

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

July 1, 2015
6:00 p.m.

Council Chambers
City Hall

CALL TO ORDER

The regular meeting for 7/1/15 was called to order by Mayor Poythress at 6:00 p.m.

ROLL CALL:

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

Absent: Council Member Bompreszi

Others present were City Administrator David Tooley, City Attorney Brent Richardson, City Clerk Sonia Alvarez, Director of Financial Services Tim Przybyla, City Engineer Keith Helmuth, Public Works Operations Director David Randall, Chief of Police Steve Frazier, Director of Parks and Community Services Mary Anne Seay, Chief Building Official Steve Woodworth, Information Services Manager Ted Uyesaka, Procurement Services Manager Becky McCurdy, Planning Manager Chris Boyle, Parks Planning Manager John Scarborough, and Recording Secretary Claudia Mendoza.

INVOCATION: Pastor John Pursell, Believer's Church

The invocation was given by Council Member Rigby due to the absence of Pastor Pursell.

PLEDGE OF ALLEGIANCE: Council Member Holley led in the Pledge of Allegiance.

PUBLIC COMMENT:

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

Marcus Savage stated he represents Ygrene Energy Fund. He noted that their name Ygrene is the word energy spelled backwards. He advised that Ygrene Energy Fund is the nation's largest commercial PACE provider. He stated that if anyone is unfamiliar with the acronym PACE, it stands for Property Assessed Clean Energy. He noted that PACE financing has no credit score or debt ratio criteria; it is equity based financing for renewable energy, energy savings, and water conservation projects. He commented that as

they know, Governor Brown's water conservation mandates started June 1st. He added that by July 15th all jurisdictions must submit water usage statistics for June. He commented that Ygrene's funding of gray water recycling systems, low flow irrigation, and drought tolerant landscaping has been a valuable asset to many communities. He added that gray water recycling systems have significant potential to assist their water conservation efforts. He explained that gray water is gently used water from sinks, showers, bathtubs, and washing machines. He asked that they think about how much water is wasted just waiting for a sink or shower water to warm up. He asked that they now imagine reusing all the water that goes through their kitchen sink, their bathroom sink, all the water that goes through their shower and their bathtubs, and all the water that goes through their washing machines. He noted that this is a significant amount of water. If there is no concern for local groundwater reservoirs, gray water recycling systems are a powerful solution to their water conservation needs. Energy efficient roofing, energy efficient windows, energy efficient heating ventilation, air condition units, solar systems, gray water recycling systems are simply a few of the thousands of potential projects funded by Ygrene Energy Fund. He noted that there is no demographic that is unsuitable for Ygrene's PACE financing. He commented that with their full payment tax deductibility, many customers who would normally pay cash use Ygrene's 100% financing and reduce their overall net project costs. He added that commercial property owners place tremendous value on Ygrene's financing model for the essentially off ledger nature. He advised that there is no lien recorded against the business or personal credit ports and there is no bulk assessment lien recorded against the property. He added that Ygrene's financing model provides significant benefits to all property owners in every jurisdiction. He noted that since refinancing of PACE financing is made through property taxes, Ygrene needs the City's approval to conduct business and assist the property owners within the City of Madera. He advised that the City has no cost, no liability and there is no ongoing staff time required. He commented that the City of Madera benefits from significant economic stimulus in the form of job creation, revenues from lien recordation, permits, and property tax assessment. He noted that in this region, the City of Clovis has already approved Ygrene. He added that the City of Fresno, the County of Fresno, the County of Madera have all committed in their scheduling agenda dates. They ask for Council's consideration in approving Ygrene Energy Fund for their property owners and for the City of Madera. Mr. Savage offered to answer any questions.

Mayor Poythress responded not at this time but suggested that Mr. Savage feel free to contact staff to discuss this further.

Mayor Poythress asked if there are any other members of the public who would like to address the Council under public comment. No other requests were made and Mayor Poythress closed the public comment.

PRESENTATIONS Low Carbon Transit Operation Grant

Mayor Poythress announced that this evening they have something that is called the LCTOP Grant which stands for the Low Carbon Transit Operations Program. Mayor Poythress invited the Director of Financial Services Tim Przybyla to join him at the podium to talk a little bit about what this is all about.

Director of Financial Services Tim Przybyla stated the California Department of Transportation (Caltrans) has awarded the City with this grant for \$50,146. He commented that Caltrans awards these grants to fund proposals with potentials to reduce both air pollution and carbon emissions. He added that this award will fund enhancements to the City's bus stops such as new shelters and concrete pads to encourage more residents to use public transportation. He noted that these enhancements should not only encourage Maderans to ride the bus but also assist the City to address some of the concerns raised at the latest Transit Unmet Needs Hearing. He noted that staff appreciates the assistance provided by the LCTOP program and looks forward to its continued support.

Mayor Poythress asked if the source of these funds is potentially from CAP and Trade funds noting that it is all about reducing carbon so possibly it is.

Mr. Przybyla replied possibly. He stated that he does know that it comes from the California Department of Transportation. He is not sure if Caltrans gets additional monies for that or if it is just the regular funding that they are using for these purposes.

Mr. Przybyla presented the ceremonial check to Mayor Poythress.

Late distribution announcement – Recording Secretary Claudia Mendoza announced that pursuant to Government Code Section 54957 members of the public are advised that documents related to the following agenda item were distributed to the Council less than 72 hours before this meeting. She advised that it is Item B-7 in regards to approving a subordination agreement for Isaías G. Angeles.

A. WORKSHOP

There are no items for this section.

B. CONSENT CALENDAR

- B-1 Minutes – 4/01/15
- B-2 Information Only – Warrant Disbursement Report
- B-3 Consideration of a Resolution Approving a Food Services Agreement with Fresno Economic Opportunities Commission to Provide Senior Meals for the City of Madera Adult Day Care (ADC) Program and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mark Etheridge)
- B-4 Consideration of a Resolution Appointing Lawrence J. “Jeff” Dal Cerro to the City of Madera Planning Commission (Report by Chris Boyle)
- B-5 Consideration of a Resolution Approving the Authorization of Submission of Grant Application to the California Department of Resources Recycling and Recovery for a Used Oil Payment Program Grant and Authorizing the City Administrator to Execute all Grant Related Documents (Report by Dave Randall)
- B-6 Consideration of a Resolution Approving a Host Agency Agreement Between the SER Senior Community Service Employment Program (SER SCSEP) and the City of Madera for Senior Employment Services, and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Mark Etheridge)
- B-7 Consideration of a Resolution of the City Council, of the City of Madera, California, Approving a Subordination Agreement for Isaías G. Angeles for a HOME First Time Home Buyer Loan and Authorizing the City Administrator to Sign the Subordination Agreement on Behalf of the City of Madera (Report by Daniel Abdella)
- B-8 Declaration of Surplus Property (Report by Becky McCurdy)
- B-9 Consideration of a Resolution of the City Council, of the City of Madera, California, Approving a Subordination Agreement for Eustorgio and Flaviana Ramirez for a CALHOME and HOME First Time Home Buyer Loan and Authorizing the City Administrator to Sign the Subordination Agreement on Behalf of the City of Madera and Rescinding Resolution No. 2015-92 (Report by Daniel Abdella)
- B-10 Consideration of a Resolution Considering an Addendum to a Previously Adopted Mitigated Negative Declaration for a New Water Well and Request for Authorization to Initiate Site Selection and Preliminary Engineering as Necessary (Report by Dave Randall)

- B-11 Consideration of a Resolution Approving a Memorandum of Understanding between the City of Madera and the Mid Management Employee Group and Authorizing the City Administrator to Sign the Memorandum (Report by Wendy Silva)
- B-12 Consideration of a Resolution Approving a Memorandum of Understanding between the City of Madera and the Law Enforcement Mid Management Group and Authorizing the City Administrator to Sign the Memorandum (Report by Wendy Silva)
- B-13 Consideration of a Resolution Approving an Agreement with Pitney Bowes for Lease of Mail Processing Equipment and Authorizing the Mayor to Execute the Agreement on Behalf of the City (Report by Dave Randall)
- B-14 Consideration of a Resolution Approving the Award of Contract for Laurel Street Bike Path Sunset Avenue to Fresno River Trail Federal Project No. CML 5157 (097), SJVAPCD Project No. C-28159-A, City of Madera Project No. PK 12, in the Amount of \$575,766.00 to F. Loduca Co., Authorizing Construction Contingencies of Up to 5% and Construction Inspection and Management of Up to 5%, and Authorizing the Mayor to Execute the Contract on Behalf of the City

And

Consideration of a Resolution Approving Funding Amendments to the City of Madera Fiscal Year 2014/15 Budget for the Laurel Street Bike Path Sunset Avenue to Fresno River Trail Federal Project No. CML 5157 (097), SJVAPCD Project No. C-28159-A, City of Madera Project No. PK 12 (Report by Keith Helmuth)

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

ON MOTION BY MAYOR PRO TEM OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, THE CONSENT CALENDAR WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPRESZI.

