Permits

MMC § 10-3.1311 Termination and Revocation

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

All use permits which have been granted may be revoked by the Planning Commission after a hearing as set forth below in the event the user of such permit, or his or its successor in interest to the real property in favor of which the permit was granted, breaches or fails to abide by any of the conditions designated in such permit.

PRIOR ACTION

Originally built in 1954 at the City's then sparsely populated western edge, the club is now surrounded by single family residential development in all directions. Immediately west of the athletic club is a church. John Adams Elementary School is approximately 700 feet south and Thomas Jefferson Middle School is located approximately 700 feet east of the project site.

In 1963, the zoning for the subject property was changed from the C1 (Light Commercial) Zone District to the R3 (Residential) Zone District. Conditional Use Permit 1963-23 was granted to allow for the athletic fitness club in a residential zone as well. A letter to Mr. Roy Lyon, owner of the facility until 1983, stated that the R3 zone "would allow you to continue your [athletic fitness] club operations and fully utilize your property for potential development." This letter was dated March 26, 1963 and signed by Marvin J. Porter, Planning Engineer.

In September of 1983, Mr. Lyon sold the club to Chris DaSilva who subsequently completed renovations to include a new weight room and racquetball courts. The Planning Director at that time, Mr. Pete Koehn, concurred with the letter written by Marvin J. Porter in 1963 and granted the permits without necessitating the public use process. One discretionary approval was processed for a setback variance (VAR 1983-08). A condition of approval of the variance required a parking agreement be recorded between the adjacent church and the athletic club property.

In April of 1986, Mr. DaSilva was advised by Mrs. James, the new Planning Director, that the Madera Municipal Code required a use permit for clubs in the R3 (Residential) zone and future expansion or modification of the Madera Athletic Club would require the approval of a use permit.

Subsequently, Conditional Use Permit 1989-30 amended the original use permit, allowed for the athletic club in the R3 (Residential) Zone District, and allowed for the construction of a 6,606 square foot basketball court, unisex weight room, child care area expansion and storage room expansion. An off-site parking lot was also approved. As a component of that approval, Variance 1989-04 allowed for the development of the off-site parking lot.

Conditional Use Permit 1991-13 largely functioned as a review of the use with findings in favor of the continued operation of the athletic club and a reduction in the original number of parking stalls by five (5) spaces.

ANALYSIS

At the time of the last review in 1991, the Madera Athletic Club included a full-court basketball court, eight (8) handball and racquetball courts, a swimming pool, weight room and a child care component. A parking facility and a five-stall parking variance were also in place. Findings were made at that time that the use was operating in harmony with the neighborhood.

Since that time, all handball and racquetball courts have been converted to various weight training and cardiovascular training workout stations. The basketball court has been divided into two rooms which largely function as Zoomba and other group workout rooms. Other services such as dance lessons, massage therapy, and yoga have been added, and hours of operation have incrementally expanded to as early as 5:00 a.m. until as late and 11:00 p.m. Cumulatively, substantial alterations to the business model have occurred, resulting in a breakdown in the ability of existing parking to satisfy the demands of the site and increased negative impacts on the surrounding residential neighborhood.

Although the applicant has made an application for an amendment to the athletic club's use permits, the application remains incomplete and staff has no ability to either assess the use in its present form or make recommendations as to how the use might be restructured within new conditions of approval in such a way as to resolve ongoing problems with the athletic club operation prevalent on the site and the impacts to the surrounding neighborhood. Although the applicant has expressed that a complete plan set would be submitted, as of this writing (June 20, 2016) no additional information has be provided. Although the applicant secured legal counsel and requested additional time so as to provide time for representatives to become familiar with the case, first contact with staff by legal counsel was on June 20, 2016, an insufficient amount of time to proactively seek solutions to noncompliance.

Parking

A primary issue within operations has been the erosion of parking compliance since the last review of the use in 1991. There are currently a total of seventy-six (76) parking stalls serving the approximately 32,000 square foot structure. Parking ordinance requires parking to be provided at either one parking stall per each 200 square feet, or at one parking stall per each three members and one parking stall per each two employees, whichever is greater. As an example, an athletic club with five hundred (500) members and forty (40) employees would be required to provide 197 parking stalls (500/3 + 40/2). If square footage is the determining factor, 160 parking stalls (32,000 sf/one stall per 200 sf) would be required.

Findings of Review

Attached please find a matrix of the conditions of approval for Conditional Use Permits 1963-23, 1989-30 and 1991-13. These conditions were evaluated by staff for compliance. Shaded conditions of approval are currently not in compliance. Of the sixteen total conditions of approval, seven need attention in order to be in compliance with the conditions of approval. Compliance with nine of sixteen conditions equates to a 56 percent compliance rate.

Review of the applicable conditions of approval make clear the inability of the use to operate consistent with the required conditions of approval. Significant reductions to the business hours of operation, number of activities offered, and maximum number of club members allowed would be necessary to align the business activities with the parking stalls available to serve the

use. Removal of existing activities and reconstruction of original improvements such as handball courts would be required in order to bring the athletic club into compliance with the existing conditions of approval. Alternatively, the applicant could conceivably acquire adjacent property(s) and construct additional parking field.

SUMMARY OF RECOMMENDATIONS

It is recommended that the Planning Commission consider this information, together with testimony provided during the public hearing, and make the appropriate findings and decision regarding the revocation of Conditional Use Permits 1963-23, 1989-30 and 1991-13.

PLANNING COMMISSION ACTION

The Commission would be taking action regarding Conditional Use Permits 1963-23, 1989-30 and 1991-13, determining to either:

- schedule a public hearing to consider revocation of the use permit, or
- find that the review of the use permit is not warranted at this time

Any action by the Commission approving or denying the application is subject to appeal to the City Council within 15 calendar days of the Commission's action.

Motion 1: Move to revoke Conditional Use Permit 1963-23, 1989-30 and 1991-13 effective immediately, based on and subject to the following findings.

Findings

- Conditions of approval for Conditional Use Permit 1963-23, including Numbers 1, 2, 3, and 5, adopted by the Planning Commission are not in compliance.
- Condition of approval No. 7 for Conditional Use Permit 1989-30, adopted by the Planning Commission and agreed to by the applicant and property owner, has not been satisfied.
- Conditions of approval No. 1 and 2 for Conditional Use Permit 1991-13, adopted by the Planning Commission and agreed to by the applicant and property owner, have not been satisfied.
- Based on observations of staff and the evidence from the whole of the record, the use has not operated in compliance with conditions of approval; and
- The continued operation of the use in violation of the conditions of approval may be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City, and;
- The above findings are supported by evidence presented at the public hearing, by field observations by multiple City departments, and in staff reports during the processing and review of this entitlement; which is made a part of this record by this reference.

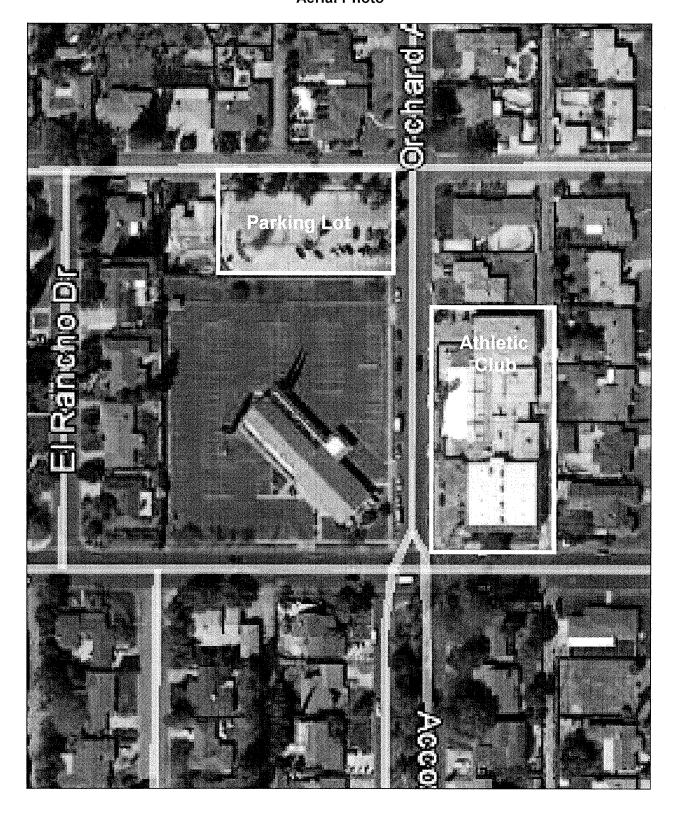
(OR)

Motion 2: Move to find that the review of Conditional Use Permits 1963-23, 1989-30 and 1991-13 is not warranted at this time for the following reasons (Specify):

ATTACHMENTS

Aerial Photo Conditional Use Permits 1963-23, 1989-30 and 1991-13 Compliance Matrix Variance 1983-08 Compliance Matrix

Aerial Photo



Conditions of Approval Compliance Matrix

CUP 1963-23 1	That the Athletic Club operate in the same manner as it does today.	Not in compliance.
2	That the commercial uses be the same type that are in the use now.	Not in compliance.
3	That the owner and future owners of the property maintain the yards and buildings in a residential manner as is done now.	Not in compliance.
4	That all future buildings maintain residential set-backs.	Setbacks reductions were allowed with variances.
5	That all Municipal Code requirements be met.	Not in compliance. Use does not satisfy required parking and entitlements.
CUP 1989-30 1	A covenant, in a form satisfactory to the City Attorney shall be recorded on the three lots at the southwest corner of Orchard and Venturi Avenues whereby the parking spaces on these lots shall be maintained for use of the property at 1803 Sunset Ave.	No record found.
2	The development of the off-site parking lot shall commence at the earliest possible time and shall have been completed and approved prior to occupancy of the building expansion areas.	Procedural.
3	The off-site parking lot improvements shall include installation of park strip landscaping, relocation of a street light and the installation of a handicapped ramp.	Completed. ,.
4	Grading and drainage plans, right-of-way improvement plans, landscaping and irrigation plans shall have been submitted for the project and approved prior to issuance of the building permit.	Completed.
5	The 20 foot wide alley adjacent to the site shall be paved to city standard along the entire length of the parcel and shall be completed prior to occupancy of the expansion areas.	Completed.
6	A new six foot masonry fence shall replace the existing fence along the north property line and may be increased to eight feet, forty feet behind the Orchard Avenue property line with the consent of the adjacent property owner.	Completed.
	The club manager shall make every effort to make members aware of the availability of off-street parking and encourage its use. One means of accomplishing this is regular reminders in the club newsletter.	Efforts have not been successful.

Conditions of Approval Compliance Matrix, Continued

CUP 1991-13 1	The original conditions of approval for Use Permit 89-30 and Variance 89-04 will remain applicable.	Not in compliance.
2	The applicant shall continue his efforts to encourage his employees and members of the club to utilize the existing of-street parking spaces. A definitive program to accomplish this shall be submitted to the Director of Community Development within 30 days of this approval.	Efforts have not been successful. No program is on record.
3	This matter shall be referred to the City Traffic Safety Committee for review of the on-street parking situation created by members and employees of the club. The results of this review and any action taken will be reported to the Planning Commission in conjunction with Condition #4 below. Review should include Orchard and Sunset Avenues and the intersection of Williams and Sunset Avenue.	Procedural.
4	This use Permit will be reviewed by the Planning Commission in six (6) months to determine if the number of off-street parking spaces is adequate for the needs of the club and if the on-street parking situation has improved.	Completed November, 1991.
VAR 1983-08 1	That a written agreement for shared parking facilities with the church at Sunset and Orchard be recorded.	No agreement has been recorded.

CITY OF MADERA PLANNING COMMISSION REGULAR MEETING July 12, 2016

CALL TO ORDER: The meeting was called to order by Chairperson Hutchings at 6:00 p.m.

ROLL CALL

PRESENT: Commissioner Kenneth Hutchings (Chairperson)

Commissioner Jim DaSilva (Vice Chairperson)

Commissioner Ruben Mendoza Commissioner Bruce Norton Commissioner Robert Gran Jr. Commissioner Pamela Tyler

ABSENT: Commissioner Jeff DalCerro

STAFF: Dave Merchen, Community Development Director

Christopher Boyle, Planning Manager

Keith Helmuth, City Engineer Jose Aguilar, Deputy City Engineer Jose Sandoval, Assistant Engineer Brent Richardson, City Attorney Brandi Garcia, Recording Secretary

PLEDGE: Commissioner Mendoza led the Pledge of Allegiance.

PUBLIC COMMENT: None

MINUTES: June 14, 2016

Motion made by Commissioner Gran and seconded by Commissioner DaSilva to approve the June 14, 2016 minutes as amended.

Motion carried unanimously.

CONSENT ITEMS: None

PUBLIC HEARING ITEMS

1. CUP 1962-23, 1989-30 & 1991-13 – Thrive Fitness Revocation

A noticed public hearing to consider a revocation of three existing conditional use permits which cumulatively allow for the athletic fitness club located at 1803 Sunset Avenue. The property is located on the northwest corner of Sunset Avenue and Orchard Avenue in the R3 (Residential) Zone District with a C (Commercial) General Plan land use designation. (APN: 006-182-007).

Commissioner Hutchings noted that we did receive two letters, one which was emailed to the Commissioners and the other that was just delivered to them today. The letters are also available in the back.

Christopher Boyle, Planning Manager presented the item.

Commissioner Gran asked if Mr. Boyle was ever contacted by council. The applicant stated two months ago that he was going to retain council and be proactive in his approach.

Mr. Boyle responded that the applicant's council that requested the continuance never had subsequent follow up with him. Mr. Boyle was then contacted by the new council about 20 days ago and just met with her today.

Commissioner Gran confirmed that they just met today.

Mr. Boyle stated there has been no movement towards a complete application. He has had dialogue with the applicant ad discussed the application and conditions of approval at least once, maybe twice.

Commissioner DaSilva asked what the current CUP is.

Commissioner Gran stated that the three Conditional Use Permits they are operating under now are the three that they are going to be revoked.

Commissioner DaSilva asked if there is a use permit for the massage therapy.

Mr. Boyle stated there are no permits for the sub leased components.

Commissioner DaSilva asked if the upstairs is ADA approved.

Mr. Boyle stated there is not an elevator to provide ADA access. He would have to refer that to the Building Official who is not in the audience tonight. However, he can speak in general on the question, uses on the second floor must be duplicated on the first floor. If there is weight training on the first floor it must also be on the second floor. That makes for equal accommodation for all. If there is an office or a restroom on the second floor there must also be one on the first floor.

Brent Richardson said that for the ADA concerns that can be put in the newer CUP's but that doesn't pertain to the past CUP's and wouldn't be a concern for revocation.

Commissioner DaSilva asked when the permits were pulled for the construction on the second floor.

Mr. Boyle said he went through the building permits earlier that day and....

Commissioner Hutchings asked about Variance 1983-08 on page 8 of the report. It talks about a shared written agreement with the church for parking. Can that be enforced? Can you require someone to negotiate with an adjacent property owner?

Mr. Boyle stated that it is difficult to require someone that is not an applicant within the application to comply with the conditions of approval. In the analysis that may have

been the case in this particular instance. However, there was not an agreement reached and an agreement was not in place.

Commissioner Hutchings said that prior to the meeting he did discuss with Mr. Boyle about the parking requirements and apparently back in 1991 there was not a requirement in the ordinance at that time for facilities such as this and the Planning Commission used their discretion for the judgement of the number of parking spaces that would be needed.

There is no specific call out as it relates to athletic clubs. In advance of the performing arts club the commission adopted by resolution the parking standards discussed in the staff report. That is one stall for every 200 square feet or one stall for every three members and one stall for every two in employees whichever is greater. He doesn't have background with the Planning Commission's rational of the day. The standard parking count in 1991 was one stall for every three hundred square feet which would calculate to 105 stalls. But, it was at the Commissions discretion to make the findings that they did in 1991.

Commissioner Gran said he recalled there was no evidence of impact that is going on today and there were less intensive uses on the property. Also, it was much more spaced out. There was not the same situation when it was reviewed in 1991 as there is today.

Mr. Boyle said that certainly the intensification of the use of the spaces changes the dynamic of the site. You once would have 2 or 4 using the racquet ball courts. Today there are weight training centers in that area that can accommodate many more people.

Commissioner Hutchings asked what the appeal process would be if the Commission chose to move forward with staff's recommendation.

Mr. Boyle said the applicant would have 14 days to appeal the decision of the Planning Commission with the City Clerk. That would be in writing to the City Clerk and with the appropriate fee.

Commissioner Hutchings invited the applicant to step forward.

Susan Treder of Treder land law in Santa Rita, Ca. council for Thrive and Fitness Evolution. She is the council that the applicant retained 20 days ago.

They do strongly feel that given the opportunity they can demonstrate full compliance with every one of the situations. The main problem seems to be the parking situation. They need to be able to know how many members are parking on the street and how many are using the off-site parking. They also need to know if they are at capacity and during which hours does that happen. They have already started analyzing those questions.

They have already started the decal program. Every member will be getting a sticker to put on their car. They also want to have regular employee patrols on the street to determine where the members are parking.

They will also have a complaint hotline. There will be several ways of reporting complaints such as a 24/7 answering service as well as a complaint email address and a text complaint line.

They are in the process of putting protocol in place to deal with complaints. Once they verify it is a member's vehicle. The first violation will be

Penalties for second violation, either monetary or suspension from the gym. And third they will be asked not to attend the gym any longer.

They have also started on the incentive part, this all fits in number two under the condition 1991-13.

She made a point to stay around the gym until 5:30 and the off street parking was only 85% full

On Venturi, there was only one car utilizing the street parking.

She is optimistic that all other items in the matrix can be dealt with. There is not a massage business going on right now. The dance will be out by the end of the month.

There is not a separate permit needed to add dance or anything else recreational. It all falls under the same category in use permits. There are not uses going on that have triggered a permit requirement that has not been given.

The owners have never to her knowledge done anything illegally. They want to make sure they are keeping up with the conditions. There is a gradual intensification of the use.

The question is, how do we best deal with that?

Commissioner Hutchings asked if she could summarize her information in a few minutes.

Mrs. Treder said she would like to invite every one of the Commissioners to visit the gym to see for themselves. This is always going to be a gym and they would like the chance to show it can be operated in a responsible way in the terms of the use permit.

Mr. Richardson said it would need to be an agenda item in order for them to go visit. Even if they did it one at a time.

Mrs. Treder said yes, there would not be a Brown Act violation. They would also like the opportunity to continue to work with staff. She also encouraged the Commissioners not to take action on the revocation. The use permits should not be revoked without due process and allowing them to explore some of their options.

Commissioner DaSilva stated he used to manage the gym for 15 years back in the 80's and they never had a problem with parking or neighbors, anything.

There are now more members than the place can handle. Since the racquetball courts were take out the membership has doubled and they park everywhere. He and his cousin used to go out and pick up trash in the streets after closing. That is not being done. The dropping off in the alley is not going to work either. What about checking in, is there going to be a check in at that door too?

Mrs. Treder said that is an option.

Commissioner DaSilva said that's not going to happen. The sign is not readable because it is too small. Don't just tell the new members about the parking, tell the old

members also. He used to play racquetball until 3:00 in the morning when doors were closed and nobody knew he was even there. If you drive by now at midnight or 11:00 and there is loud music blaring. That needs to be toned down.

Mrs. Treder asked the dates that Commissioner DaSilva was involved.

Commissioner DaSilva stated he was involved from 1984-1998.

Mrs. Treder verified that was during the time when all these parking conditions were put into place. But there were no issues with that?

Commissioner DaSilva confirmed that there were not any issues.

Mrs. Treder asked Commissioner DaSilva if he will be voting on this item.

Commissioner DaSilva said he wasn't sure, and asked if he should.

Mrs. Treder said he has council to advise him on that.

Commissioner Hutchings said they can't help but acknowledge it appears they are making efforts but can't help to wonder if they are doing too little too late. He has seen the signs when he goes for his early morning walks. Mrs. Hill has stated in her letter that the signs have not done any good. So, the signs have been seen but are not effective.

Also, the honking of the horns when people lock their cars is something that we didn't have to deal with in the past years when you locked your car.

It has been his experience when he does his walks in the mornings that it is generally quiet but it only takes one inconsiderate person to mess things up for the neighbors. He also understands the concerns of the people with the loud noises they may be having to deal with at 5:00 in the morning. As an engineer they don't allow construction to start until 7:00 so people can get enough sleep.

Commissioner Gran said there is actually a City Ordinance that states 7:00. He said he would like to commend Mrs. Treater for hitting the ground running and doing what she's done in only 20 days. The problem is not necessarily with her but with her client. That's why she is experiencing the frustration.

Commissioner DaSilva asked if they had considered going from 5:00 in the morning until 9:00 at night like it used to be.

Mrs. Treder said that is definitely one of the things being looked at.

Commissioner DaSilva said if he lived in the neighborhood he would be mad. He would call tow trucks to get the cars out.

Commissioner Tyler said that even though Mrs. Treder was there until 5:30 she didn't see the peak time. On a Saturday afternoon it is horrible, the parking is horrible.

Commissioner Gran said that Madera is a late town. 5:30 may be the National peak time but it's not in Madera. He runs the theater and people like to show up three

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minutes before and wonder why they are sold out. If somebody comes early for a movie it's 15 minutes early.

Mrs. Treder said they want to take that into consideration as well.

Commissioner Gran said he understands where she is getting her information but it's a last minute rush job here in Madera.

Commissioner DaSilva asked what the massage tables were for in the back room behind the fogged windows. The room that used to be the old finger nail place when he was there.

Mr. Chopra said those are for personal training to stretch you out and are not being used for massages.

Sanjiv Chopra from Fitness Evolution addressed the Commission. He has only been in the process for the last 60 days. He said they are already down to 7:00 pm on Saturday and Sunday.

Commissioner DaSilva said he was talking about Monday through Friday.

In 1991 in Madera there was 30,000 people and today there are over 65,000 people. They do a lot for charity organizations and youth sports and contribute to the town. They want to be a part of the community. They want to work with the neighbors.

Commissioner DaSilva asked what the plans are for the neighbors.

Mr. Chopra asked what he meant about his plans for the neighbors.

Commissioner DaSilva asked what they were going to do, are they going to have a neighborhood meeting or bring the neighbors into the gym?

Mrs. Treder said that they have the idea of sitting down with the neighbors and City officials to hear all the neighbor's concerns, etc. They want to be able to hear all the neighbor's concerns.

Commissioner DaSilva asked if they had anything like that in the past.

Commissioner Gran said that Mr. Montoya, according to the neighbors that testified at the last meeting, basically has met with them and nothing has ever become of this. When you throw that out there the neighbors are not going to say, wow.

Mrs. Treder said they have a brand new game plan.

Commissioner DaSilva said the game plan has been going on for nine months.

Mrs. Treder said there is a new driver of the bus and she is very motivated to make this work in very short order.

Mr. Chopra stated that he is also hoping that the hotline and the ability to send an email will allow them to handle situations that come up.

Commissioner Gran asked Mr. Chopra if he was notified prior to his purchase that there was possible revocation.

Mr. Chopra said, no he was not fully aware. There was nothing published when they searched.

Commissioner DaSilva asked what his time line is on this.

Mr. Chopra said it's hard to invest in the business when you are standing here within the first 60 days at a revocation hearing. They have already set time lines with the attorney to at least alleviate some concerns of the neighborhood.

Mrs. Treder said the decal program and complaint hotline along with the incentives will all be in place within the next 30 days.

Mr. Chopra said that all the traffic going through the area is not theirs it's a lot of others as well.

Commissioner DaSilva said the problem is not the people going through the area, it's the parked cars and the people coming and going. 40 miles an hour down the street, honking horns and turning their radios up late at night. Most of the people in the area are elderly and they want to sleep. Most of them are in bed by 8:00 or 9:00 and they are open until 11:00. That's the problem. By the time you're out of there it's midnight.

Mrs. Treder they have a lot more control over their employees than they do the guests.

Commissioner DaSilva said he's heard of parties in the alley during the night. He said he's heard of a lot of things going on there.

Mr. Chopra said that's not going to happen.

Commissioner DaSilva said he's seen a lot of stuff there.

Mrs. Treder said they are looking into security cameras.

Commissioner Mendoza asked about families that have multiple cars and don't put the decals on all their cars.

Mrs. Treder said they will be issuing decals for as many cars as the family has. Whether they put it on or not is up to them.

Commissioner Mendoza asked if there would be an enforcement team out checking.

Mrs. Treder said there will be people checking.

Commissioner Mendoza asked if the individuals checking will be wearing a uniform so they can be distinguished from crooks that are trying to break into cars.

(Mrs. Treder commented but her response was not clear on the recording)

Commissioner Mendoza said this can also create a problem for the residents thinking there is a prowler so the individuals should be identifiable.

Mrs. Treder agreed and stated that right now they have a lot of orange in their uniforms.

Commissioner Mendoza said yes another problem is the horns from the fob. People jump out and click the lock not once, not twice but three times just to make sure it's locked.

Mrs. Treder said yes even she will press the lock a couple times to make sure if she doesn't see the lights flash with the first one.

Commissioner Hutchings stated that it seems to be established that the intensity of the use is such that there is just not enough off street parking and very limited on street parking. It's been indicated you are going to try and discourage the clients from parking in the neighborhoods. When this happens what is the expectation of the company with their customers if there is no parking available. Will they go to another facility? What's expected of them?

Mrs. Treder stated that at some level it's self-correcting. If you miss your class three times or you spend time looking for parking. At some point it ceases to be convenient. These are fitness minded individuals though and it is a little ironic that they would be looking for the closest parking.

Mr. Chopra said that if there's one person

Mrs. Treder stated that this structure and location limits the opportunity to convert it to another use. In some ways the ability to move hours gives them the flexibility they would not have if there was a grocery store or something else in there.

Commissioner Tyler said they will need to build a tight relationship with the neighbors. If there's no support for the neighbors then there will be no support for the gym.

Mr. Chopra said he understands that and extending his hand and putting these things in place.

Commissioner DaSilva asked Mr. Chopra how long he has been there.

Mr. Chopra said since April.

Commissioner asked Mr. Chopra if he had talked with the neighbors since April or if Mr. Montoya has talked with them since April.

Mrs. Treder said no, the answer is no.

Mr. Chopra said it's now a legal aspect just like when Commissioner DaSilva came to the gym, there's issues with Brown Act.

Commissioner DaSilva said he can go to the gym.

Commissioner Tyler said these neighbors have been in their homes for 50 plus years so they're always going to be there.

Mrs. Treder agreed that outreach and trust are the number one priority.

Commissioner DaSilva asked Mr. Chopra who owns the property right now, Mr. Montoya?

Mr. Chopra said he believes so.

Commissioner DaSilva replied, and you own the gym?

Mr. Chopra replied yes.

Commissioner DaSilva asked if Mr. Montoya could come up.

Mr. Chopra said, sure.

Commissioner Mendoza asked if there was a sign in sheet for each member that comes in.

Mr. Chopra said there is a check in.

Commissioner Mendoza asked if there were any incentives when capacity is reached for the member to go to a different gym.

Mr. Chopra said there are other facilities in Madera and there is interest in building more.

Commissioner DaSilva asked if those gyms were as busy as this one.

Mr. Chopra said they are busier.

Commissioner DaSilva said but there is not a problem because there's different parking.

Mr. Chopra said this is a different situation compared to a commercial shopping center.

Commissioner Hutchings asked if there were any other questions.

Tom Frasier stepped to the podium. He resides at 701 Orchard Ave. at the corner of Orchard and Venturi. He couldn't hear everything since his hearing is bad but he can say what he heard sounded like a stall for time.

The club has outgrown the neighborhood by thousands. Mr. Montoya doesn't even know how many members he has as he stated at the last meeting. He gave a number over 3,000. That's great that he's succeeding but he's in a residential neighborhood. His clients have no respect for the neighborhood.

Mr. Frasier said that six years ago his neighbor had a meeting with Gary Svanda, the Chief of Police and whoever else was there. Mr. Montoya gave promises of change then. The more they changed, the more they stayed the same. More people, more issues. The alarms go off and take 20 minutes to be turned off. People park in front of his mail box.

The only way to keep a parking spot in front of your house is to park on the street and force the club members to go somewhere else. The facility is bringing in too many people. The classes are out in the streets running and going up and down the alley. Traffic goes up and down the alley. The kids go down the alley and slam on their brakes

and throw up dust and gravel. He has talked to the managers several times. They tell him they will do something but their only kids themselves and nothing gets done.

A week or so after they met with Mr. Montoya at John Adams back in April he unloaded the club onto someone else. Does he even have a say so in this anymore? He doesn't want to see anyone go out of business but on the corner of Sunset and Orchard is not the place for this club anymore.

Not all the traffic is from those coming out of the club. But when there's people drag racing down Venturi, those are club members. The club members will park lined up on Orchard before they are forced to use the parking lot.

John Evans, 612 Williams Ave. stepped to the podium. One of his main concerns is the alley. Please do not use it for traffic. There are trash trucks and PG&E that use that area also. The other concern is why, do they have to throw 100 pound weights at 5:00 in the morning and 11:00 at night. He also thinks that if they move fire trucks and ambulances out of the area there would be room for more parking. He has even seen an ambulance parked in the alley feeding the Zumba class with music. The noise and the trash are his concerns.

Roger Harper, 1809 Venturi Ave. addressed the Commission. He thinks they have been given enough time and the new gentleman needs to spend his money somewhere else. He needs to find another place. The noise and the traffic is a devaluation to their property.

Mary Arredondo, declined to give address but lives in front of the club. She has lived in her house for 38 years. She thought when she retired it would be nice neighborhood. She has had so many cars parked in front of her house which is ok. However, once she came out to a car parked half in front of her mailbox. The person was coming out of the club and she asked them not to block her mailbox. The next morning her daughter's car window was broken from a piece of cement. She has picked up garbage, beer bottles and cans. The neighborhood is not the same, she doesn't even come out at night anymore.

The lights on her fence were ripped off, and all of this in the last few years. If she does go out front to water there's men walking from the club through her yard. She's afraid that someone may come into her house or something.

The decal thing, if someone asked her to put it on her car she wouldn't. The neighborhood used to be a nice neighborhood but now it is not because of the club.

Commissioner Mendoza asked if she has witnessed any tail gate parties in front of her house or near it.

Mrs. Arredondo said she has seen men hanging out.

Commissioner Mendoza asked if they were from the club.

Mrs. Arredondo said yes.

Commissioner Hutchings asked if anyone else would like to address the Commission.

Cynthia Hurenkamp, 1812 Venturi Ave. wanted to add a couple of things. She wanted to agree with the fact that they had heard this before and that Commissioner Gran had said he expected a nice tidy package. She presented a flyer she received inviting people to join the club.

Commissioner DaSilva said he received the same flyer.

She said she didn't have a nice tidy package but she did have the flier to join. They are spending money advertising inviting people to join and inviting more people into the neighborhood instead of providing security. People were witnessed partying and tail gating until 12:30 this morning. The headlights were beaming right into her home.

Commissioner Mendoza asked Mrs. Hurenkamp to address the Commission and not the audience.

She thinks the protocol for complaints is a good idea. However, she also looked up Evolution on the Better Business Bureau and they have an F rating. These are the people we are supposed to reach out to. The report card without even starting is already an F. Also, please no more traffic in the alley.

She also wanted to add that the last person spoke about being afraid and her own daughter is afraid. Cynthia asked that for safety sake do something about this situation. She thanked the Commission and stepped down.

Commissioner Gran asked if there was anyone else that would like to speak.

Commissioner Hutchings closed the public hearing and returned the matter to the Commission for further discussion and action.

Commissioner wished to add his comments and said that when Commissioner DaSilva noted what they used to do when he was involved in the gym and the things he did to keep the neighbors satisfied he noticed there were nodding heads in the audience so it does appear that to some extent it could work or that it did at one time. However, that has not happened for a while.

Commissioner DaSilva said the problem is that back then it was a family owned business and they took pride in it. Today the gym is a corporation. It's a numbers game.

Commissioner Tyler said she personally would not like a gym in her neighborhood. The police department would dislike her because she would be on the phone every day. It is heartbreaking for your children or you to be scared to step out of your house. Even to leave your daughters at home when you go somewhere because there are bad people out there. Not to say anything bad about the gym but you should be there at 11:00 at night when the guys are coming out and partying with the girls. There are legit complaints and she totally agrees with them.

Commissioner DaSilva said he gets pretty upset about the situation because it was an awesome gym back in the day. The property owner doesn't even want to come up and talk to explain things. That's a big 'X' to him right there.

 Mr. Richardson reminded the Commission to keep in mind what they are considering tonight.

Commissioner Mendoza asked to throw in his two cents. He thanked Sophie for her presentation and ideas. However, after hearing complaints from several residents in the area there's a failure here in thinking about the community as it has progressed from a family owned business to a corporation. They have had 9 months to do something and hasn't. Now, at the 11th hour someone put on a great presentation but it's a little too late. It's just not going to work. Were too far into non-compliance regarding the club.

Commissioner Gran said that 60 days ago he purposely tried to tell Mr. Montoya to come back and give us a work around. He didn't hit the ground running. Commissioner Gran said he's not sure what happened. The lawyer didn't get involved until the 11th hour and she's doing a great job trying but it's too little too late. As much as he doesn't like the word revocation he doesn't see anything else at this point.

Commissioner Hutchings said he would entertain a motion.

Commissioner Gran made a move to approve Motion 1 with the findings as stated. The motion was seconded by Commissioner Tyler.

The motion was carried unanimously, 5-0.

2. CUP 2015-26 MOD & SPR 2016-27 - Madera's Finest Car Wash

A noticed public hearing to consider an amendment to an existing conditional use permit and site plan review to allow for a car wash and auto detailing business. The site is located at the southwest corner of East 6th Street and South E Street in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-152-007).

Christopher Boyle requested a continuance until the August 9th, 2016 Planning Commission meeting in order to allow the applicant, staff and the property owner to continue to consult.

Commissioner Gran confirmed with Mr. Boyle that there has been progress made.

Mr. Boyle stated that staff is confident that we will have positive results in the next 30 days.

Commissioner DaSilva confirmed this site is located next to the used car lot.

Commissioner Gran said yes, next to the rail road tracks.

Commissioner Hutchings noted this was advertised as a public hearing and questioned if they should accept testimony.

Mr. Richardson said they could just continue the item until August 9th.

Commissioner Gran made a move to accept Motion 2 to continue the application to the August 9th, 2016 Planning Commission hearing. The motion was seconded by Commissioner DaSilva.

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The motion was carried unanimously.

3. CUP 2016-09, 10, 11 & SPR 2016-20 - Madera Commerce Center

A noticed public hearing to consider an application for three conditional use permits and one site plan review to provide individual allowances for automotive repair as part of the remodel and repurposing of the former Madera Tribune newspaper building. The project site is located at the southeast corner of South E Street and East 7th Street in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation.

Christopher Boyle, Planning Manager presented the item.

Commissioner Hutchings invited the applicant to step forward.

Ubaldo Garcia stepped to the podium. He is a general partner and the project architect, he lives at 156 Asilomar Dr. in Madera. He is proud of this project, not only because he owns it but because it could set a trend of what other buildings in the City could do. He has no problem with staff either approving or denying sales of merchandise. They are looking to focus more on the commercial sale vs. the retail portion. However, they don't want to shut themselves out from anyone that wants to have a small office where they can take clients.

They have addressed the parking issues and are planning on having an automatic gate. They will work as they go on the opening and closing of the gates.

Commissioner Hutchings asked if he has read and approves all the conditions of approval.

Mr. Garcia stated he has and is in agreement.

Commissioner Tyler asked if Mr. Garcia foresees excess traffic.

Mr. Garcia said that traffic is horrible there and he has been talking with Engineering regarding the new ADA ramp he is having to put in. He said he loves the traffic that Evan's generates but it's a tough corner.

Commissioner Hutchings asked if there was anyone else that would like to address the Commission.

Roger Evans of 1817 Venturi Ave asked about the zoning. He thought the area was zoned Light Heavy Industrial, has it changed to Commercial?

Mr. Boyle said he's not certain about the exact zoning for Evan's but he can pull it up quickly. The Madera Tribune site would have been in a Heavy Commercial Zone. The area had once been an Industrial Zone District because of the rail spurs and its proximity to the railroad. However, today the rail road doesn't stop in the City. That area of the community per our General Plan is being converted into a Commercial designation. As part of the Zoning update you will not see any Industrial designations on either side of the Union Pacific Railroad. It's no longer Industrial property. Its highest and best use is Commercial.

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Commissioner Gran asked if Evan's would then fit into that area or if they would have to be grandfathered in?

Mr. Boyle stated that a feed store as it focuses on 'store' fits into a Commercial designation. It actually fits less into the Industrial classification than the Commercial classification. Industrial is more manufacturing, assembly and warehousing types of uses today. In the future the commercial designations will best reflect the activity on the site which are largely retail in nature.

Commissioner Gran verified with Mr. Evans that he was noticed about the meeting.

Mr. Evans confirmed he was noticed.

Commissioner Gran said ok, that's all that is required. He understands that back in the day people used to sit down, have a cup of coffee and say they were thinking about becoming their neighbor. In the society we live in today, it doesn't quite happen that way.

Mr. Evans said the traffic on E Street runs way too fast. There's no crosswalks even though they've asked. There's safety issues with the speed limit that was raised by 10 mph.

Commissioner Gran asked Keith if he would like to speak about the concerns.

Keith Helmuth, City Engineer stated that there have been comments come through in the last few years about speed limits through the area that are set by the State. I has been some time since he checked for accidents. However, here was no record of accidents there the last time he checked. He can check it again. Typically, crosswalks don't necessarily make walking safer. When there's a lack thereof people tend to look better before they cross the road. They do not install crosswalks without the area meeting certain criteria. That location has not seemed like a reasonable location for a crosswalk.

He's not aware of a flood issue but it may exist. He's not aware of specific detailed flooding where it threatens the buildings. However he is hearing it does enter the building. If it goes onto the ramp that is an ADA issue. He asked how bad the flooding gets.

Mr. Evans stated they took a \$16,000.00 loss due to the flood issues one year.

Mr. Doud from the Madera Tribune said one of the years they were in the building they had two inches of water in the press room. He noted they still got the paper out on time.

Mr. Helmuth stated he would ask Public Works to go out and look at the drop inlet. Quite frankly, some of the improvements that come out of the Master Plan to address areas of drainage on paper probably aren't funded as of yet and we would have to get back to you. It's not a good answer, but...

Mr. Evans made a comment but it was not picked up on the audio.

Commissioner DaSilva asked about putting in a stop sign going south on E Street.

Mr. Helmuth noted that everything that is done is based on warrants. Installing stop signs without a warrant can lead to other types of accidents such as rear end accidents.

Commissioner DaSilva said that Mr. Evans crosses the street probably a couple hundred times a day because his yard is on the other side of the street.

Mr. Helmuth said one of the most difficult conversations that he has is about crosswalks. He looks for a reason to say the crosswalk will actually make it safer. Generally the world thinks that a crosswalk is going to make it safer. He will do a little bit more review with the location. He can meet with Mr. Evans separately and discuss the issue.

Mr. Evans made a comment again but it was not detected by the audio.

Mr. Helmuth noted that whatever he does is based on national standards and warrants. He very much tries to avoid doing anything based upon fear of what might happen. His documentation shows that what he does could result in somebody being hurt. For a two lane road way such as the one we are talking about right now, generally speaking you would have about exactly what you are talking about now if a crosswalk was installed.

Commissioner Gran said he always thought stop signs and crosswalks were a good idea.

Mr. Helmuth said it could be under the right circumstances.

Commissioner Hutchings said that he has had prior experience in Mr. Helmuth's position and he concurs with everything that he says. He's glad to see Keith taking it seriously. As an Engineer, he notices down Yosemite all the crosswalks for the High School. In the morning sometimes there is shad over the crosswalks and they are not visible to motorists. They are visible to pedestrians but it just creates a false sense of security. Putting a couple of lines for a crosswalk will not enhance the safety.

Commissioner Gran noted that there is definitely a drainage issue and a traffic issue that will be looked at further. He asked Mr. Evans if there was anything else he would like to bring up as the neighbor.

Mr. Evans didn't have anything else.

Mr. Garcia stepped to the podium again and stated that he thought the lack of a parking lot at his site might be causing the issue for Evans. Maybe when somebody is driving a 20 foot truck with a 30 foot trailer coming to pick something up. A loading zone may be an option. Mr. Evan's is using the sidewalk at his building for an unloading dock. He's a believer in street parking. Mr. Evan's has a lot of clientele but there's not a parking lot. Maybe he could consider having some kind of a loading area within his property.

Mr. Evans noted that RDA appraised the site with a value that has not allowed them to make any improvements.

Commissioner Hutchings thanked everyone for their comments and returned the matter to the Commission for further action.

Commissioner Gran made a move to approve Motion 1, seconded by Commissioner Tyler.

The motion was carried unanimously 5-0.

NON PUBLIC HEARING ITEMS

1. CUP 2015-21 & SPR 2015-25 - Whole Body Bootcamp

A review of the performance of conditional Use Permit 2015-21 allowing for a training fitness facility, consideration as to whether a revocation hearing is appropriate and setting of such hearing if necessary. The site is located at the southeast corner of South Pine Street and Maple Street in the I (Industrial) Zone District with an I (Industrial) General Plan land use designation (APN: 012-230-021 & 022).

Christopher Boyle, Planning Manager presented the item.

Commissioner Gran asked how this would affect the PAC. He noticed some of the fire department things are a safety issue. They don't have panic hardware or emergency lighting.

Mr. Boyle said that is correct, when there's two uses there has to be two exit strategies. The PAC really only needed an exit out towards the Maple Street frontage. Additional improvements were added when the extra use was added.

Most of the off-site improvements have been done. There were some scary on-site improvements. The ADA path of travel was behind the parking stalls which is an absolute no. One of the conditions was to redefine the path of travel so it is consistent with the Americans with Disabilities Act.

The PAC noted that as their students get older they would like to include Zumba or Whole Body Boot Camp. Staff recommended they could do so with an amendment to the use permit. He hasn't had any follow up dialogue with the owner of the PAC Studios and isn't sure if the outdoor activities are a reflection of PAC Studios or Whole Body Boot Camp especially when there is a mixed message on social media.

Commissioner DaSilva said he only sees them walking up and down Pine Street every morning.

Commissioner Hutchings thanked Mr. Boyle for his report.

Commissioner Gran made a move to approve Motion 1 to schedule a public hearing to consider revocation of CUP 2015-21 at the August 9th, 2016 Planning Commission regularly scheduled meeting, seconded by Commissioner DaSilva.

Motion carried unanimously 5-0.

ADMINISTRATIVE REPORTS

Commissioner Hutchings asked if there were any Administrative matters from City Staff.

Mr. Boyle noted the trees at Madera Marketplace are coming into place. There's multiple City departments that are collaborating with the property management firm as well as the tree business in making sure it gets done.

PC 07/12/16

Commissioner Hutchings said it has been noted.

Commissioner Gran asked how much longer on Schnoor.

Mr. Helmuth responded but it was not picked up on the audio.

Commissioner DaSilva asked how far down Schnoor they are going.

Commissioner Hutchings asked how much longer, will Central be off limits.

Mr. Helmuth said about a month or so.

Commissioner Hutchings asked if there were any matters from the Commission.

There were none.

The meeting was adjourned t 8:34 p.m.

Planning Commission Chairperson

Brandi Garcia, Recording Secretary

Correspondence

Lawrence F. Lihosit 2720 Holiday Way Madera, CA 93637

Honorable Mayor Robert Poythress and Madera City Council 205 W. Fourth Street

RE: Appeal of Thrive Fitness CUP Revocation/CUP 1963-23

September 13, 2016

Madera, CA 93637

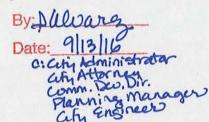
Dear Honorable Mayor Poythress and City Council:

I urge you to grant the appeal of CUP 1963-23 and permit the continued operation of the gym located at 1803 Sunset Avenue. For more than a half century it has offered unique facilities and services to our community which have facilitated camaraderie and good health. The facilities include top-rate weight lifting equipment, martial arts equipment, dance studios, state-of-the-art stationary bikes and epllipticals for aerobic training, racquetball courts and an Olympic size pool. Services include massages, dance classes, pool exercise classes, stationary bike classes, the availability of personal trainers and meeting areas to socialize. No other facility in Madera offers this array.

During the past two decades it has been my pleasure to keep fit alongside many Maderans. We have grown old together. Over a dozen of these acquaintances are now over 75 years of age but still mobile, thanks to exercise. In addition, I have made the acquaintance of younger people, many of whom suffered from obesity and associated medical conditions like high blood pressure, high cholesterol and diabetes. Some were recuperating from accidents and/or surgical procedures. The availability of the gym facilitated what many might call miracles: a man fitted with an artificial hip at the age of 56 who went back to work and now walks without a limp, a woman who lost an eye, had a metal rod placed in one leg and another in her back who also returned to work, and another woman who was limited to a wheelchair, speechless after a stroke who relearned how to walk and talk. There are many more examples of people who have lost incredible amounts of weight permitting them to decrease or totally discontinue medications.

The electronically posted Planning Commission Staff Report emphasized parking standards, while one attached letter from a neighbor claimed vehicular and pedestrian safety concerns. Unfortunately, the staff report includes no real analysis of the problems claimed. There are no photos taken on an hourly basis, no traffic counts, no mention of on-street parking and no accident reports. After more than 20 years I can report that the gym morning peak hour is 9 to 11:00 a.m. while the evening peak hour is 6 to 8 p.m. which correspond to classes offered at the gym. These peak hours do not coincide with the Sunset Avenue peak hours which means that the gym has no significant effect upon traffic. Likewise, there is never double parking within public right-of-way.

City of Madera City Clerk



The provided parking lots and on-street parking suffice. Staff insists that on-street parking is not allowed. In fact, it is public right-of-way and by definition, public parking is permissible. To my knowledge, there have been no vehicular or pedestrian accidents during the past five years attributable to gym members arriving or departing. It is time to either grant a parking variance, change an obsolete code, or create a parking overlay zone (like the Council has done for the downtown).

This business establishment offers a unique combination of facilities and services which helps our community maintain good health as well as a gathering place to cultivate friendship. It poses no threat to public safety. In fact, Thrive Fitness improves our collective health and welfare in compliance with the City Council approved 2025 Vision Statement and the General Plan (goal HS-2).

Please attach this letter to the appropriate public record of this meeting. Thanking you in advance for your consideration,

Sincerely yours.

Hurrena T. Detrost

CC: Chris Montoya, owner of Thrive Fitness Thrive appeal ltr

RECEIVED

City of Madera City Clerk

9/9/2016

...

Cynthia & Gerrit Hurenkamp 1812 Venturi Ave Madera CA 93637-2903

Madera City Council 205 W. Fourth St. Madera, CA 93637 Date: 9/13/16

0: City Attorney
Comm. Dev. Dic.
Planning Mgr.

Dear Councilmembers,

On September 21st 2016 you will be asked to make a decision regarding the appeal of the revocation of the conditional use permits of Thrive Fitness by the Planning Commission. "Thrive Fitness" is an athletic club located at 1803 Sunset Ave in Madera; it is sometimes also referred to as "Fitness Evolution" or "CrossFit Madera". The zoning map, as published on the City of Madera web site¹, shows the athletic club located in an R3 zoned area entirely surrounded by an R1 zoned area; see below for a map detail. As residents of this neighborhood we would like to pro-



vide you with some pertinent and historic information that may be helpful in making this decision.

While an R-zoned area is in principle intended for residential use, the Madera zoning ordinance allows uses other than residential in an R-zoned area, "provided such additional uses are similar to those men-

tioned and are, in the opinion of the Planning Commission as evidenced by resolution of record, not more obnoxious or detrimental to the welfare of the community than the permitted uses specifically mentioned for the respective zones"². Under this "not more obnoxious" doctrine, the original athletic club at

http://www.cityofmadera.ca.gov/wp-content/uploads/2016/04/Zoning_Map_042016.pdf

² http://www.amlegal.com/codes/client/madera_ca

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this location was given a set of conditional use permits under which it was allowed to operate in this residential zone. This worked well for quite some time.

However, over the last couple of years many changes to the operation of the athletic club have been made. Most significantly, racquetball, basketball and handball courts have been removed and have been replaced with individual exercise machines, weight training stations and dance rooms. This resulted in a markedly higher number of club members using the facilities concurrently. Confirmed by statements made by the club's representative - Mr. Christopher Montoya - during previous Planning Commission meetings, the number of active members ("over three

thousand") more than doubled compared to the membership several years prior ("less than 1,500"). That is probably an understatement; based on simple observation of the number of members coming and going, the volume in all likelihood has more than quadrupled. The club did not modify the its facilities to support this dramatic increase in usage. As a result:

Members are utilizing areas outside of the athletic club, such as the alley behind the athletic club, the road in front of the athletic club and lawn of the church opposite the athletic club to perform warm-up exercises, such as running and stretching. Conversations between members also take place during warmup, often at shouting levels. This causes noise pollution at all hours of the day but especial-



ly in the late evening when people want to sleep, as neighboring residents' bedrooms face the alley and the church lawn. Note that the opening hours for the club are 5:00am – 11:00pm Monday through Friday. In addition, the use of the roads as training ground after dark creates dangerous traffic situations. Photos to illustrate these issues as early as August 2015 are enclosed. Since both Mr. Montoya and his lawyer have commented in planning commission meetings that such use has since been stopped, a very recent video (August 29, 2016) illustrating that this use is still ongoing has been enclosed as well. The video can also be viewed online³.

When the club is filling up in the early evening, mechanical ventilation cannot keep up
and members open the club's backdoors to let in fresh air. Unfortunately, this further
increases the noise levels as music from dance classes and the thumping of dropped
weights now gets out.

³ https://drive.google.com/file/d/0B2m317P6dXfjck9jbXA5Q055RTg/view

. . .

 Without enough parking spaces on club grounds, club members have no choice but to resort to using street parking resulting in bumper to bumper parking on both sides of



the street in all neighboring residential streets. Club members park their cars in front of residences without consideration, blocking fire hydrants, mail boxes and drive ways alike. Parking on corners is also common, creating dangerous traffic situations that have resulted in accidents. When club members are asked by residents to move their vehicle away from driveways, residents at times are treated discourte-

ously and some have had their property vandalized in retaliation. The use of street parking is specifically disallowed by the conditional use permits.

- Club members take shortcuts to their cars through neighboring residents' properties resulting in trampled vegetation and broken sprinkler heads. Again, requests to refrain from doing this are met with hostility and aggression. Some club members appear to feel entitled to this behavior and are definitely not behaving as guests.
- Arriving and departing club members dart in and out between parked cars and jay walk, causing dangerous traffic situations.
- Arriving and departing cars contribute to a traffic jams which in combination with speeds well in excess of the 25mph residential speed limit have already resulted in several accidents. Residents at the crossing of Orchard and Venturi Avenue have had to put in large landscaping boulders in their front yard for fear of cars careening into their living room.
- Club opening hours are 5:00am 11:00pm Monday through Friday with somewhat reduced hours during the weekend. Despite the club thus open well outside of daylight hours, there is no security. In fact, the parking area is often not even lit. This offers a great opportunity for criminal activity and, indeed, the parking lot has seen seven (7) reported and several non-reported vehicular break-ins this year alone, some of which involved multiple vehicles. The criminals attracted by this opportunity unfortunately do not limit themselves to this parking lot but also venture out into the neighborhood. Residents have observed and reported (attempted) mail theft, burglary, stolen property, canvassing of alleyways, and confrontations with such loiterers. We have personally called in several of these vehicular burglaries.

 Since the parking lot is not restricted or closed off after hours, drug dealing in the parking lot is a regular occurrence, has been reported and has been mentioned during a

neighborhood watch meeting. Several times a month, overnight guests camp out in their vehicle and use the nearby shrubbery as a toilet. Selling of stolen property also occurs and when this activity is interrupted sometimes results in the recovery of the loot, as shown here. This was handed over to the police.



- Some club members drop trash
 in the parking lot which is rarely cleaned up and often blows into neighboring properties.
- Neighbors can "enjoy" the sound of car alarms, the thunder of "upgraded" mufflers on passing cars, and the beeping of dozens and dozens of cars being locked on a daily basis.
 The noise level is such that dinner conversation is interrupted several times, every day.

Despite the fact that the club has already expanded its membership dramatically, Mr. Montoya explained to the Planning Commission that a further increase in membership was needed to make the club financially viable. Indeed, the athletic club is aggressively soliciting new members with flyers for \$9.99 a month memberships distributed widely, thus creating an even worse situation. We have included several examples spread out through 2016.

Initially, Mr. Montoya was approached by residents with these issues individually. Promises to fix things were made but little resulted from this. For instance, rather than upgrade the overtaxed mechanical ventilation system, club staff would be instructed to keep the back doors closed. This would work for two days after which the doors would be open again. In September 2015, residents had enough, got together and decided to send a delegation to the City of Madera, initially to the Redevelopment Agency, who referred to Code Enforcement and Planning. A presentation on October 5, 2015 detailed how the athletic club operation was threatening the safety, peace, comfort and general welfare of the residents. A copy of this presentation is enclosed. After validating the concerns through Code Enforcement, the City of Madera facilitated a meeting between the athletic club and the neighborhood to discuss the issues on March 3, 2016. Neighbors were invited by Mr. Montoya and the meeting was hosted by mayor Poythress at John Adams elementary school. A copy of the invitation has been included. Due to the school schedule, the meeting had a strict one-hour time limit. Of this allotted time, 15 minutes were taken by city officials for introductions and process / policy explanations, 35

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minutes were taken by Mr. Montoya explaining to the neighborhood what a tremendous asset the club was to the city and how it provided jobs, health benefits and charity and a scant 10 minutes was available to residents to air their grievances and that only after Mr. Poythress re-

peatedly asked Mr. Montoya to actually listen to the residents. Despite many promises, not a single structural solution resulted from this meeting even though residents made several sound suggestions.

Rather than enforce the use of the parking area, signs were placed to remind members to use the parking lot but giv-



en the many vehicular burglaries, few members heeded this suggestion. A picture of such a sign can be seen above. Note the request (item 4 on the sign) to keep the parking lot clean with the trash visible in the background for an idea of the effectiveness of these signs. Other actions taken by Thrive include putting flyers to members on the reception desk and posting flyers on the entry door. Unfortunately, these again were suggestions only and not club rules that could and should be enforced.

Code Enforcement has inspected the operation of the athletic club and found the club in violation of nearly half of the requirements in the conditional use permits (44%). Despite several deadlines, no timely action was taken to bring the club into compliance with the existing permits and no new permit application was filed for the operation as it currently exists. Code Enforcement / Planning therefore requested the Planning Commission revoke the conditional use permits, referencing a detailed report of witnessed code violations. At every turn, Thrive Fitness delayed this review process with last minute lawyer appointments while doing absolutely nothing to address the actual problems. Residents attended the Planning Committee meetings and spoke to the grave consequences of the club's operation on the neighborhood's welfare as well as to the club's strategy of continuously promising improvements but failing to ever deliv-

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er on these. Entirely in character, the improvements promised by Thrive Fitness" lawyer during the last Planning Commission meeting have not been implemented.

Comments have been made that the club provides jobs and that its members believe the club offers an important service to them. However, neither should have an impact on the decision to revoke conditional use permits for this location. If the athletic club had limited upgrades to its facilities to comply we the <u>pre-existing</u> conditions of the conditional use permits, the revocation would not have happened. If the club would have applied for a new permit and actually worked with Planning on acceptable use conditions, the revocation would not have happened. If the club had moved into a better suited facility at a different location, the revocation would not have happened and the jobs would have moved with the facility and the exact same member services would still be made available. There are other athletic clubs in town that can oper-



ate successfully while meeting current, far more restrictive conditional use permit requirements than those imposed on Thrive. Maybe the club should have had the interests of its employees and members at hearth when deciding to ignore the conditional use permit requirements and every deadline set by the city to comply with them.

As residents, we are at the end of our rope. We would like to live in our neighborhood in peace and not in fear. In fact, the purpose of a City of Madera zoning ordinance is defined as "to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, peace, comfort, and general welfare, and to provide the economic and social advantages resulting from an orderly planned use of land resources".

Currently, the operation of the athletic club severely interferes with safety, peace, comfort and general welfare of the residents of the area directly surrounding the athletic club. Residents are

scared to leave their residences at night, are regularly confronted with thuggish or outright criminal behaviors, have trouble sleeping, and are afraid to have their property stolen or vandalized. Thrive Fitness has repeatedly demonstrated to have no real interest in alleviating the negative impact of its operation or even abide by the basic requirements of its conditional use permits and, as area residents, we therefore ask the city council to revoke the conditional use permits of this club with immediate effect in order to restore the safety, peace and welfare in the neighborhood to levels that can be enjoyed elsewhere in the city.

Sincerely,

Cynthia and Gerrit Hurenkamp

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Encl.: Copy of neighborhood meeting invitation

Copy of invitation for meeting at John Adams elementary school

Copy of agenda for meeting at John Adams elementary school

Copy of initial presentation made by residents to the City of Madera

Copy of photos illustrating the level of street parking

Copy of photos illustrating the use of non-club land for club activities

Copy of flyers soliciting additional members

Printout of club opening hours

Copy of photos showing the lack of parking lot illumination

YOU ARE INVITED TO A NEIGHBORHOOD MEETING

WHAT: GATHERING TO DISCUSS IMPACT OF THRIVE ATHLETIC CLUB COMMERCIAL OPERATION IN OUR COMMUNITY.

WHEN: TUESDAY, SEPTEMBER 22ND - 6:30-7:00 PM

WHERE: SOUTHWEST CORNER OF VENTURI AND ORCHARD

WHO: THIS QUICK GET-TOGETHER IS BEING CALLED BY CONCERNED CITIZENS WHO WISH TO ENHANCE THE QUALITY OF LIFE IN OUR QUIET COMMUNITY, AND ARE PREPARING A PLAN TO MEET WITH CITY COUNCIL TO DISCUSS SOLUTIONS. ANYONE WHO WOULD LIKE TO HAVE INPUT IS WELCOME TO STOP BY SO WE CAN MAKE SURE YOUR FEEDBACK IS INCLUDED.

THANKS AND HOPE TO SEE YOU THERE!



Dear Neighbor,

Our community is of the utmost importance to us. We understand there have been some concerns regarding our business and would like the opportunity to discuss our plans to continue toward a resolution.

Please join us for a community meeting:

Thursday, March 3, 2016

John Adams Elementary School

1822 National Ave, Madera

Multi Purpose Room

6:30-7:30pm

We look forward to working together for the best interest of our community.

In health,

Christopher Montoya

President

Thrive Fitness Group







Agenda

Meeting between Thrive Fitness and neighboring properties

Objective: Converse on ways to improve the Neighborhood

Date:

March 3, 2016

Time:

6:30pm-7:30pm

Location:

John Adams Elementary

Items:

- 1. Presentation by Thrive Fitness
- 2. City of Madera Police Department
- 3. Comments from elected officials
- 4. Questions or concerns

Other Notes:

Meeting is scheduled for exactly one hour. Please reserve questions until the end of the meeting so that all presenters may speak.



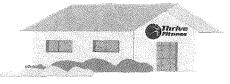
Help Us Show Courtesy to Our Neighbors

- 1. Do not block driveways. Even partially blocking a driveway is prohibited. You could be ticketed for this so beware
- 2. Do not block walkways to homes front door.
- 3. Do not block mail boxes.
- 4. Try to use our parking lot first please.
- 5. Please help keep the neighborhood clean by not littering.
- 6. Please be courteous regarding noise levels (stereos, alarms & horns).

We Believe We Have the Best Members Lets Show it by Helping Keep the Neighborhood Clean & Quiet and Not Impacting Our Neighbors.

Thank You, Christopher & Staff





PROPOSED AGENDA CONCERNED CITIZEN MEETING

- CONDUCT INTRODUCTIONS
- REVIEW BACKGROUND
- EXAMINE CURRENT STATE OF AFFAIRS
- DISCUSS OPTIONS/SOLUTIONS/MEASUREMENTS OF SUCCESS
- DEVELOP ROLES/TIMELINES/RESPONSIBILITIES
- SCHEDULE FOLLOW-UP MEETING TO REVIEW PROGRESS

INTRODUCTIONS



BACKGROUND

YOU ARE INVITED TO A NEIGHBORHOOD MEETING

WHAT: GATHERING TO DISCUSS IMPACT OF THRIVE ATHLETIC CLUB COMMERCIAL OPERATION IN OUR COMMUNITY.

WHEN: TUESDAY, SEPTEMBER 22ND - 6:30-7:00 PM

WHERE: SOUTHWEST CORNER OF VENTURI AND ORCHARD

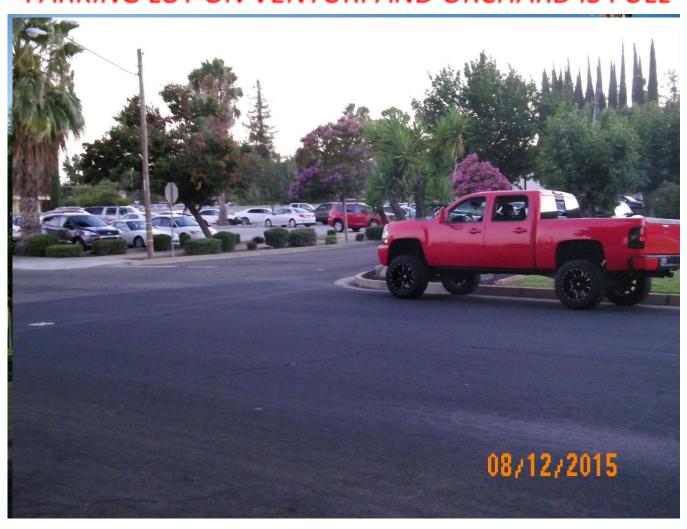
WHO: THIS QUICK GET-TOGETHER IS BEING CALLED BY CONCERNED CITIZENS WHO WISH TO ENHANCE THE QUALITY OF LIFE IN OUR QUIET COMMUNITY, AND ARE PREPARING A PLAN TO MEET WITH CITY COUNCIL TO DISCUSS SOLUTIONS. ANYONE WHO WOULD LIKE TO HAVE INPUT IS WELCOME TO STOP BY SO WE CAN MAKE SURE YOUR FEEDBACK IS INCLUDED.

THANKS AND HOPE TO SEE YOU THERE!

BACKGROUND



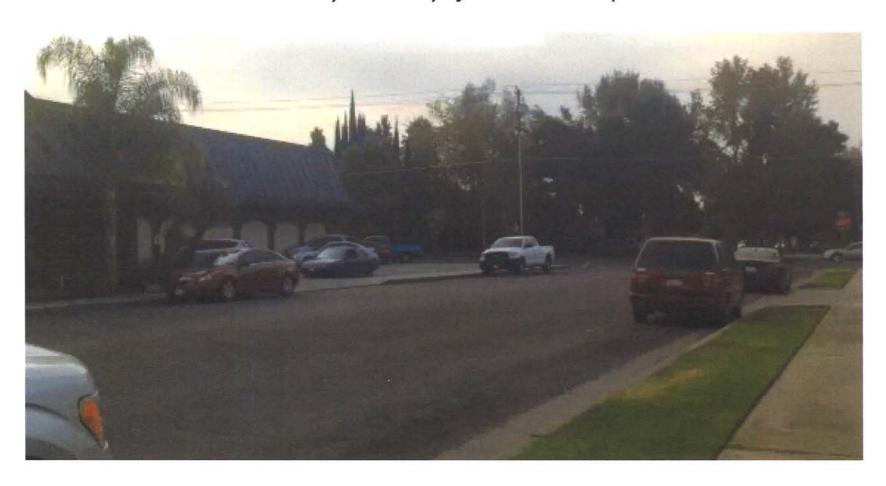
TOO MANY CARS PARKED ON THE STREET – WHETHER OR NOT THE PARKING LOT ON VENTURI AND ORCHARD IS FULL



Drivers CANNOT see around parked cars to enter the street from Sunset, Orchard, Venturi, Accornero and or Williams. They must unsafely enter into the intersections posing an extreme hazard.



Drivers CANNOT to exit any driveways for all the cars parked on the street.



Guests park in front of our mailboxes, block our walkways and our own parking spaces in front of our houses.



THERE ARE TOO MANY CARS for this facility to handle.



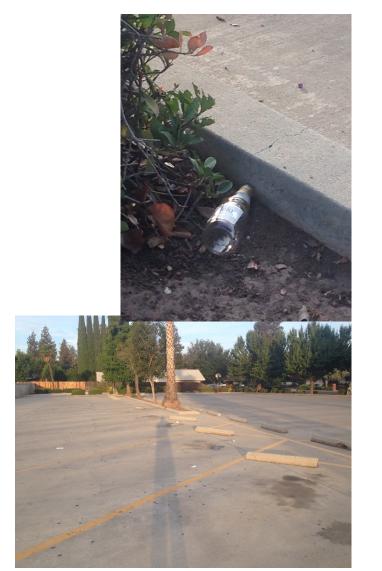
PARKING LOT MANAGEMENT

LITTER











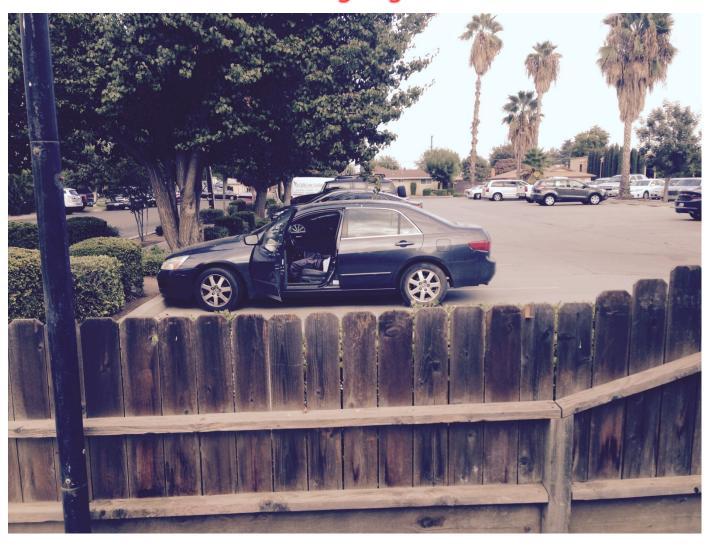
PARKING LOT MANAGEMENT

Stolen jewelry found in parking lot.