- RES. NO. 15-134 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A FOOD SERVICES AGREEMENT WITH FRESNO ECONOMIC OPPORTUNITIES COMMISSION TO PROVIDE SENIOR MEALS FOR THE CITY OF MADERA ADULT DAY CARE (ADC) PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**
- RES. NO. 15-135 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA CALIFORNIA APPOINTING LAWRENCE J. "JEFF" DAL CERRO TO THE CITY OF MADERA PLANNING COMMISSION**
- RES. NO. 15-136 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING SUBMISSION OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR A USED OIL PAYMENT PROGRAM GRANT AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL GRANT DOCUMENTS**
- RES. NO. 15-137 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A HOST AGENCY AGREEMENT BETWEEN THE**

SER SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SER SCSEP) AND THE CITY OF MADERA FOR SENIOR EMPLOYMENT SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

- RES. NO. 15-138 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A SUBORDINATE AGREEMENT FOR ISAIAS G. ANGELES FOR A HOME FIRST TIME HOME BUYER LOAN AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE SUBORDINATION AGREEMENT ON BEHALF OF THE CITY OF MADERA
- RES. NO. 15-139 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING A SUBORDINATION AGREEMENT FOR EUSTORGIO AND FLAVIANA RAMIREZ FOR A CALHOME AND HOME FIRST TIME HOME BUYER LOAN AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN ON BEHALF OF THE CITY OF MADERA AND RESCINDING RESOLUTION NO. 2015-92
- RES. NO. 15-140 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA CONSIDERING AN ADDENDUM TO A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION FOR A NEW WATER WELL AND AUTHORIZING STAFF TO INITIATE SITE SELECTION AND PRELIMINARY ENGINEERING AS NECESSARY
- RES. NO. 15-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND THE MID-MANAGEMENT EMPLOYEE GROUP AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM
- RES. NO. 15-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MADERA AND THE LAW ENFORCEMENT MID MANAGEMENT GROUP AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE MEMORANDUM
- RES. NO. 15-143 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING AN AGREEMENT WITH PITNEY BOWES FOR LEASE OF MAIL PROCESSING EQUIPMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY
- RES. NO. 15-144 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING THE AWARD OF CONTRACT FOR THE LAUREL STREET BIKE PATH SUNSET AVENUE TO FRESNO RIVER TRAIL FEDERAL PROJECT NO. CML 5157 (097), SJVAPCD PROJECT NO. C-28159-A, CITY OF MADERA PROJECT NO. PK 12, IN THE AMOUNT OF \$575,766.00 TO F. LODUCA CO., AUTHORIZING CONSTRUCTION CONTINGENCIES OF UP TO 5% AND CONSTRUCTION INSPECTION AND MANAGEMENT OF UP TO 5%, AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY
- RES. NO. 15-145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING FUNDING AMENDMENTS TO THE CITY OF MADERA FISCAL YEAR 2014/15 BUDGET FOR THE LAUREL STREET BIKE PATH SUNSET AVENUE TO FRESNO RIVER TRAIL

Mayor Poythress referred to item B-4 which was consideration of a resolution appointing a new Madera Planning Commission Member. He recognized Jeff Dal Cerro who is in the audience. He asked Mr. Dal Cerro to come up. He thinks it is always important for the Council to know who their Planning Commissioners are. He noted it is such a great commission and a very important function of the City so he thought it would be wonderful if Mr. Dal Cerro had a chance to say a few words.

Mr. Dal Cerro thanked Mayor Poythress. He is looking forward to the opportunity to serve on the Planning Commission. He has had an opportunity to meet the Planning Manager. He thinks they will work together. He noted that perhaps some of them know that he is born and raised in Madera. He returned here after his career in the Bay Area and he is looking forward to reintegrating in a formal sense with the community. He thanked Mayor Poythress for his vote of confidence in proposing him and he looks forward to serving.

Mayor Poythress pointed out that Mr. Dal Cerro is a member of the distinguished Madera High School of '74 as well as John Rigby also in attendance.

Mr. Dal Cerro added and the Mayor too.

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

C-1 Public Hearing & Consideration of a Resolution Confirming the Assessments for City Wide Landscape and Lighting Assessment District Zones of Benefit 1, 2, 3, 4, 6-A, 6-B, 7, 8, 9, 10-A, 10-B, 10-C, 10-D, 10-E, 10-F, 10-G, 10-H, 10-I, 12, 13, 14, 15, 15-B, 15-C, 16, 17-A, 17-B, 17-C, 17-D, 18, 20-A, 20-B, 20-C, 21-A, 21-B, 21-C, 21-D, 23, 24, 25-C, 25-D, 26, 26-B, 26-C, 26-D, 27, 27-B, 28, 28-B, 29, 29-B, 29-C, 29-D, 29-E, 30, 31-A, 31-B, 32-A, 32-B, 33, 34, 34-B, 34-C, 35, 36-A, 36-B, 36-C, 37, 39, 40, 41, 43-A, 43-C, 43-D, 43-E, 44, 45-A, 46, 50 & 51 and Authorizing the City Engineer to File the Diagram and Assessment with the Auditor of Madera County

City Engineer Keith Helmuth stated that on an annual basis the Engineering Department prepares a Landscape Maintenance District Engineer's Report. He advised that this report addresses the City's landscape and lighting assessment districts within the City. He noted that the report does several things as part of the management of the district and the various zones. He commented that those things include adding additional zones to the Engineering Report that did not exist in the Engineer's Report from the last year noting that no zones were added this year by the way. It also includes updates exhibits and assessments to reflect parcels that may have been divided or merged in the previous year of which there were about four. Updating the assessment amounts for any changes in costs. He advised that there are a series of changes discussed in the staff report that primarily serve to increase some assessments. He added that this year the majority of adjustments to assessments represent increases. He noted that there are two zones however, that are experiencing a decrease. He commented that some adjustments are in accordance with the existing covenants. 40 of the zones, 23 of which were voted down last year, either do not have a covenant or are outside the terms of their existing covenant. He stated that these zones are subject to the Proposition 218 election and hearing tonight. Mr. Helmuth added that as indicated in the staff report, staff is proposing the removal of 3 zones. He advised that those zones are 10I, 18, and 31A. He restated that he is looking to remove those from the election process.

Mr. Helmuth commented that for those zones subject to a Proposition 218 hearing, the Council will consider the testimony in conjunction with the results of the ballot procedure. He advised that where the weighted number of ballots received is in favor of the proposed assessment Council may in combination with the testimony received determine that the assessments are appropriate. Where the ballots indicate more opposed to the assessment, the increase will be abandoned for this year and the rates will revert to the previous year's assessment amount or that allowed per the applicable covenant whichever is greater. Mr. Helmuth commented, as he noted previously, the ballots received will be weighted. He explained that means that where all parcels within the zone have the same assessment, each parcel will receive one vote. Where assessments are different from parcel to parcel however, each dollar value of assessment receives one vote so it is possible within a given zone that they might see thousands of votes dependent upon the

size of the assessments. He added that a tie represents a passing vote and if there are no ballots received for a zone that also represents a passing vote.

Mr. Helmuth stated that with that he would ask the Council to consider the proposal to remove Zones 10I, 18, and 31A and to begin the public hearing portion of this item. He offered to answer any questions.

Mayor Poythress asked if there are any questions of Mr. Helmuth. No questions were asked.

Mayor Poythress announced that at this time he will consider a proposal to remove Zones 10I, 18, and 31A from the Proposition 218 elections process.

ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER HOLLEY, THE MOTION TO REMOVE ZONES 10I, 18, AND 31A FROM THE PROPOSITION 218 ELECTION WAS UNANIMOUSLY ADOPTED. ABSENT: COUNCIL MEMBER BOMPREZZI.

Mayor Poythress announced that he would like to open up the public hearing. He opened the hearing to any members of the public who would like to give oral comments in favor of the annual assessments for the zones of benefit. He asked that they come up to the microphone and give their name and address.

City Attorney Brent Richardson stated if the Mayor is setting a time limit on comments he asked that he establish that at the get go.

Mayor Poythress announced that is three minutes or less. He restated anyone in favor of the annual assessments this would be the time to do it. No one came forward.

Mayor Poythress announced they would move on to those who would like to make oral comments that are against the annual assessments for the zone of benefit, this would be the time to do it. He added that also has the three minute time limit.

Rosa Cervantes, residing in Madera, California, stated they are here a little concerned about the landscaping raise for this year since it has been \$35. She stated they have a very small area with probably four trees and a few bushes that the lady in that corner takes care of. She thinks, to them, it is the wrong time of landscaping and green areas. If they have driven by Cleveland, Country Club, everything is turning yellow. For them, she thinks it is the wrong time to make any raise talking money wise especially with this drought that they are experiencing. She stated that it is a huge amount. It is \$120 per house per year. That is why they are here tonight.

Mayor Poythress asked if there are any other members of the public who would like to make comments that are against the annual assessments.

William Colston stated he is a resident of Zone 4. He stated he has practiced this presentation and it is six minutes but he has another gentleman here who will come and read the last three minutes although, he thinks he can get through it faster. Mr. Colston stated he has two major topics and one recommendation for presentation for the Council's consideration and deliberations.