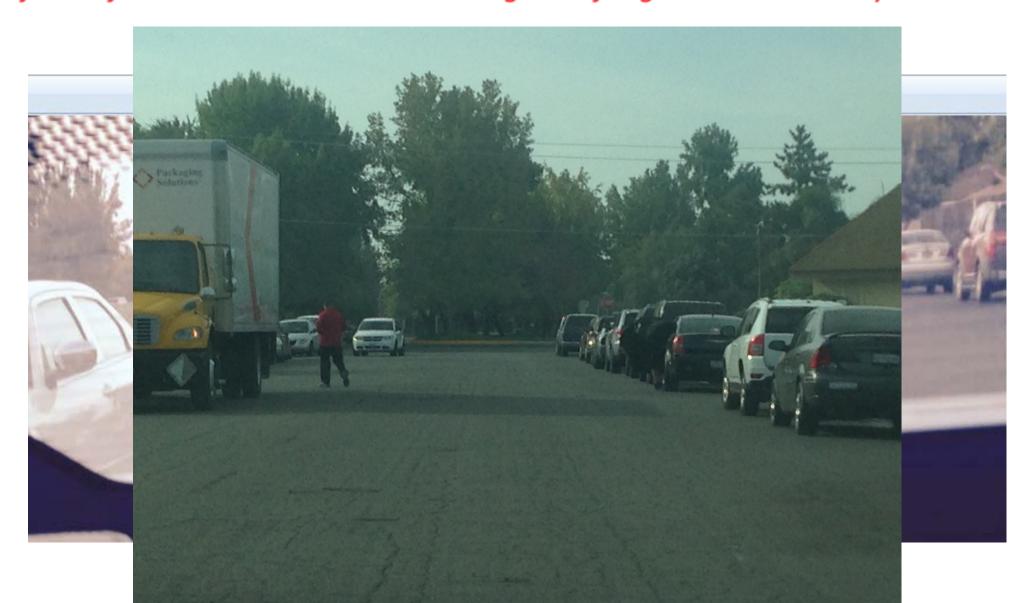
PARKING LOT MANAGEMENT

Overnight guests



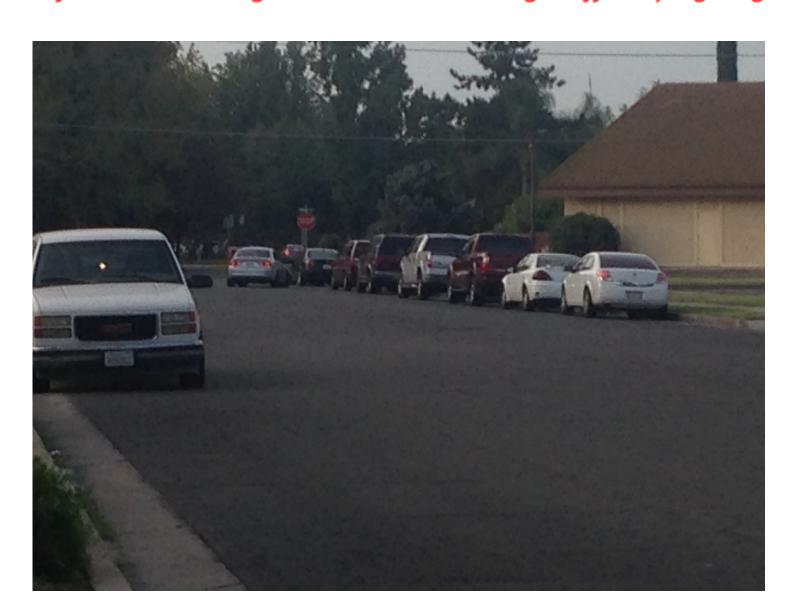
TRAFFIC

The front of the club has become a loading zone for guests and delivery drivers



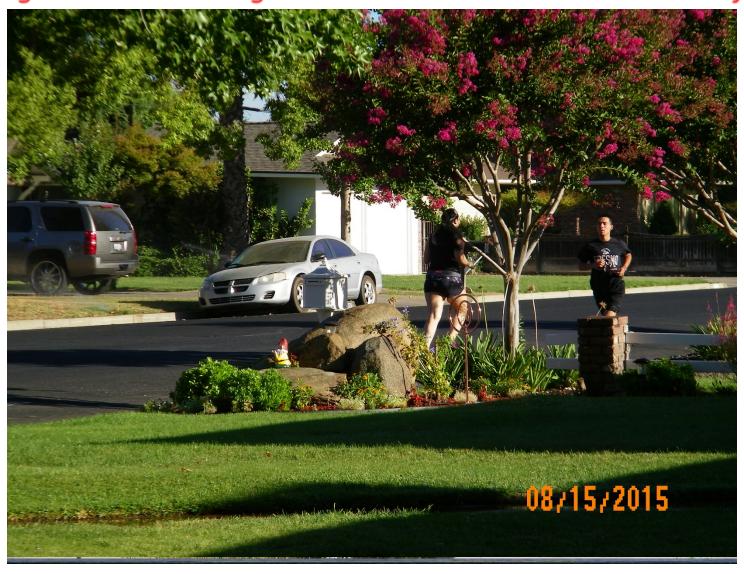
TRAFFIC

Orchard is full of drivers making u-turns and blocking traffic trying to get a "good spot"



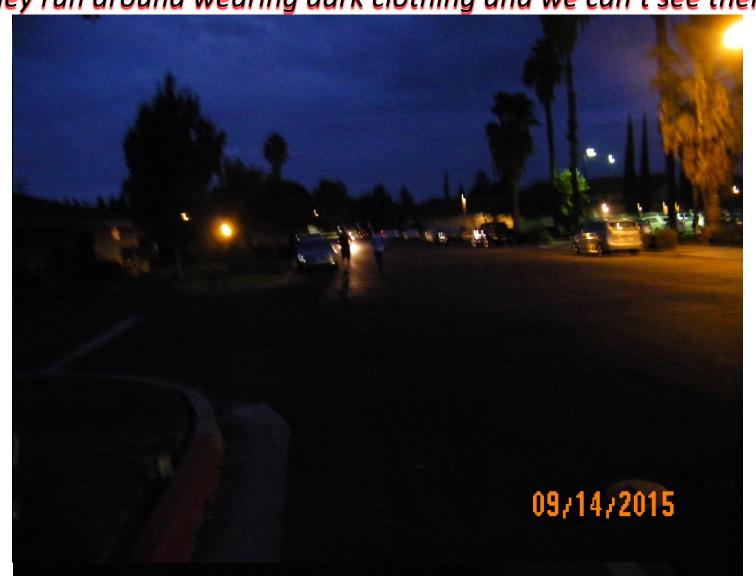
GUEST CONDUCT

Thrive and their guests use our neighborhood as an outdoor extension of their business.



GUEST CONDUCT

They run around wearing dark clothing and we can't see them.

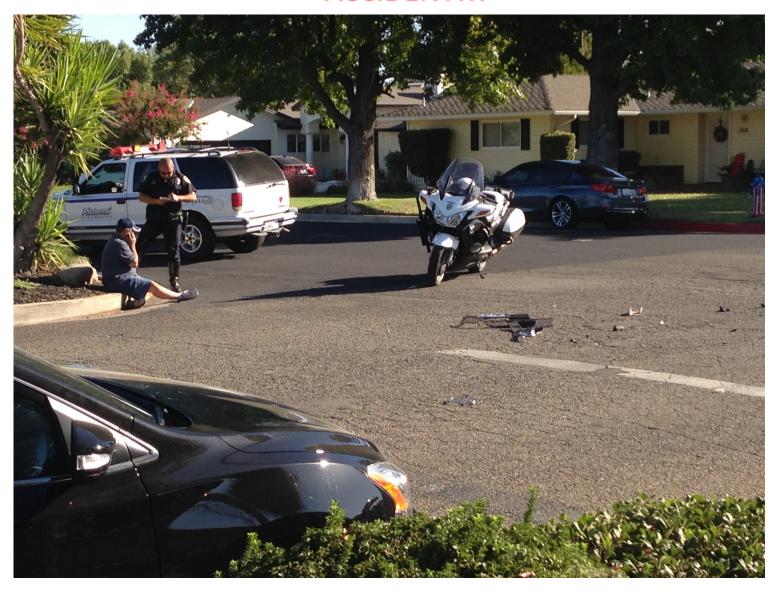


GUEST CONDUCT

NOISE!!!



ACCIDENT!!!



- √ 9/24/15 Mr. Holiday went to the Department of Code Enforcement and pulled the Use Permit for the athletic club and shared our list of concerns – we were advised to wait until early October.
 - ✓ Use Permit last updated 1991.
- ✓ 9/25/15 Ms. Hurenkamp published the list of concerns to the neighbors and update on visit with Code Enforcement



TODAY is the big day! See you all thrive tonight at 7! Bring your dancing fever and a friend with you! Food and raffles will be given out!





COFFEE WITH A COP

- ✓ 9/28/15 Ms. Hurenkamp participated in Coffee with a Cop at MacDonalds on Schnoor and Cleveland:
 - ✓ Reviewed Concerns with Officer J. Arnold
 - ✓ Suggested Hot Spot Patrol
 - ✓ Published request to neighbors for peak periods to submit to Officer Arnold.
- √10/1/15 Ms. Hurenkamp emailed Officer Arnold with:
 - ✓ Peak period for Hot Spot
 - ✓ Additional Concerns regarding Sassy Cat Dance Studio
- √ 10/6/15 Sent request for acknowledgement of previous emails but have not heard back.

- √ 9/30/15 Ms. Hurenkamp pulled the County Code Ordinance 525X passed in 2006 providing guidelines for parking for athletic clubs.
 - ✓ 1 space per 100 square feet
- √9/30/15 Ms. Hurenkamp visited county Tax Assessor to verify square footage:
 - ✓ Last assessed 2003
 - ✓ Ownership MCA 1803 LLC effective 2007
 - ✓ 19,020 square feet

- ✓ Locations
 - ✓ Cleveland
 - ✓ Sunset
 - ✓ Pine?
 - ✓ Road 26
 - ✓ Sanger
- ✓ Owner: Christopher Montoya since 2009 (Linked In)
 - √ 40 Classes per week (Not including Sassy Cat)
 - ✓ Peak times

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5:00 AM	Spin Instructor: Lupe	Agility Instructor: Mikey	Spin Instructor: Lupe	Agility Instructor: Mikey	Spin Instructor: Grace		
5:30 AM	5:15 AM 6:15 AM	5:00 AM 6:00 AM Main Studio	5:15 AM 6:15 AM	5:00 AM 6:00 AM Main Studio	5:15 AM 6:15 AM		
6:00 AM							
6:30 AM							
7:00 AM						Spin Instructor: Lupe or Tammy	
7:30 AM						7:00 AM 8:00 AM	
8:00 AM						Boot Camp Instructor: Joey	

8:30 AM	Body Toning Instructor: Karen 8:30 AM 9:25 AM	Pilates Instructor: Patty 8:30 AM 9:25 AM	Body Toning Instructor: Karen 8:30 AM 9:25 AM	Cardio Step Instructor: Patty 8:30 AM 9:25 AM	Pilates Instructor: Patty 8:30 AM 9:25 AM	8:00 AM 8:55 AM Main Studio	
9:00 AM	Main Studio	Main Studio	Main Studio	Main Studio	Main Studio	Spin Instructor: Lea 9:00 AM 10:00 AM (Beginners) Level 1 Zumba	
9:30 AM	Zumba Instructor: Antonia 9:30 AM 10:30 AM Main Studio Silver Splash	Silver Sneakers Classic Instructor: Karen 9:30 AM 10:30 AM	Zumba Instructor: Enedina 9:30 AM 10:30 AM Main Studio Silver Splash	Silver Sneakers Classic Instructor: Karen 9:30 AM 10:30 AM	Zumba Instructor: Mary 9:30 AM 10:30 AM Main Studio	Instructor: Mary 9:00 AM 10:00 AM Main Studio	
	Instructor: Karen 10:00 AM 11:00 AM	Spin Instructor: Lupe	Instructor: Karen 10:00 AM 11:00 AM	Spin Instructor: Lupe	Fitness Instructor: Karen		

9:30 AM	Main Studio	9:30 AM 10:30 AM	Main Studio	9:30 AM 10:30 AM	Main Studio	Main Studio	
	Silver Splash Instructor: Karen 10:00 AM 11:00 AM	Main Studio Spin Instructor: Lupe	Silver Splash Instructor: Karen 10:00 AM 11:00 AM	Main Studio Spin Instructor: Lupe	Aqua Fitness Instructor: Karen 10:00 AM		
10:00 AM		9:30 AM 10:30 AM		9:30 AM 10:30 AM	11:00 AM		
10:30 AM							
11:00 AM							
11:30 AM							
12:00 PM	Spin Instructor: Antonia	Boot Camp Instructor: Mikey	Spin Instructor: Antonia	Boot Camp Instructor: Mikey	Spin Instructor: Antonia		
12:30 PM	12:15 PM 1:00 PM	12:15 PM 1:00 PM Main Studio	12:15 PM 1:00 PM	12:15 PM 1:00 PM Main Studio	12:15 PM 1:00 PM		
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5:30 PM	Spin Instructor: Mika 5:30 PM 6:25 PM Zumba *COMING SOON!	Aqua Fitness Instructor: Tina 5:30 PM 6:30 PM Cardio Kickboxing Instructor:	Spin Instructor: Tammy 5:30 PM 6:25 PM Zumba *COMING SOON			
	5:30 PM 6:25 PM Class Starting	Enedina 6:00 PM 7:00 PM	5:30 PM 6:25 PM	Cardio Kickboxing Instructor:		

	Ciass starting	7:00 PM		maductor.		
6:00 PM	May 18th	Main Studio Hip Hop Spin Instructor: Lupe 6:00 PM 7:00 PM		Antonia 6:00 PM 7:00 PM Main Studio Hip Hop Spin Instructor: Esmeralda		
6:30 PM	Spin Instructor: Tammy 6:30 PM 7:30 PM Step It Up!		Spin Instructor: Esmeralda 6:30 PM 7:30 PM Step It Up!	6:00 PM 7:00 PM		
7:00 PM	Instructor: Tina 6:30 PM 7:30 PM Main Studio	Zumba Instructor: Mary 7:00 PM 8:00 PM	Instructor: Oscar 6:30 PM 7:30 PM Main Studio	Zumba Instructor: Amanda 7:00 PM 8:00 PM		
		Main Studio		Main Studio		

	Instructor:		Instructor:	
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Our goal is to be the leading gym in Madera with the latest fitness equipment, amenities, ... tour of Madera's largest full-

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PROPOSED AGENDA CONCERNED CITIZEN MEETING

- CONDUCT INTRODUCTIONS
- REVIEW BACKGROUND
- EXAMINE CURRENT STATE OF AFFAIRS
- DISCUSS OPTIONS/SOLUTIONS/MEASUREMENTS OF SUCCESS
- DEVELOP ROLES/TIMELINES/RESPONSIBILITIES
- SCHEDULE FOLLOW-UP MEETING TO REVIEW PROGRESS





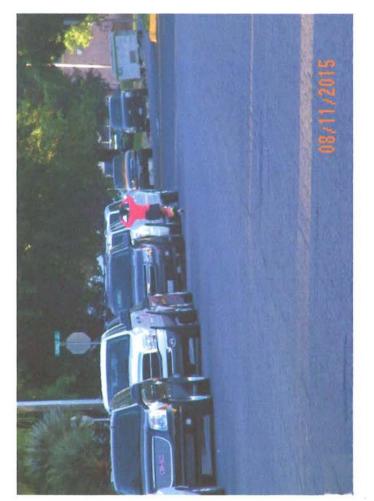




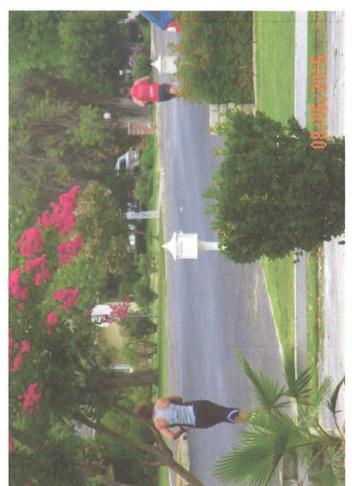


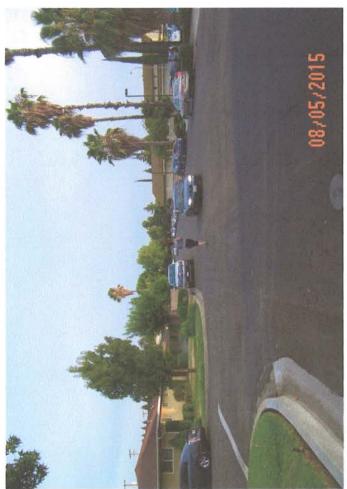








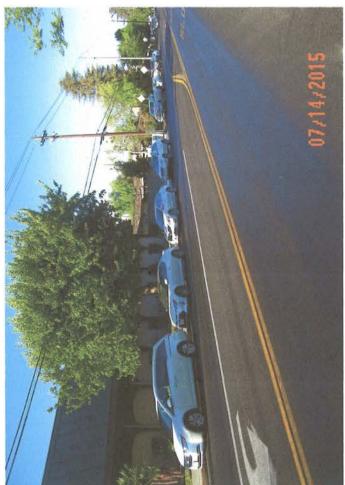


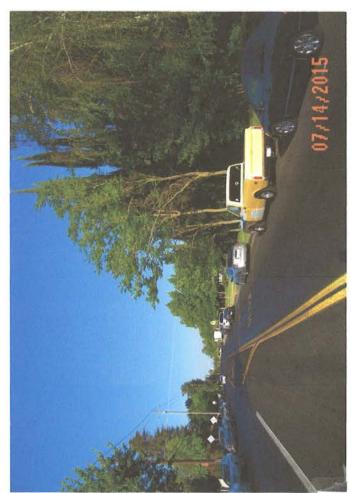


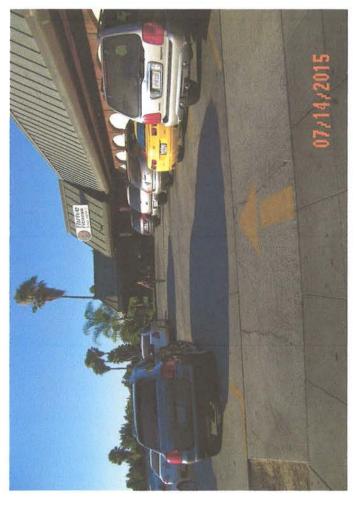




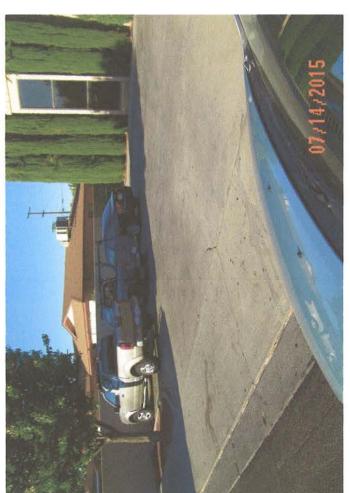


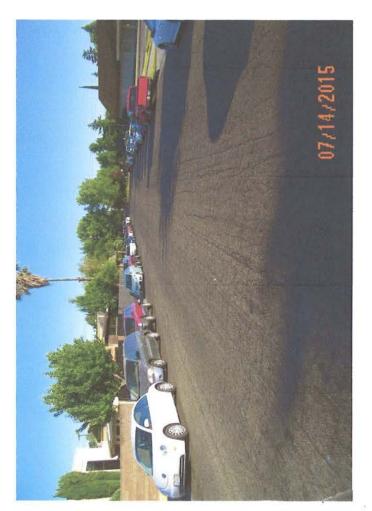




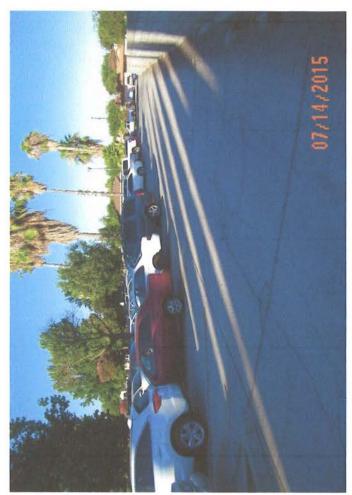


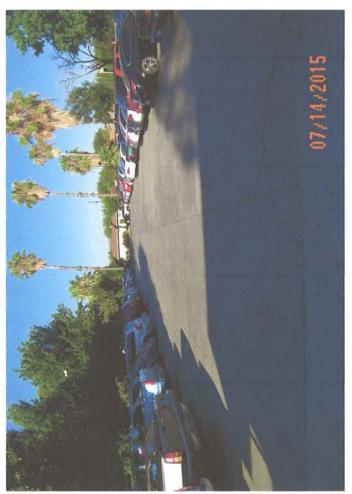


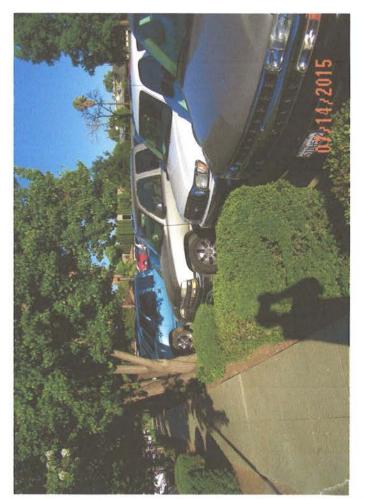






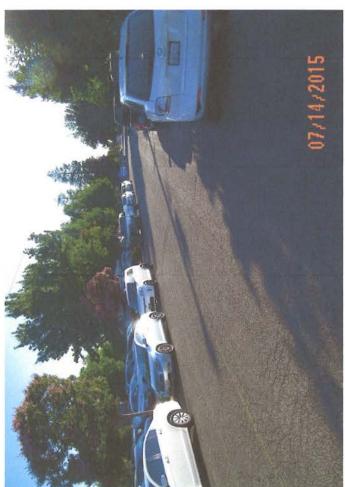


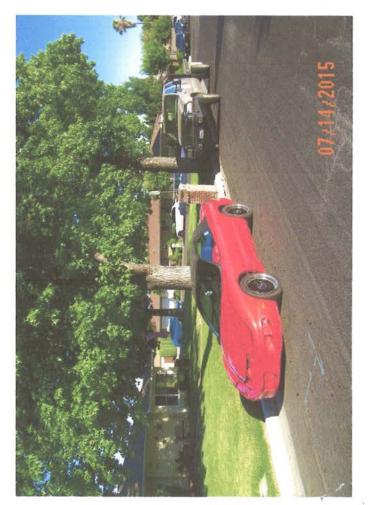








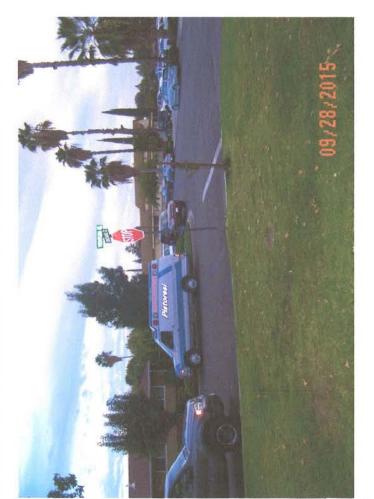








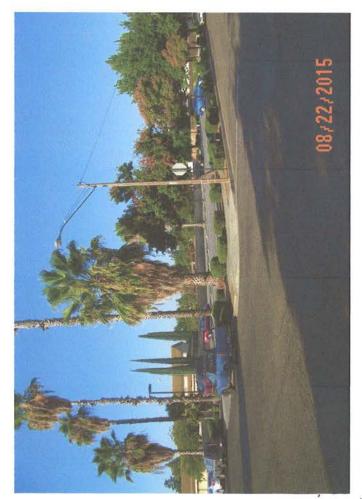


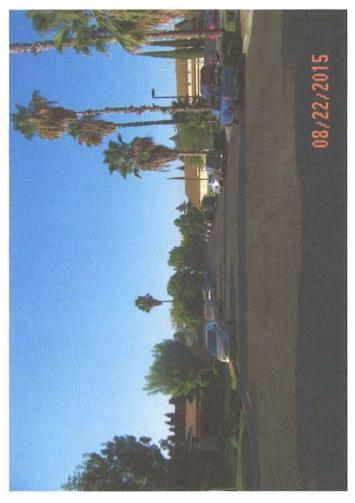


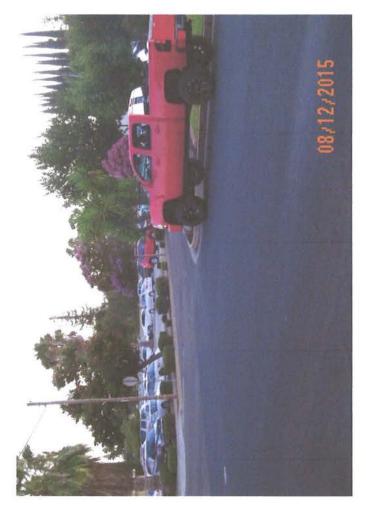


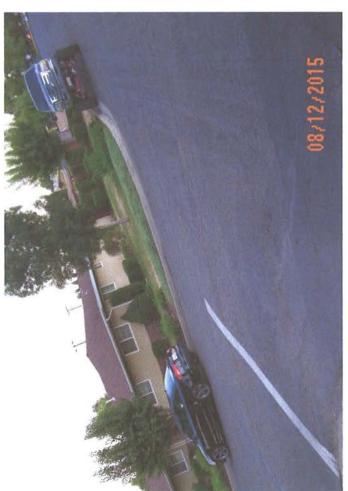






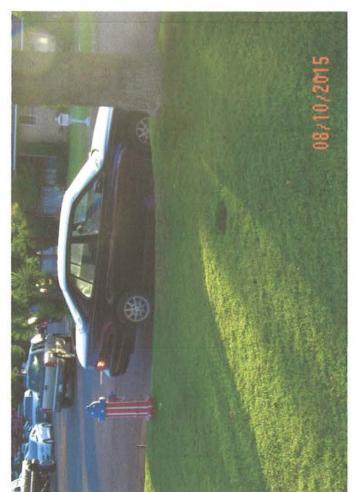


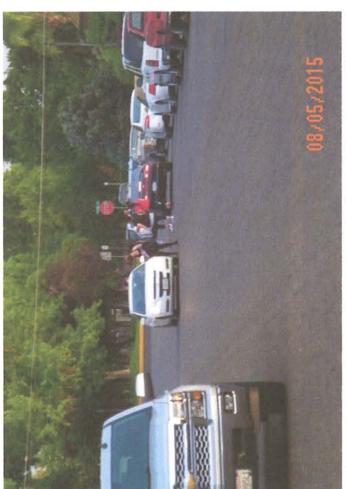


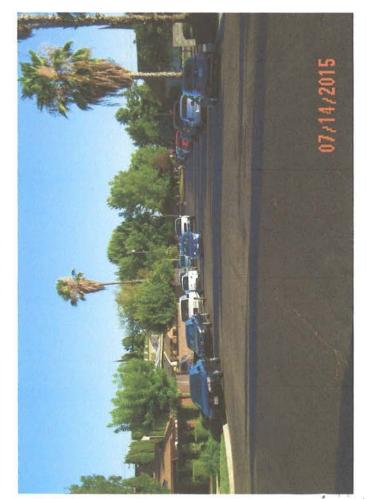














\$20.16 ENROLLMENT & ONE MONTH FREE!

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*New members only. With this card. See club for details.

10 FREE

DAYS AT NO COST OR OBLIGATION!

Must activate by 2/29/16

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*1st time visitors only. Must be 18+ years of ege and local resident. See club for details.











YOUR RESOLUTION SOLUTION!

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- · Zumba/Cardio Kickboxing/Step Bootcamp
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- · Spin Classes On Keisers M3+ Bikes
- Tanning
- · Functional Training Room
- · Clinical Massage Therapy
- Free Fitness Assessment: Includes body fat composition & analysis
- · Meal Prep Service Now Available
- · Personal Trainers Committed to Your Goals
- · Silver Sneakers Programs (Aqua & Group X)
- · Kids Club Babysitting Available

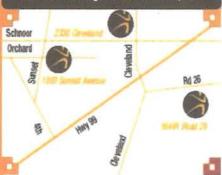
*Amenities Vary by Location

1803 Sunset Avenue | 559-673-3054 2330 W. Cleveland Avenue | 559-675-9970 16491 Rd. 26 | 559-673-2424

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Thrive—to prosper or flourish; be successful, to progress toward or realize a goal despite its consequences.

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YOUR RESOLUTION SOLUTION!

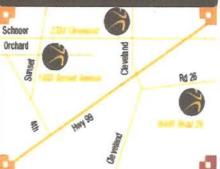
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*Amenities Vary by Location

1803 Sunset Avenue | 559-673-3054 2330 W. Cleveland Avenue | 559-675-9970 16491 Rd. 26 | 559-673-2424 www.thrivefitnessmadera.com Thrive—to prosper or flourish; be successful, to progress toward or realize a goal despite its consequences.

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Reach for a Better You!

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- Lose Weight
- Strengthen Muscles
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- Gain flexibility
- Build Core Strength
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- Lower Blood Pressure
- Live Life
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SEE BACK FOR MORE INFO

Enrollment FEES

Madera Locations

Memberships Starting at

\$10 per month *





For The 1st - 25 NEW MEMBERS





- 1 FREE Clinical Massage
- FREE Body Composition



- Fat Mass
- Body Fat %
- Body Mass Index
- · Basal Metabolic Rate





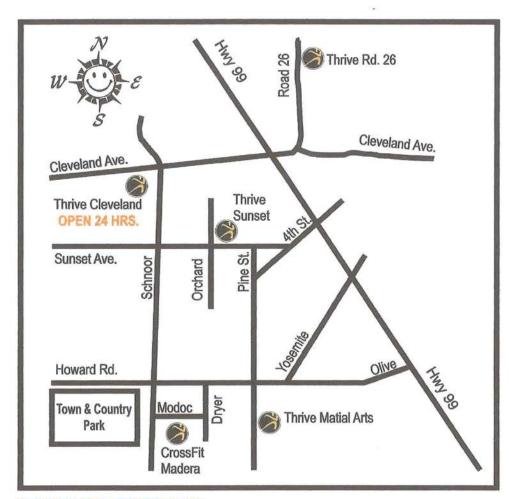








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EvoFIT Group Training is Functional Intense Interval Training. These Metabolic Conditioning classes combine resistance training and cardio into a one small group workout. This program is challenging, fun and creates a spirit of friendship among the participants.

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1803 Sunset Ave. / Madera, CA 93637

(Formerly Thrive Fitness on the corner of Sunset Ave. and Orchard Ave.)

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Madera Cleveland

2330 W. Cleveland Ave. / Madera, CA 93637 (Formerly Thrive Fitness on the corner of W. Cleveland and N Schnoor in the Food-4-Less shopping center)

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Trade-in special requires proof of cancellation from former club. Certain restrictions may apply. See club for details.

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days after (share). No lang term contract requires a written 30-day notice to cancal. Trade-in special requires proof of cancalia

THE KIDS ARE BACK TO SCHOOL - GET BACK TO YOU!

UN SER MONTH

Join Today!

Offer Expires 8/31/16

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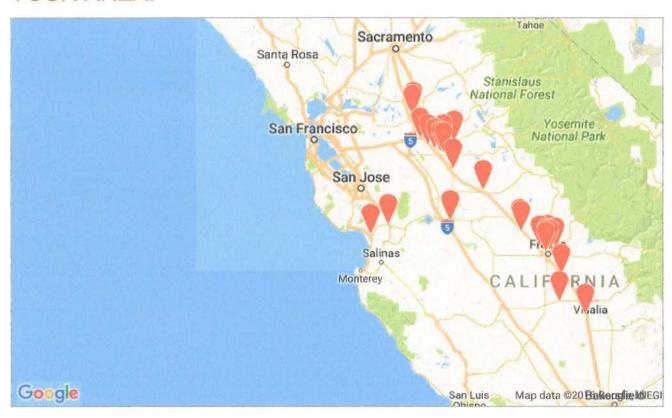




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HOURS:

WON NIOL

CLUB DETAILS

MON - THURS: 4am -

12am

FRIDAY: 4am - 9pm SAT - SUN: 7am -

7pm

MADERA, CA | SUNSET

1803 Sunset Ave, Madera, CA 93637 **PHONE** (559) 673-3054 Formerly Thrive Fitness on the corner of Sunset Ave and Orchard Ave.

HOURS:

JOIN NOW

CLUB DETAILS

CLASS SCHEDULE

MONDAY-

THURSDAY: 5am -

11pm

FRIDAY: 5am - 10pm SATURDAY: 7am -

6pm

SUNDAY: 9am - 6pm

FRESNO, CA | FIGARDEN LOOP

6370 N Figarden Drive Fresno, CA 93722 **PHONE** (559) 369-2466 Located in the same shopping center as AutoZone and Family Dollar

Sonia Alvarez

From:

Sophie Treder <streder@trederlaw.com> Thursday, September 15, 2016 10:51 AM

Sent: To:

Sonia Alvarez

Cc: Subject: Brent Richardson; Chris Boyle Fitness Evolution Submissions

Some files have been sent to you via Hightail - the best way to send, share, and store your files. Try it now.

Download the file - Fitness Evolution Parking Plan.pdf; Save Sunset - letters.pdf; Save Sunset - signatures.pdf

Your files will expire after 14 days.

Dear Ms. Alvarez,

I am attaching some documents that we hope can be included in the City Council members' packets for the upcoming hearing on 9/21. Attached to this email is a parking plan that is being submitted by the owners of the gym, a PDF containing multiple letters of support, and a petition containing over 800 signatures in support of the gym.

We are also working on a cover letter from the gym owners to the Councilmembers, and I will have that to you before the end of the day, but I understand if you need to finalize the packet before then, and ask you to at least include the attached materials for the Councilmemers' consideration.

Regards,

Sophie Treder Treder Land Law 22985 El Camino Real Santa Margarita, CA 93453 805.438.5435 www.trederlandlaw.com

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RECEIVED

City of Madera City Clerk

By: Dalous Date: 9/15/16



Parking Plan

1803 Sunset Avenue 🌣 Madera, CA 93637

I. <u>Member Parking Program</u>

A. Member Decal Stickers

This is the first step in identifying and solving the parking problem. Both current and new gym members will be assigned decal stickers for all of their vehicles, so that we can easily tell which cars belong to our members. Guest and visitor vehicle permits will also be available at the front desk.

B. Member Awareness & Parking Incentives

All members will be told to use the off-street lot for parking. Employees will routinely patrol the parking lot during gym hours and patrons found using the lot will be entered in a rewards program, winning items such as free training sessions and discounts on their membership fees. Outdoor signage will be enhanced, and the gym website and newsletter will feature parking info and regular reminders. All members will be asked not to double-click their key fobs to lock their cars, as some neighbors are bothered by the beeping during early or late night hours.