Mr. Colston stated that first, as they know, state law permits government entities to form landscape districts for the purposes of financing the cost of maintenance of maintaining public landscape areas. He noted that these laws which are both burdensome and cumbersome specify strict guidelines that must be followed. He advised that one includes the requirement that participating agencies create a benefit formula and each parcel in the service area be assessed according to the specific benefit it receives. He noted that this is not a statement of opinion but a statement of fact from Section 22573 of the Streets and Highway Code. He commented that that section states in part that an assessment distribution, the net amount of all proceeds in proportion to the estimated benefits to be received by each lot or parcel. Mr. Colston added, to affirm his reading and understanding of that statute, he consulted a respected firm that provides services to both the private and public sector on matters pertaining to taxes on property. He stated that their position

on this topic not only confirmed that individual assessments of benefits are required but interestingly state that the benefits must relate to an increase in property values. He noted that in Zone 4 and apparently throughout all zones, his research indicates that the City generally assigns all parcels within each zone the identical assessment regardless of benefits. He stated, by way of example in Zone 4, let's take some homes that abut the landscape in the public right-of-way and let's assume for the sake of argument there are two wonderful big trees growing in their backyard just on the other side of the fence. He stated those trees provide shade on hot summer days and that homeowner doesn't pay to water those trees, clip them, trim them or maintain them so they most certainly derive a benefit from the presence of that landscape without question. He asked that they now take a parcel on the far side of Zone 4, not anywhere near any public landscape. He commented that it would take the most liberal of interpretations to apply any benefit at all to that particular property therefore, he doesn't believe they should be assessed, certainly at the same rate, as the first property that he mentioned. Mr. Colston stated these are but two examples of dozens that he believes exist throughout the community. He noted that the City is simply not in compliance with state law.

Mr. Colston stated that topic number 2 relates to the issue of cost allocations and projected expenditures for Zone 4. He advised that there is no groundcover and the lawns are all but dead. He stated that ground maintenance would be minimal. He commented that what remains are a few dozen bushes and 28 trees to be trimmed annually. He added that nine of those trees are in the median on Westberry and cost would be shared with Zone, he believes, 12. He commented that if the voters approve, the City has established a budget of \$19,000 to provide landscape maintenance for Zone 4. He noted that is trimming bushes and trimming trees, \$19,000. Mr. Colston stated that in the interest of brevity he won't go into the details but based upon his own experience, calculations and a minimal amount of research he believes this budget is at least double what it should be. He does not believe that this budget was deliberately inflated but rather a product of applying faulty information and conclusions from the past. He added if the Council desires, he would be happy to explain how he arrived at this information at the conclusion of his remarks. Mr. Colston stated, with the Mayor's concurrence, he will continue with his recommendations.

Mr. Colston stated he had more issues like using the total square footage of the landscape as a method to compute water usage, the 30% administrative cost, obviously determined by some formula rather than an actuarial study, the exclusion of large parcels with an abundance of adjoining landscape and others that time does not permit him to discuss. He commented that along with the two major issues and topics of concern however, these latter items contributed to his recommendation that he believes it is time for the Council to seriously consider abandoning this program. He noted that the public vote has been 60% to 70% against any increase and literally hundreds of unproductive management and administrative hours are being devoured annually to manage the program to comply with statutory requirements. He stated that the 30% administrative costs total more than \$3,700 per year for Zone 4 alone which is one of 80 zones. He added that apparently, even at that, it is insufficient to fund all of the administrative costs because the City is budgeting an additional \$120,000 from the general fund for this fiscal year. He stated that this program has a shaky legal foundation and horribly expensive maintenance costs. He added that \$120,000 and simply apply it directly to landscape maintenance. Mr. Colston suggested that if they need more information or confirmation, they may deem it appropriate to consider employing a firm to audit, assess, and make recommendations concerning a continuation of this program. His last recommendation, if they are to continue this program, it is requested that the public hearing be conducted after the public vote. He stated that the public vote was due in a 5:00 o'clock tonight so people that are voting don't have an opportunity to hear this. Mr. Colston thanked the Council for their time and attention. He added that he would be pleased to answer any questions.

Mayor Poythress thanked Mr. Colston. He asked if there are any other members of the public who would like to make comments who are against the annual assessment. No other requests were made.

Mayor Poythress requested that any ballots that have not been turned in be given to the City Clerk for counting. Ballots were given to the City Clerk. Mayor Poythress asked if there are any others. No other ballots were given to the City Clerk.

Mayor Poythress announced that the public hearing is now closed and the item on the zones of benefit will be recessed, this particular item, while the City Clerk tabulates the ballots.

City Clerk Sonia Alvarez excused herself from the Council Chambers.

Mr. Richardson stated he thinks it is worth mentioning that the ballots are being counted in full view of the public as they are required to be in the lobby. He added that there is closed circuit t.v. of the proceedings going on in the Council Chambers should anybody wish to go watch those.

Mayor Poythress thanked Mr. Richardson for mentioning that.

The hearing was recessed at 6:27 p.m. Discussion on item C-1 was resumed at 8:37 p.m.

Mayor Poythress called item C-1 back to order and announced that they would now have a staff presentation on the totals for each zone.

City Engineer Keith Helmuth stated that as part of the process they have discovered discrepancies in one zone and that is 10G. Staff is requesting that that be pulled from consideration by motion.

Mayor Poythress asked the City Attorney if they can take care of that right now.

Mr. Richardson responded yes.

Mayor Poythress announced that he would accept a motion for action in regards to that request.

ON MOTION BY COUNCIL MEMBER HOLLEY AND SECONDED BY COUNCIL MEMBER ROBINSON, THE MOTION TO REMOVE ITEM ZONE 10G FROM THE LMD PROPOSITION 218 VOTE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPRESZI.

City Clerk Sonia Alvarez announced that they would now read the results into the record. She advised that she will name the zone, indicate the number of yes votes, number of no votes, and whether it is a pass or fail.

<u>Zone</u>	<u>YES (Weighted)</u>	<u>NO (Weighted)</u>	<u>PASS</u>	<u>FAIL</u>
ZONE 1	533	1081		X
ZONE 2	6488	1495	X	
ZONE 3	2615	3982		X
ZONE 4	51	38	X	
ZONE 6A	43	11	X	
ZONE 7	21	26		X
ZONE 8	820	826		X

ZONE 9	3	8	X
ZONE 10A	647	970	X
ZONE 10B	97	97	X
ZONE 10C	1	7	X
ZONE 10D	43	206	X
ZONE 10E	3	4	X
ZONE 10F	8	7	X
ZONE 10G			
ZONE 10H	3	10	X
ZONE 10I			
ZONE 12	22	18	X
ZONE 13	1	9	X
ZONE 14	10	18	X
ZONE 15	0	3	X
ZONE 16	1	3	X
ZONE 17A	12	9	X
ZONE 17B	4	2	X
ZONE 17C	0	0	X
ZONE 18			
ZONE 20B	2	6	X
ZONE 21A	2	7	X

ZONE 21B	775	604	X	
ZONE 23	0	4		X
ZONE 24	2	4		X
ZONE 25C	6	7		X
ZONE 25D	0	0	X	
ZONE 26	2	4		X
ZONE 26B	7	8		X
ZONE 26C	2	8		X
ZONE 26D	0	1		X
ZONE 27B	6	6	X	
ZONE 31A				
ZONE 45A	79	2	X	
TOTAL:	12309	9491	13	23

Mayor Poythress thanked everybody who was involved in not only the counting effort but all of the outreach that was performed, his colleagues on Council, staff. He thinks they did everything they could as far getting the word out on the street. He commented that looking at these results, to him it is disappointing. He is not crushed or anything like that but he is frankly surprised that there are so many districts that didn't pass.

Council Member Medellin noted that it wasn't due to lack of effort. He commented that the Mayor challenged all of them up there a couple of months ago. They had so many outreach meetings. Disappointedly there were some meetings where nobody showed up or one or two people showed up and some where over 40 people showed up but it certainly wasn't because of the lack of outreach and education that they did. He appreciates the Mayor's challenge. He thinks all of them up there took it head on and they did everything they could. He agreed that it is disappointing that only a third of the people passed but again it wasn't for lack of effort.

Mayor Poythress thanked everyone.

Mayor Poythress stated that they have a resolution that they need to consider to approve the annual assessments for the zones of benefit for the FY 15/16 and announced that he would accept a motion for action.

ON MOTION BY MAYOR PRO TEM OLIVER, AND SECONDED BY COUNCIL MEMBER MEDELLIN, ITEM C-1, RES. NO. 15-146 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPREZZI.

RES. NO. 15-146 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA CONFIRMING THE DIAGRAM AND ASSESSMENT FOR BENEFIT ZONES 1, 2, 3, 4, 6A, 6B, 7, 8, 9, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 12, 13, 14, 15, 15B, 15C, 16, 17A, 17B, 17C, 17D, 18, 20A, 20B, 20C, 21A, 21B, 21C, 21D 23, 24, 25C, 25D, 26, 26B, 2BC, 26D, 27, 27B, 28, 28B, 29, 29B, 29C, 29D, 29E, 30, 31A, 31B, 32A, 33, 34, 34B, 34C, 35, 36A, 36B, 36C, 37, 39, 40, 41, 43A, 43C, 43D, 43E, 44, 45A, 46, 50 & 51 LANDSCAPE AND LIGHTING FOR FISCAL YEAR 2015/2016 AND AUTHORIZING THE CITY ENGINEER TO FILE THE DIAGRAM AND ASSESSMENT WITH THE MADERA COUNTY AUDITOR

C-2 Public Hearing to Consider a Resolution Adopting the City of Madera Fiscal Year 2015/ 2016 Budget and Updating the City's Master Fee Schedule and the Master Penalty Schedule

Director of Financial Services Tim Przybyla stated this will be the final budget presentation for the City of Madera's 2015/2016 budget along with the other things that the Mayor has mentioned that will take place during this agenda item. He advised that he would hit the budget highlights rather than go page by page through the 500 page document. Mr. Przybyla commented that the total appropriations being approved tonight are \$85.7 million in total citywide. He noted that of that, the general fund appropriations are \$33.6 million, the enterprise fund appropriations are \$32.2 million, internal service funds appropriations at \$4.4 million and the special revenue funds appropriations are \$15.6 million. He advised that is what makes up the \$85.7 million of total appropriations in this budget.

Mr. Przybyla referred to the graph displayed where they can see that the general fund is 39%, enterprise 38%, special revenues 18%, and internal service funds 5% just to give them a little graphic presentation of that. He referred to the general fund and noted that it is projecting \$312,000 deficit at this point for FY 15/16. He noted that for 14/15 they had a budget that showed a greater deficit but they are estimating that they are going to finish the year off with a slight surplus. He commented that seems to be the trend for the City of Madera. He stated that on average, at least 3% savings from the expenditures has been what they have been realizing.

Mr. Przybyla announced that he wants to go over what changes have been made to the general fund budget since their budget workshop. He stated that the general fund revenue has increased by about \$1.3 million since the budget workshop due to a transfer to the insurance revenue fund, the IRF, that was budgeted for in 15/16. He added that they have discussed this in the past but for the two years following the next fiscal year there are about \$750,000 of retrospective adjustments that they are expecting to pay related to worker's compensation and liability claims. In the 15/16 budget they are setting funds aside for that in the insurance reserve fund which is also one of the components of the general fund. He commented that it is taking it from one pocket and putting it in the other basically.

Mr. Przybyla stated that the expenditures have increased by \$1.25 million due primarily to a \$920,000 transfer to the insurance reserve fund and about \$284,000 of salary corrections that were identified and corrected related to the Police Department (PD) budget. He stated he came across a discrepancy as he was reviewing the information about position changes, staffing level changes, and questioned it. They determined that some wrong assumptions were made about positions being left vacant. They corrected those and that caused the \$284,000 change in the Police Department's salary budgets. He noted that the result is the general fund deficit of \$312,000 which he believes is less than what they had anticipated at the time of the budget workshop. He added that even with the \$312,000 projected deficit they are expecting a 3% savings based on their past experience. He commented that if they look one more time at the revenues and expenditures of budget compared to estimated, they can see that that \$312,000 will be close to a million

dollar savings if they save 3% off of the budgeted expenditures and would leave them with approximately \$700,000 surplus all other things remaining constant. He asked if there are any questions on that.

Mr. Przybyla displayed a graph that shows how the general fund expenditures are broken up by department. They can see that public safety has 44.3% noting that it includes police and fire. Public Works and Community Development have 8.3% of the budget. Parks and Recreation are at 12.3% and so on and so forth. He noted that Administrative Services is at 10.6%. He pointed out that includes the City Manager's office, the City Clerk, and the City Attorney. He advised those have been combined for presentation purposes. He noted that covers the general fund budgets.

Mr. Przybyla moved to the enterprise funds. He stated that the revenue projections have increased by about \$2.8 million since the budget workshop due to the addition of a rate stabilization fund for water and sewer. He commented that this rate stabilization fund was created so that they can have a budget mechanism. They say ok we have these funds in reserves, we are going to put them into the rate stabilization fund. That rate stabilization fund then gives it back to the enterprise fund, water or sewer, and it is recognized as income to provide sufficient coverage for the bond covenants related debt coverage. He noted that it basically bulks up revenues and expenditures because they consider that rate stabilization part of the water and sewer funds anyway so it is an increase on both sides. He added that the rate stabilization funds are necessary to satisfy bond covenants as he mentioned. If new rates are approved, the rate stabilization funds won't be necessary for 15/16, but because the rates have not been approved yet, they need to budget accordingly not knowing how the next City Council meeting is going to end up and set aside funds so that they can cover the debt coverage ratios as required by the debt covenants. He added that there is an estimated surplus now in the enterprise funds rather than the deficit that was shown at the budget workshop. He noted that the shift from the deficit that was demonstrated before to the current surplus is due primarily to a \$700,000 transfer from the wastewater stabilization fund and a \$138,000 increase in estimated solid waste revenues since the budget workshop. He commented that there was also a formula error in one of their summaries so that summary was what they used to come up with the figures but on the good side, they are now at \$170,000 estimated surplus for the enterprise funds in total for FY 14/15.

Mr. Przybyla referred to the example displayed of the rate stabilization fund that they created. He stated this is the sewer rate stabilization fund. As they were looking into this they found out that there was actually \$700,000 that had been designated in the past and there is actually a little bit of activity back in past fiscal years. He advised that they are going to move that \$700,000 from the fund 20400 which is the sewer fund and they are creating a separate fund, 20401 fund, so they can account for this separately and do the transfers. This should help them with budgeting. He restated that they are moving the entire \$700,000 into the fund 20401 in this fiscal year with expenditures of \$210,000 where they are transferring in that amount necessary to meet bond covenant requirements. Next year, without any rate changes, if they need to, they will be transferring in the \$741,000 from reserves again and expending the \$1.2 million to help provide the funds necessary for debt coverage. He commented that the water rate stabilization is a lot easier than that. They have not found any funds that were set aside for that in the past so if necessary they will take \$1.47 million out of reserves in the water fund next year, move it into the rate stabilization fund, turn around and move it right back into the water fund so that they can recognize that as the funding to provide coverage. He stated this is maybe a little more information than they need on that but he kind of wanted to give them the picture of that.

Mr. Przybyla moved to discussion on the internal service funds. He stated the projected deficit has increased from \$102,000 to \$159,000 since the budget workshop. He noted that the \$57,000 swing, which is a rather small amount compared to the budget overall, is related to the insurance reserve fund which they have mentioned a couple times already. There is also overhead allocation charges and facilities maintenance charge increases.

Mr. Przybyla moved to discussion on special revenue funds. He stated there are no measurable changes that have been made to the special revenue fund budgets since the budget workshop. He advised that the budgets are primarily capital projects within the special revenue funds with \$15.6 million of appropriations

in this budget. He added that the expenses exceed revenues by \$2 million in FY 15/16. He noted that is not a problem because of the nature of capital project funds, you build up the funds until you have it and then you spend it when you have the projects ready to go.

Mr. Przybyla referred to other budget changes. He stated that some corrections have been made to certain summaries within the budget which doesn't impact the budget numbers, the budget resolution, or any of those other items related to the approval of this budget. He commented that those corrections did not impact the budget resolution figures. He advised that additional schedules and information have been added. As they will have noticed there are staffing level reports, further information, summaries about the citywide expenditures, citywide revenues. He added that more information and images will be added to the budget document over the next month or two. He stated again, they are not going to change the budget numbers. He noted that the budget pages themselves and the Exhibit A of the resolution will not change but they will add some dressing to the budget so that they can submit it for the Excellence in Budgeting Award with the California Society of Municipal Finance Officers. He advised that the final version of the budget will be made available and then presented with the award application.

Mr. Przybyla commented on the actions to be taken by Council. He advised this is a public hearing to consider a resolution adopting the City of Madera 2015/2016 budget, the 5-year CIP, Master Fee Schedule, and Master Penalty Schedule. He added that minor changes were made to the fee schedule compared to last year but no penalty schedule changes were included. They are just adopting the penalty schedule that was approved last year as well. He noted that the 5-year CIP is attached to the budget and identifies over \$93 million of projects that may be expended over the next 5-year period.

Mr. Przybyla stated staff's recommendation is to conduct the public hearing and consider adoption of the resolution. He offered to answer any questions the Council may have at this time.

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

Mayor Poythress announced that this is a public hearing and opened it to the public for comments regarding the budget. No comments were offered and Mayor Poythress closed the public hearing.

ON MOTION BY COUNCIL MEMBER HOLLEY, AND SECONDED BY COUNCIL MEMBER ROBINSON, ITEM C-2, RES. NO. 15-147 WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPRESZI.

RES. NO. 15-147 RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA ADOPTING THE BUDGET OF THE CITY OF MADERA FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016 IN THE AMOUNT OF \$85,704,642 AND ADOPTING THE CITY OF MADERA 2015/2016 MASTER PENALTY SCHEDULE AND MASTER FEE SCHEDULE

Mayor Poythress commented that they approved \$86 million and nobody is complaining or anything like that.

Mr. Przybyla stated he thinks they have covered it well enough that there are no questions.

Mayor Poythress added that a lot of background went into this; it wasn't taken lightly.

Council Member Medellin stated he was going to mention that the series of workshops that they did were broken down into small sections. They laid it out easy for them to read, to understand and then it all accumulates here at the very end. Council Member Medellin thanked Mr. Przybyla and added that he did a fantastic job.

Mr. Przybyla thanked his staff and all the departments that also did a lot of work on this budget and he appreciates everybody's participation and the Council's guidance on this.

The Mayor and Council thanked everybody and stated their appreciation.