C. Parking Lot Security & Patrol

1. Employee Patrols

Employees (in gym uniforms) will be assigned to regularly patrol the immediate streets and offstreet lot during gym hours, documenting any problems with member cars or behavior.

2. Parking Lot Gates

Gates will be installed at the entrance to the off-street lot. They will be locked during non-business hours to prevent any illicit activities during the night.

3. Security Cameras

Security cameras will be installed to give gym employees a view of the parking lot during business hours, and also to allow remote monitoring during non-business hours. Nighttime recordings will be motion-triggered. This could greatly enhance safety and crime prevention in the neighborhood, even unrelated to the gym.

4. Lighting Retrofit (as necessary)

If necessary for the security cameras and additional safety, enhanced lighting could be installed in the off-street lot. Some neighbors are worried about light pollution in their homes, so this should

only occur with appropriate directional shields and timers, and only with the support and input of adjacent homeowners.

D. Complaint Reporting & Enforcement

Dedicated Email Account

Complaints involving member vehicles or member behavior (along with photos, if possible) can be emailed to complaints@choosethrive.com This email account will be monitored constantly by both onsite employees and offsite management.

2. Toll Free Hotline and Text Reporting

Neighbors may also call in complaints to a toll-free number, or may send a text with photos.

3. Complaint Verification and Response

Complaints received during business hours will be investigated immediately. All complaints will get an initial response within 24 hours, and a follow-up within 5 days, detailing the actions taken to investigate, verify, and deal with the complaint. Members with two verified complaints will be suspended for up to 1 week. Three verified complaints will result in member expulsion.

II. Community Enhancement Measures

A. Hours of Operation Modification

In recognition of the residential character of the neighborhood, the gym will close at 10 pm during the week. (Current hours are until 11 pm, Monday – Thursday.)

B. Soundproofing

Some neighbors have complained about hearing the "clang" from the weights Additional soundproofing material will be added to the weight rooms within 90 days.

C. Trash Gathering

Trash cleanup will be part of the duties of gym employees when patrolling the parking lots and streets. Regular neighborhood trash cleanup walks will be scheduled for gym members as well, and volunteers will get membership discounts and other prizes. These events will be an opportunity to educate our members about our community standards and rules.

D. Neighborhood Watch Group

Fitness Evolution will take the lead in forming a coalition of neighbors, gym members, and local businesses and churches that will meet regularly to discuss community safety, crime prevention, and local charity. The group would have regular meetings, and law enforcement and city officials would be invited to attend.

III. Long-Term Neighborhood Solutions

Some of these are beyond the control of Fitness Evolution to implement, but it is important to start the discussion now.

A. Speedbumps and Traffic Controls

Additional traffic calming measures could be implemented in the area, ranging from speed bumps or speed feedback signs, to adding stop signs on Orchard and Williams at Venturi to slow the speed of traffic. Striped parallel parking stalls along Orchard and Venturi would also help keep cars from blocking driveways and mailboxes, and maximize available parking space.

B. Residential Parking Program

Residential neighborhoods that are heavily impacted by outside parking uses on public streets (colleges, sporting venues, etc.) often find success by implementing a residential parking program. Residents would be issued parking stickers from the City, and non-resident vehicles parking on the street in a certain neighborhood would be ticketed. These programs usually pay for themselves with the parking fines collected, and are the only legal way to keep non-residents from parking on a public street.

C. Community Traffic & Safety Charrette

Because any of these long-term solutions, whether speed bumps or stop signs or residential-only parking, will significantly impact the lives of people who live and work in the neighborhood, it is important to have stakeholder input before deciding on a solution. Fitness Evolution encourages the City to start by holding a Traffic & Safety "Charrette," defined as "a meeting in which all stakeholders in a project attempt to resolve conflicts and map solutions." Leadership by the City and participation from the City's planners and public works engineers will be key to success. A charrette should be scheduled within the next 6-12 months, and future workshops could be integrated into the City's long-term planning process, or lead to development of a Community Plan for the Orchard/Sunset neighborhood.

Lawrence F. Lihosit 2720 Holiday Way Madera, CA 93637

Honorable Mayor Robert Poythress and Madera City Council 205 W. Fourth Street Madera, CA 93637 RE: Appeal of Thrive Fitness CUP Revocation/CUP 1963-23 September 13, 2016

Dear Honorable Mayor Poythress and City Council:

I urge you to grant the appeal of CUP 1963-23 and permit the continued operation of the gym located at 1803 Sunset Avenue. For more than a half century it has offered unique facilities and services to our community which have facilitated camaraderie and good health. The facilities include top-rate weight lifting equipment, martial arts equipment, dance studios, state-of-the-art stationary bikes and epllipticals for aerobic training, racquetball courts and an Olympic size pool. Services include massages, dance classes, pool exercise classes, stationary bike classes, the availability of personal trainers and meeting areas to socialize. No other facility in Madera offers this array.

During the past two decades it has been my pleasure to keep fit alongside many Maderans. We have grown old together. Over a dozen of these acquaintances are now over 75 years of age but still mobile, thanks to exercise. In addition, I have made the acquaintance of younger people, many of whom suffered from obesity and associated medical conditions like high blood pressure, high cholesterol and diabetes. Some were recuperating from accidents and/or surgical procedures. The availability of the gym facilitated what many might call miracles: a man fitted with an artificial hip at the age of 56 who went back to work and now walks without a limp, a woman who lost an eye, had a metal rod placed in one leg and another in her back who also returned to work, and another woman who was limited to a wheelchair, speechless after a stroke who relearned how to walk and talk. There are many more examples of people who have lost incredible amounts of weight permitting them to decrease or totally discontinue medications.

The electronically posted Planning Commission Staff Report emphasized parking standards, while one attached letter from a neighbor claimed vehicular and pedestrian safety concerns. Unfortunately, the staff report includes no real analysis of the problems claimed. There are no photos taken on an hourly basis, no traffic counts, no mention of on-street parking and no accident reports. After more than 20 years I can report that the gym morning peak hour is 9 to 11:00 a.m. while the evening peak hour is 6 to 8 p.m. which correspond to classes offered at the gym. These peak hours do not coincide with the Sunset Avenue peak hours which means that the gym has no significant effect upon traffic. Likewise, there is never double parking within public right-of-way.

The provided parking lots and on-street parking suffice. Staff insists that on-street parking is not allowed. In fact, it is public right-of-way and by definition, public parking is permissible. To my knowledge, there have been no vehicular or pedestrian accidents during the past five years attributable to gym members arriving or departing. It is time to either grant a parking variance, change an obsolete code, or create a parking overlay zone (like the Council has done for the downtown).

This business establishment offers a unique combination of facilities and services which helps our community maintain good health as well as a gathering place to cultivate friendship. It poses no threat to public safety. In fact, Thrive Fitness improves our collective health and welfare in compliance with the City Council approved 2025 Vision Statement and the General Plan (goal HS-2).

Please attach this letter to the appropriate public record of this meeting. Thanking you in advance for your consideration,

Sincerely yours.

Jamena T. Dihosa

LEHOSIT



CC: Chris Montoya, owner of Thrive Fitness Thrive appeal ltr

Evolution/Thrive Gym

Friday, August 12, 2016 6:06 PM

From: "Anita Valdez" <valdezan@yahoo.com> To: c.rigby@maderavwcc.com Cc: rlpoythress@cbbank.com

It is my understanding that the Planning Commission wants to close the Gym due to neighborhood complaints and violations. In my opinion this is not good business for Madera because:

- #1. We have enough unemployment and this closure would mean the gym employees would be out of a job and on the unemployment rolls.
- #3. The gym serves the community as a healthy physical outlet for it's members.
- #4. The gym also servers the senior community with special physical activities geared specifically for seniors to keep them mobile and active.
- #5. The gym has been part of the community and provides awareness and fundraisers for Relay for Cancer, Pink Ribbon Week, Cancer Awareness Month, First Five Children's Activities, Thanksgiving Basket Program, The Gifting Christmas Tree, Food Drives, Marathons for different causes, Etc.

These are but a few of the reasons that the City MUST help to find a solution to this issue. Madera cannot afford to lose a business that it's citizens rely upon and lose the revenue that the gym provides the city. But most important the gym provides employment for people that rely on it for themselves and their families -- for their livelihood.

Anita Valdez

Connie Musto we need water Alro JAMES ROSS A HEALTY COMUNTY IS A Bessie Margus-Blease Keep the losa from Plense Leep poor Ap Deme Dy my Bad ost Women Cast de Streneway Swah Baen Reep the Gym open the Seniors need the pool for Jeannie of elel I have been longing to the fin only a short time but aver for me sof need Marlen Lee - I use the gym for mental & physical Health. Borbare Thompson- Tive esset this facility for our 50 gross. It kelps with my mental and physical health

Mi Nombre es Miguel Casa estor en contra de que sierren el GINNACIO porque yo soy una persona que me uyu da bagtante para uni vida y mi Saluda porque me siento bien cut el ginacio yo estor por mucho auos ent en el por favor senores les pico por favor que no nos agan esto port porque el giunacio es mi vida por favor agen esto que gueren aser ban a perguja car a mi y abanas persona yo estoy EN Coutra que No Sierren el ginnació AAT+ Mariquel Ce Sa

To Whom It May Concern:

My Name is Lupe Frausto. I have been coming to this same gym for over 20 years, after I started working for the Madera School District. My kids have all grown up and some still continue to come here.

I know the traffic is bad, but because we love this gym we feel very comfortable here. If the City of Madera closes this gym, I will not go to another one and probably will go more often to the Doctor, because this is part of my exercise that the Doctor asks that I do.

The Owner is working on the gym to bring it up, more new equipment and painting.

Lupe Frans

Please don't close this gym. Traffic is bad everywhere in Madera.

Thank you for your consideration,

Lupe Frausto

9/12/16 To Cuhon it may ancorn: I Sondra Whatley (used to be (559) (665-02624 (559 363-3188 Pleve UNI if you have Juy questions or socwers,

have been coming Spiss fit Usease and sety to in my mental acrobics is the only excession this place is the only excession that swimming pool for people like



Fitness Evolution, Sunset and Orchard

1 message

Nancy Blankinship <nkayblankinship@gmail.com>

Thu, Sep 8, 2016 at 1:00 PM

To: ceciliafoleygallegos@gmail.com Cc: savemygym@gmail.com

Hello Ms. Foley Gallegos,

My husband and I have been members of the gym at this site for about forty years. It is an important part of our daily lives.

We appreciate the convenient location, the pool, facilities and classes.

We have always been able to park in the lot or on the street in front of the gym in the evening before we retired and now during the day.

We seem to notice trash when school is in session.

We hope our observations will lead to a positive outcome for the gym.

Thank you, Dean and Nancy Blankinship

Sent from Nancy's iPad 7



Fitness evolution

1 message

Vonda DeOrian <vdeorian@gmail.com>
To: ceceliafoleygallegos@gmail.com
Cc: savemygym@gmail.com

Thu, Sep 8, 2016 at 1:10 PM

Hi cece Vonda (cederlof) Deorian trying to save my gym. I have been going there for at least 30 years off and on. Now I live across the street and if they close I won't have any place to do water aerobics i also attend some classes and don't want to give it up! To be honest the kids walking home from Thomas Jefferson do a lot more damage to our yards and streets than the gym members. Thanks for anything you can do!



sunset gym

1 message

Yahoo Web- Support <drafty_abc@yahoo.com>

Thu, Sep 8, 2016 at 3:27 PM

Reply-To: Yahoo Web- Support <customercara96@yahoo.com>

To: "ceceliafoleygallegos@gmail.com" <ceceliafoleygallegos@gmail.com>

Cc: "savemygym@gmail.com" <savemygym@gmail.com>

hello my name is Angela Sunia and these are the reasons my family thinks we need to keep the sunset gym open.

- 1. convenience for this side of town.
- 2. only club with a pool.
- 3. problems must be at night as when we go in the daytime we never see or hear of anyone littering or loud music.
- 4. if club closes, members would have to frequent the one on Cleveland and that would create problems in that area.

Angela Sunia Robert Sunia Andrea Barriga



Fitness Evolution on Sunset

1 message

Nancy Blankinship <nkayblankinship@gmail.com>

Thu, Sep 8, 2016 at 7:39 PM

To: ceceliafoleygallegos@gmail.com

Cc: savemygym@gmail.com

Hello Ms. Foley Gallegos,

My husband and I have been members of the gym for about forty years. It is an important part of our daily lives that promotes our health and wellbeing.

We appreciate the convenience, the pool, facilities and classes.

We have not noticed an increase of trash except when school is in session.

Before retiring we used the gym in the evenings. At that time, and now during the day, we have never had a problem finding a place to park in either the lot or in front of the gym.

We hope you find this input valuable and helpful in keeping this facility open.

Thank you, Dean and Nancy Blankinship

Sent from Nancy's iPad ♥



sunset gym and pool

1 message

renee benoit <renee_lascaux@yahoo.com>
Reply-To: renee benoit <renee_lascaux@yahoo.com>
To: ceceliafoleygallegos@gmail.com

Cc: savemygym@gmail.com

Dear Ms. Gallegos,

My husband and I were dismayed to hear that the City wants to close the Fitness Evolution gym on Sunset. We're both of retirement age, living on limited income, responsible and trying to stay fit so we can continue to make a contribution to society instead of becoming a burden. I swim year round. If I lose the swimming pool on Sunset I'm not sure what I'm going to do. This would be a big blow. Huge. Isn't there another way to help out the objecting neighbors without taking the drastic measure of closing the facility down entirely? We're here to help.

Sincerely,

Renée and Marty Aubin 18420 Fairfield Drive Madera, CA 93638 home 559-395-4422 cell 510-289-2335 Sat, Sep 10, 2016 at 10:59 AM



Sunset Gym

1 message

Marty <martyaubin@gmail.com>

To: ceceliafoleygallegos@gmail.com, savemygym@gmail.com

Sun, Sep 11, 2016 at 2:04 PM

My wife and I are in our 60s. It is very difficult for us to stay fit. We could go to another gym but for the most part we are only able to do non-weight bearing exercises. These require a swimming pool. The Sunset Gym is the only one with a pool. If you allow the gym to close it will create a great hardship for us. Please help.

Thank you, Marty Aubin



sign petition

1 message

Ardith Apling <ARDITH1007@comcast.net>
To: savemygym@gmail.com

Mon, Sep 12, 2016 at 8:12 PM

I cant believe you want to close the only place that senior citizen can go to do water exercise and feel comfortable about it. We can't play ball or do all the stuff we did when we were young but we still enjoy life.water aerobics is all the exercise i get. If you have elderly parents think about them. Ardith Apling



Gym

1 message

AMARJEET KLAIR < klairjk@att.net>

Wed, Sep 14, 2016 at 2:39 PM

Reply-To: AMARJEET KLAIR <klairjk@att.net>

To: "ceceliafoleygallegos@gmail.com" <ceceliafoleygallegos@gmail.com>

Cc: "savemygym@gmail.com" <savemygym@gmail.com>

Greetings,

My name is Margie Klair I am happy member of fitness evolution in Madera at sunset site. I am 69 year old widow.my husband who was a farmer in Madera since 1982 Pass away in 2013.

after him I was getting very sad and lonely also very depress. With bad depression and old age a person develop all kind of sickness, and I was one of them.my knee and legs start bothering me that change my personality a lot. I start going down the hill until my son ask me to join this gym. I was very lucky that there was a source to cure my situation. I go to gym 5 days a week. All classes are so good specially pool fitness class, all instructor are very help full. Every morning I look forward to start my day with Exercise.

Today we heard that may be we be loosing our lovely place, which bother all of us old ladies and young kids too. I hope your office understand that how gym and good staff is important to old folks. Also good for our young adults.my whole family, friends, neighbors goes to fitness evolution. I just hope your office consider that, and help us to keep our gym open.



Fitness Evolution Gym

1 message

dnsopfergelt@comcast.net <dnsopfergelt@comcast.net>
To: ceceliafoleygallegos@gmail.com

To: ceceliafoleygallegos@gmail.com
Cc: savemygym@gmail.com

Dear Ms. Cece Foley Gallegos,

Thu, Sep 15, 2016 at 8:18 AM

I am a member of the Fitness Evolution Gym located on Sunset Avenue. I recently learned that the City was considering closing this facility. I would like to express my support for this Gym and it's value to many of the older members.

My doctor was the one who suggested the Silver Sneakers' program to me after my chemo treatments were competed. I Google it and was delighted to find this Gym offered Silver Sneakers classes and it was only a 1.5 miles away. It has been very beneficial to my recovery, especially the Silver Splash class. This is the only facility that has a pool and can offer such a workout. Many of the member with limited abilities can only participate in a water classes with low resistance exercises.

Our class is at a lost, we'd like to understand the situation that has prompted the City to consider such action against our Gym. We would appreciate any insight that you could provide to us.

Respectfully,

Sandy Opfergelt





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		(20 signatures/page)





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Diana Bunes	1505 Sangrita Way	Weba-
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MARIA MARTÍNEZ 1322 Lucia Way	Mang Male





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	1905 W. Park Drive	Pris Talia





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Janice Crowel	7/3 Sonoma Chowshill	Jani Cunell
David Octiz	407 Adelaide Ave	The state of the s
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Delia L. Gregorski	889 Harvard Ave. Madera	Jeliath nyork
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Jan Delgardo	1622RO 20 Mader	(15)
Jairo Andrade	27391 San Castor ave.	pasals
Justyn Maty	3382 Kelsey Lane	Daty My
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Enily Rawlings	30300 R.d. 607 Raymond	
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Phillip Alterandez	1996 Way Cart Madea	The MA 3.





Print Name	Address/Member #	Signature
Maribel Refes	a190 N. Schoodor St Apt 135	45.
lupita-floves	27359 Saunder Rd.	LUPITATIONS
Clava Morales.	1204 Majestic Ct	Claura Don
Lis Matiner	1368 word the	
Jackie Martinez	131e8 Concord Ave	Sm
Meghan Oxelsan	517 Heatherwood de.	W. Oak
Michelle Aguijar	H27 Alexis Way	Chall Ageilas
Mario Loper	338 41 Lewood were portos	aparel .
Giana Toschi	22/0 W/M	Old Selle
Dinisel hacelo	1024 Georgia Ave	
Juan Peraza	2068 priffured or 93637	Nove C. Percer
Sauchelson	5349 Rd 26/4 Mardin	Sauce helso
Kirk Johnia	26205 /9dgare 93637	Kur Dar
Isna Arr	17-8 Duyer	
Tina Perez	26581 Club Dr	
Tierresa Dangel	16416 Fairview St	Clabs Home
Jasmin Patel	#5440	TONA ()
Cassidy Estabrock	12018 Waverly Rd Madera 93626	ling Estatable
	222 W. Main 5+	flex VasqueZ





Print Name	Address/Member#	Signature Charles
Ava Roch	18th Lews Way Maders, (
Braplins Rivers	124 North Way Maden	A Cripe.
Andrea Varquez	521 South K s+ #807	1
Johnny Carroon	308 E. 4TH St. #13634	They County
Moemi Murillo	1 same # 842422	Nouvelile
MichaelKeitz	575 woodlands DR	All
Mary Keitz	(1 4 4	Spriff
Ganno buzman	8	J. J. E
David Barrise	1350 Segovia et	Took Loop
highto Chavia	2420 W.314 St #993	
Randy Chavir	2420 W. 39 St 994 2	Rank Char
Estala Plura	601 Survise Ave Apt. Fs	Extraction
Ivene Solic	2030 RIVENUILLE Dr.	
Any Guerrero	1072 Saunder Am	Arra M Stad
Teresa Zapien	Filmore ADE	DAI
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AnelHernander	11005 madera Ane	Clorett
Adam Gunez	10 (0 (1)	Altrin 6 May
Christina (upua	(\$ Paul PNC-	aless





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BalpreetKaur		
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Pat Marguardt	1121 Dellacalle Ave Made	ua fait Marguerale
Sam Mendez	925E 5th ST	Sallite
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gose A Maran	22483 Rd 20 %	Don A. Maran
Angela Sweirson	6783 Ave 23/2	(evgl-
Patti Gordillo	1237 Serva Dr.	Falle Godells
Brian Gordillo	1237 Seneca Dr.	Brian Gordilla
Hopemarie Rius	710 E Lincoln Ave	aperforition
NAV SINGH	3055 MATEO AVE	
Aura Partid	Je 36624 (Cenelly)	Rose
	3736 Les Osorct.	all
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MIGUEL BARRIGA	1474 LA QUITA WAY	Don
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Cleo Pranc	27298 Saundets Rd	CALDIO





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Carolin Holley	2190 N schnoor ST	Caroly Haller
Marily Tolmank	109 Shannon Ave	Many Johnah &
DAVID FEEN ANDEZ	WOY Imperial DF	
Grabnella Tapia	1200 Mission Ave	ORIO
LESTY PATACIOS	Lyb Hamberry DR	Sup falin
Lisam Gonza	des 1409 Howard Rd	Tisa m Lonzales
Melissa Garcia	950 parnett way the	Melissa garcia
mindy schuerd	-801 N. Granada Spt 70	Min Salwert
JOSEPH FESSENDES	26777 CLUB DR (7.49
Elie Najaine	190 C street	P. IX
Sal Ruz	1216 Toronado Dr.	12/11/
Jonathan Creps	550 Barbera Ave	fingher met
Sovia Corona	1951 University Alle	S. Cours
Lynette Percz	700 C Granada # 170	Stone?
Sayl Gonzalez	27392 NEB	20h
Richard Ayala	22325 AUE 18	Richard T. B.
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Raul Cyarcia	20646 RP 31/26260	
Francisco Ge	rain 304 South KSI	* For It
Jan Sunga	421 Sundance Ln SS144	CXX
Alex vasquez	117 Amerine Ave.	Alejanoro Vasquez
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ALFZ ZAMORA	1905 PAUL AVE.	Old Sonora
Samuel Voveno	1801 Rivernew Dr.	A STATE OF THE
Candy Barriag	1350 Segova of	
ARTURO Ramine	304 Stadivina	H. Drawing
Jay Chapen	2550 Main berry	To I
Jacob Corondo	31 Scasons Ct	Ind Campl
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Flazanda	2408 Riverview Dr.	1800





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	Viriana/alerio		Mill
	Jannifer Cortex	1313 Fresnost	200
	Isabel Granados	1601 Sanarita Ct	el Cost
	DerryPinerdel	1744 Canden Dr.	Deb
	Jessenia Corres	905 cross st	Die arts
	Fdith Carrant	1505 WOG9 Mith way	Chlys
	Daisy America	1004 San Bruno Ave	Carses amound
	Brundaly	2003 WVenel	Many
	Michael Andrews	12719 Keneda	
	Jose Moreno	8845 Paraiso St.	Josef Maneno
	Michelle meja	1370 Toluca wy	Mide Of Roje
<	Parrell Vincent	P.O Box 6	Dan Wall
	Emilio Reyes	1110 Kennedy Steet	and
	alsi delega	500 Williams Ave.	alni Weley
	pork finisher	104 Showward ways	Topica Ramirez
	Rosemany Colleran	12 Asilonne Da grass	Alsengtolden.
	Dele Solis	1913 Venturi Ave 9	3637/12/1
	Jovanni Berdelo	213 north BStapt B	Jovani Berseva
	Dil Pakl	1281 Peach (I, Madera CA	Menh





Print Name	Address/Member #	Signature
Worma Ortega	2046 Orange Tree Dr.	Kourth
	2260 w Park sive	20 R
Issac Brave	1841 Sanccita Way	(Ster Band
IA-S	- 71 Rosewoodch	Lux Frence
Kyu Satter	432 Penny Ways	
JacquelineCamacho	25730 RexFORLLD	//m /2/20
Jennefier Guzman	10.00	mer mer su
	ez 17094 Dwey Rd	man
Amy Rodrigues	17094 Daloy Rf.	mento
ARJAY PIANO	27298 SAUNDERS RD MADERA	A. Hon
Theresa Milaushin	1025 Barnett way #27 Much	DRS
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Migul Conzeles	MARINEWOOD of	
	3785 S. Jacquin	Aufly State
Lisa Martinez	15760 Raymond Road	AA
Ben Marfinez	The state of the s	BA
Maggie Granado	15760 Raymond Road ilevi ganerata Co	13-2
Andrea Ruz	584 Peach St	Chelica RX





Print Name	Address/Member#	Signature
Kevin Joves	1513-1	Leux Jone
EFEL YOSOWIN	1725 EClearehand.	Eff & police
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Anthony Mar	21807 Elmwad ld.	Congress of the second
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Ana Solo	3202 Aries of Mordina	0201
Jue Felix		De Sela
HECTOR CASILLAS S	e. 716 SHANNON AVE.	Steeth Coselles
Mary Kowland	1820 Jennings	Mary Rowland
Rose Row box	1	Roxeland
Vincent Benowides		Von Ber
Antone Games	2010 Tatt Ct.	A Ci
Lema 1 Parline	657 Chow Chillon-	ful Dun
Victoria Cervante	810 clinton st 8507	VI
Juan Hernandez	27366 Perkins Rd	Toble
	11357 Huy. 148	e- Fisher
	11357 Huy. 145	Atishes
Veronica Bravo	1771 Madisondr.	Chr Bre





Print Name	Address/Member #	Signature
Fernando Suglos	524 Adelade Av. Apt 161	
TONY MOTA	2205 W. 320 ST.	TANTE
Marcos VasaveZ	708 Nebraska Ave#B	1/1994
Omar Vasquez	708 Nebraska Ave #B	ffra Van
Jose Jose Carlary	25575 Jubil Way	I II
Maria Quinter	O 1317 NeBraska Aue.	Migua Ont
Davie 200	7882 S F/m	(Con
MICHAEL FEUV	27257 SAN JOSE ME	TOU
Hilda Rios	1209 Avila Way Madera CA 931,38	Jak ius
Markavilleran	2837 Oregon Are Moday	
Peria Corum	18cga Dalet RD 11	Terla l.
Janathan Garcia	525 Rolan Ale	Jona-lun Carria
PATRICK HAMMON	1975 Iving Court Maderal CA 93634	Rate st
2 1 00	Wolder Dr Maden	21
Melissa Meraz	82477	Thul me
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Zoleda D.		
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Adrehan Giroi	900 Sheracon Ceo	ful





Print Name	Address/Member #	Signature
Monico Martinez-Diaz	27175 Perkins Rd	M
Lettom Prieto.	3161 Winter Way	LeCtors
Stocy Vermason	3351 Winder Wag	Den
Vorye Loper	1477 Segoviar A.	29 2
Dega Klosen	11655 Road 3012	
Jun GA	658 SOOVELCT	Jun Coll
Carlos 511	658 Soquelet =	Cew of End
brenda.	572 NG STILL	Grende
Maria Genzalo.	10V1.5 6.5tr	
Rosa Ramorer	Solth CSt.	Ha
Nathalie Sants	822 worshington St Apt C	Pasantes O
Melissa Halins	110958 Rd 400	appropri
flabriella Figueroa	2028 Filmore Ave	- CANALIS
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Rosal & frances	(B3CO) RAGO B	Later Aliano
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Print Name	Address/Member#	Signature
Teresa Avelanecka		Jusy Dellale
Cil Agrine	21034 Marie DV 2789	Il Surre
Deanne Moore	151 NPark DR 827731	Maore
Alfred Cept	404 STINSON AU, AP, A	Coppe 1,0
Juan Ceja	464 Stinson Av. RP.A	Juan Caja
I sace Mora	30588 Donald tres	Shower Morre
Ise Mora	30588 Donald Ave.	Josefora
Jamin Mora	30693 Danald Are	Jamin Morg
Kat Pena	75 Wallace Ave	K Rena
Selly Madrigate	5 13549 WMDS+#BG (Delide Hollyis
Danielle Duty	1010 Foster Ave	Danielles
Maxyue Soto	Celo Foster Ave	planate fort
Soul Estras	43/12 Trinity du Chouchile	Shel Et
David Salazar	26813 Frisco Way	Darldal
Joseph Webb	1056 Imperial Dr.	MINION
BRANDON CROSSAINE	1056 Imperial Dr. 2849 AVE. #8033(1	Bul CCAI
Silm Minigal	19274 He 17 1/2 Madore, Ca #	Madrigal
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HARVEER (Anna	18702 AVE 14	The Contract





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Gic Salalor	26758 Martin St / 44699	Cin Beller
Kayla Contreno	SINE OF OUT	CAPA
Ricardo Outrea	2618hinenadly31051	M
Gene Miller	3085 W Almord Are	Gistilly
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Alyissa Berrelleza	aa 68 priftwood brive	alyissa Berrelleza
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Jessie Sumari	3256 Apries CT	Succe
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	916 Frem St.	Sich Wallow
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marthaoth	28293 ARIZONA ALE	Chest
Den Veran do	24577 W HoloCreek Ct	5h
danne Vargio	\$517 NG St	- flate
Heidy Wlender	23784 Ave 9 APT 15.	Fewer-1
Danier Mender	23784 Ave 9 Apt +111	HAN





	Print Name	Address/Member #	Signature
	Morma Hernadez	Madera	mother
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	Litak, Herrera	Modera	Herth
1	Raymond Aguila		Rayn. 1 A
	Marisola Ramos	Madesu / 10556	
	Norma Mora	30588 Donald	Norma Kon
	Jesenia Núrez	Madera	Josenia
	Marbella Nuñez	Madera	Marbella Mines
	ISA, RE ORCZ	MAGERA	OBL
	Angelina Bravo	Madera	On Bino
,	Melissa Alijando	1001 E. Yosemite Av. #10	In Teleson Ca
	Mattons	3412 S.107 Way	J-Matt de
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	Juan Uvena	Mardera	Julles
	Delia Cosilli	s Delli 3086 Renwas	Delentast.
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	1 Son Miller	116 Mainteny	Sapel
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Print Name	Address/Member #	Signature
Jose Roman	165 Roberts Ave	Des Koraly
Robert Roman	165 Poberts Ave	Liste
	604/ily ESt. MAdera	Paclas.
Victor Sandoval	1551 Adarac way	Letter Georgeal
Steve Sarter	1432 Penny Way	A
Dexter Chase	3625 W. Barston Are. Fresno	0
ROSA Banavida	2 1225 Pulare St Madera	Herandy
Christina Villagonez	1000 Monterey Ave Offorchille	Capllage
CARLOS FRAUSTO	769 WARTORP	Colon
RAYMOND TEPFER	18885 SHEW DA	Restant
Shawn Hermann	Madera	S
Alyssia Monterrey	Mudera	
Send Demos	DIS pateric St	
Alejanda primar	L U	M
A Joseph Smith	Madera	E.S.
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Marly CKUZ	Madera	May
Alex HEPPERA	MADERA	Clesandy Plan
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Weste Gomez	203	Allaby
47	2435 Frederick Co	Elan Mi Ove
AgrandaSimon	733 Mainberry	Angloga
Victoria Gretiene	28167 Are 13/2	Tul Sex
Wendy Faga	n 819 Suburbau	
Eyest Valetan	206 Line 4/100	
Wall & Valet	2076 Line Alle	Mally 100
100	Saylo	An
Cornne Machalo	mam# 911	Com Me
Rick Galindo	3549 tragon St.	
Chris Retton	30625 James Ave 746227	a. huse
Garrett Pérez	175 Dwger Street #29 93637	Stratus Joseph
Tim Snyder	_	10 PRINTER
Celeste Buckner		Celistaning
Jenny Pimentel	102990	Se la
Alberto Gil	811811	albieta Ill
CHRIS ORIGELY		Ches Orrelas
Dernice Trainer	2511 Westgate Dr.	
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Print Name	Address/Member#	Signature Nan No
Felix Cabuara	3738 Buena Ventura Ct. Madera CA 93637	Leburger.
Leticia Cabuara		Inaburne)
Claire Collins	26491 Club De.	Clavi Collin
Güselda B.		Griselda B.
Genesis Luca	316 North B st #1	The Lea
Jessica Zamudio	1105 Toronado Dr.	Jan Jan
PENET TORNERO	28512 CHOIVA AHINIT	
Mario Permirez	23223 Ave 12	Taging To
Ceonard VI. Or tegr	Sou Mainberry Pri	1 Bee
Gisselv Martinez	23784 Avea#114 madera (493637	CANCEL 12
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Vryan Libalcak	1	A price
Onnshore Ringer	1200 Mission Owe	Aur Jose
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Blake Giesen	19139 Deane &	Box Col
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Print Name Address/Member#	Signature 400
Christian Ramos	Chrotino Ram
Amayacapasa	A
Carl Liceanar	The
Samuel trellano	Samuel Pollegno
Branch Picaro	Bu R R
Rose Pisano	Roseph Piano
Miana Martins	Shiang Martin
Neronica Catura (559) 474-9645	
Alfonsolopes 811885	Alfonsosodos
Maria Taresto 811903	Media
gernLiddy 112 Williams Are	Jesse L. DIVA
SANTANOO MUNIOR (801 JONNANGS ST	
DAN BLANKINSTIP 1175. Parkt.	A Silling
Domine Peys 1743 Jefferen Au 807707	Janite
Juan Tiscarono 82/016	Jud Migruf Jongs
David Alonzo 669 Ficklin Dr. Madera	
Tony Favela 819078	The first
Joanna Venoges 1100 Raymond Rd # Port 140	Que
Tyrone Carter 3150 Forest Ct.	Tyone Carter





Print Name	Address/Member #	Signature
Plicique ever	2018 Vainda Jark Madea, C.S.	4/1/
Hadle Ziita	1601 Michancan CT	Alex
Fidel Luna	16744 Harper Blud	tick has
Sheila Valencia	1735 Lemon Ave.	Cheila Valencia
Eric Aguillar	1232 W. Saginan way	Girtalia
Anyel Leavis	1055 LA Perla LN	Crake
Poter Menna	1278 Chemy St	
Sandra Granzalez	501 Montary 8h	She
Jose barriga	te mosliw w sis	7000
Enca Friss	18577 Sull Mive	
CHARLES POLÍCICO	(25 S, Medera 4/3 52957	Targeton
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Every Back	1427 Alexis Way	0
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Print Name	Address/Member #	Signature
JOEYMAUGH Deanthong	175 Duyerst 1 BOY for Mewst 175 Parkor	Mahy
PANMANTMET Vonda De Orian		Vondagelellrian
Susan Cosins Party Behrens	15310Rd.19 Made. 12767 Rd, 3642 Made	Aust Cosast Res Boli
Andrea Barrigo Robert Sunia Angela Sunia	215/125. E'street 215/2 S.O. MADIDA 215 Yz S.O. Street	safrel seria
Rosie vergas Juse Jimenez	2419 sunset ave 18928 AVE, 20 (Rasie Vargas-
Mart Abshire MARLEN BARRAGAN Mirey of BARRAGAN	25417 AUE 17 25417 AUE 17	Breeze AN Mireyy
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Catalina M.	Cofalina Marias
Martha du	Marsey
Gustaus Sautos 7/400	Santon
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Daniel Mendoza	Daniel Mendoza
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Noemi Morales	Zimini nulliuce
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Marica Kamer Schroor A	e Itmu
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Stephany Fernandez 812087 Marina Sandrez 803244	NA N
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David TFlower	





Print Name Plase f. Address/Member # info	Signature Signature Thank Yeu
Carlos Moreno 112982	Cal /len
Dagnand Esoiwar	Eagrand
Hector Barcenos 16201	Hector Bercura
Drew Pearson.	Oller Dewiz
Vanessa Sanche	Variged
Emerach horasa	Contr
Dren Placido	
Derry Garden	
EVA Medine	Lalea
Larry Meel na	Jan Medn
davier Topia 1306 fresno st	davierat
migual santes 71902	Miguelsantos
Brittany Boyer 700 S. Granada Dr. # 108	Kithan Barre
Apielle Rodbiquez 515 Sunset Are	Anula Parine
Wifind BaseAff 2672 Peanut Dr	John Color
Vanya Shanon 18285 RD 23/827545	Jan Jan
CAISTI ZARAGOZA	CASO
Michael Quintero 829 Schwoor Ave	10 HA
Nelly Herrera	nelly to





Print Name Pleas	Address/Member #	Signature NOWEMON
Hrather B. Flore		
Werelda Radrouez	214 Stadium Rd, Madera	Nevelda Rodrigue 8
Seigio Revez	,	9/29/
Calinoform		Alle O
Alyandra lapez	932 Austin AVE	Alyanaha La
Francisca V. Layra	932 Austin Ave	Francisco Vigal
Fahrer Carriera	932 Georgia De Mudera	The v
Maria & Mosen	1408 Lucia Was	12-8-2
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12ma Rodriguez		ala Rodi
Jessica Rodriguez		In Novij
Alex Town	409 Clinton St.	at all Farak
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Alberto Gionez	8/2/80	Jes
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Ariela Cruz	LINGS HILL Dr	Matter The
Adulen Reaking	2 79620	
Angelica Cortes	79620	Mighi Too
Esperanza Vena	105	In the





Print Name	Address/Member #	Signature
Anita Valdez	1891 Unvesty	Alald
Sabaila Pour	108 NQ St. medera CA	Joffe -
weigh toathes	43637. 81203	,
Craig Cantrell	1513 University Ave	On the
Monice Daugherty		mito
Stephen Laxton	A STATE OF THE STA	300
Jonathan Gomez	13)7 Wrenwood way	Jutter Dong
Daron Ortiz	Fresne, CX	AC
	23388 Ave. 151/2	Worker
	225 NA Stract	
Katarina Saucedo	208 Krest St	Lation.
Esperans S. Guerrou	1317 WessmeTH- DWY. Madera	Esprojo P Tenery
Wither Capara	1243 Brook Le	Mittelia
Jame / Cater	1076 la Perla Pare	April 6
Rene Martinez	343 S.WESTBERRY BLUD.	Kunglet
Eduarde Lune	1750 Senera Dr.	Elys Toler
Money Hans	11514 Rd. 261/2	Muth
Martin WAVARRO	Member #803177	
Oscar Joaquin	2686 Peanut Dr. #2838	lon On





Print Name	Address/Member #	Signature
Danielle Fouse	12154	Danias.
Rosio chavez	863413	Bosio Chemogo
Cert Majusson	927	alma
Maria Secer	831558	Nonjo Becerrer
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Fludres Maldonad		Al Elle
Yeter Lean	7966	fleen
James Villegas	812448	Jan Vi
Marbot Finos	37703 varder Dre	
Manuel Campos	1725 E Clevelong Ave	Maller
marisol Villegas	812399	masisal Villegas
Tyler peameter	807224	Sympen
Anthony Engelhaupt	831646	CARLY CONTO
Abrail Maythnez	L831628	Mirans
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Nancy Torres 3164 Sultana Desti



Community Petition



Sign to show your support and keep Fitness Evolution/Thrive Fitness OPEN! 1803 Sunset Avenue, Madera CA 93637 Let the City know how important the club is to you!

Print Name	Address/Member#		Signature
Carlos Fraust	969 Wolftrap/1	1377	Charlie droug
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	200 Maria (1990)		



REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF September 21, 2016

AGENDA ITEM NUMBER C-2

APPROVED BY

GRANTS ADMINISTRATOR

CITY ADMINISTRATOR

SUBJECT:

Public Hearing and Consideration of a Resolution Approving the 2015/2016 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and Financial Summary

RECOMMENDATION:

Staff recommends that Council open the public hearing, invite public input and approve the attached resolution.

DISCUSSION:

The Department of Housing and Urban Development (HUD) requires entitlement communities receiving Community Development Block Grant (CDBG) funds to annually review and publicly report on the progress made in carrying out its Consolidated and Annual Action Plans. Submission of the Consolidated Annual Performance and Evaluation Report (CAPER) is the reporting tool HUD requires to meet this obligation and is due to HUD within 90 days after the end of each program year (June 30, 2016).

As required by HUD regulations and our Citizen Participation Plan, we obtained citizen participation by publishing and posting bilingual public hearing notices. Staff published a bilingual public hearing notice Wednesday, August 27, 2016 in the Madera Tribune. Notices were also posted at City Hall, the Madera County Library and Madera Housing Authority. The notices contained the details about our CAPER's availability for review and information about the date, time and location for our public hearing. The notices stated citizens' comments may be submitted in person and in writing until 5:00 p.m., September 16, 2016. No comments were received.

In summary, our community's CAPER reflects that the City has expended its CDBG funds in a timely manner and met the grant's primary objectives. Our allocated CDBG funds totaled \$1,087,068.68. Through June 30, 2016, we spent \$789,158.14 of our allocation and \$248,000 from the Small Business Revolving Loan Fund. (Please see the chart below.) Staff believes this

performance demonstrates the City's strong commitment to meeting the objectives of the CDBG program and recommends that Council approve submission of the 2015/2016 CAPER.

Our 2015/2016 expenditures for programs, projects and Small Business Loans are as follows:

Administration				
CDBG Grant Oversight	131,646.25			
Fresno/Madera Continuum of Care (Community Action Partnership of Madera County)	13,511.00			
Sub Total	145,157.25			
Public Services				
Madera County Workforce Investment Corporation	13,000.00			
Madera Youth Leaders	9,992.85			
Parks Senior Services	111,633.00			
Sub Total	134,625.85			
Capital Projects/Public Improvements				
Code Enforcement	400,000.00			
Graffiti Removal	<u>109,375.04</u>			
Sub Total	509,375.04			
Small Business Revolving Loan Fund				
Innovative Rotational Molding	150,000.00			
Madera Honda Suzuki	70,000.00			
Galaxy Dance Academy	28,000.00			
	<u>1,037,158.14</u>			

FINANCIAL IMPACT:

Approval of the CAPER will not have a direct financial impact on the General Fund but will satisfy HUD requirements and maintain the City's eligibility for future cycles of CDBG funding.

VISION MADERA 2025 ACTION PLAN CONSISTENCY:

The projects and programs discussed in this report advance the following Vision Plan objectives:

Fresno/Madera Continuum of Care and Madera ADA Advisory Council:

Strategy 113: City Facilities Accessibility: Promote greater accessibility of City facilities and services to meet the needs of various cultural, socioeconomic and disabled groups.

Madera County Workforce Investment Corporation:

Strategy 215: Educational and Occupational Opportunities: Ensure educational and occupational opportunities are available for all Maderans.

Madera Coalition for Community Justice, Madera County Workforce Investment Corporation and Parks Senior Services:

Strategy 211: Business-Education Alliance: Create a business-education alliance to promote mutual support for vocational training.

Strategy 215: Educational and Occupational Opportunities: Ensure educational and occupational opportunities are available for all Maderans.

Strategy 303.3: Strengthen neighborhood associations.

Strategy 407: Promote and expand existing services, supportive services, case management and self-sufficiency for Madera residents to maintain independent lifestyles.

Code Enforcement/Graffiti Removal:

Strategy 137: Code Enforcement: Promote sound redevelopment practices and code enforcement city-wide.

Strategy 303.3: Strengthen neighborhood associations.

Small Business Revolving Loan Fund:

Strategy 331: Workforce Capacity: Expand and diversify business opportunities within Madera to provide workforce capacity.

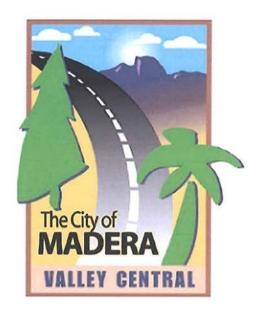
Strategy 408: Economic Opportunities: Expand the economic opportunities available to all Maderans and mitigate the impacts of generational poverty.

RESOLUTION NO. 16 -

A RESOLUTION APPROVING THE 2015/2016 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT AND FINANCIAL SUMMARY REPORT

THE COUNCIL, OF THE CITY OF MADERA, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

- 1. That certain "2015/2016" U. S. Department of Housing and Urban Development City of Madera Consolidated Annual Performance and Evaluation Report and Financial Summary Report on file in the office of the City Clerk and to which reference is hereby made for full particulars as to the requirements thereof, is hereby approved.
- 2. This resolution is effective immediately upon adoption.



CITY OF MADERA COMMUNITY DEVELOPMENT BLOCK GRANT 2015/2016 Consolidated Annual Performance and Evaluation Report

September 2016

Prepared by: City of Madera Grants Department

Ivette Iraheta, Grants Administrator

Jorge Antonio Rojas, Program Manager - Grants





Executive Summary

This report details Madera's efforts to address local community development strategies contained in our 2015/2019 Consolidated Plan. The Consolidated Plan is federally required and documents strategies to address community development needs using Community Development Block Grant (CDBG) funds.

The City of Madera's CDBG funds are the only funds it receives directly through the Department of Housing and Urban Development (HUD). Currently, our community does not receive other HUD funds such as HOME, HOPWA (Housing Opportunities for Persons with AIDS) and ESG (Emergency Shelter Grant). Madera does apply directly to the State's Department of Housing and Community Development (HCD) for HOME and CalHome funds. ESG funds are available through a partnership with the County of Madera; however, the partnership requires a lead agency and the ability to meet organizational development requirements such as the formation of a Board and planning documents to access the funds. The Community Action Partnership of Madera County is taking the lead to establish a ESG Board. The Housing Authority of the City of Madera receives funds to provide housing assistance directly through HUD. The Housing Authority's funds play a part in carrying out Madera's housing needs. The City of Madera does not administer these funds.

We obtained citizen participation by publishing and posting bilingual public hearing notices. They contained the details about our Consolidated Annual Performance and Evaluation Report's (CAPER) availability for review and information about the date, time and location for our public hearing. The notices stated citizens' comments may be submitted in person and in writing until 5:00 p.m., September 16, 2016. The notice also stated any comments received and staff's responses would be submitted to the City Council. If the public submits comments, then staff forwards its response before the CAPER is submitted to HUD.

Our institutional structure is comprised of various public agencies such as the city and county, and utility and local school districts. This relationship is addressed in our Vision Madera 2025 Action Plan. In this plan, goals and strategies are assigned to specific units of our local institutional structure.

Staff conducted desktop monitoring of CDBG Public Service programs. Staff also monitored the progress toward meeting expenditure milestones.

No incidents of lead-based paint were encountered during the year with our housing assistance program.

Using the County's Neighborhood Stabilization Program 3 (NSP3) funds, three households received assistance with the purchase of their first home. The NSP3 target area consists of a neighborhood within the City and County. In this case, two of the purchased homes were within the County limits, and one was in the City limits.

The Community Action Partnership of Madera County (CAPMC) conducted a Point-in-Time Count. HUS has not approved the 2016 Homeless Point-in-Time Count Report. Therefore, the CAPMC has not released the Count data.

We conducted all of our CDBG-funded activities within CDBG eligible census tracts. Our CDBG-funded activities consisted of:

- •participation in the Fresno/Madera Continuum of Care
- •a youth leadership program
- •employment and training provided through the Madera County Workforce Investment Corporation
- •neighborhood revitalization, code enforcement and graffiti removal services
- •support for staffing, supplies and programming costs to provide senior meal and recreational services through the City's Parks and Community Services Department

Details about our expenditures and the accomplishments of our Community Development, Administrative/Public Services and Economic Development activities are included in the report.

The City utilized \$700,000 in CDBG funds in FY 2001 to pay for infrastructure improvements for an industrial park. HUD findings indicated that the City failed to meet the identified National Objective of Low- and Moderate-Income Job Creation. HUD provided staff with notification that it was required to reimburse \$700,000 to the CDBG program. HUD received confirmation that the City reimbursed its CDBG line of credit for \$700,000. We used these funds to improve various sewer lift stations in CDBG eligible census tracts. Staff with the City's Engineering Department drafted and circulated an RFP. The contract was awarded, and the sewer lift stations and mains were upgraded, replaced or realigned as follows:

- 1. Upgraded South Street lift station.
- 2. Replaced sewer main in alleys of B/C and C/D Streets.
- 3. Replaced sewer main in the alley of R/Q Streets.
- 4. Realigned and replaced sewer main in 9th Street.
- 5. Replaced sewer main in the alley of D/E Streets
- 6. Replaced sewer main in Kenney Court.

General Questions

This section describes our accomplishments and how they helped to meet our strategies in support of our Consolidated Plan. It also provides a breakdown of our expenditures and a summary of our additional public and private resources leveraged to meet some of our underserved needs.

We conducted all of our accomplishments within CDBG eligible census tracts. Our CDBG-funded activities included:

- •participation in the Fresno/Madera Continuum of Care
- •a youth leadership program
- •employment and training provided through the Madera County Workforce Investment Center
- •neighborhood revitalization, code enforcement and graffiti removal services
- •support for staffing, supplies and programming costs to provide senior meal and recreational services through the City's Parks and Community Services Department
- oprovided assistance to three businesses using our Small Business Revolving Loan Fund

While fair housing laws and statutes are in place and Realtors, lenders, and rental providers receive fair housing training and information, individuals and households occasionally experience discriminatory housing practices. The CDBG program contains a regulatory requirement to affirmatively further fair housing. Grantees are required to certify they will affirmatively further fair housing. During the 2015/2016 program year, staff received three fair housing complaints. However, one of the complainants gave their name yet did not want the circumstances on record. Staff documented the complaints and provided the complainants with referrals to assistance providers as follows:

- California Rural Legal Assistance
- City of Madera Code Enforcement Division

The complainants' demographics are as follows:

Age	Gender	Ethnicity/Race
40	Female	Hispanic/White
29	Female	Hispanic/Other
53	Female	Hispanic/Other

The city's Analysis of Impediments to Fair Housing Choice was recently updated. According to the update, Madera is a small city with considerable racial and ethnic diversity, and it is becoming increasingly diverse. The city also has a large proportion of minority and lower-income households who face particular problems finding decent, affordable housing. Because of a lack of affordable housing, persons with disabilities also face barriers to housing choice and independent living.

In general, housing discrimination has not been documented as a significant impediment to fair housing choice in Madera. Since 2010, there have only been five fair housing complaints

recorded by the U.S. Department of Housing and Urban Development (HUD), and there were no fair housing complaints filed with the California Department of Fair Employment and Housing.

However, while there is limited evidence of fair housing problems in the city, residents and stakeholders who participated in the public outreach opportunities for the Analysis of Impediments to Fair Housing Choice suggested that Madera residents might be unaware of their fair housing rights. The lack of fair housing complaints may be a reflection of residents not understanding their rights and recognizing when they are being discriminated against. Therefore, fair housing education and outreach are among the top priorities for the City.

For FY 2015/2016, Action 1 identified below was completed. Our new website (http://www.cityofmadera.ca.gov), contains links to HUD's Fair Housing page. Visitors can click on City Services, then Grants & Assistance Programs, to access information from HUD's Fair Housing and Equal Opportunity website. Visitors can also view our Analysis of Impediments to Fair Housing Choice (the AI). If our AI, Actions 2 and 5 were priorities for 2016/2017. Staff will carry out the remaining priorities throughout the 2015/2019 reporting period. The AI Action are listed below.

Action 1: Access to Information

The City of Madera will provide fair housing information on its website as well as links to housing services and resources, fair housing, and consumer information on housing choices. The City will make available such information at local service centers, City offices, the Housing Authority office, the public library and other public facilities.

Timeframe: FY 2015/16 Priority: High

Action 2:

The City will provide education on fair housing to City staff members who administer and oversee housing programs and code enforcement activities so they can respond to phone calls from the public about fair housing and landlord/tenant issues.

Timeframe: FY 2016/2017 Priority: Medium

Action 3: Fair Housing Services and Outreach

The City will continue to work with local agencies to designate an organization that will act as the lead agency for fair housing issues and formalize a system for processing fair housing complaints in Madera.

Timeframe: FY 2015/2016 Priority: High

Action 4:

The City will seek opportunities to work with a fair housing organization to conduct an auditing program of fair housing problems in the city.

Timeframe: Ongoing Priority: Medium

Action 5:

The City will work with partner agencies, including fair housing service providers, the Housing Authority, California Rural Legal Assistance, local apartment and realtor associations and disability rights groups to reach out to landlords and property managers about fair housing issues. This outreach may include: compiling mailing lists of rental property owners and managers to provide informational materials regarding fair housing rights and responsibilities, including rights of persons with disabilities; and conducting fair housing workshops.

Timeframe: Ongoing Priority: 2016/2017

Action 6: Public Policies and Programs

The City will continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the City's application for Community Development Block Grant, HOME and other Federal funds.

Timeframe: Ongoing Priority: High

Action 7:

The City will continue to implement policies and programs identified in its Housing Element and implement Zoning Ordinance amendments necessary to further fair housing.

Timeframe: Ongoing Priority: Medium

Action 8:

The City will continue to implement the recommended actions in the City of Madera ADA Self-Evaluation and Transition Plan to modify its policies, practices and procedures to avoid discrimination against people with disabilities.

Timeframe: Ongoing Priority: High

The table below provides a breakdown of our funds spent throughout the 2015/2016 program year.

Administration	
CDBG Grant Oversight	131,646.25
Fresno/Madera Continuum of Care (Community Action Partnership of Madera County)	13,511.00
Sub Total	145,157.25
Public Services	
Madera County Workforce Investment Corporation	13,000.00
Madera Youth Leaders	9,992.85
Parks Senior Services	111,633.00
Sub Total	134,625.85
Capital Projects/Public Improvement	s
Code Enforcement	400,000.00
Graffiti Removal	109,375.04
Sub Total	509,375.04
Small Business Revolving Loan Fund	
Innovative Rotational Molding	150,000.00
Madera Honda Suzuki	70,000.00
Galaxy Dance Academy	28,000.00
Total CDBG Expenditures	1,037,158.14

During previous program years, our progress in obtaining "other" public and private resources to meet needs was addressed by our Successor Housing Agency (SHA) of the Former Madera Redevelopment Agency (MRDA). Prior to the dissolution of MRDA, the MRDA funded over 35% of the Neighborhood Revitalization budget. Additionally, programs such as the construction of neighborhood infrastructure improvements and Exterior Home Improvement Grants complimented our revitalization efforts. The SHA assumed all the housing functions of the MRDA. All housing actions are approved by the City Council sitting as the SHA Board and the affordability agreements are now executed between the homebuyer and the SHA. The SHA guidelines are consistent with the Department of Housing and Community Development (HCD) affordable housing program requirements. If the household income falls within the income limits set for Madera County by HCD, then the homebuyer is asked to execute the affordability agreement with the SHA.

In 2015/2016, the Agency completed one Targeted Rehab Project. The demographics are as follows:

		ccessor Agenc Rehab Project		
Annual Family Income	Family Size	Number of Bedrooms	Ethnicity	Female Head of Household
VL	3	3	Н	Yes

The Successor Agency to the Former Madera Redevelopment Agency along with private developers entered into 18 construction loans. Each loan resulted in the development of a single-family home. The demographics are as follows:

Madera Successor Agency 2015/2016 Single-Family New Construction Housing Projects						
Annual Family Income	Family Size	Number of Bedrooms	Ethnicity	Female Head of Household		
VL	5	4	Н	No		
VL	4	3	Н	No		
VL	4	4	Н	No		
VL	4	4	Н	Yes		
L	1	4	Н	Yes		
VL	2	4	Н	Yes		
VL	5	4	Н	No		
VL	7	4	Н	No		
VL	1	4	Н	Yes		
VL	5	3	Н	No		
VL	5	4	Н	No		
VL	1	3	Н	No		
VVL	2	3	Н	Yes		
L	6	4	Н	Yes		
VL	4	4	Н	No		
VL	3	4	Н	No		
L	2	4	Н	No		
VL	6	4	Н	No		

Managing the Process

As per HUD regulations and our Citizen Participation Plan, staff published a bilingual public hearing notice Saturday, August 27, 2016 in the Madera Tribune. The notice provided details about our CAPER's availability for review and information about the date, time and location for our public hearing. Notices were also posted at the Madera Housing Authority, Madera Public Library and at City Hall. The notice stated citizens' comments may be submitted in person and in writing until 5:00 p.m., September 16, 2016. The notice also stated any comments received and staff's responses would be submitted to the City Council. If the public submits comments, then staff forwards its response before the CAPER is submitted to HUD. No written or verbal comments were received.

Citizen Participation

This section provides a summary of citizen comments. It also specifies the census tracts where expenditures were concentrated.

As stated above, staff did not receive written or verbal citizen comments. Federal funds available, committed and expended during the reporting period were previously identified.

The geographic distribution and location of expenditures were all within the city limits of CDBG eligible Census Tracts 5.02, 6.02, 6.03, 6.04, 8.00 and 9.00.

Institutional Structure

This section describes actions to overcome gaps in institutional structures and enhance coordination during the last year.

Various city and county departments and agencies, utility and local school districts comprise our institutional structure. We have working relationships, and communications at times are direct and expedited. Our gaps in program services or program delivery quickly rise to the surface.

Monitoring

This section describes how our monitoring is conducted. A self-evaluation is provided that discusses program effects and progress in meeting priority needs. It outlines how our activities address decent housing and a suitable living environment and expanded economic opportunity for low- and moderate-income persons.

One staff member conducts site and desktop monitoring. To prepare for a monitoring visit, a pre-monitoring letter is forwarded to subrecipients notifying them of our agreed upon date, time and place of the monitoring visit. Subrecipients also receive a copy of HUD's guide for Review of National Objectives of Low- and Moderate Income Limited Clientele. During the monitoring visit, our subrecipient agreement and the activity's files are also reviewed. Subsequent to the monitoring visit, staff forwards a post-monitoring letter that details any concerns, findings as well as positive feedback. Desktop monitoring consists of a review of invoices and quarterly activity reports to determine expenditures and activities are consistent with the program design and HUD regulations.

Priority Needs:

Our priority needs are stated in our Consolidated Plan. Funded activities addressed priority needs and specific objectives by providing resources for the homeless, senior and youth and by removing blight and deteriorating conditions. Investments in the public infrastructure ensure sustainability and a high level of service citywide. In addition to CDBG funds, revenue was budgeted from sources as follows:

Department of Housing and Community

Development HOME Program

Federal Transportation Administration

Congestion Mitigation Air Quality

State Transportation Assistance

Low-Carbon Transit Operations Program

Measure T Transit Improvements

Department of Housing and Community Development CalHOME Program Congestion Mitigation Air Quality

Proposition 1-B

Local Transportation Funds

Rubberized Asphalt Concrete Chip Seal

Program

Lead-based Paint

Efforts to reduce lead-based paint hazards are conducted through our First Time Homebuyer and Owner-Occupied Housing Rehabilitation Loan Programs. Our programs did not encounter incidents of lead-based paint hazards.

Housing Needs

A review of our overall population demographics indicates there will be a continuing demand for affordable housing accessible by our low- to very-low income households. State law requires local governments to address the existing and projected housing needs of all economic segments of the community.

Neighborhood Stabilization Program 3 (NSP3):

This program helped to address our need to provide decent housing and a suitable living environment by issuing three, zero-interest, deferred down payment loans to eligible low- to moderate-income first-time homebuyers using Madera County's Neighborhood Stabilization Program 3 (NSP3) funds.

CalHome Programs:

We also assisted nine households to become homeowners through our CalHome program. The table below- provides demographics for both the NSP3 and CalHome loans we issued. We used the CalHome Manufactured Housing Repair/Replacement program to assist one owner-occupant with repairs to their manufactured home. The program also funded the replacement of manufactured homes for two owner-occupants. These activities furthered our Consolidated Plan strategy identified below.

Program	Sales Price	l st Loan Amount	DAP Funds	Household Contribution	Household Size	Location	Percent Area Median Income	Ethnicity/ Race	Female Head of Household	Disabled
	150,000	101,134.00	48,500.00	3,000	2	County	<120	Hispanic/W	Y	N
NSP3	185,000	117,114	69,900.00	3,000	3	City	<120%	Hispanic/W	Y	N
	125,000	71,225	58,603.00	2,605	3	County	<120%	Hispanic/W	N	N
	140,475	111,844	33,637.80	2,847	2	City	74%	H/O	M	N
1	145,475	140,619	8,757.39	3,687	5	City	71%	H/O	M	N
I	160,000	108,872	53,991.80	2,683	1	City	79%	H/O	M	N
6385300	119,995	76,312	44,455.38	2,021	4	City	42%	H/O	F	N
Cal	159,950	106,787	53,726.39	2,934	3	City	68%	H/O	М	N
Home	144,950	91,524	54,733.51	2,405	6	City	43%	H/O	M	N
	181,000	151,098	32,225.64	3,630	9	City	67%	H/O	M	Y
1	159,950	106,786	54,990.99	2,687	1	City	80%	H/O	F	N
	159,950	135,733	30,139.07	2,834	6	City	51%	H/O	M	N
Totals	1,831,745	1,319,048	543,660.97	34,333						

	Ca	ılHome Manufa	ctured Housing Rep	pair Replacei	nent	
Loan Disbursement	Household Size	Location	Percent Area Median Income	Race	Female Head of Household	Disabled
\$18,139	1	City	VLI	W	No	Yes
\$53,245	1	City	VLI	W	Yes	No
\$53,245	1	City	EL	W	Yes	Yes

Program	Program Description
Down Payment Assistance	Assisting new homebuyers by offering loans to qualifying Low- and moderate income homebuyers to help them buy their first home.

According to our 2015/2019 Consolidated Plan, our Housing Assistance Objective on an annual basis is to assist 15 households.

The NSP3/CalHome and the Successor Agency charts above indicate we exceeded this objective by providing assistance as follows:

Household Income	Assisted Households
Moderate	6
Low	6
Very Low	16
Very Very Low	2
Above Moderate	3
Total	33

The Successor Agency's inclusionary housing efforts help to promote a mix of household incomes in our City's core. It also promotes development of existing undeveloped and underutilized parcels.

Specific Housing Objectives

This section addresses progress in meeting specific objectives for affordable housing. The chart above details our progress toward providing affordable housing. The reporting section addressing the Section 215 definition of affordable housing does not apply to us. With respect to addressing "worst-case" housing needs and housing needs of persons with disabilities, our efforts were to continue participating with the Fresno/Madera Continuum of Care. We continued to submit applications for housing assistance grants as they become available and if we meet their eligibility requirements.

Public Housing Strategy

Our actions taken during the last year to improve public housing and resident initiatives were to continue collaboration with the Madera Housing Authority and with any developer to increase our supply of assisted housing units.

Barriers to Affordable Housing

Our use of the CalHome Program, the Successor Agency's inclusionary housing and the County of Madera's Neighborhood Stabilization 3 funds generated some first-time homebuyer activity; however, it does not generate the same fees, taxes and revenue as does the sale of newly constructed housing units. Fees, taxes and revenue help to provide services and infrastructure. Without them, the cost of services and infrastructure increase and places a burden on residential development.

Another barrier in our efforts to promote affordable housing is the unavailability of homes for sale to our first-time homebuyers. This program provides zero-interest, deferred payment loans up to \$55,000 for Downpayment assistance. However, our households are struggling to purchase homes because of several reasons such as:

- •FHA-eligible inventory is minimal
- Our CalHome funds are limited to a target area
- Available properties in our target area are mostly traditional sales
- These properties are sold in "as is" condition
- There is a lack of "short-sale" inventory
- Investors outbid our households
- The sales price of homes is exceeding our Maximum Purchase Price Limit for newly constructed and existing homes.

Homeless Needs

The overall homeless population in the Fresno/Madera Continuum of Care is 539 sheltered and 1,183 unsheltered homeless individuals. Madera lacks a permanent supportive housing project

for men, yet HUD through the Fresno/Madera Continuum of Care awarded a \$175,000 project to serve men. The tables below provide more detail about our community's homeless population.

Households with at Least One Adult and One Child		
	Emergency Shelter	
Total number of households	1	
Total number of persons	5	
Number of children <18	4	
Number of adults >40	1	

Household without Children					
	Emergency Shelter	Transitional Housing			
Total number of households	37	21			
Total number of persons	37	21			
Number of young adults (age 18-24)	3	2			
Number of adults (over age 24)	34	19			
Female	6	4			
Male	31	17			
Non-Hispanic/Non-Latino	21	13			
Hispanic/Latino	16	8			
White	26	16			
Black or African-American	4	3			
American Indian or Alaska Native	2	1			
Native Hawaiian or Other Pacific Islander	1				
Multiple Races	4	1			

Veteran Households without Children				
	Emergency Shelter	Transitional Housing		
Total number of households	2	1		
Total number of persons	2	1		
Total number of veterans	2	1		
Female	0	0		
Male	2	1		
Non-Hispanic/Non-Latino	1	0		
Black or African-American	0	1		
Multiple Races	1	0		

Homeless Subpopulations						
	Emergency Shelter	Transitional Housing	Unsheltered			
Chronically Homeless Individuals	6	0	76			
Adults with a Serious Mental Illness	0	0	36			
Adults with a Substance Abuse Disorder	1	0	29			
Adults with HIV/AIDS	0	0	3			
Victims of Domestic Violence	5	6	29			

Primarily the Community Action Partnership of Madera County (CAPMC) and the Madera Rescue Mission provide facilities and services for homeless people in Madera. The local Department of Behavioral Health and Department of Social Services also play a role in providing our community's supportive services. Beds are available in the categories of emergency shelters, transitional housing or permanent supportive housing.

While we updated our 2015/2019 Consolidated Plan and identified a need to address homelessness, we did not participate in activities during the 2015/2016 program year to assist homeless persons and persons at risk of homelessness. We anticipate entering into an agreement to provide services for homeless persons.

Ranges of social services are available for persons that are homeless or threatened with homelessness. Private, public and nonprofit organizations provide services such as job training, day care and counseling. Of these organizations, the CAPMC takes a case management approach with all of its program participants to develop personal self-sufficiency plans and ensure appropriate access to all pertinent and available social-service programs. CAPMC's first goal with clients is to establish a consistent source of income. Its second goal is to ensure long-term self-sufficiency. CAPMC's Shunammite Place provides permanent supportive housing for chronically homeless women. Eligible participants were homeless either for one consecutive year or four times in three years with a diagnosed disability.

With increasingly high housing costs, relatively low vacancy rates and a recession-plagued local economy, the threat of homelessness is extremely high for many lower income households. These households may need short-term rental assistance to keep them from becoming homeless and long-term supportive services, such as employment, budgeting and life skills training to help diminish the threat of becoming homeless.

Specific Homeless Prevention Elements

This past year we have re-examined our efforts, reviewed our own services delivery processes as well as those provided by others. In addition to reviewing our own services and homeless program delivery, we have reviewed national best practices and successes. This has resulted in a shift in our local current approach to addressing homelessness from a shelter-based strategy to a permanent housing-based strategy.

Community Development

All of our Community Development Block Grant (CDBG) funds were used for activities benefitting low- to moderate-income persons. No changes in our program objectives were conducted. Our activities meet national objectives, and none of our CDBG activities involved anti-displacement and/or relocation.

These activities addressed HUD's National Objective to benefit low- and moderate-income person, slum and blight and furthered the City's 2015/2019 Consolidated Plan Strategies as follows:

Program	Program Description
Neighborhood	Provides neighborhood revitalization and code enforcement services in targeted areas to protect against blighting conditions and improve the quality of life.

Code Enforcement

Program Year 2015/2016 Expenditures: \$400,000

Code Enforcement:

During the last program year, the Neighborhood Revitalization Department has continued to focus its efforts on the elimination of blight. The department continues to address conditions that deteriorate or depreciate properties and neighborhoods alike, such as abandoned, inoperable or disabled vehicles, business licensing, substandard housing, public nuisance, zoning, foreclosed properties, California Building Code and vacant building violations. There were 2,121 total new cases opened to address such violations, of which 1,410 were for housing units in violation in CDBG eligible census tracts.

The numbers of CDBG and Non-CDBG cases opened and closed by type are provided in the chart below.