C-3 Public Hearing and Consideration of Introduction of an Ordinance Rezoning an 8.25-acre Parcel Located at 2832 North Golden State Boulevard from the IP (Industrial Park) Zone District to the I (Industrial) Zone District

Planning Director Chris Boyle stated this is a noticed public hearing to consider introduction of an ordinance rezoning a property. He advised that the property is located at 2832 North Golden State Boulevard and that property is along the Highway 99 corridor just north of the Ellis overcrossing. He stated, for many, this would be remembered as the former auto auction property. He added that currently, the general plan for this property is I (Industrial) and the current zoning on the property is IP (Industrial Park). He stated the proposed rezoning would rezone the property to the I (Industrial) Zone District and this I (Industrial) Zone District request is consistent with the general plan as was the IP Zone, and is consistent with the land use called out in Specific Plan No. 1 which is generally most of the lands north of the river to include the Airport Industrial Park. Mr. Boyle advised that the Planning Commission actions of June 9th included this resolution recommending a rezone approval by the City Council but it also included approval of two use permits for currently active businesses. He noted that currently there is a truck storage yard in operation as well as a diesel filter service site on this site. He commented that those uses would not be allowed for in the IP Zone and staff's recommendation was to rezone into the I Zone and secure the required use permits to allow for those uses to continue on in operation. He added that there is an approved site plan on the site which includes specific improvements that allow for general plan conformance for both of those activities. He stated that the cumulative result would be the repurposing of the former auto auction site into two separate businesses that cumulatively operate as one. Mr. Boyle advised that staff and the Planning Commission would recommend an introduction of the ordinance rezoning the 8.25 acre parcel located at 2832 North Golden State Boulevard from the IP Zone District to the I (Industrial) Zone District. Mr. Boyle noted that completes his presentation and offered to answer any questions.

Mayor Poythress opened the public hearing and there being no speakers, closed the public hearing.

Mayor Poythress announced that he would bring the item back to Council for consideration of the ordinance.

Mayor Poythress called for title on the introduction of an ordinance.

Recording Secretary Claudia Mendoza read by title the introduction of the ordinance.

ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER OLIVER, FURTHER READING WAS WAIVED AND ITEM C-3, INTRODUCTION OF AN ORDINANCE WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPRESZI.

INTRO. ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 8.25 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF NORTH GOLDEN STATE BOULEVARD APPROXIMATELY 800 FEET NORTH OF THE ELLIS STREET OVERPASS FROM THE IP (INDUSTRIAL PARK) ZONE DISTRICT TO THE I (INDUSTRIAL) ZONE DISTRICT

C-4 Consideration of an Urgency Ordinance Amending Portions of Chapter 5, of Title V of the City of Madera Municipal Code Relating to Water Restrictions

And

Consideration of Introduction and First Reading of an Ordinance Amending Portions of Chapter 5, of Title V of the City of Madera Municipal Code Relating to Water Restrictions

And

Consideration of a Resolution Enacting Drought Water Restriction for Non-Commercial Carwashes

Public Works Operations Director Dave Randall stated that they are obviously coming back to revisit this issue one more time. At the last Council meeting they took action to change the watering days from 1 to 2 days and that was done by resolution. He added that there was a desire to do some additional things which couldn't be done that night so they brought them back for Council's consideration. Council gave direction to look at hours of watering, going from maybe two periods to one period, and then also the charity carwashes or the organized non-commercial. They also brought one other item. It is a small clarification and it has to do with clarifying the provisions on gardens that are being used to grow food. He stated there is an exclusion that allows you to water daily if you are using a drip system and the garden is used for your own food consumption. He commented that a few people are trained to gain that little bit, so staff thought they would add a little language to try to make the legislative intent and the application a little more clear.

Mr. Randall stated that in terms of the current watering times, currently as it has been in the past, you can water from midnight until 10:00 a.m. in the morning and then again in the evening from 7:00 p.m. to midnight. He advised that what was suggested is that they look at one period of time. He commented that there was some discussion about whether that be in the evening or in the morning. Staff looked at those issues and they are suggesting that if they are going to do that, that they look at proposing the time in the morning from 5:00 a.m. to 10:00 a.m. He advised that would give people time to water in the morning. It would not conflict with their peak demand which is normally in the evening when everyone is home taking showers doing all the things they do. He added that there is some belief, he is not sure it is totally substantiated, that water sitting overnight can cause some mildew and fungus potential so that would eliminate most of that, and then also it makes water enforcement easier for their people because they can tell, if they drive by at 4:00 in the morning and there is water, it wasn't from earlier in the night, it is a violation so it is just a little easier way. He commented that however, overall, they still could do the other times if the Council so desires. They have the capacity to be able to maintain minimum pressures, etc. He noted that while they may find this most optimal, the Council may have different considerations in terms of the public interest. He restated that if the Council so desires they would be glad to take different direction or they can remain with the existing hours.

Mayor Poythress asked if earlier watering reduces evaporation. He asked if there isn't a more efficient use of water like if it was done at 1:00 a.m. versus 5:00 or 6:00.

Mr. Randall replied that anytime they start getting sun they are going to increase evaporation. He agreed that ideally if they do it before sunup that is the best time. He noted there are pros and cons and obviously it is the ability of people to get to it. Other than that they can see sunup, a time clock is real easy but if you are dragging hoses and sprinklers it is hard to do in the dark.

Mr. Randall stated that the other item was the carwashes. He advised that the current provision prohibits the carwashes at Level C but since they are now at Level B that sort of changed the game a little bit and that thought was maybe they could make that a little different. What they are proposing is rather than being set at a level that it be based on adoption of a resolution by the council when they determine it is necessitated in order to make water conservation goals. Mr. Randall advised that they have prepared a resolution as mentioned for Council's consideration tonight that could be looked at assuming they also adopt the urgency ordinance which would put that into place.

Mr. Randall stated that the last thing is the issue of gardens for personal consumption. Currently, as he mentioned, you can water, if your garden is on a drip system, any day of the week. He stated that the issue

here is that some people want to plant a tomato plant in front of every bush and call it a garden or all sorts of other little schemes. He noted that the purpose here is to make the legislative intent clear and provide a little more instruction. What they said is again that the legislative intent was for significant food production, gardens for households that utilize them as a major element of their personal food supply, not intended to alter landscaping planting to edible selections. They are not saying just put sweet basil and rosemary as your new landscaping design but if you need that for your household or you desire to have that as your dietary issue that is fine. He sees that as an important opportunity for people to have. He noted that to that they have added the restriction: it must be in a concentrated area exclusively for growing food rather than serving an ornamental purpose, not in the front yard or street side yard.

Mr. Randall stated that tonight there are three recommended actions. This includes the adoption of the urgency ordinance which would put these things into place immediately. They always parallel that with the same ordinance but done under the standard process which tonight would be the introduction of the ordinance. Third would be the adoption of the resolution prohibiting the organized carwashes not conducted in a licensed carwash. He offered to answer any questions the Council might have.

Council Member Robinson commented that it is only one watering time, 5:00 a.m. to 10:00 a.m.

Mr. Randall responded if they so desire, that was proposed.

Council Member Robinson stated so it is not twice; it is one time so they have to notify everybody.

Mr. Randall agreed that they would have to go notify everybody. It would be another round of mail outs, etc.

Mayor Poythress stated that his only issue with that is again what he brought up earlier, they are looking at maximizing the use of what water they have and he is thinking that evaporation thing going on. He runs his at 1:00 in the morning. That is when he has his timer going and it is for that very purpose of maximizing the amount of water he has so it doesn't evaporate.

Council Member Medellin stated he had brought it up at the last meeting and it was one of those half and half things. He really thought that it would be easier on enforcement if they had a certain period of time. He thinks they talked about 6 hours and 12 hours. He noted that Danny Martin was here and he was actually going to ask him if they did 10 minutes at a time, once in the morning, once in the evening versus just that 6 or 12 hour period. Again they are talking about human behavior. If they allow them one time are they going to water for 30 or 40 minutes straight or an hour straight so that was really his reasoning to help enforcement on. If there is a certain period of time it would be an easier day for Mr. Randall and his department to enforce that.

Mr. Randall stated he appreciates that concept but the problem becomes that irrigation systems vary so much now, particularly with some of the rebates they are suggesting. If you are using efficient irrigation heads now that use a much slower rate or rotary head, your times have to be considerably longer so specifying a particular time makes it difficult. He stated that in a publication that they hand out to the public, they recommend a limited time but they acknowledge the fact that it may vary. He noted that becomes a true problem. If you are on a micro-spray it is gallons per hour versus gallons per minute. He noted that coming up with one period of time of maximum irrigation is sort of difficult. He stated that it is hard to tell if they have 20 stations or 2 stations that they are watering.

Council Member Medellin stated that if it becomes that difficult and they have to go back again and notify and kind of start all over, without having to sound too wishy washy and that they keep changing their minds up here, then the two times that they have now may suffice; the two recommended times.

Mr. Randall stated it is not a problem in terms of their infrastructure being able to handle that. They can continue to do that.

Mayor Pro Tem Oliver stated he knows they had a very extensive conversation two weeks ago about everything water related and he is pleased to see the level of outreach and engagement both from staff and Council to their community whether it be over social networks or among word of mouth. He is glad to see that there is a lot of good information being shared. He noted that in the spirit of lessening confusion as they already have done, he would suggest maybe sticking with what they are at today. He understands, in the staff report, if they were to stay with today's schedule, they would suggest changing the language a little bit from, to include is prohibited during the hours of 10:00 a.m. to 7:00 p.m. and asked if that is correct.

Mr. Randall agreed that the language is a little more intuitive when you express it that way. People understand that more clearly.

City Administrator David Tooley stated they need some direction. Staff has given them a recommendation on hours of watering. He noted there seems to be a consensus growing among Council to keep the same hours that they have now but to express that differently and then Mr. Randall has also made some recommendations to them with regards to some additional elements. He advised that maybe they could start by settling up on hours of watering and then give staff direction on the remainder of the items.

Mayor Poythress stated that it sounds like they want to keep the current hours that are allowed for watering. Council concurred.

Mr. Tooley stated and they are fine with expressing it differently. Council concurred.

Mr. Tooley stated that with regard to the other elements, do they want staff to briefly summarize those or would Council like to just provide direction.

Mayor Poythress stated on the other elements that would be in terms of the...

Mr. Tooley responded carwash, the gardening.

Mayor Poythress asked if that is covered in the resolution already.

Mr. Tooley responded that it is.

Mayor Poythress asked if they can go ahead and move forward with the resolution.

Mr. Richardson stated that the resolution would still work as they have it currently.

Council Member Medellin stated that in Level B the carwashes are still prohibited and as far as the garden they are a little more specific on backyard only, a substantial amount that actually serves a purpose for the family to grow food then he thinks they are there as far as he is concerned.

Mr. Tooley responded that they are ready.

Mayor Poythress referred to the emergency ordinance and asked if that requires a title.

Mr. Richardson asked if they are actually going to take action on those or are they going to bring back something with different language.

Mayor Poythress asked if that item needs to be brought back.

Mr. Randall responded that if they are comfortable with defining that change in language they would have to do that here similar to what they did last time.

Mr. Richardson stated his question is...because they need to come up with that language at this reading, if it doesn't change anything other than makes the language a little smoother, they could just bring it back at the next meeting for an intro.

Mr. Tooley noted that he thinks time is of the essence for the Council.

Council Member Rigby stated that in the meantime, there is still no time.

Mr. Richardson stated but they were changing times though.

Mr. Randall asked if they want to continue the item. He can go next door and redline and bring it back.

Council Member Medellin asked if they could take a little time out. Maybe Mr. Randall can write something up as they move on. They can come back before the meeting is over and finalize that.

Mayor Poythress asked if that is possible.

Mr. Richardson responded it is fine with him. He doesn't really care. He just wants to make sure that they have it nailed down if they are going to adopt the urgency one and intro the regular ordinance, they need to have that language nailed down.

Mayor Poythress stated let's do it.

Mr. Randall agreed.

Mayor Poythress stated they would continue item C-4 and move on to E-3.

Item C-4 was recessed.

The Council heard items E-3, E-4, and E-5. *See respective sections for discussion held.*

Mayor Poythress called item C-4 back for discussion.

City Attorney Brent Richardson stated that Mr. Randall handed him copies. The Council has a revised copy of the urgency ordinance and a revised copy of the regular ordinance. He believes there are extra copies if anybody is interested.

Mr. Richardson advised that it looks like the only change that essentially he made was indicating the dual time slots, in other words, 12:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 a.m. (*time corrected to 12:00 a.m. See Council Member Robinson's comment below.*) He noted that Mr. Randall made the correction so that it accurately reflects what the Council's desire was.

Council Member Robinson stated 12:00 a.m. to 10:00 a.m., one period, and then 7:00 p.m. to 12:00 a.m., second period.

Mr. Randall responded correct.

Council Member Robinson stated he thought they only meant one time.

Mr. Randall responded it is two times.

Mayor Poythress referred to the urgency ordinance and asked if title needs to be read on that.

Mr. Richardson replied they would want title on both of these.

Mayor Poythress called for title on the urgency ordinance.

The urgency ordinance was read by title by the Recording Secretary.

ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER HOLLEY, FURTHER READING WAS WAIVED AND, ITEM C-4, ORD. NO. 923U C.S., WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPREZZI.

ORD. NO. 923U C.S. ADOPTION OF AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING PORTIONS OF CHAPTER 5, OF TITLE V OF THE MADERA MUNICIPAL CODE RELATING TO WATER RESTRICTIONS

Mayor Poythress asked for title on the introduction of an ordinance.

The introduction of an ordinance was read by title by the Recording Secretary.

ON MOTION BY COUNCIL MEMBER MEDELLIN, AND SECONDED BY COUNCIL MEMBER HOLLEY, FURTHER READING WAS WAIVED AND, ITEM C-4, THE INTRODUCTION OF AN ORDINANCE, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPREZZI.

INTRO. ORD. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING PORTIONS OF CHAPTER 5, OF TITLE V OF THE MADERA MUNICIPAL CODE RELATING TO WATER RESTRICTIONS

Mayor Poythress called for a motion on the resolution.

ON MOTION BY MAYOR PRO TEM OLIVER, AND SECONDED BY COUNCIL MEMBER RIGBY, ITEM C-4, RES. NO. 15-148, WAS ADOPTED UNANIMOUSLY BY A VOTE OF 6-0. ABSENT: COUNCIL MEMBER BOMPREZZI.

RES. NO. 15-148 A RESOLUTION OF THE COUNCIL OF THE CITY OF MADERA, CALIFORNIA ENACTING PROVISIONS PROHIBITING ORGANIZED CARWASHES NOT PART OF A LICENSED CAR WASH BUSINESS

D. WRITTEN COMMUNICATIONS

There are no items for this section.

E. ADMINISTRATIVE REPORTS

E-1 Weekly Water Conservation Reports

Public Works Operations Director Dave Randall stated what they have in their Council package is the inaugural version of a weekly conservation report just to try to keep everybody on the same page of how they are doing. He advised it is pretty good news to begin with. He stated that because it is weekly and their meetings are twice a month they will get updates sort of handed at the last minute. This evening they have distributed the additional last week's information. He announced that he has additional copies for anybody else that wants the latest greatest. Mr. Randall referred to the slide before them which shows sort of a summary of what mainly is said in there and that is that they are exceeding the state guidelines. He is pleased to say that is sort of consistent throughout the state. He noted that the state just recently did a press release and statewide they are at 28% reductions. They may recall that the Governor's goal was 25%. He commented on how much of that is due to weather, how much of that is due to the massive media attention that the issue has received, and the diligent efforts of everybody else. He stated it is uncertain but to where they are today is quite encouraging. They can see here what they have graphed out is the

2013, 2015 numbers and the goals. They see that it is not always exactly the same. It changes but overall they are being successful.

Mr. Randall stated that the report also tells them a little bit about what is happening in terms of calls they are receiving and leaks that they are repairing. They are glad to advise that in terms of leaks normally their goal is to try to repair leaks as quick as possible. He noted that usually that is complicated by the fact that they have to request underground clearance, a USA. He commented that in some cases they don't. For example, if it is in a meter box or something then they can do them that day. This week they had 9 calls. They repaired 6 of those immediately. He added that they were the same day repairs because they didn't require any excavation. He noted that the 3 other repairs that they did receive this week were all cleared within 3 days so no extended time periods. He stated that leaks run in weird patterns. He advised that there will be times when they will get 12 leaks in a week and then there will be a light week like this. He noted that sometimes they think it has to do with weather change. He thinks it is just luck of the draw but they are keeping up. They have committed to, if necessary, to move resources to make sure that they are right on top of that because they are concerned about the public's perception. He stated those are the leaks for those two weeks just to let them know that they are moving. They can see in one case it did take longer than 4 days. It was a leak that was reported but when they went out there they couldn't find the leak. He advised that it happens sometimes. Water pressure changes. They are not sure what. It did finally leak again and they found it and were able to make that repair.

Mr. Randall advised that this is just an informational item. It will come to them on a continual basis. He added that there is no action required. Mr. Randall offered to answer any questions.

Council Member Holley stated he thinks it is a good report. It is letting them know that they are paying attention to what the Governor said. This kind of input lets them know that somebody is on it so that is good.

Mayor Poythress announced that they would move on to item E-2.

E-2 Consideration of Potential Water Conservation Rebate Programs and Projects and Direction on Further Implementation

Public Works Operations Director Dave Randall stated that as they may recall they selected, in preparing the rates, to include an element that would generate \$1 million annually in revenue that they could put towards water conservation. What they have done is that they have prepared a list of 10 different rebate programs. He noted that obviously, not every program that could be done, but the 10 that they thought were the most obvious and was prudent to do. He advised that tonight the purpose is simply to get Council's buy in to have them select, if there are any programs that they feel shouldn't be pursued or any additional programs, or anything they see about the general description that they feel is not within the scope. He noted that the intention is to bring back the item to Council at the next meeting for resolution to start implementing those. They may not have all 10 of them. Some of them are a little more detailed than the others but they hope to have 8 or so of them back to the Council and immediately begin spending money.

Mayor Poythress noted that what staff has done is put together this list of those items, those ways that they can save water and so forth, and the best way, most efficient possible way.

Mr. Randall agreed. He commented that everybody is doing it. He advised that it is not really that hard to find. They are not going to reinvent the wheel here. They borrowed from a lot of people and they looked at what their opportunities were and they came up with this list. He commented that they realize this is not the all. There will be other things that occur. They did not expend or budget the entire \$1 million. What they have projected in the budget is an educated guess. How many people will actually participate is going to be a learning curve for them. They may find as they move on that some items are very popular and others aren't and staff can come back and ask Council to adjust the allocation of monies so maybe they will spend it in better places but they did intentionally leave some money on the table in case additional desires

and thoughts and programs come up. They already had a gentleman contact them about one potential idea and they agreed that it had some merit.

Mr. Randall referred to the display which shows the 10 items staff has put together that is shown in their report. What they have done for the Council is that they have summarized the items and in their report they are described a little more fully both in their purpose and the process and then in the analysis of what the results are. He will have to say that the analyses are always a guess. He doesn't know if somebody is really going to use their gray water system every day or if they are really going to remember to use something that we purchased but they hope. He added that these are the best guesstimates and they try to be consistent.