	O	pened	Closed	
Case Type	CDBG	Non-CDBG	CDBG	Non-CDBG
Public Nuisance	589	241	520	240
Sub-Standard Housing	69	20	69	10
Zoning	116	23	86	25
Abandoned Vehicles	440	280	453	287
Vacant Building	20	1	20	0
Sub Total	1,234	565	1,148	562
Weed Abatement	176	146	4	4
Total Cases	1,410	711	1,152	566
Percentage	66%	34%	67%	33%

	Opened		(Closed
Case Type	CDBG	Non-CDBG	CDBG	Non-CDBG
Foreclosures	38	38	78	105
Total Cases	76			183
Percentage	50%	50%	43%	57%

	Towed		Voluntarily Removed	
Case Type	CDBG	Non-CDBG	CDBG	Non-CDBG
Abandoned Vehicles	11	7	442	280
Total Cases	18			722
Percentage	61%	39%	43%	39%

	Issued Violations		Correct	ed Violations
Case Type	CDBG	Non-CDBG	CDBG	Non-CDBG
Housing Units	609	315	613	368
Total Cases	924			981
Percentage	66%	34%	62%	38%

Graffiti Abatement

Program Year 2015/2016 Expenditures: \$109,375.04

Graffiti - Accomplishment Narrative:

During the last program year, Graffiti Abatement staff removed 8,392 graffiti tags. Of these, 5,368 were within CDBG eligible Census Tracts. Aside from other methods and tools, Graffiti Abatement staff used over 593 gallons of paint to remove a total of 79,156 square feet of graffiti. Graffiti Abatement staff assisted 3,439 business locations. Of these efforts, 2,185 within CDBG eligible Census Tracts. Graffiti abatement continues to allow Madera to battle aesthetic decline caused by blight and reduce the potential for further deterioration to plague neighborhoods.

Square Footage of Graffiti Removed by Staff			
CDBG	42,643	54%	
Non CDBG	36,513	46%	

	Remov	ed by Staff	Gallo	ns of Paint
Case Type	CDBG	Non-CDBG	CDBG	Non-CDBG
Graffiti	5,368	3,024	318	275
Total Cases	8,392		The state of	593
Percentage	64%	36%	54%	46%

Graffiti Abatement

Case Type	CDBG	Non-CDBG
Businesses	2,185	1,254
Total Cases		3,439
Percentage	64%	36%

Services Funded with a Portion of the Administrative 20 Percent Formula Grant Allocation

Fresno/Madera Continuum of Care Program Year 2015/2016 Expenditures: \$13,511

Staff assigned to this activity met monthly with the collective of agencies and jurisdictions participating in the Fresno/Madera Continuum of Care. In addition, staff met monthly with local service providers and agencies. Staff also carried out the 2015 Point-in-Time Count. They participated in the gathering and inputting of data into HUD's Homeless Management and Information and System. Both of these activities furthered the City's commitment to provide access to all federally funded programs. Conducting these activities met HUD's National Objective to benefit low- and moderate-income persons. It also furthered the City's 2015/2019 Consolidated Plan Strategic Plan priorities as follows:

Program	Program Description
Public Facilities: Services for	To provide programs, services and public improvements to improve community awareness and facilitate access for
Disabled Persons	persons with disabilities in the community.
Homeless	To provide services to the City's most vulnerable population, including those with special needs, includes activities and programs of homeless service providers such as the Continuum of Care and the Community Action Partnership of Madera County.

Public Services 15% Formula Grant Allocation

Parks Senior Services Program Year 2015/2016 Expenditures: \$111,633

This activity's service delivery consisted of 2,910 duplicated individuals. The unduplicated count is 644. Several activities are provided such as Health and Wellness, Exercise Classes, Computer Classes, Social Dancing and Recreational activities. The service delivery number results because individuals are counted whenever they attend one or more activity. The unduplicated count is derived by only counting individuals one time per year. Percentages by Race/Ethnicity are as follows:

Race/Ethnicity	Total	Percentage
American Indian	9	1%
Other Asian/Chinese	9	1%
Black	36	6%
White	278	44%
Hispanic—Other/Two or More Races	307	47%
Native Hawaiian/Other Pacific Islander	5	1%
Total	644	100%

Madera Coalition for Community Justice Resilient Madera Program Year 2015/2016 Expenditures: \$9,999.85

A total of 30 participants were served. Staff worked with parents and students to help them prepare and submit applications for scholarships and to colleges. They provided assistance with the Federal Student Aid process and application. Students participated in field trips to colleges, the Fresno Regional Foundation Art Event, Earth Day and a Gang Prevention activity. In addition, they held discussion groups focusing on our current drought conditions, the environment and immigration rights. The program's demographics are as follows:

College Access Pro	Race or Ethnicity			
Extremely Low	7	White	1	
Low	23	Black	2	
Total	30	Hispanic	27	

During the 2015/2016 Program Year, this activity's goal was to serve a total of 25 youth. They were able to meet and exceed the goal by serving a total of 30 youth. Throughout the year, the participating youth were involved in a variety of project, including workshops and discussions. The youth participated in weekly meetings to cover an array of topics such as College Prep., Environmental Justice, Healthy Relationships, Air Quality, and Drought in the Valley, Teen Pregnancy Rate, Financial Aid, Grants and Scholarships, Exercise and Recycling. Their participation included a significant amount of time dedicated to service learning projects and activities.

The youth planned and participated in events hosted by the Madera Coalition of Community Justice (MCCJ) as follows:

•Interfaith-Intercultural Event

Cesar Chavez Event

Earth Day

Healthy Teen Fair

During these events, the youth had the opportunity to network with other organizations. They were also able to inform the community on the various issues they had learned about during the year. They informed the community bygiving brief summaries on the different issues during events. The youth also provided community members with informational brochures on the different topics during the events. Usually, this was during the event as community members approached the Madera Youth Leaders' table. During their regular meetings, youth had the opportunity to share the information by providing brief presentations during the MCCJ Food Share Distribution Program.

During the last two months, the youth participated in culminating projects. These projects included presenting their findings and work to the Madera Unified School District Board of Trustees and the Madera City Council. In addition, youth wrote articles that were published in the Madera Tribune. Because of their presentations and article submissions, the youth Univision, a Hispanic Television Network, interviewed the youth during an airing of the Arriba Valle Central program.

None of the participating youth were high school seniors. However, this did not stop them from working to gather their requirements for their college applications for the upcoming school year.

In addition to youth participation, MCCJ also encourage parents to become involved. Five parents took the initiative and participated in service learning activities alongside their children. These parents were invited to learn about what their adolescents were learning throughout the year and how they could support their learning at home. Unfortunately, due to work commitment issues, only two parents were able to work continuously.

Both of these activities furthered the City's commitment to provide access to all federally funded programs. Conducting these activities met HUD's National Objective to benefit low-and moderate-income persons. It also furthered the City's 2015/2019 Consolidated Plan Strategic Plan priorities as follows:

Program	Program Description				
Public Services: Youth Services	To engage youth to provide job and employment and life skills training.				
Public Services: Senior Services	To monitor the demand for senior housing to ensure the needs of seniors are met on an on-going basis.				

Economic Development

Madera County Workforce Investment Corporation Program Year 2015/2016 Expenditures: \$13,000

For the first quarter, the Madera County Workforce Investment Corporation (MCWIC) served four persons. One person was a carry-over from the previous program year. All four are continuing with their training programs. During the second quarter, MCWIC served three persons. One person obtain OJT (on-the-job training) with a local manufacturer. One person enrolled in LVN training. The third person obtained an in-home care position. MCWIC served eight persons during the third quarter. Three obtained OJT, two attended Community College, one attended Madera Adult School for GED/HiSET, and one person obtained a BLS certificate. During the fourth quarter, MCWIC served 16 persons. Nine are attending Madera Adult School for GED/HiSET, one received a GED Certificate, three obtained OJT, two obtain employment, and one is attending CNA training.

Using other funds, Madera County Workforce Investment Corporation staff will continue to work with the seven individuals currently enrolled in training through their completion and placement. The individuals' Ethnicity and Race served by MCWIC are as follows:

Madera County Workforce Investment Corporation						
Race or Ethnicity	Total	Percentage				
Black	3	7%				
White	14	20%				
HispanicOther	3	33%				
HispanicWhite	11	40%				
Total	31	100%				

Program	Program Description				
	Includes programs engaging youth to provide job and employment training and life skills training.				

Agriculture represents Madera's largest industry cluster and largest employer. In addition to farming and animal production, the agricultural sector also creates employment for supporting industries such as irrigation, fertilizer production, farm machinery manufacturing, farm product wholesalers, trucking and refrigerated warehousing. All together, these related industries in the agriculture cluster account for about one-third of our employment or about 11,300 jobs. The City of Madera has little diversification outside of this sector and our economy is reliant upon agriculture.

This lack of economic diversity can explain in part our community's chronic economic difficulties. We suffer from high unemployment and our poverty rates for both individuals and families far exceed their comparable state and federal averages. These high levels of unemployment and poverty inflict the dual injuries of increased demand for social services combined with a diminished tax base.

The Madera County Economic Development Commission (MCEDC) is responsible for coordinating economic development activities throughout the County. They are charged with formulating and implementing an economic development program that includes systematic efforts to reduce unemployment and increase incomes.

CDBG program regulations include many eligible economic development activities. They encourage the development of comprehensive economic development strategies that tie CDBG-funded activities to those that result in greater economic impact. There are various regulations and strategies to support the development and implementation of an economic development program.

To expand our economic base and to benefit low- and moderate-income persons and households, we established a CDBG Small Business Revolving Loan Fund (RLF) in 2003. It provides the MCEDC with periodic allocations of CDBG funds to issue low- interest loans for businesses to start-up, expand and/or relocate within the Madera city limits. For every \$35,000, the business is required to hire one full-time, low- to moderate-income person. During our 2015/2016 program year, MCEDC issued three loans through the Small Business Revolving Loan Fund. The chart below identifies the businesses, loan amounts and number of jobs created or retained.

Small Business Revolving Loan Fund for 2015/2016									
Loan Amount Jobs Created Jobs Retained									
Innovative Rotational Molding	\$150,000.00	6 Full Time Low/Mod							
Madera Honda Suzuki	\$70,000.00	1 Part Time Low/Mod							
Galaxy Dance Academy	\$28,000.00		1 Full Time Low/Mod 4 Part Time Low/Mod						

Our Small Business RLF earned \$131,242.43 throughout the 2015/2016 program year. In addition, it earned interest in the amount of \$200.70. MCEDC staff will issue a check to return the interest to the Department of Housing and Urban Development.

Self Evaluation

EDA/CDBG Airport Improvements

The City utilized \$700,000 in CDBG funds in FY 2001 to pay for infrastructure improvements for an industrial park. HUD findings indicated that the City failed to meet the identified National Objective of Low- and Moderate-Income Job Creation. HUD provided staff with notification that it was required to reimburse \$700,000 to the CDBG program. HUD received confirmation that the City reimbursed its CDBG line of credit for \$700,000. We used these funds to improve various sewer lift stations in CDBG eligible census tracts. Staff with the City's Engineering Department drafted and circulated an RFP. They awarded the contract, and sewer lift stations and mains were upgraded, replaced or realigned as follows:

Upgraded South Street lift station.	Realigned and replaced sewer main in 9th Street.
Replaced sewer main in alleys of B/C and C/D Streets.	Replaced sewer main in the alley of D/E Streets
Replaced sewer main in the alley of R/Q Streets.	Replaced sewer main in Kenney Court.

For many years, CDBG funded Neighborhood Revitalization, Graffiti Abatement and Senior Services activities. Our priorities in the Consolidated Plan identify needs for employment programs, services for homeless persons and activities to address our aging housing units. Yet, these priorities are not funded. We anticipate addressing these needs throughout the remaining years of the Consolidated Plan.

In addition, for many years CDBG funds were allocated for youth leadership and college readiness activities. None of the youth served were high school seniors. For the 2016/2017 Program Year, the activity should tracking and document the youth continuing their education beyond high school. We anticipate more oversight of this activity.

Our Small Business Revolving Loan Program funded three local businesses. One business created its required number of jobs. A second business retained its positions, and the third business created one-fourth of the required jobs. In addition, the MCWIC trained unemployed low/mod persons. In summary, seven persons received OJT, three persons obtained employment with retirement homes, one person obtained employment with a local container manufacturer and one person received a Basic Life Support Certificate.

We also completed a Sewer Main and Lift Station project. This project was conducted to return CDBG funds used for an economic development activity that did not create jobs. Staff closed the open economic development activity created in 2001.

According to our 2015/2019 Consolidated Plan, our Housing Assistance Objective on an annual basis is to assist 15 households. We used the NSP3, CalHome First Time Homebuyer and Manufactured Housing Repair/Replacement, Successor Agency New Construction and Rehab programs to assists 33 low/moderate income households.

REPORT TO THE CITY COUNCIL

COUNCIL MEETING OF: September 21, 2016

AGENDA ITEM NUMBER:

C-3

Approved By:

PLANNING MANASER

CITY ADMINISTRATOR

SUBJECT: Consideration of:

(1) A Resolution Adopting a Boundary Map Showing the Territory Proposed for Annexation to City of Madera Community Facilities District No. 2005-

And

(2) A Resolution Declaring the City's Intention to Authorize the Annexation of Territory into City Of Madera Community Facilities District No. 2005-01.

RECOMMENDATION:

After reviewing the above-referenced resolutions and accompanying documents, it is recommended that the City Council adopt the resolutions so that the territory proposed for annexation into the City's Community Facilities District 2005-01 can proceed to completion.

SUMMARY:

The attached resolutions will begin the proceedings for the annexation of the development projects known as the Capistrano 16 subdivision and the Emily Way Apartments (the "Project") into Community Facilities District 2005-01 (the "CFD 2005-01"). The conditions of approval for the Project require it to annex into CFD 2005-01, which was established as an annexable district to provide funding to offset the increased cost for police services, fire suppression and protection services, park maintenance, and storm drainage system operation and maintenance.

DISCUSSION:

By Resolution No. 05-334, the City Council established CFD 2005-01, a Mello Roos Community Facilities District, with the intention that future development within the City of Madera (the "City") would annex into this district. The special taxes collected from the property owners within the district are to be used for the funding of public safety services, open space operations and park maintenance.

Two projects cumulatively make up Annexation No. 3. The first project, Capistrano 16, is owned by Joseph Crown Development and is located northeast of the intersection of Westberry Boulevard and Almond Avenue. Capistrano 16 includes the development of approximately one

hundred and three (103) single-family residential units. The boundaries of Capistrano 16 consist of the area within assessor's parcel numbers 009-600-006, 009-550-085, 009-550-086, and 009-530-061 as depicted on Exhibit A. The second project, Emily Way Apartments, is owned by McClure Enterprises, Inc. and is located east of the intersection of Emily Way and Joya Drive. The Emily Way Apartments include the development of approximately fifty-four (54) multi-family residential units. The boundaries of the Emily Way Apartments consist of the area within assessor's parcel number 012-253-002 as depicted on Exhibit A.

Project Name	Owner	Acres	Lots	Location	
Capistrano 16	Joseph Crown Dev.	18.82 ac.	103	Almond/Westberry	
Emily Way Apts.	McClure Enterprises	2.39 ac.	54 units	Emily/Joya	

The two attached resolutions represent the first steps that must be taken in the annexation process. The first resolution adopts a boundary map depicting the territory that is proposed for annexation. The second resolution declares the City's intention to annex the proposed territory into CFD 2005-01. This will be the third annexation into the district. The resolution also establishes November 2, 2016, as the public hearing date for the final consideration of the annexation of the property into CFD 2005-01. Once the annexation is complete, the property owners of the Project will be required to pay annual special taxes for CFD 2005-01, beginning in Fiscal Year (FY) 2016/2017 as itemized on their property tax bill in accordance with the rate set forth in the Rate and Method of Apportionment of Special Tax. The current rates for CFD 2005-01 are shown in Table 1 of Exhibit B.

FINANCIAL IMPACT:

Based on the 2016/17 Fiscal Year CFD 2005-01 assessments for single and multifamily residential units, the estimated annual revenue received by the City for the annexation (Fund 76650) will be \$63,931.12 at full buildout of the developments. CFD 2005-01 includes an annual CPI adjustment. The process for annexation is funded by the developer and no General Fund monies are used for this effort.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The proposed action is not specifically addressed as part of the Plan, but is not in conflict with it and is sympathetic of the underlying principles of the Vision 2025 Plan.

ATTACHMENTS

Resolution Adopting Boundary Map
Exhibit A – Boundary Map
Resolution of Intent to Annex Territory
Exhibit A – Boundary Map
Exhibit B – Rate and Method of Apportionment

R	E	S	O	L	U	T	1)	N	N	O	

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED FOR ANNEXATION TO CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01

WHEREAS, the City Council of the City of Madera, California, ("City Council"), formed a Community Facilities District, designated as Community Facilities District No. 2005-01 (hereafter referred to as "CFD No. 2005-01"), pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982", being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and

WHEREAS, the City Council desires to initiate proceedings to annex certain territory to CFD No. 2005-01; and,

WHEREAS, there has been submitted a map attached as Exhibit A showing the territory proposed to be annexed to CFD No. 2005-01, said area to be designated as Community Facilities District No. 2005-01, Annexation No. 3 (hereafter referred to as "Annexation No. 3").

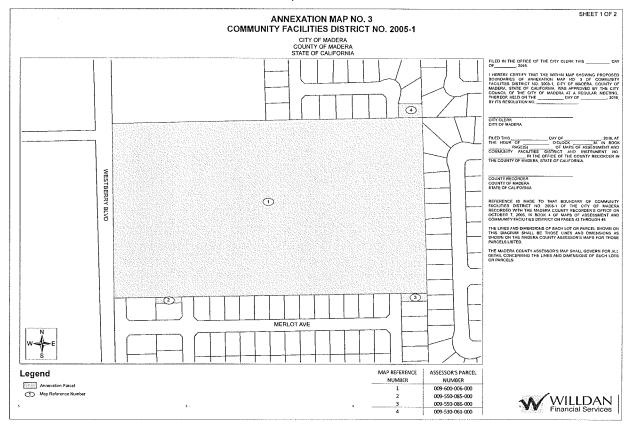
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA DOES HEREBY RESOLVE AS FOLLOWS:

- 1. Recitals. The above recitals are all true and correct.
- 2. <u>Annexation Map</u>. The map showing Annexation No. 3 and to be subject to the levy of a special tax by CFD No. 2005-01 upon the annexation of such territory to CFD No. 2005-01 is hereby approved and adopted. Such map is designated by the name of "Boundary Map of Annexation No. 3 to City of Madera Community Facilities District No. 2005-01."
- 3. <u>Certificate</u>. A certificate shall be endorsed on the original and on at least one (1) copy of the map of Annexation No. 3, evidencing the date and adoption of this Resolution, and within fifteen days after the adoption of the Resolution fixing the time and place of the Public Hearing on the intention to annex Annexation No. 3 to CFD No. 2005-01, a copy of said map shall be filed with the correct and proper endorsements thereon with County Recorder, all in the manner and form provided for in Section 3111 of the Streets and Highways Code of the State California.

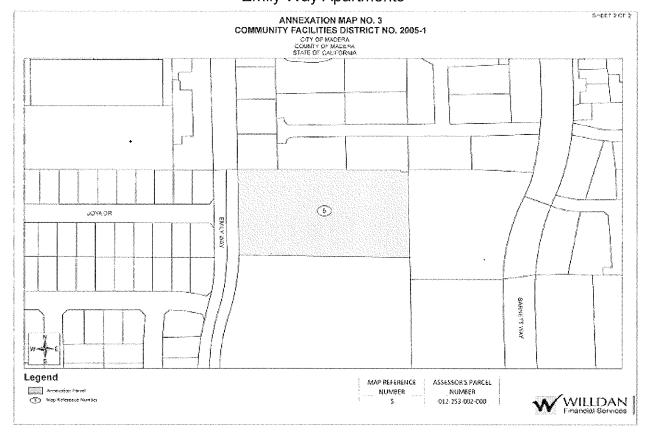
EXHIBIT A

Boundary Map of Annexation No. 3 to City of Madera Community Facilities District No. 2005-01

Capistrano 16



Boundary Map of Annexation No. 3 to City of Madera Community Facilities District No. 2005-01 Emily Way Apartments



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, DECLARING ITS INTENTION TO ANNEX TERRITORY (ANNEXATION NO. 3) TO A COMMUNITY FACILITIES DISTRICT AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, TO THE CITY OF MADERA COMMUNITY FACILITIES DISTRICT NO. 2005-01 (PUBLIC SERVICES)

WHEREAS, the City Council of the City of Madera has conducted proceedings to establish Community Facilities District No. 2005-01 (Public Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code; and

WHEREAS, under the Act, the City Council, as the legislative body for the CFD, is empowered with the authority to annex territory to the CFD, and now desires to undertake proceedings to annex territory to the CFD.

NOW, THEREFORE, THE City COUNCIL OF THE CITY OF MADERA, HEREBY RESOLVES:

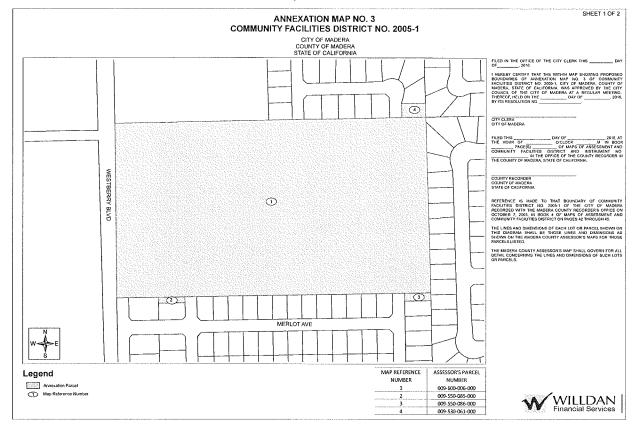
- 1. The above recitals are true and correct.
- 2. This Council hereby finds and determines that public convenience and necessity require that territory be added to the CFD.
- 3. The name of the existing CFD is "Community Facilities District No. 2005-01 (Public Services)".
- 4. The territory included in the existing CFD is as shown on the map thereof filed in the office of the County Recorder, County of Madera State of California, to which map reference is hereby made.
- 5. The territory now proposed to be annexed to the CFD is as shown on the Boundary Map of Annexation No. 3 to the CFD, on file with the City Clerk, a copy of which is attached hereto as Exhibit "A" and made a part hereof, the boundaries of which territory are hereby preliminarily approved. The City Clerk is hereby directed to cause the recordation of said Boundary Map of Annexation No. 3 to the CFD, showing the territory to be annexed, in the Office of the County Recorder of the County of Madera within fifteen days of the date of adoption of this resolution.
- 6. The types of public services financed by the CFD and pursuant to the Act consist of those services (the "Services") described in Exhibit A to Resolution No. 05-334 adopted by the Council on the 16th day of November 2005 (the "Resolution of Formation"). It is presently intended that the Services will be shared, without preference or priority, by the existing territory in the CFD and the territory proposed to be annexed to the CFD.

- 7. Except to the extent that funds are otherwise available to the CFD to pay for the Services and/or the principal and interest as it becomes due on bonds of the CFD issued to finance the Services, a special tax sufficient to pay the costs thereof is intended to be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, as now in existence and following the annexation proposed herein, and in sufficient detail to allow each landowner within the territory proposed to be annexed to the CFD to estimate the maximum amount such owner will have to pay, is described in Exhibit B, which is hereby incorporated by this reference.
- 8. Notice is given that on November 2, 2016, at 6:00 p.m., in the regular meeting place of this Council, being the City Council Chambers, located at 205 W. 4th St, Madera, California, the City Council of the City of Madera, as legislative body for the CFD, will conduct a public hearing on the annexation of territory to the CFD and consider and finally determine whether the public interest, convenience and necessity require said annexation of territory to the CFD and the levy of said special tax therein.
- 9. The City Clerk is hereby directed to cause notice of said public hearing to be given by publication one time in a newspaper of general circulation in the area of the CFD. The publication of said notice shall be completed at least seven days before the date herein set for said hearing. Said notice shall be substantially in the form specified in Section 53339.4 of the Act. The City Clerk shall also cause a copy of the Resolution of Annexation, or a notice thereof, to be mailed to each landowner (and to each registered voter, if any) within the territory proposed to be annexed, which resolution or notice shall be mailed at least fifteen days before the date of said hearing.

EXHIBIT A

Boundary Map of Annexation No. 3 to City of Madera Community Facilities District No. 2005-01

Capistrano 16



Boundary Map of Annexation No. 3 to City of Madera Community Facilities District No. 2005-01



EXHIBIT B

CITY OF MADERA COMMMUNITY FACILITIES DISTRICT 2005-01 RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax of Community Facilities District No. 2005-01 of the City of Madera (the "District") shall be levied on all Assessor's Parcels in the District and collected each Fiscal Year commencing Fiscal Year 2006-07 in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the District, unless exempted by law or by the provisions hereof shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

- "Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, other final map, other parcel map, other condominium plan, or functionally equivalent map or instrument recorded in the Office of the County Recorder. The square footage of an Assessor's Parcel is equal to the Acreage multiplied by 43,560.
- "Act" means the Mello-Roos Community Facilities Act of 1982, being Chapter 2.5, Part 1, Division 2 of Titles of the Government Code of the State of California, as amended, which authorizes the establishment of the District to finance: a) police protection services, and b) fire protection and suppression services, c) park maintenance, d) storm drainage system operation and maintenance and other services as defined herein including but not limited to ambulance and paramedic services.
- "Administrative Expenses" means the actual or estimated costs incurred by the City as administrator of the District to determine, levy and collect the Special Taxes, including the proportionate amount of the salaries and benefits of City employees whose duties are directly related to administration of the District and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes upon the general tax rolls, preparation of required reports; and any other costs required to administer the District as determined by the City.
- "Annual Escalation Factor" means the greater of the increase in the annual percentage change of the All Urban Consumers Consumer Price Index (CPI) or three percent (3%). The annual CPI used shall be for the area of San Francisco-Oakland-San Jose, CA as reflected in the then-current April update. The annual CPI used shall be as determined by the United States Department of Labor, Bureau of Labor Statistics, and may be obtained through the California Division of

- Labor Statistics and Research (www.dir.ca.gov/dlsr). If the foregoing index is not available, the District Administrator shall select a reasonably comparable index.
- "Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned assessor's parcel number.
- "Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by assessor's parcel number.
- "Base Year" means Fiscal Year ending June 30, 2007.
- "City" means the City of Madera.
- "Council" means the City Council of the City of Madera, acting as the legislative body of the District. "County" means the County of Madera, California.
- "Developed Multi-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit has been issued for purposes of constructing a residential structure consisting of two or more residential units that share common walls, including but not limited to, duplexes, triplexes, town homes, condominiums, and apartment units.
- "Developed Property" means all Taxable Property, exclusive of Property Owner Association Property, Non-Residential Property, or Public Property, for which a building permit was issued after January 1, 2005, and prior to May 1st preceding the Fiscal Year in which the Special Tax is being levied.
- "Developed Single-Family Residence" means all Assessor's Parcels of Developed Property for which a building permit(s) has been issued for purposes of constructing one single-family residential dwelling unit.
- "District Administrator" means an official of the City, or designee thereof responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.
- "District" means Community Facilities District No. 2005-01 of the City of Madera.
- "Entitled Property" means an Assessor's Parcel and/or Lot in the District, which has a Final Map recorded prior to January 1st preceding the Fiscal Year in which the Special Tax is being levied, but for which no building permit has been issued prior to the May 1st preceding the Fiscal Year in which the Special Tax is being levied. The term "Entitled Property" shall apply only to Assessors' Parcels and/or Lots, which have been subdivided for the purpose of residential development, excluding any Assessor's Parcel that is designated as a remainder parcel determined by final documents and/or maps available to the District Administrator.

- **"Final Map"** means an Assessor's Parcel Map, a final subdivision map, other parcel map, other final map, other condominium plan, or functionally equivalent map that has been recorded in the Office of the County Recorder.
- "Fiscal Year" means the period starting July 1 and ending on the following June 30.
- "Land Use Class" means any of the classes listed in Table 1.
- "Lot" means property within a recorded Final Map identified by a lot number for which a building permit has been issued or may be issued.
- "Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C below that can be levied in the District in any Fiscal Year on any Assessor's Parcel.
- "Non-Residential Property" means all Assessors' Parcels for which a building permit(s) has been issued for a non-residential use and does not contain any residential units as defined under Developed Single Family Residence or Developed Multi-Family Residence.
- "Property Owner Association Property" means any property within the boundaries of the District that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder to a property owner association, including any master or sub- association.
- "Proportionately" means in a manner such that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels within each Land Use Class.
- "Public Property" means any property within the boundaries of the District that is, at the time of the District formation or at the time of an annexation, expected to be used for rights-of-way, parks, schools or any other public purpose and is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency.
- "Service Costs" means the estimated and reasonable costs of providing police protection services and fire protection and suppression services, including but not limited to (i) the costs of contracting services, (ii) equipment, vehicles, ambulances and paramedics, fire apparatus, supplies, (iii) the salaries and benefits of City staff that directly provide police protection services and fire protection and suppression services and other services as defined herein, respectively, (iv) City overhead costs associated with providing such services within the District, (v) park maintenance, and (vi) storm drainage system operation and maintenance. On each July 1 following the Base Year, the increases attributed to salaries and benefits shall be calculated and limited to the increase based on the Annual

Escalation Factor. The Special Tax will finance Services that are in addition to those provided in or required for the territory within the District and will not be replacing Services already available. The Special Tax provides only partial funding for police services, fire suppression and protection services, park maintenance, and storm drainage system operation and maintenance.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to find the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections C and D, below.

"Special Tax Requirement" means that amount required in any Fiscal Year for the District to: (i) pay for Service Costs; (ii) pay reasonable Administrative Expenses; (iii) pay any amounts required to establish or replenish any reserve funds; and (iv) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

"State" means the State of California.

"Property" means all of the Assessor's Parcels within the boundaries of the District and any future annexation to the District that are not exempt from the Special Tax pursuant to law or as defined herein.

"Tax Exempt Property" means an Assessor's Parcel not subject to the Special Tax. Tax- Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, (iii) Non-Residential Property, and (iv) property designated by the City or District Administrator as Tax-Exempt Property.

"Undeveloped Property" means, for each Fiscal Year, all Assessor's Parcels of Taxable Property not classified as Developed Property or Entitled Property, including an Assessor's Parcel that is designated as a remainder parcel and is not identified as potential Public Property by any final documents and/or maps available to the District Administrator means any separate residential dwelling unit in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use.

B. Assignment to Land use categories

Each Fiscal Year using the definitions above, all Taxable Property within the District shall be classified as Developed Property, Entitled Property, or Undeveloped Property. Developed Property shall be further classified as Developed Single-Family Residence or Developed Multi-Family Residence. Commencing with the Base Year and for each subsequent Fiscal Year, all Taxable Property shall be subject to Special Taxes pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. DEVELOPED PROPERTY

TABLE 1

MAXIMUM SPECIAL TAX FOR DEVELOPED PROPERTY

COMMUNITY FACILITIES DISTRICT NO. 2005-01

Land Use Class	Description	Maximum Special Tax Per Unit ¹			
1	Developed Single-Family Residence	\$311 per unit			
2	Developed Multi-Family Residence	\$285 per unit			
¹ Maximum Special Tax includes Administrative Expenses					

2. ENTITLED PROPERTY

Table 2

Maximum Special Tax for Entitled Property

Community Facilities District No. 2005-01

Land Use Class	Description	Maximum Special Tax Per Unit ¹
3	Entitled Property	\$166 per lot
¹ Maximum Special	Tax includes Administrative Expenses	

On each July 1 following the Base Year (i.e., July 1, 2007), the Maximum Special Tax Rates in Table 1 and Table 2 shall be increased in accordance with the Annual Escalation Factor.

3. UNDEVELOPED PROPERTY

No Special Tax shall be levied on Undeveloped Property.

4. TAX-EXEMPT PROPERTY

No Special Tax shall be levied on Tax-Exempt Property.

5. MULTIPLE LAND USE CLASSES

In some instances an Assessor's Parcel may contain more than one Land Use Class. The Maximum Special Tax levied on an Assessor's Parcel shall

be the sum of the Maximum Special Tax levies that can be imposed on all Land Use Classes located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF SPECIAL TAXES

Commencing with Fiscal Year 2006-07, and for each subsequent Fiscal Year, the District Administrator shall calculate the Special Tax Requirement based on the definitions in Section A and levy the Special Tax as follows until the amount of the Special Tax levied equals the Special Tax Requirement. First, the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Developed Property Proportionately between Developed Single- Family Residence and Developed Multi-Family Residence up to 100% of the applicable Maximum Special Tax. Second, if the Special Tax Requirement has not been satisfied by the first step, then the Special Tax shall be levied each Fiscal Year on each Assessor's Parcel of Entitled Property up to 100% of the applicable Maximum Special Tax for Entitled Property.

E. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to an Assessor's Parcel is in error may file a written notice with the District Administrator appealing the levy of the Special Tax. This notice is required to be filed with the District Administrator during the Fiscal Year the error is believed to have occurred. The District Administrator or designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the District Administrator verifies that the tax should be changed, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

F. EXEMPTIONS

No Special Tax shall be levied on Non-Residential Property, Undeveloped Property, Property Owner Association Property or Public Property.

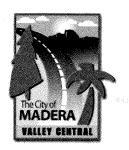
G. MANNER OF COLLECTION

Special Tax as levied pursuant to Section D above shall be collected in the same manner and at the same time as ordinary ad valorem property taxes; provided, however, that the District Administrator may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the District or as otherwise determined appropriate by the District Administrator.

H. TERM OF SPECIAL TAX

After the establishment of the District, the City Council may reexamine, if deemed necessary by City Council, the necessity of the continuance of the Special Tax

through the preparation of a Fiscal Impact Analysis, otherwise the Special Tax shall be levied in perpetuity.



REPORT TO CITY COUNCIL

Approved By
To the selection of
Department Director
APT
City Administrator

Council Meeting of <u>September 21, 2016</u>
Agenda Item Number_____C-4

SUBJECT:

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

RECOMMENDATION:

That the City Council hold the public hearing and approve the introduction of Ordinance No. __ C.S. Amending Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code relating to the adjustment of speed limits in certain zones.

SUMMARY:

At the June 1, 2016 Council meeting, an ordinance amending Subsection B of Section 3-5.08 of Chapter 5 of Title III of the Madera Municipal Code was adopted based on recent speed surveys performed by City Engineering Staff. It has since come to the attention of Staff that three (3) of the fifty-two street segments included in this ordinance did not consider certain speed limit reductions that are available for the purposes of addressing previously identified safety concerns including the potential for such things as pedestrians in the roadway due to lack of sidewalks, sight distance concerns, etc. These factors were accounted for as part of the last speed survey five years ago but were not carried forward into the most current survey. This revision corrects this omission. Additionally, two (2) of the fifty-two street segments were reported inconsistently with the results of the recent speed surveys conducted at these segments and must be corrected within the ordinance to allow for enforcement by the Police Department.

DISCUSSION:

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

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

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

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

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

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

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

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

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

LOCATION	Declared Prima Facie Speed Limit (MPH)
Adell Street from Country Club to "D" Street	40
Almond Ave. from Pine Street to Granada Drive	45
Almond Ave. from Golden State Hwy to Madera Ave	40
Almond Ave. from Madera Ave. to Stadium Road	40
Cleveland Ave. from Gateway Drive to Tulare St	40
Cleveland Ave. from Granada Drive to Schnoor Ave.	40
Cleveland Ave from Granada Dr. to W. City Limits	45
Cleveland Ave. from Schnoor Ave. to Freeway 99	40

LOCATION	Declared Prima Facie Speed Limit (MPH)
Cleveland Ave. from Tulare to Tozer Road	40
Clinton Ave. from Lilly St to Tozer Road	35
Country Club Drive from Cleveland Ave. to Clark	40
D Street from Central Ave. to Yosemite Ave.	35
D Street from Cleveland Ave. to Adell Street	40
D Street from Ninth Street to Olive Avenue	35
Ellis Street from Lake Street to Chapin Ave.	40
Fourth Street from I Street to Pine Street	35
Fourth Street from D Street to Lake Street	35
Gateway Drive from Cleveland Ave. to Avenue 16	50
Gateway Drive from Fresno River to Cleveland Ave.	40
Gateway Drive from Ninth Ave. to Olive Ave.	35
Granada Drive from Cleveland Ave. to Fresno River	45
Granada Drive from Howard Road to Sunset Ave.	<u>35 40</u>
Granada Drive from Howard Rd. to South City Limits	<u>59</u>
Granada Drive from Howard Rd. to Industrial Ave.	40 50
Granada Drive from Industrial Ave. to South City Limits	45 50
Granada Drive from Sunset Ave. to Riverview Drive	35
Howard Road from Autumn Road to Pine Street	35 40
I Street from 4th Street to Olive Avenue	35
I Street from 4th Street to Central Avenue	35
Industrial Ave. from Granada Dr. to Schnoor Ave.	40
Kennedy Street from Lake Street to Tulare Ave.	35
Kennedy Street from Tulare Street to City Limits	40
Lake Street from Cleveland Ave. to Ellis Street	40
Lake Street from Clinton Ave. to Sunrise Ave.	35
Pecan Ave. from Raymond Thomas to Golden State Blvd.	40
Pecan Ave. from Madera Ave. to Pine Street	45
Pecan Ave. from Schnoor Ave. to Pine Street	45
Pine Street from Howard Road to Pecan Street	45
Pine Street from Howard Road to Sunset Avenue	30
Schnoor Ave. from Dutra Way to Cleveland Ave.	35
Schnoor Ave. from Kennedy Street to Cleveland Ave.	40
Sherwood Way from Country Club Drive to Sonora Street	40
Sherwood Way from Sonora Street to Lake Street	35
Storey Road from Yosemite Ave. to City Limits	<u>45 50</u>
Sunrise Ave. from B Street to Lilly Street	40
Sunset Ave. from Fourth Street to Granada Drive	<u>35 40</u>
Sunset Ave. from Granada Drive to City Limits	45
Tozer Street from Avenue 15 to A Street	50

LOCATION	Declared Prima Facie Speed Limit (MPH)
Tozer Street from Yosemite Ave. to Avenue 15	45
Tozer Street from Olive Ave. to Knox Street	45
Vineyard Ave. from Clinton Ave. to Yosemite Ave.	35
Westberry Blvd. from Howard Road to Sunset Avenue	45
Yosemite Ave. from Gateway Drive to Olive Ave.	40

FISCAL IMPACT:

There is no direct impact to the City.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

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

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

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

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

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

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

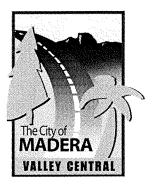
Item No.	LOCATION	Declared Prima Facie Speed Limit (MPH)
30	Kennedy Street from Lake Street to Tulare Ave.	35
31	Kennedy Street from Tulare Street to City Limits	40
32	Lake Street from Cleveland Ave. to Ellis Street	40
33	Lake Street from Clinton Ave. to Sunrise Ave.	35
34	Pecan Ave. from Raymond Thomas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

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

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

Report to City Council



Council Meeting of September 21, 2016
Agenda Item Number C-5

Approved by:

Department Directo

City Administrator

Consideration of a Resolution Approving a Second Amendment to the City Attorney At-Will Employment Agreement Relating to Ceasing Receipt of a Technology Allowance and Authorizing the Mayor to Execute the Amendment

RECOMMENDATION

Should the Council desire to effectuate the proposed Agreement Amendment, staff recommends Council adopt the resolution amending the City Attorney At-Will Employment Agreement and authorizing the Mayor to execute the Agreement.

Pursuant to Government Code § 54953 (c) (3), prior to taking action on this item, the Council must publicly announce a summary of the action begin considered.

Announcement - If approved, the proposed amendment to the City Attorney's At-Will Employment Agreement would stop his receipt of a \$75 per month technology allowance and provide for issuance of a City cell phone for business use effective September 1, 2016.

HISTORY

The City Council negotiated an At-Will Employment Agreement with Joel Brent Richardson to serve as City Attorney. The most recent Agreement was entered into in 2015. The 2015 Agreement contained a provision whereby Mr. Richardson received a technology allowance in lieu of receiving a City-issued cell phone.

SITUATION

As part of the benefits package, management employees have the option to receive a technology allowance and utilize their personal cell phone for City business or use a City-issued cell phone for business purposes. Some employee's prefer separate devices for personal and business use while others prefer not to carry multiple devices.

Mr. Richardson has requested to stop his receipt of the technology allowance and instead be issued a City cell phone for business purposes. If approved, this change would be effective September 1, 2016.

FISCAL IMPACT

Adoption of the amendment to the City Attorney's employment agreement is not anticipated to create any increase to expenses in the adopted FY 2016-17 budget. The technology allowance is equal to \$900 per year. The estimated cost for the purchase of a phone with a cellular and data plan for 10 months is \$740. When added to the two months of technology allowance already paid in the current fiscal year, the total expense is \$890, less than the budgeted expense. The estimated cost in year two (FY 2017-18) is \$456 for the cellular/data plan. City-issued devices are generally replaced on a 2-year cycle.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Compensation and benefits for City employees are not addressed in the vision or action plan; the requested action is also not in conflict with any of the actions or goals contained in that plan.

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA
APPROVING A SECOND AMENDMENT TO THE CITY ATTORNEY AT-WILL
EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE
AGREEMENT

WHEREAS, the City of Madera wishes to establish reasonable rules, regulations and compensation for its staff and elected officials within the financial limits of the organization; and

WHEREAS, a Second Amendment to the City Attorney At-Will Employment Agreement has been prepared and is amenable to all parties.

Now, Therefore, the Council of the City of Madera hereby resolves, finds, and orders as follows:

- 1. The above recitals are true and correct.
- 2. The Second Amendment to the City Attorney's At-Will Employment Agreement between the City and Joel Brent Richardson, on file with the office of the City Clerk and referred to for more particulars, is hereby approved.
- 3. The Mayor of the City of Madera is authorized to execute the Second Amendment on behalf of the City of Madera.
- 4. This resolution is effective immediately upon adoption.

SECOND AMENDMENT TO THE CITY ATTORNEY AT-WILL EMPLOYMENT AGREEMENT

This Amendment, entered into on the 21st day of September, 2016, amends the previous agreement entitled CITY ATTORNEY AT-WILL EMPLOYMENT AGREEMENT dated August 5, 2015 and amended June 15, 2016 by and between the City of Madera, a municipal corporation, hereinafter called "Employer," and Joel Brent Richardson, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH:

WHEREAS, Employee and Employer entered into an agreement dated August 5, 2015 and amended June 15, 2016, to contract with Employee to serve as City Attorney of Employer ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions related to Employee's receipt of a technology allowance.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 6. H. of the Agreement is amended to read as follows:

Section 6: OTHER TERMS AND CONDITIONS OF EMPLOYMENT

B. Technology Allowance

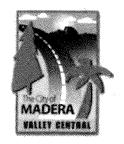
Employee will receive a monthly technology allowance of \$75. Employee will not receive a City-issued cell phone or be provided with any type of wireless or data plan through the City's wireless carrier and will be expected to utilize his personal cell phone for City business. Employee's personal cell phone number must be available to the public.

Notwithstanding the preceding paragraph, effective September 1, 2016, Employee no longer desires to utilize his personal cell phone for business purposes. Therefore, Employee's receipt of the technology allowance will cease and Employee will be provided with a City-issued cell phone on the City's cellular/data plan for business purposes Effective September 1, 2016.

<u>Section 2.</u> All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE	CITY OF MADERA
By:	By:
Joel Brent Richardson	Robert L. Poythress, Mayor
ATTEST	
By:	
Sonia Alvarez, City Clerk	



REPORT TO CITY COUNCIL

Appj	oved By	Council Meeting of September 21, 2016
Dep	Manuel Director	Agenda Item Number E-1
	267	
City	Administrator	
AKI PRE AN	EL ENGINEERING GROUP FOR PROFI PARATION OF SEWER AND WATER S	OLUTION APPROVING AGREEMENT WITH ESSIONAL ENGINEERING SERVICES FOR SYSTEM CONDITION ASSESSMENTS AND UTHORIZING THE MAYOR TO EXECUTE
RE	COMMENDATION:	
Tha	the City Council:	
	1. Approve Res. No. 16 ap Group, Inc.	proving Agreement with Akel Engineering
,	2. Authorize the Mayor to execute the	e agreement.
SUN	MMARY:	
conc Asse	lition assessments of the City's sewer and	it covers the completion of comprehensive d water systems and implementation of an is split into two phases: Year 1 and Year 2. Year 2 is triggered through additional

funding appropriations in the 2017/18 Budget. The compensation specified in the

consultant agreement is \$1,076,000, for Year 1 with an additional 7% allowed for extra services if determined by staff to be necessary. Year 2 maximum compensation is \$1,060,930. Funding for this work effort was outlined in the Utility Rate Study Report, the latest Capital Improvement Plan (CIP) and the Adopted 2016/2017 Annual Budget.

DISCUSSION:

The Utility Rate Study Report prepared for the Water and Sewer Rate Adjustments approved by City Council in July 2015 projected over \$10 million needed for repair and replacement type capital improvements from 2015/16 through 2019/20 plus an additional \$24 million through 2024 for projects yet to be identified through methods such as this Condition Assessment.

Preparation of comprehensive Condition Assessments for both the Water System and the Sewer System was specifically included in the new utility rate structure. The purpose of the Assessments is to identify potential risks to public health and safety, threats to core functionality of the utilities, and to help Council and Staff make decisions regarding the highest priorities and most efficient programming of the capital expenditures. An Asset Management Plan is included in this effort to ensure that the data collected throughout the process may be effectively used, expanded, and updated over time to make informed decisions about how to maintain and repair the sewer and water systems.

Consultant Selection Process

On April 4, 2016 (ironically one week prior to the first Schnoor sewer main collapse), the City Engineer issued a Request for Statement of Qualifications (SOQ) from engineering firms to prepare condition assessments and an asset management plan for both the sewer and water systems, citywide. The selected firm would be expected to provide all services necessary for evaluation and inspection of existing conditions of the Sewer and Water Systems and development of an ongoing Asset Management Plan inclusive of a preventative maintenance and replacement program. The final scope would be determined by available budgets and immediate needs of the City.

Three engineering firms responded to the Request for Statement of Qualifications (SOQ) for professional engineering services. The Selection Committee subsequently invited the firms of Akel Engineering Group, Stantech and AECOM to follow up interviews. The committee selected Akel Engineering Group, Inc. based on the responsiveness to the information requested in the Request for SOQ. Staff has negotiated a final scope of services and compensation for these services.

Scope of Services

The Scope of Work as proposed in the consultant agreement is consistent with that originally outlined in the Request for Statement of Qualifications (SOQ). In the initial phase of the project, Year 1, the Consultant will expand the existing Geographic Information System (GIS) database to include all relevant data for the entire water system (pipelines, valves, fire hydrants, wells, and the storage tank) and sewer system (mains, manholes, and lift stations). Using a risk-based GIS modeling software, the Consultant will present a list of those pipelines/components of the highest risk for further testing and analysis such as video inspection for sewer mains or specialized water leak detection services.

The Year 1 budget includes an allowance for video inspection of one-third (1/3) of the City's sewer mains and manholes. The City Public Works crews will clean/flush the sewer mains prior to the video inspections for a substantial cost savings on the contract (\$230,000). City costs are expected not to exceed \$100,000.Investigation and testing of almost two-thirds (2/3) of the water system is covered in the Year 1 budget. Following the testing and investigations, the Consultant will complete the condition and risk assessments resulting in the preparation of rehabilitation and replacement costs and recommendations. Concurrently, the Consultant will work with the City on identifying asset management strategies and finding a "best fit" solution for a successful implementation of a long term Asset Management Plan.

The recommended Basic Fee for Year 1 included in the Agreement is \$1,076,000. In addition to the basic fee, an additional 7 % is included for Extra Services, if needed, as determined by the City Engineer. More than half of these fees are related to performing video inspection of the sewer lines. This is an expensive, but unavoidable key component, in evaluating the condition of the lines and identifying threats to public safety and core system functionality. In addition to consultant costs, Staff from the Community Development (Director and staff from Engineering and Public Works) will also be directly involved in the preparation of the condition assessments and asset management plan through various components that consist of management of the project, coordination meetings, research, field investigations, review of consultant submittals, etc. Staff effort has been estimated at approximately \$80,000.

The Scope of Work in the second phase of the project, or Year 2, continues the detailed investigations and testing of the sewer and water systems. The cost and scope presented in the agreement for Year 2 assume up to 90% of all sewer and water facilities will have been tested or inspected over the course of both years. The maximum fee for said services is \$1,060,930. A more precise recommendation for additional investigations and testing will be generated in Year 1 and this information will be used to make the final recommendation for additional budget appropriations in FY 2017/18.

FISCAL IMPACT:

The total anticipated expenditures for preparation of the Sewer and Water Condition Assessments and Asset Management Plan including extra services and associated staff time in Year 1 is \$1,232,000. Funds generated from the increase in Sewer and Water Utility Rates will be used to pay for these efforts and are appropriated in the FY 2016/17 Budget as follows:

Water Rates – Water Condition Assessment	\$ 299,000
Sewer Rates – Sewer Condition Assessment	\$ 328,000
Sewer Rates – CCTV (Video) Inspection	\$ 613,000
TOTAL	\$1,235,000

The Public Works Department will come back to the City Council with a separate item for a \$100,000 appropriation to cover the increased sewer line cleaning cost in-house but will still net \$230,000 savings to the Project by doing the sewer line cleaning ourselves.

Year 2 Funding will be appropriated in FY 2017/18 Budget subject to approval by City Council at that time.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Action 101.6 – This entire effort supports this strategy to ensure infrastructure can sustain population growth in the development of the General Plan.

RESOLUTION NO. 16 -

A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH AKEL ENGINEERING GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR PREPARATION OF SEWER AND WATER SYSTEM CONDITION ASSESSMENTS AND ASSET MANAGEMENT PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, the City of Madera has determined that preparation of sewer and water system condition assessments (Condition Assessments) and an Asset Management Plan are necessary to identify potential risks to public health and safety, threats to core functionality of the utilities, and to help Council and Staff make decisions regarding the highest priorities and most efficient programming of the capital expenditures and repair and maintenance resources; and

WHEREAS, the Condition Assessments and Asset Management Plan require professional engineering services to assure that they are completed in accordance with certain local and state standards as well as appropriate engineering standards and principals; and

WHEREAS, the City of Madera has programmed Sewer System Utility Funds and Water System Utility Funds in the Fiscal Year 2016/17 Budget for such services; and

WHEREAS, the City of Madera has prepared an agreement for such services with Akel Engineering Group, Inc. that is on file in the office of the City Clerk of the City of Madera (the "Agreement") and referred to for full particulars.

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

- 1. The above recitals are true and correct.
- 2. The Agreement for professional engineering services as described above is necessary to the carrying out of the project.
- 3. The Agreement with Akel Engineering Group, a copy of which is on file in the office of the City Clerk and referred to for particulars, is hereby approved for a Basic Fee amount of \$1,076,000 for Year 1 Services, plus or 7% for Extra Services as approved by the City Engineer.
- 4. The Year 2 services contained therein are approved to be implemented for a Basic Fee amount not to exceed \$1,060,930 at the discretion of the City Engineer upon approval of a Budget Appropriation in FY 2017/18.
- 5. This resolution is effective immediately upon adoption.

AGREEMENT WITH AKEL ENGINEERING GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR PREPARATION OF SEWER AND WATER SYSTEM CONDITION ASSESSMENTS AND AN ASSET MANAGEMENT PLAN

This Agreement made and entered into this 21st day of September 2016, between the City of Madera, a municipal corporation of the State of California, hereinafter called "CITY", and Akel Engineering Group, Inc. in Fresno, CA, hereinafter called "ENGINEER".

WITNESSETH

WHEREAS, CITY plans to prepare condition assessments and an asset management plan for both the sewer and water systems, citywide, hereinafter called "Project"; and

WHEREAS, CITY needs the services of a professional engineering firm to prepare said condition assessments and asset management plan required by the CITY; and

WHEREAS, ENGINEER is qualified and licensed to provide the required professional engineering services and is knowledgeable of the principles and practices of the industry associated with the preparation of sewer and water condition assessment and asset management plans and CITY desires to hire ENGINEER for such purposes.

NOW THEREFORE:

The parties hereto mutually agree as follows:

1. **SERVICES OF ENGINEER:**

CITY hereby retains ENGINEER to provide data collection, utility analysis and update the City's Geographic Information System (GIS) in the preparation of condition assessments and asset management plan for the City's existing sewer and water systems and other engineering services as set forth herein in connection with the Project. Said work to be performed pursuant to this agreement is more particularly described in Scope of Work.

2. SCOPE OF WORK:

ENGINEER shall provide the professional services set forth in the Scope of Work, EXHIBIT A, attached hereto and incorporated herein by reference for tasks associated with Year 1. The Scope of Work associated with Year 2, also shown in Exhibit A, is contingent upon additional budget appropriation in Fiscal Year 2017/18 and shall be initiated only upon prior written approval

from the City. ENGINEER accepts full responsibility for the scope of services provided by sub consultants necessary for delivery of the project. ENGINEER shall comply with all City of Madera, State and Federal design standards and requirements as may apply to the Project.

3. PROGRESS MEETINGS:

ENGINEER shall communicate and meet with CITY staff at project progress meetings at intervals mutually agreed to between CITY and ENGINEER to verify, refine and complete the project requirements and review the progress of the project. Such meetings shall be as set forth in the Scope of Work, EXHIBIT A.

4. <u>CITY'S OBLIGATIONS</u>

The CITY shall provide the consultant with support and reference materials as may be called for in the Scope of Work, EXHIBIT A.

5. **COMPENSATION**

The basic fee shown in the Manpower Schedule and Fee Summary, EXHIBIT B, Total Year 1 Cost attached hereto and incorporated herein by reference, for the scope of work itemized under Year 1 of the Project Work Plan is One Million and Seventy-Six Thousand Dollars and no cents (\$1,076,000.00).

The basic fee shown in the Manpower Schedule and Fee Summary, EXHIBIT B, Total Year 2 Cost, attached hereto and incorporated herein by reference, for the scope of work itemized under Year 2 of the Project Work Plan is One Million Sixty Thousand Nine Hundred Thirty and no cents (\$1,060,930.00) and shall be granted only with prior written Authorization to Proceed with Year 2 tasks from the City.

CITY and ENGINEER agree that the hourly rates in the Hourly Rate Schedule, Exhibit C, attached hereto and incorporated herein by reference, shall remain in full force and effect through December 31, 2018. It is understood and agreed by both parties that all expenses incidental to ENGINEER'S performance of services are included in the basic fee.

The following payment schedule represents the maximum payable upon ENGINEER'S submittal for the following phases of the project:

Year 1	\$ 1,076,000
Year 1 Optional Tasks	\$ 5,830
Year 2 upon prior written approval of ENGINEER	\$ 1,060,930
Year 2 Optional Tasks	\$ 78,390

6. PAYMENT:

Payments for all undisputed portions of each invoice as provided for hereunder shall be made within 30 days of receipt and approval of ENGINEER'S monthly invoices for the work performed specified herein. ENGINEER'S invoice shall specify the billed hours and hourly rates for each employee classification. The subconsultants work shall be included on ENGINEER'S invoice with a copy of the subconsultant's invoice attached.

7. EXTRA SERVICES:

CITY agrees to pay ENGINEER for extra services labeled as optional or not contemplated hereunder as set forth in the Project Work Plan or for such services as may be specifically requested by CITY through the City Engineer in writing and agreed to by ENGINEER for an agreed to fixed fee or hourly rate of compensation, provided, however, the City Engineer's authority is limited to expenditures not to exceed an additional 7 % of the Year 1 basic fee.

CITY shall pay ENGINEER for services set forth in the Scope of Work, EXHIBIT A, attached hereto and incorporated herein by reference for optional tasks associated with Year 2 only upon prior written approval from the City.

8. **DOCUMENTATION:**

ENGINEER shall provide documentation of work in progress if requested by CITY in accordance with the Scope of Work, EXHIBIT A.

9. AUDITS AND INSPECTIONS ACCESS:

ENGINEER shall, upon reasonable notice and at any time during regular business hours, and as often as CITY may deem necessary, make available to the CITY or its authorized representative for examination, all of its books, records and data with respect to matters covered by this Agreement. ENGINEER shall permit CITY to audit and inspect all invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to matters covered by this Agreement.

10. **LIABILITY INSURANCE:**

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

A. <u>Minimum Scope of Insurance</u>

Coverage shall be at least as broad as:

- 1. Insurance Services Office Commercial General Liability coverage (occurrence form CG0001).
- 2. Insurance Service Office form number CA 0001 (Ed. 10/01) covering Automobile Liability, Code 1 (any auto).
- 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
- 4. Errors and Omissions liability insurance appropriate to the consultant's profession. ENGINEER'S coverage is to be endorsed to include contractual liability.

B. Minimum Limits of Insurance

ENGINEER shall maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply

- separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- 2. Automobile Insurance: \$1,000,000 per accident for bodily injury and property damage.
- 3. Worker's Compensation Insurance and Employer's Liability: \$1,000,000 per accident for bodily injury or disease.
- 4. Professional Liability (Errors & Omissions): \$1,000,000 per occurrence with a deductible not to exceed \$75,000, except that a higher deductible may be approved with appropriate documentation acceptable to the City's Risk Manager.

C. Deductibles and Self Insured Retentions

Any deductibles or self insured retentions must be declared to and approved by the CITY. At the option of the CITY, either: the insurer shall reduce or eliminate such deductibles or self insured retentions as respects the CITY, its officers, officials, employees, and designated volunteers; or the ENGINEER shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration and defense expense.

D. Other Insurance Provisions

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

- The City, its officers, officials, employees and designated volunteers are to be covered as additional insureds with respect to liability arising out of work or operations performed by or on behalf of the ENGINEER; or automobiles owned, leased, hired or borrowed by the ENGINEER. General liability coverage shall be provided with the following endorsement forms: 1) CG 20 10 XX and 2) CG 20 37 XX or substitute forms with identical language and coverages.
- 2. For any claims related to this project, the ENGINEER'S insurance coverage shall be primary insurance as respects the CITY, its officers, officials, employees and designated volunteers. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees or designated volunteers shall be excess of the ENGINEER'S insurance and shall not contribute to it.

3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the CITY.

E. Acceptability of Insurers

ENGINEER shall furnish the CITY with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the CITY or on other than the CITY'S forms provided those endorsements conform to CITY requirements. All certificates and endorsements are to be received and approved by the CITY before work commences. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

11. OWNERSHIP OF DOCUMENTS:

The responsible Professional Engineer shall sign and seal all reports furnished by ENGINEER and, where appropriate, indicate their registration number.

ENGINEER shall provide the CITY with an electronic file of all documents and deliverables so referenced in the Scope of Work, EXHIBIT A. If the Agreement is terminated at any time, the ENGINEER shall submit all project related documents, deliverables and correspondence included in the Project, whether in complete form, draft form or in progress. These items will become the sole property of the CITY which may use them to complete the Project at a later time.

Reuse of documents for any purpose other than as intended under this Agreement shall be at CITY'S sole risk. CITY shall indemnify ENGINEER for any damages incurred as a result of such reuse, including use of incomplete documents.

12. TIME OF COMPLETION:

A. Based on a Notice to Proceed date of September 22, 2016, ENGINEER shall complete the work as shown in EXHIBIT D, Task Bar Chart Schedule for Year 1 by October 1, 2017.

- B. ENGINEER shall not be held responsible for delays caused by CITY review or by reasons beyond ENGINEER'S control. ENGINEER shall not stop his work, including work unrelated to any extra services request, unless it can be shown that the project work cannot proceed while a claim or request for extra services is being evaluated.
- C. Time is of the essence in the completion of the services covered by this Agreement. Failure of ENGINEER to comply with any of the major tasks contained within the Project Schedule by more than fourteen (14) calendar days, unless the delay is not attributable to ENGINEER or is attributable to CITY, is sufficient cause to terminate this Agreement, at the option of CITY, in accordance with Paragraph 13.
- D. ENGINEER shall complete all services required under this Agreement and this Agreement shall expire on December 31, 2018, unless extended by mutual agreement.

13. TERMINATION OF AGREEMENT:

- A. This agreement may be terminated at any time by either party upon fifteen (15) calendar days written notice. In the event the Agreement is terminated by either party, ENGINEER shall be compensated for services performed to the date of termination based upon the compensation rates and subject to the maximum amounts payable agreed to together with such additional services performed after termination which are authorized by the CITY representative to wind up the work performed to date of termination.
- B. CITY may immediately suspend or terminate this Agreement in whole or in part by written notice where, in the determination of CITY, there is:
 - 1. An illegal use of funds by ENGINEER;
 - 2. A failure by ENGINEER to comply with any material term of this Agreement;
 - 3. A substantially incorrect or incomplete report submitted by ENGINEER to CITY.

In no event shall any payment by CITY or acceptance by ENGINEER constitute a waiver by such party of any breach of this Agreement or any default which may then exist on the part of either party. Neither shall such payment impair or prejudice any remedy available to either party with respect to such breach or default. CITY shall have the right to demand of ENGINEER the repayment to CITY of any funds disbursed to ENGINEER under this Agreement which, as

determined by the appropriate court or arbitrator, were not expended in accordance with the terms of this Agreement.

14. APPROVAL:

CITY will give reasonably prompt consideration to all matters submitted by ENGINEER for approval to the end that there will be no significant delays in ENGINEER'S program of work. An approval, authorization or request to ENGINEER given by CITY will only be binding upon CITY under the terms of this Agreement if in writing and signed on behalf of CITY by a CITY representative or designee.

15. **HOLD HARMLESS**:

ENGINEER shall defend and indemnify the CITY, its officers, officials, employees and designated volunteers for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the ENGINEER, its officers, subconsultants, agents, employees or contractors, in performing or failing to perform any work, services or functions under this Agreement.

16. RESPONSIBILITY FOR OTHERS:

ENGINEER shall be responsible to CITY for its services and the services of its sub consultants. ENGINEER shall not be responsible for the acts or omissions of other parties engaged by CITY nor for their construction means, methods, techniques, sequences, or procedures, or their health and safety precautions and programs.

17. PROFESSIONAL RESPONSIBILITY:

ENGINEER shall be obligated to comply with applicable standards of professional care in the performance of the Services. Engineer recognizes that opinions relating to environmental, geologic, and geotechnical conditions are based on limited data and that actual conditions may vary from those encountered at the times and locations where the data are obtained, despite the use of due professional care.

18. PARTIES BOUND BY AGREEMENT:

This Agreement shall be binding upon CITY, ENGINEER, and their successors in interest, legal representatives, executors, administrators and assigns with respect to all covenants as set forth herein. ENGINEER shall not subcontract, assign, or transfer any of the work except as otherwise provided for in this agreement.

19. **COMPLETE AGREEMENT OF PARTIES:**

This Agreement, including attachments incorporated herein by reference, represents the entire Agreement and understanding between the parties. Any modifications of this Agreement shall be in writing and signed by authorized representatives of the parties. One or more waivers of any term, condition or covenant by either party shall not be construed as a waiver of any other term, condition or covenant.

20. ASSIGNMENT WITH APPROVAL:

It is understood that neither party shall assign, sublet, subcontract or transfer its rights or obligation under this Agreement without the prior express, written consent of the other party.

21. INDEPENDENT CONTRACTOR:

In performance of the work, duties and obligations assumed by ENGINEER under this Agreement, it is mutually understood and agreed that ENGINEER, including any and all of ENGINEER'S officers, agents and employees will, at all times, be acting and performing as an independent contractor, and shall act in an independent capacity and not as an officer, agent, servant,, employee, joint venture, partner or associate of CITY. Furthermore, CITY shall have no right to control or supervise or direct the manner or method by which ENGINEER shall perform its work and function. However, CITY shall retain the right to administer this Agreement so as to verify that ENGINEER is performing its obligations in accordance with the terms and conditions hereof. ENGINEER and CITY shall comply with all applicable provisions of law and the rules and regulations, if any, of governmental authorities having jurisdiction over the subject matter hereof.

Because of its status as an independent contractor, ENGINEER shall have absolutely no right to employment rights and benefits available to CITY employees. ENGINEER shall be solely

liable and responsible for providing to, or on behalf of, its employees all legally required employee benefits. In addition, ENGINEER shall be solely responsible and hold CITY harmless from all matters relating to payment of ENGINEER'S employees, including compliance with Social Security, withholding and all other regulations governing such matters. It is acknowledged that during the term of this Agreement ENGINEER may be providing services to others unrelated to CITY or to this Agreement.

22. GOVERNING LAW:

Any controversy or claim arising out of, or relating to this Agreement which cannot be amicably settled without court action shall be litigated either in the appropriate State court for Madera County, California, or as appropriate in the U. S. District Court for the Eastern District of California, located in Fresno County. The rights and obligations of the parties and all interpretations and performance of this Agreement shall be governed in all respects by the laws of the State of California.

23. **AMENDMENTS:**

Any changes to this Agreement requested either by CITY or ENGINEER may only be affected if mutually agreed upon in writing by duly authorized representatives of the parties hereto. This Agreement shall not be modified or amended or any rights of a party to it waived except by such in writing.

24. COMPLIANCE WITH LAWS AND WAGE RATES:

ENGINEER shall comply with all Federal, State, and local laws, ordinances, regulations and provisions applicable in the performance of ENGINEER'S services. ENGINEER may use professional practices and standards regarding the interpretation of these laws.

Wherever reference is made in this Agreement to standards or codes in accordance with which work is to be performed or tested, the edition or revision of the standards or codes current on the effective date of this Agreement shall apply, unless otherwise expressly stated.

25. ENGINEER'S LEGAL AUTHORITY:

Each individual executing or attesting this Agreement on behalf of ENGINEER hereby covenants and represents: (i) that he or she is duly authorized to execute or attest and deliver this Agreement on behalf of such corporation in accordance with a duly adopted resolution of the corporation's board of directors and in accordance with such corporation's articles of incorporation or charter and by-laws; (ii) that this Agreement is binding upon such corporation; and (iii) that ENGINEER is a duly organized and legally existing corporation in good standing in the State of California.

26. **NOTICES**:

Any and all notices or other communications required or permitted by this Agreement or by law to be served on or given to either party to this Agreement by the other party shall be in writing, and shall be deemed duly served and given when personally delivered to the party to whom it is directed or any managing employee or that party or, in lieu or personal service, when deposited in the United States mail, first class postage prepaid, addressed as follows:

CITY ENGINEER

Engineering Division Akel Engineering Group, Inc.

205 W. 4th Street, Suite 103

Madera, CA 93637 Fresno, CA 93720

Attention: City Engineer Attention: Tony Akel, P.E.

27. **SOLE AGREEMENT:**

This instrument constitutes the sole and only agreement between ENGINEER and CITY respecting the Project and correctly sets the obligations of the ENGINEER and CITY to each other as of this date. Any agreements or representations respecting the above project, not expressly set forth in this instrument are null and void.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

ATTACHMENTS

EXHIBIT A SCOPE OF WORK

EXHIBIT B MANPOWER SCHEDULE AND FEE SUMMARY

EXHIBIT C HOURLY RATE SCHEDULE

EXHIBIT D
TASK BAR CHART SCHEDULE

Exhibit A – Scope of Work

The scope of work developed by City staff is acknowledged as a starting point for the overall project. The scope was include herein, with clarifications added that are included in our approach.