Mr. Randall stated he would like to really thank John Scarborough with Parks who did a great job of helping them try to make sure they were going apples to apples and standardized, agreed on, on a consistent number for certain things. He commented that Mr. Scarborough is a great help.

Mr. Randall referred to that table and commented on what it tells them. He advised that the first column tells them how many gallons they anticipate they will save for each dollar they have invested. He noted that obviously it is not always going to be the same. For example, \$44 versus \$1,320 is a bit of a range but they realize that not everything is going to be in the same ballpark. He advised that the second column is the maximum amount of the rebate followed by an estimate of the possible participants and then the projected budget that would be generated based upon those two numbers, and then the thousands of gallons saved per year. He noted that some of these things actually will have residual value and they could have ongoing, and there is a little more economy. Mr. Randall stated they might notice that the last one is actually not a rebate. It is actually a free program. He advised that it is something that they currently do and that is that they, at various educational events, whatever, they will give away showerheads, aerators, toilet leak detection kits and little diverters for the flush mechanism on the tank. He noted that it is probably a pretty saturated market but they are going to continue to do that so that they can see there is a small amount kept in there.

Council Member Holley referred to the chart where it says 1,000 gallons a year served, low flow toilet rebates, and noted that it shows \$13,000.

Mr. Randall advised that shouldn't be dollars; it is a typo. Mr. Randall continued with his presentation by stating that what they are asking tonight again, is that the Council look at these things and tell staff if they want all these programs or if there are only certain ones they want staff to pursue. He added that obviously they could also look at the scope or the amounts of the rebates and give staff direction on that. He noted that will give staff the ability to go back and try to work out those details and be able to put the nuts and bolts together. They would also most certainly like to hear any additional comments or direction they have on additional program concepts which staff would be glad to flush out with them.

Mr. Randall stated the current slide is sort of a blowup of the prior slide so they and the public can see. He doesn't think the Council wants him to take the time to discuss each one of these. He would be glad to if the Council so desires he can talk ad nauseam if they really want to but if not, he would be glad to take Council direction and move from there.

Mayor Poythress stated it is a great list and thanked Mr. Randall. He stated his appreciation for all the work that has been done to bring this back. First of all he has some ideas, noting that staff has really been engaged and really jumped in, but wondered what would be the staff's recommendations in terms of which items they should approve.

Mr. Randall responded he would say all of them. The only one that is a little questionable in terms of staff has to do with the polymers. He noted that staff experience is that it doesn't seem to produce the results promised. That is why the emphasis on that program is on education to make sure that they are utilized effectively. Their only guess is that it may be very intolerant type of application issue and maybe if they are a little more diligent in educating people that might work. He advised that would be the only one that he

would be less enthused to support but they wouldn't have brought it to Council if they didn't think it had some merit. He commented that it has been a topic addressed by the public to staff so they didn't want to dismiss it. He added that these issues, they reviewed with staff and with a landscape architect, and he had a similar concern on the polymers so that is sort of his purpose. They did try to look at it as a spread. He commented that there have been some people that are concerned that rebates are only for those who have a lot of income. They tried to make sure that it was for everybody. He stated that putting a drip system in should be something that just about anybody could do whether it is your grandmother or somebody on a very fixed income and can have a significant increase. That is why they actually projected it at the largest participation level.

City Administrator David Tooley commented that what staff is going to recommend to the Council is that they implement this core program. He had a conversation with Mayor Pro Tem Oliver and he really raised a good point, they need to engage the public. He added that the public may have ideas that staff hasn't thought of. They may have applications that the City hasn't seen so they should expect to make adjustments in the program over time. They should expect to add items over time and certainly off of this list there may be things that they drop over time but they need to be proactive as a City. They need to put something out there so people have an opportunity and that is the intent of the presentation.

Mayor Poythress stated that it is a starting point.

Mr. Tooley agreed.

Mayor Pro Tem Oliver stated he wanted to make two quick comments. First of all he has heard from a lot of different residents about ideas and ways to save water at home and apply certain products and savings devices. He thinks, if possible, it would be good to maybe carve out an option that is kind of an open category. Maybe on a case by case basis staff can entertain certain ideas. Maybe they have certain benchmark based on cost per dollar, savings per dollar. He thinks that might be something they look at. For example, last week at a Rotary event he was approached by a constituent who had an idea about a hot water recirculating device and he had recently applied it to his home. He saw some good savings and he thought it would be good for the City to incorporate. Instead of adding it to a list that will probably increase over time, maybe they could set up a formula so you can come in, speak with staff, get some concurrence, on a case by case basis. That is just an initial thought. Second of all, he saw the rebate amount for \$40 for gray water. He stated this is something that a lot of folks have discussed with him about. What is gray water? Who can I go out and find to install a gray water system? How much does it cost? He knows the answer is very ambiguous. It could vary in size and scope and price. Just yesterday, he believes, in the Fresno Bee they had an article about a family who did a fairly elaborate gray water system. He thinks it cost them \$600 in supplies where they linked to their kitchen sink or their bathroom sink, their shower, and their washer and use that water to water their lawn and flowerbeds. He added that the thing is that that individual was a plumber and a carpenter so he doesn't think that they can expect people to MacGyver a gray water system especially if there isn't a do it yourself kit on the shelf at Home Depot or GBS. His initial thought was let's take an opportunity to look at ways that they can engage local industry; maybe in the spirit of a competition to say you know, we have a tremendous need for gray water systems. Maybe there is some type of financial benefit that says here is \$2,500 or \$5,000, come up with a gray water system that has to meet certain criteria, certain gallons of capacity of water conservation, it has to meet Chapter 16 of the State Building Code. They could create certain benchmarks but let's maybe give local industry the opportunity to come up with some creative applications that the City could then take to the public and maybe even increase that incentive from \$40 to something more so it is more of a motivator to the public. He restated that it was just initial thoughts and maybe look at ways to engage through the spirit of competition and with private industry.

Council Member Medellin stated he is going to echo Mr. Tooley's comments. That is kind of what was on his mind. He thinks this list is a great list to start. It is not set in stone. If they find that gray water seems to be something that is number one on the list and the polymers are just something that people are not taking advantage of, they can make adjustments. He thinks this list is great. As long as they can make

those adjustments as they go to see what is being taken advantage of, that would be great. He agreed that the number one issue is engaging the public, getting their input and seeing what they will need.

Council Member Robinson stated he was wondering on the restriction on health concern for gray water. He asked if there are any restrictions for use.

Mr. Randall asked if it is in terms of what is gray water and what is not.

Council Member Robinson stated for code.

Mr. Randall replied that the Building Official is here. He added that there are provisions and there are actually some state exemptions as well but the building code and the green building code is being amended he thinks as they speak. He stated that generally it is fairly permissive when it gets to gray water. He noted that the problem becomes when you start cutting into your existing plumbing system, well know you have triggered a plumbing permit. If you are just doing something like if I am simply going to take the discharge hose from my washing machine and hook it up to something else that is a non-issue for a building permit.

Council Member Robinson referred to new development for housing and asked if they can make it mandatory for them to put in water saving devices and also the use of gray water in the plumbing system.

Mr. Randall replied that currently the codes have restrictions on the efficiencies of all the fixtures, etc. He stated that the new code, as it is being amended, has some other provisions about outdoor landscaping that he won't pretend to really understand but it is significant. He will leave that to the Chief Building Official to have to deal with. Mr. Randall stated that as far as mandating a gray water, that would be something he would defer to the City Attorney on.

Mr. Tooley stated that they are seeing a migration towards a different set of requirements in the building industry. He suspects that change process is going to accelerate if anything. He advised that yesterday he read an article from the City of Palo Alto and there are requirements that the city is going to require prewiring for solar installation. Today, Council Member Oliver sent him an article that had a fascinating discussion of gray water in three levels of gray water. To go to Council Member Robinson's point, he thinks there is going to be a movement in that direction. He thinks it is going to show up in the building code. If it is something they wanted staff to pursue individually as a City they could but candidly there is enough movement that he doesn't think that they gain a lot by being a lead implementer. He stated that again, business decision for the Council to make.

Council Member Rigby commented, not to echo too much of what has already been said, that he agrees all are worth pursuing in the time being. He just wanted to make sure, directing his comment to Mr. Randall, that when it is brought back to Council, he wants them to seriously consider how they will educate the public as to what is available to them. He couldn't agree more with Councilman Oliver that it is great to take in what they are thinking but if this is available, he wants to make sure that the City is doing the best they can to let them know this is what is available; not just take their input but here, let's give them our solutions for the time being. He doesn't know what that looks like. He is not sure how successful the meetings were around local schools or what have you but, he thinks maybe making a staff member available to their neighborhood watch parties especially with the National Night Out coming up fairly soon, that might be a great place to see the distribution of shower heads and tank diverters, and what not.

Council Member Robinson stated that some cities like Long Beach and Orange County, they are using recycled waste water. They are putting back into the aquifer. He asked if that could be another...

Mr. Randall responded that they actually do that now. Their wastewater treatment plant processes about 5.6 million gallons a day. They pump on average 11 million gallons a day so about half of the water goes back through the plant. The plant processes it. That goes into legumes that percolate that back into the soil. He advised that other plants will do other things like they will use spray fields where it is taken up through evapotranspiration; it goes up into the air. Some plants, they do tertiary treatment and they treat it

to a standard to where they can apply it to other things such as crops, landscaping, etc. The City doesn't do that for a number of reasons, which he won't elaborate right now, but currently a majority of the water that they pump ends up going back into the aquifer so roughly half.