Task 1 - Project Management and Meetings

1.1 Kick -Off/Coordination Meetings - The Consultant shall conduct several meetings, including a kick-off meeting. Such meetings would serve as the venue to discuss any data needs as may be mentioned in the individual tasks. The Consultant shall prepare and submit meeting agendas and meeting notes.

Project Phasing

Continuous

Deliverables

Year 1: Meeting Agendas and Notes

Year 2: Meeting Agendas and Notes

1.2 Project Management - Provide general project management functions, prepare and maintain a project schedule and monitor budgets. Provide a summary of work performed with each invoice. Submit monthly schedule updates with each invoice.

Project Phasing

Continuous

Deliverables

Year 1: Monthly Progress Report and Schedule

Year 2: Monthly Progress Report and Schedule

Task 2 -Record Data Collection Review

- **2.1 GIS Review -** The City of Madera shall provide the currently available GIS database. The City will provide any available data associated with the water pipelines, water wells, storage tank, valves, hydrants, sanitary sewer pipelines, and sewer lift stations. This data may include but not be limited to field studies, as-built record drawings, specifications, construction and test reports, records of maintenance and repairs data, soil reports, operation data, and any information that would assist in determining age of each facility. Not all data that may be necessary for the inventory will be available and field data collection may be needed.
- 2.2 Request for Data The Consultant shall prepare a data needs memorandum for the City to provide to the consultant any materials that may not have already been provided to the Consultant during the scoping process.
- **2.3 Relevant Report Review -** Examine the City's water and sanitary sewer Master Infrastructure Plan documents approved in September 2014, recent capital improvement projects, relevant studies, GIS database information, and other sources that may directly apply to the work effort. The City will provide the access to such records.
- **2.4 City Staff Knowledge Transfer -** The Consultant shall conduct interviews with and consult with key City personnel with direct knowledge of the City's system, repair histories, and problem areas.

Project Phasing

Continuous

Deliverables

Year 1: Request For Data Matrix

Year 2: None

Task 3 -Testing and Investigations

3.1 Field Investigations -

3.1.1 Closed Circuit Television for Sewer System. Consultant shall perform/oversee the Closed Circuit Television to assist in condition assessment. Results of defects shall be coded using standardized methods for direct input to condition assessment software. This task includes CCTV for approximately 90% of the sewer system, and is estimated at approximately 150 miles of pipeline. The remaining 10% are assumed new construction and not required. This task assumes the consultant is responsible for flushing the sewer mains.

Project Phasing

CCTV and Flushing for the sewer system, including DVDs and Access Database files with NASSCO PACP for the CCTV pipelines. Manholes condition assessment will performed utilizing a video camera documenting defects, and will be NASSCO MACP certified.

Deliverables

Year 1: 60 miles of pipes and 110 manholes

Year 2: 90 miles of pipe and 170 manholes

3.1.2 Leak Detection for Water System. Consultant shall perform/oversee recommended leak detection to assist in condition assessment. Results of leak detection shall be located along the pipeline and coded for entry into the City's condition assessment software. This task includes leak detection for approximately 188 miles of water mains. Additionally, identified high risk pipelines may be CCTV on the water system, and up to 30 miles of pipeline.

Project Phasing

Exhibits documenting the location of the leaks from the acoustic leak detection, and video results from the CCTV.

Deliverables

Year 1: Acoustic Leak Detection - 114 miles; Advanced CCTV - 18 miles

Year 2: Acoustic Leak Detection - 75 miles; Advanced CCTV - 12 miles

3.2 Potholing - Select locations may require potholing to determine material type, age, condition of pipe. This task includes approximately 80 pothole locations, to be determined based on age, anticipated condition, and other considerations determined in discussions with City staff.

Project Phasing

Potholing will be completed using HydroVac excavation, and a technical memorandum documenting each of the locations. The technical memorandum will include images of the potholed utilities, and a map of their locations.

Deliverables

Year 1: 40 locations

Year 2: 40 locations

Task 4-Inventory and Condition Assessment

- **4.1 GIS Update and Expansion -** The Consultant shall expand the existing GIS database to include all relevant data necessary for an Asset Management Plan. The GIS will include the following:
 - Water System: This task includes identifying water pipelines, valves, fire hydrants, wells, storage tank and the potential to add meters at a later date. The Consultant shall expand the water system GIS to include apparent tees, crosses, and other identifiable pipe appurtenances. This task includes aerial review of the water system, and location verification. It should be noted that this task does not include in-depth review of as-built drawings.
 - Sewer System: This task includes identifying sewer mains (gravity, siphons, and force mains), manholes, and lift stations

The City has recovered historical pipe installation records for portions of the water and sewer system. The Consultant shall review and compare the historical records to the current GIS and CAD files to determine the data validity and accuracy of the revised GIS. Maps will be submitted to the City comparing the data sources for verification purposes. This task assumes that City staff will review available as-built records for verification purposes

As an initial and integral step in developing the GIS for the Condition Assessment and Asset Management Plan, the naming convention of assets will be verified and documented.

Deliverables

Year 1: Water and Sewer System GIS in geodatabase format

4.2 Condition and Risk Assessment -

4.2.a Water System Condition Assessment - The Consultant shall use risk-based GIS Modeling software, such as CapPlan, to determine existing conditions, risk of failure, consequence of failure, and the anticipated remaining service life of individual components of the water system. The Condition Assessment will incorporate available data including but not limited to material type, soil conditions, age, results of nondestructive testing, and maintenance records of repairs. Efficiencies, in addition to life-cycle costs may be considered. This task includes the development of likelihood and consequence of failure risk models.

Project Phasing

Year 1: Initial Risk Assessment of the water system to determine leak detection priority areas. Following Year 1 leak detection, a revised Risk Assessment will be provided to document pipelines ranked by risk category, and which is intended to identify priority pipelines for the rehab and replacement program.

Year 2: Following Year 2 leak detection, a risk assessment will be provided to merge the results of the Year 1 Risk Assessment, and document pipelines ranked by risk category city-wide.

Deliverables

- **Year 1:** Exhibits documenting the following: Leak detection results, initial risk assessment, and the post-leak detection risk assessment.
- **Year 2:** Exhibits documenting the following for City-wide: Leak detection results and the final risk assessment.
- 4.2.b Sewer System Condition Assessment The Consultant shall use risk-based GIS Modeling software, such as InfoMaster, to determine existing conditions, risk of failure, consequence of failure, and the anticipated remaining service life of individual components of the sewer system. The Condition Assessment will incorporate available data including but not limited to material type, soil conditions, age, results of nondestructive testing, and maintenance records of repairs. Efficiencies, in addition to life-cycle costs may be considered. This task includes the development of likelihood and consequence of failure risk models. Additionally, this amended scope of work includes consultant QA/QC review of all pipelines closed-circuit televised as part of this Project. For high risk pipelines, if previous CCTV is available, the available TV will be reviewed to determine the approximate rate of degradation of the pipeline, to provide an approximate remaining life of the .

Project Phasing

Year 1: Initial Risk Assessment of the sewer system to determine CCTV priority areas. Following Year 1 CCTV, a revised Risk Assessment will be provided to document pipelines ranked by risk category, and which is intended to identify priority pipelines for the rehab and replacement program.

Year 2: Following Year 2 CCTV, a risk assessment will be provided to merge the results of the Year 1 Risk Assessment, and document pipelines ranked by risk category citywide.

Deliverables

- **Year 1:** Exhibits documenting the following: CCTV results, initial risk assessment, and the post-CCTV risk assessment.
- **Year 2:** Exhibits documenting the following for City-wide: CCTV results and the final risk assessment.
- 4.2.c Condition Assessment of Wells and Lift Stations and Elevated Storage Tank. Consultant will conduct a site visit to each of the facilities with two engineers (structural and mechanical), document their condition with photographs, and verify the condition in place. City operations staff is requested to accompany Consultant and discuss their understanding of the operations and access any locked facilities or panels.

Deliverables

Year 1: A brief summary of the Condition of the Wells, Lift Stations, and Elevated Storage tank in an overall technical memorandum.

4.3 Rehabilitation and Replacement Program - The Consultant, in cooperation with City Staff, will provide recommendations for rehabilitation, replacement and/or repair of the various components to extend the useful life and prevent higher cost events due to failures and inefficient operations.

Project Phasing

Year 1: Rehabilitation and Replacement recommendations for the water and sewer system for the Year 1 Leak Detection and CCTV results.

Year 2: Rehabilitation and Replacement recommendations for the water and sewer system for the Year 2 Leak Detection and CCTV results.

Deliverables

Year 1: Tables and exhibits to document the rehabilitation and replacement recommendation decision chart, the rehabilitation and replacement results, and the criticality of the recommendations for the Year 1 CCTV and Leak Detection results.

Year 2: Tables and exhibits to document the rehabilitation and replacement recommendation decision chart, the rehabilitation and replacement results, and the criticality of the recommendations for the Year 2 CCTV and Leak Detection results. Year 1 results may be revised based on the Year 2 criticality results.

4.4 Cost Analysis and Remaining Service Life - Develop costs for the various improvements recommended to mitigate identified deficiencies. For each improvement recommended for sanitary sewer and water systems provide an estimate of remaining service life/estimated construction year presented in ranges of 5 years. Develop short term (1 to 5 years) and long term (5 years and beyond) improvement costs based on the rehabilitation and replacement program. The costs will be tempered with the City's budgetary constraints.

Project Phasing

Year 1: Cost analysis and remaining service life recommendations for the water and sewer system will be prioritized based on the rehabilitation and replacement recommendations and provided based on the Year 1 results.

Year 2: Cost analysis and remaining service life recommendations for the water and sewer system will be prioritized based on the rehabilitation and replacement recommendations and provided based on the Year 2 results. Year 1 results may be revised based on the Year 2 criticality results.

Deliverables

Year 1: Tables and exhibits to document the cost analysis recommendations for the Year 1 Rehabilitation and Replacement program.

Year 2: Tables and exhibits to document the cost analysis recommendations for the Year 2 Rehabilitation and Replacement program.

Task 5- Asset Management

The City of Madera (City) is currently planning on conducting condition assessments of their water distribution and wastewater collection systems and is interested in eventually moving forward with implementing a computerized maintenance management system (CMMS) and developing an asset management plan (AMP). This scope of work will initiate the development of an asset management program that will support CMMS implementation and ready the City for AMP development, once the condition assessments are completed.

The Asset Management Tasks will be completed in two phases.

Project Phasing

Year 1: Year 1 includes Task 5.1 through Task 5.4 and will be completed within the first 6 months of the Project.

Year 2: Year 2 includes Task 5.5 and Task 5.6, and will be initiated towards the completion of the condition assessment and criticality analysis, and during the implementation of the selected software.

5.1 Develop the Asset Information Strategy

This task will develop the City's Asset Information Strategy. The Asset Information Strategy maps the connections between stakeholders, business processes and data, and it is used to identify the appropriate data and information that are key to the management of assets. It provides support for both operational and strategic business decisions, and it is a foundational component of CMMS implementation because it defines the data collected by the various business processes, and the stakeholders that need information on the business processes. Once the strategy is in place, the Asset Information Data Standards can be developed and the IT systems can be identified and implemented to support the strategy.

AM Consultant will perform the following activities to complete this task:

- 5.1.a Prepare for and conduct a kickoff meeting that establishes the format of the strategy and the approach that will be used to prioritize the business processes that will be considered by the strategy. The City will provide copies of any ad hoc, monthly, quarterly or annual reports on collection system and distribution system O&M activities.
- 5.1.b Conduct a one-day site visit using two AM Consultant staff to understand the City's collection system and distribution system O&M organization and the current processes used for reactive and proactive work.
- 5.1.c Prepare for and conduct a half-day workshop focused on identifying the key stakeholders, business processes and data that will be included in the Asset Information Strategy. This workshop will also identify and prioritize the IT functionality required to perform the business processes.
- 5.1.d Develop format for Asset Data Standards and draft up to five example standards. Develop the draft Asset Information Strategy document and submit to the City for review.
- 5.1.e Finalize the Asset Information Strategy and Data Standards documentation based on City comments and the results of the workshop described in Task 5.2 below. Data standards will be developed for the existing asset classes included in the Asset Information Strategy.

Deliverable:

Asset Information Strategy and Data Standards document that covers the existing asset classes listed above

5.2 Develop the IT Functional Requirements

Once the Asset Information Strategy is complete, the functionality for current and future IT systems can be identified and documented. This task will identify the functional requirements of the IT systems and tools used by the City to manage its assets. This task will also identify the hardware and software platforms that will be used to manage the City's assets, the business functions the IT platforms will need to support, the relative/comparative cost of the platforms, and the software's capability to integrate with the City's financial management software currently being implemented.

AM Consultant will perform the following activities to complete this task:

- 5.2.a Prepare for and conduct a one-day site visit using two people that continues the site visit conducted in Task 5.1 above, to identify and document IT functionality desired by City staff to perform asset management activities.
- 5.2.b Using the results of the half-day workshop conducted in Task 5.1 above, identify the different IT solutions that are available to support the City's business processes and the relative/comparative costs of the solutions. Compare two different hardware/software

platforms for each of the following business functions, and assist the City in evaluating, selecting, and procuring hardware and software solutions for the following:

- Customer service requests, work order management, and staff/equipment time management
- Warehouse inventory control
- 5.2.c Prepare a draft IT Functional Requirements document that summarizes the results of the site visit and workshop, the identification of IT solutions available, and the evaluation of the hardware and software platforms.
- 5.2.d Prepare for and conduct a half-day workshop to review the draft documents prepared in Task 1 and Task 2 to gather input from the City.
- 5.2.e Finalize the IT Functional Requirements document.

Deliverable:

- 1. IT Functional Requirements document
- 2. Requests for proposals for the platforms listed in activity #2 above

5.3 Develop the Asset Hierarchy

A fundamental requirement for effective Asset Management is to develop and maintain an Asset Register which records all the assets owned and operated by the City. Using a consistent framework for asset naming and numbering can be very useful to readily identify asset types, location and associated components. A key step is therefore the development of an Asset Hierarchy to give context and organization to the Asset Registry. Ideally there should be a common referencing system which aligns asset management information systems with financial and other information systems to allow easy analysis of asset and financial data.

AM Consultant will perform the following activities to complete this task:

- 5.3.a Prepare a draft Asset Hierarchy document and submit it to the City, and review it in the critical assets workshop described in Task 5.4.
- 5.3.b Finalize the Asset Hierarchy document based on City comments and Task 4 workshop results.

Deliverable:

Asset Hierarchy document

5.4 Develop Asset Strategies

This task will be used to develop the basis and approach to developing preventive maintenance strategies for critical non-pipeline assets (pipeline criticality is covered in a work task separate from the Asset Management Program Initiation). A criticality assessment will be conducted that will be used to categorize maintenance into one of the following strategies:

- Category 1. Advanced maintenance (for highly critical assets)
- Category 2. Simple maintenance (manufacturer's recommended maintenance schedules)
- Category 3. No maintenance (run to failure)

AM Consultant will perform the following activities to complete this task:

- 5.4.a Prepare for and conduct a half-day workshop that reviews the Asset Hierarchy and agrees upon the methodology to identify critical and non-critical facilities and identifies and groups the facilities into one of the three categories listed above.
- 5.4.b Prepare a draft Asset Strategies document that summarizes the results of the workshop.
- 5.4.c Prepare for and conduct a half-day workshop to review the Task 5.3 and Task 5.4 draft documents and gather input from the City.
- 5.4.d Finalize the Asset Strategies document.

Deliverable:

Asset Strategies document

5.5 Develop Asset Management Plan

This task will be used to populate the Asset Management Plan (AMP) using content developed through the condition assessment effort, tasks described above, other existing data, staff experience, and reasonable assumptions. Where gaps exist, recommendations for developing the content will be provided.

AM Consultant will perform the following activities to complete this task:

- 5.5.a Prepare a draft AMP framework and submit to the City for review and comment.
- 5.5.b Finalize the framework based on City comments and prepare a draft AMP with known data and information, and that identifies any gaps that exist and a recommended plan for completing the content. Submit the draft to the City for review.
- 5.5.c 3. Prepare a final AMP based on City comments.

Deliverable

AMP populated with content from condition assessment and previous tasks

5.6 CMMS IMPLEMENTATION INITIAL SUPPORT

Once the City has procured a CMMS, this task will be used to coordinate and support the conversion of the condition assessment data into the CMMS software and to provide the City with support during CMMS rollout and implementation.

AM Consultant will perform the following activities to complete this task:

- 5.6.a Coordinate with the CMMS software developer during CMMS implementation and go live.
- 5.6.b Coordinate with the CMMS software developer to convert data collected in the condition assessment effort into the CMMS.
- 5.6.c Work with the City and CMMS software developer to develop training requirements and support for CMMS implementation and adoption.

Deliverables

CMMS Implementation and Training Plan

Task 6-Prepare Draft and Final Reports

Results of the condition assessment findings, analyses, discussions, and recommendations shall be summarized into a clear and well-documented report, first in Draft format then for final presentation to City Council. The consultant shall also provide an electronic copy of the final report in PDF format. Additionally, the updated GIS and Asset Management Plan shall be delivered to the City on a CD in the native format. Training of City Staff in the implementation of the on-going mechanisms of the Asset Management Plan shall be included.

Project Phasing

Year 1: The report will document the results from the Year 1 Condition and Risk Assessment, as well as the Asset Management Plan.

Year 2: The report will update the Year 1 report based on the results documented in Year 2.

Deliverables

Year 1: Draft (PDF format) and Final Report (PDF and CD)

Year 2: Draft (PDF format) and Final Report (PDF and CD)

Optional Tasks

O-1. Unidirectional Flushing Program

The Consultant shall use the updated GIS to develop a unidirectional flushing program to document flushing sequences and flushing zones for use by City operations staff. The Consultant shall develop maps intended to guide operations staff in documenting valve openings and closures, and the projected duration of the flushing based on discussions with City staff on desired turnover.

Deliverable:

Year 2: Maps documenting flushing sequences and flushing zones

O-2. Assessment Workshop and Findings Presentation

If desired by the City, AM Consultant will conduct an asset management practices workshop using AM Consultant's Comprehensive Asset Management Review and Assessment (CAMRA) tool that assesses the maturity of the City's asset management work practices. The benefit of conducting the assessment is to educate and orient City staff on what is considered to be good asset management practice and to identify any other areas the City might need to focus on in the future to elevate the City's practices and to confirm and reinforce the direction the City is currently taking on initiating a formal asset management program.

AM Consultant will perform the following activities to complete this task:

- 1. Customize CAMRA questions and prepare for and conduct two workshops:
- 2. AM Principles and CAMRA Approach (two-hour workshop)
- 3. CAMRA for water distribution and sewer collection (half-day workshop)

O-3. CMMS Implementation 3-Week Full Time Support

Provide support after Task 5.6 (CMMS Implementation Initial Support) using AM Consultant Operations and Maintenance Specialists.

AM Consultant O&M Specialists assumes up to a total of 240 hours of time (two people for three full weeks on site, or the City could elect to utilize only one specialist for up to six weeks on site; the weeks would be spread out over several months to confirm that CMMS adoption is occurring)

Exhibit B - Fee Estimate Summary

Updated: 9/14/16

			Fee	Estimate		Opua	tea: 9/14/16
		Total Year 1 ((Months 1-1	Cost		Total Year 2 Cos (Months 13-24)		Total Project Cost
Task No.	Water	Sewer	Total	Water	Sewer	Total	
Task 1 – Project Management and Meetings	\$10,735	\$10,735	\$21,471	\$9,236	\$9,236	\$18,472	\$39,943
Task 2 – Record Data Collection Review	\$6,100	\$6,100	\$12,200	\$0	\$0	\$0	\$12,200
Task 3 – Testing and Investigations	\$168,973	\$535,738	\$704,711	\$135,790	\$753,350	\$889,139	\$1,593,850
Task 4 – Inventory and Condition Assessment	\$100,719	\$125,269	\$225,988	\$27,440	\$58,068	\$85,509	\$311,497
Task 5 – Asset Management	\$47,535	\$47,535	\$95,070	\$20,880	\$20,880	\$41,760	\$136,830
Task 6 – Prepare Draft and Final Reports	\$8,280	\$8,280	\$16,560	\$13,025	\$13,025	\$26,050	\$42,610
Total	\$342,343	\$733,658	\$1,076,000	\$206,371	\$854,559	\$1,060,930	\$2,136,930
Assumptions							
GIS Update and Expansion			· .				
QA/QC of Water and Sewer Systems	Consultant revie appurtenances, be verified using	ew and identificatio including tees and g aerial imagery.	on of apparent crosses. Locations will				
Verification of Water and Sewer Systems	City staff to verification		ancy with As-Builts or				
Sewer Condition Assessment							
CCTV and Flushing							
Year Total	60 miles (Nor 150 miles	r-Cal flushing no	ot included)	90 miles (Nor-C	al flushing not incl u	ıded)	
QA/QC of CCTV Lines	150 miles 150 miles (10	۱ ۱ ۰%۱					
Manhole Assessment	100 111100 (110	70 70,					
Year 1	110						
Year 2	170						
Total	280						
Rehab and Replacement Detailed Recommendations	9 miles						
	GG Markalaa						
Manholes Surveyed Water Condition Assessment	66 Manholes						
Leak Detection Year 1	Acquetic 44	1 miles: Advanc	ced CCTV - 18 miles	: •			
Year 2			ed CCTV - 12 miles				
Potholing	7.000000						
Year 1	40 locations						
Year 2	40 locations						
Condition Assessment		tations / Storag	ge Tank				
Appurtenances Surveyed Asset Management software cost	166 Not included						
, tooot tatanagoment continue of toot	Trot morades						
Reduction to Account for City S	taff Flushii	ng					
Assumptions	1 Mobilizatio (Additional mo	n obilizations at \$	1,500 each)				
Equation for additional CCTV Reductions based on lineal feet		/ LF (including (j Nor-Cal Flushi	Consultant QA/QC ng Cost)				
Optional Scope of Work Items							
0-1 Unidirectional Flushing Program	+\$0	+\$0	+\$0	+\$27,810	+\$0	+\$27,810	+\$27,810
O-2 Assessment Workshop and Findings Presentation	+\$2,915	+\$2,915	+\$5,830	+\$0	+\$0	+\$0	+\$5,830
O-3 CMMS Implementation 3-Week Full Time Support	+\$0	+\$0	+\$0	+\$25,290	+\$25,290	+\$50,580	+\$50,580
	<u> </u>						

Exhibit B - Fee Estimate

										Year 1														Year 2			ľ							ost Distribu	
			Akı	el Engineerin	ig Group			, co	JWH Americ	as				Costs				Akel Engi	neering Grou	р		MV	VH America	5				Costs					(Wate	er vs Sewe	r)
Task No.	Comments	Principal	ociate Engines	istant Engined	ilS Specialist Secretarial	Total - AEG	fichael Price	Wassell Snow	Zraig Wilcox Zraig Wilcox Zrain Regain	Daniel Breg	Total - MWH	abor Costs	Other Sub	consultants	Other	otal Year 1 Cost	Principal	ociate Engined Istant Engined	IS Specialist	Secretarial Total - 4FG	fichael Price	tussell Snow	ring vincus. Irgaret Regan	Daniel Breg	Total - MWH Fapor	Costs O	ther Subconsu	ultants	Other C	otal Year 2 Cost	Total Projec Cost	Percent V	Nater Percent Sewer	t Cost Water	er Cost Sew
			A.S.	A.			-	<u>.</u>	5									Ass Ass					ź							I					
sk 1 - Project Management and Meetings Kick-Off/Coordination Meetings		24	24			68				2	10							_	12	8 6					0	\$9,396									
2 Project Management		18			12 8			2	2 2	2	8	\$12,395				\$12,395		18			6 8					\$9,076				\$9,396 \$9,076	\$21,7			50% \$10,89	
Subtotal		42		0		3 114		2	2 2	2	18	\$9,076 \$21,471				\$9,076 \$21,471		42 0		18 11		0 0	0			18,472				\$18,472	\$18, \$39,	1	50% 50	50% \$9,07	.,0 2
k 2 – Record Data Collection Review																																			
GIS Review		2	8	16	20	46		-			0	\$5,076				\$5,076				0	,				0	\$0				\$0	\$5,0	076	50% 56	50% \$2,53	538 \$:
Request for Data		2	2	4		8					0	\$1,064		2		\$1,064				0	,				0	\$0				\$0	\$1,0	064	50% 5	50% \$50	532
Relevant Report Review		1	2	6		9		-	and the state of t		0	\$1,096				\$1,096				0	,				0	\$0				\$0	\$1,0	096	50% 5	50% \$54	548
City Staff Knowledge Transfer		4	4	6	6	20	2	2	2 2		8	\$4,964				\$4,964				0	,				0	\$O				\$0	\$4,5) 64	50% 50	50% \$2,48	182 \$:
Subtotal		9	16	32	26 0	83	2	2	2 2	0	8	\$12,200				\$12,200	0	0 0	0	0 0	0	0 0	0	0	0	\$0				\$0	\$12,	200			
- Testing and Investigations																																			
Field investigations	Pipe CCTV (\$1.40 / LF) :				-										di d			-																	
ссту	Year 1 = 60 miles Year 2 = 90 miles Total = 150 miles (Includes Flushing at \$0.75 / LF for a total of \$2.15 / LF)	15	43	12 \$	92	162				and the second	0	\$18,732	\$517,006	Nor-Cal Pipeline		\$535,738	27	72 24	68	19	и				0 \$	23,944	Nor-C \$729,406 Pipel Servi			\$753,350	\$1,289,0	De8	0% 10	00%	\$0 \$1,2
Leak Detection	Manhole Assessment (\$75/manhole): 280 Pipe Leak Detection - Acoustic: 188 miles CCTV: 30 miles	6	11	10 2	28	55			***************************************		0	\$6,340	\$97,809	Amercian Leas Detection	k	\$104,149	14	24 20	56	11	4				0 \$	13,320	\$57,646 Amer	rcian Leak ction		\$70,966	\$175,1	14 1	100%	0% \$175,11	14
Potholing	80 Potholes (\$1,350/pothole)	6	12	9 1	18	45					0	\$5,424	\$59,400	Kleinfelder		\$64,824	6	12 9	18	45	5				0	35,424	\$59,400 Klein	nfelder		\$64,824	\$129,6	348 1	100%	0% \$129,64	48
Subtotal		27	66	31 1	38 0	262	0	0	0 0	0	0	\$30,496	\$674,215		-	\$704,711	47	08 53	142	0 35	io e	0 (0	0	0 \$	42,688	\$846,451			\$889,139	\$1,593,	350			
- Inventory and Condition Assessmen	nt				-																														
GIS Update and Expansion							-																							i					
Sewer System Expansion		4	8	16 1	00	128					0	\$13,036	\$22,000	Bedrock Engineering		\$35,036				0	,				0	\$0		-		\$0	\$35,0	136	0% 100	00% \$	\$0 \$:
2 Water System Expansion		8	16	30 5	00	554					0	\$54,360		Bedrock Engineering		\$59,860				0	,				o	\$0				\$0	\$59,8	360 1	100%	0% \$59,86	.60
Condition and Risk Assessment	QA/QC of CCTV lines: 150 miles (100%)	40	280	50 3	30	400			84		84	\$81,808				\$81,808	30 3	30 30	30	32	10				0 5	43,630				\$43,630	\$125,4	138	30% 76	70% \$37,63	31 \$i
Rehabilitation and Replacement Program	Rehab and Replacement Detailed Recommendations: 9 miles	9 8	30	20 2	20	78	10	30	25	18	83	\$33,966				\$33,966	16	30 20	20	86	5 6	12 1:	2 8	4	42 \$	24,001				\$24,001	\$57,9	67	30% 70	70% \$17,38	190 \$
Cost Analysis and Remaining Service Life	inics	8	20	30 2	20	78	2	5	5 4	4	20	\$15,318				\$15,318	16	28 30	20	94	4 2	5 5	5 4	4	20 \$	17,878				\$17,878	\$33,1	96	40% 60	50% \$13,27	78 \$
Subtotal		68	354	148 6	70 0	1238	12	35	89 29	22	187	\$198,488	\$27,500			\$225,988	62 :	88 80	70	0 50	8	17 1	7 12	8	62 \$	85,509				\$85,509	\$311,4	197			
5 – Asset Management																												İ							
Develop the Asset Information Strategy		2	2	ĺ	ļ	4					0	\$640	\$25,190	CH2M		\$25,830				0	,				0	\$0			1	\$0	\$25,8	130	50% 50	50% \$12,91	115 \$1
Develop the iT Function Requirements		2	2		-	4					0	\$640	\$44,220			\$44,860				0					0	\$0				\$0	\$44,6			50% \$22,43	
Develop the Asset Hierarchy		2	2			4					0	\$640		CH2M		\$5,480				0	,				0	\$0				\$0	\$5,4			50% \$2,74	
Develop Asset Strategies		2	2			4			and the same of th		0	\$640	\$18,260	CH2M		\$18,900				c	,				0	\$0				\$0	\$18,9			50% \$9,45	
Develop Asset Management Plan						0					0	\$0				\$0	2	2		4	.]				o	\$640	\$26,180 CH28	м		\$26,820	\$26,8	320	50% 50	50% \$13,41	110 \$
CMMS implementation initial Support						0					0	\$0				\$0	2	2		4					0	\$640	\$14,300 CH2N	м		\$14,940	\$14,9	140	50% 50	50% \$7,47	70
Subtotal		8	8	0	0 0	16	0	0	0 0	0	0	\$2,560	\$92,510			\$95,070	4	4 0	0	0 8	0	0 0	0	0	0	\$1,280	\$40,480		\$0	\$41,760	\$136,8	130			
6 Prepare Draft and Final Reports		18	30	45	30	123					0	\$15,060			\$1,500	\$16,560	18	30 45	30	0 12	3 4	8 8	8		20 \$	21,550			\$4,500	\$26,050	\$42,6	110	50% 50	50% \$21,30	105 \$2
		1 -								-					1		 -							+ +											
		172	516	254 8	76 18	1836	24	39	93 33	24	213	\$280,275	\$794,225	<u> </u>	\$1,500 \$	1,076,000	173	72 178	254	18 10	95 20	25 2	5 12	8	90 \$16	9,499 \$	886,931		\$4,500	\$1,060,930	\$2,136,9	30		\$548,71	14 \$1,588

Note:
1. CH2M level of effort for Task 5 is as follows: Task 5.1 - 130 hours; Task 5.2 - 230 hours; Task 5.3 - 26 hours; Task 5.4 - 100 hours; Task 5.5 - 140 hours; and Task 5.6 - 76 hours



Exhibit C - Fee Schedule

Hourly Fee Schedules for Akel Engineering Group and Sub-consultants are included herein.

Akel Engineering Group, Inc.

Principal Engineer: \$180/hour Associate Engineer: \$140/hour Assistant Engineer: \$106/hour GIS Technician: \$95/hour Word Processing: \$72/hour

Other costs

Travel and Subsistence: at Cost
 Mileage: \$0.54/miles
 Other Direct Cost Cost plus 10%

MWH Americas, Inc.

Breg, Daniel: \$236.75/hour Price, Mike: \$295.00/hour Snow, Russell: \$290.00/hour Regan, Margaret: \$241.40/hour Wilcox, Craig: \$295.00/hour

Kleinfelder

\$1,350 per location with a minimum of 8 borings per day

CH2M

Global Service Lead – Gareth Lifton:	\$258 /hour
Principal Professional 2 – Tim Hill/JohnRickermann:	\$220 /hour
Principal Professional 1 - Paul Amico:	\$190 /hour
Sr. Professional 2 – Sarah Parrish:	\$175 /hour
Sr. Professional 1 – Ed Douglas:	\$165 /hour
Project Professional 2 – Shawna Haymon:	\$146 /hour
Project Professional 1	\$132 /hour
Staff Professional 2 – Isiah Quintanilla:	\$124 /hour
Staff Professional 1	\$102 /hour
Engineering Technician	\$191 /hour
Technician	\$109 /hour

^{*}Fee Schedule is subject to an annual increase at the end of the fiscal year

Nor-Cal Pipeline Services

- CCTV: \$1.40 per Lineal foot (PACP inspection)
- Flushing: \$0.75 per foot
- \$150 per Lateral
- \$75 per manhole (Level 1 MACP Assessment)

Bedrock Engineering

Employee Classification Hourly Rate:

- Principal Civil Engineer / Principal Land Surveyor \$140.00
- Registered Civil Engineer / Professional Land Surveyor \$125.00
- Engineering / Land Surveying Technician \$95.00
- Administrative Assistant / Clerical \$60.00
- Principal Expert Witness Testimony \$300.00

Field Crew (normal rate and non-prevailing wage) Hourly Rate:

- One-person crew with robotic total station \$135.00
- One-person crew with GPS total station \$155.00
- One-person crew with GPR and electromagnetic pipe & cable locator \$135.00
- One-person crew with Riegl Z390i laser scanner \$260.00
- Each additional crew member \$80.00
- Mobilization fee (per trip; based on project location) TBD

Field Crew (prevailing wage in all counties) Hourly Rate:

- One-person crew with robotic total station \$185.00
- One-person crew with GPS total station \$205.00
- One-person crew with Riegl Z390i laser scanner \$310.00
- Each additional crew member \$130.00
- Mobilization fee (per trip; based on project location) TBD

Sewer Manhole Pricing (non-prevailing rate):

- 10 manholes at \$400 each
- 30 manholes at \$350 each
- 50+ manholes at \$300 each

Each manhole would be surveyed for horizontal location, rim grade, invert depths, pipe sizes and directions.

Water Appurtenance (non-prevailing rate):

\$30 per water appurtenance (valve, hydrant, well, tank, backflow preventer, etc.)

American Leak Detection

- Acoustic Surveying between \$1,500 and \$2,000 per day excluding all mobilization fees and charges.
- Pipe Assessment between \$5,000 and \$6,000 per day excluding all mobilization fees and charges (up to 4 insertion points per day).
- Mobilization is estimated at approximately 10% of total cost

Exhibit D - Schedule