Mayor Poythress stated that is very good; it is just too bad it is not going out this side.

Mr. Randall stated it is good for the farmers.

Mayor Poythress stated if there are no other comments he thinks staff has direction. He thanked Mr. Randall for a great presentation.

Mayor Poythress announced that they would move on to Council reports. *Items E-3, E-4, and E-5 were heard earlier in the meeting.*

E-3 Informational Report and Request for Direction Regarding Citizen Engagement Software

Item E-3 was heard out of order while item C-3 was recessed.

Information Services Manager Ted Uyesaka stated that tonight he wanted to bring to the Council a short report regarding citizen engagement through Citizen Relationship Management Software. He advised that they are bringing this to the Council per the comments they made at the June 17th Council meeting regarding ways to improve two-way communication between their citizens and staff, as well as Council. He thought they would bring this to the Council to give them some information on what they found.

Mr. Uyesaka advised that they would be referring to the Citizen Relationship Management Software as the CRM System. He noted that it is a relatively inexpensive and yet powerful tool. They found them ranging from about \$4,500 to \$10,000 for one-time implementation fees and then those annual costs to support and maintain anywhere from \$4,500 to \$20,000 annually. He stated that it really is a very powerful tool to assist in that two way communication where they can send information out. Citizens can send information to us. They can interact through online tools. He noted that they have to keep in mind the following, and they highlighted this early in their report to the Council, that the use of the software can create significant citizen expectations for timely responses. He commented that a lot of times with online communication, and in this digital age it is instant gratification, they have to understand that they still have processes to go through. Staff still has to be able to vet through all of these to make sure it is not something that they are already working on; something that may already be scheduled to be done. He stated that they do have to take that into consideration. He added that they do have limitations on what they have the ability to do and depending on costs and staffing. He stated those are things that they have to consider as they allow issues to be reported online. The other thing that they have to remember is that if they do something like this they would probably do it on a limited basis to start; probably start with what the Council's recommendation was, something where they could do type of water reporting for either leaks or breaks or things of that nature and see how it affects staff time and staff response. As they get a better feel for that they can open it up to other types of issues.

Mr. Uyesaka explained that what CRM software allows the public to do is work on multiple types of platforms, laptops, desktops, any of the mobile devices out there whether they be tablets or smartphones. It has a web-based interface for desktops and laptops and a mobile app that you would download and install for the other types of mobile devices. He commented that the nice thing about that is that they can skin this to look similar to what their new website may look like and their citizens would have many options that they could report on. They have things from potholes and graffiti and streetlights and things of that nature. He added that somewhere down the line they could use this for non-emergency reporting to the Police Department. They could use this for Parks and Recreation to do some things. He commented that there are many, many ways that they can use this as well as putting local news and events out there. They can have the ability to connect staff and government officials to the citizens if they want to do it that way also. They can go directly to the City's website from a portal like this as well as for those that have signed up,

who have downloaded this or given them an email address, they have ways to that they can push information out to the citizens.

Mr. Uyesaka commented that one of the things they can do is create a knowledge base so citizens can have a self-help portal. They can put frequently asked questions. They could do things of that nature where citizens can go out and find information for themselves whether it is through the app or through the website. He referred to the display noting that it says how do I obtain a dog license or how can I get a pass. He stated this is just a sample from another City that has done something like this already. He added that through the mobile app they would log in and they would have ways to be able to put their information in quickly. They could type in what it is. They could use location based technology on the smart phone so that they can tell where they are and they could very easily say this is where the graffiti is occurring or this is where the pothole is or this is where the leak is in the landscaping. If they were to move toward something where they would do some things for the PD, they would separate some of that out and they could make that anonymous that way. They could get anonymous tips if they wished to do so.

Mr. Uyesaka stated that internally staff can take phone calls, they can take emails, they could take text messages and they could put in requests themselves. He commented that it is a nice feature. It is almost like a help desk. If they have worked on computer help desk before, same type of thing, where they can add all the information they need into here so they begin to track and put in information about resolution as they are active in this issue. He stated that again, requests can be automatically routed to the proper staff members. Staff can search for this related issue or history on an issue like this. He noted that sometimes they are already in the system and they could find out quickly if they are or they could find out if it is something that is regularly recurring and they can begin to track that also. He noted that they can upload attachments related to this including photos or any emails so as the citizens come in on their side they can see all of the activity that has been going on and they can reroute it as needed so if there is something that he can't complete but somebody else has to do it, they can reroute that to the proper person also so it has workflow built into it. He stated again that it automatically notifies the citizen who entered that ticket in when things have been changed or activity has happened on this issue. He added that they can also run reports, analyze trends, do some powerful analytics so they can find for example, if there are potholes occurring in certain areas of the City more often, street lights going out, graffiti happening, they can begin to look at some of these trends. They can report on it. They can not only use those internally but they can also create a dash board externally for citizens to look at also so they can see what the City is working on.

Mr. Uyesaka restated that this is a very powerful tool that can be used in many different ways to create that two way communication between the City and the citizens. Staff is looking for direction. They can continue to engage with the vendors that they have looked at. They can get some proposals and bring something back to Council if that is what they wish or they can just table it for now and move forward with other projects. Mr. Uyesaka asked if the Council has any questions or comments.

Council Member Medellin referred to the \$4,500 to \$20,000 and asked if that is based on the more they want to put out there, the more it is going to cost. That is his assumption.

Mr. Uyesaka replied it is based on complexity. Some of it yes and some of it is based on, he thinks, the size of the corporation that is actually producing that product. He noted that it seems like the ones that are larger, noting that they are eating each other up right now, some of the smaller companies that offer more competitive rates are being bought out by the larger companies.

Council Member Medellin stated he thinks it is a wonderful, powerful tool when they engage the community, and let's face it, right now everything is app based, everything is on his tablet or his smartphone. To be able to go immediately 24/7 to an app or the City's website and report or gain information he thinks is key. He noted that one of the biggest things, he is assuming that the time saved for staff, more specific reporting to a direct department or a staff person versus the who do I call and have those questions answered, he thinks they will actually save money in that case. In his opinion, he would like to see, not the bare bones kind of get by with the minimum. He thinks that might be a waste. People might be turned off that they are

only limited to what they can do. He would really like to see what they can do on completely engaging the community and doing something that would really, really help.

City Administrator David Tooley asked to briefly address some of those remarks. First he wants to acknowledge the tremendous power of the tool and he agrees that there will be some time savings but as they begin this journey, they need to be very clear, they are going to add additional resources to get the full benefit of this tool. They are going to add staff in order to make this work. He advised that staff's recommendation is to begin small and go with the learning curve, acknowledging the Council Members interest, if they want them to go faster then, he thinks part of their direction back to staff would be to come back with a full implementation plan including additional staffing.

Council Member Medellín agreed.

Mr. Uyesaka commented that one of the things they did circulate to the Council a few weeks ago was an overall type of high level plan. He noted that a CRM like this was a cornerstone of their communications office that they had talked about needing as they move forward and as they grow. They want to continue to engage the public and continue that engagement and increase that. He noted that part of that was public information type officer / communications officer in an office where all of their online tools would come together underneath that umbrella and that is what Mr. Tooley is speaking to.

Council Member Rigby stated that Mr. Tooley already alluded a little bit to what his question was. His question is what would be staff's plan to respond the citizen's request and obviously it would be to increase staff so this wouldn't be something that would fall under their department heads. He noted this would include possibly even another department all together that would work as some type of third party to branch out this information to the leading heads of different departments, he is assuming.

Mr. Tooley responded, by way of a brief example, one conversation he had with Ms. Seay, in this regard, is that they do a lot of social media work now for Parks and Recreation. They don't have a specific staff person assigned to that activity so Ms. Seay checks that several times a day herself including weekends to ensure that people get a timely response. He suggested they multiply that thought process by the number of departments and the number of complaints they have noting that obviously they are going to have to put together a management plan. He advised that the worst thing they can do is roll the tool out and fall flat on their face with people who are looking for service.

Mayor Poythress commented overpromise, under deliver.

Council Member Rigby stated that the \$20,000 annual support costs could potentially be up. He would like to see a possible ballpark number for that if they could before staff brings that back. If they are going to bring back different vendors and different prices along for the software itself, he would like to see the overall costs that might involve the response. He commented that he is curious and asked if they would legally be able to build some type of email database using this program. He asked if that is something that they would be able to do. He noted that having the email database they would be able to more sufficiently send out information quicker.

City Attorney Brent Richardson asked if he is saying by people voluntarily giving them their email.

Council Member Rigby stated that if he saw the slide correctly, the dashboard was asking for name, and he doesn't know if this was just a placeholder or example of.

Mr. Uyesaka replied that when a citizen signs up they have the option of giving the City ways to contact them so it is all voluntary. They can't require them to do that.

Mr. Richardson responded that if they are providing it voluntary that is fine. They couldn't be mining things out of utility billing information or something like that and using that.

Council Member Rigby stated he is just looking for another way to communicate with the citizen besides having to snail mail something, knock on their door or would it be used as a tool to also communicate with the general public.

Mr. Uyesaka stated the idea behind this is whoever signs up and voluntarily gives the City information, ways to contact them, then through this application the City can then push information to them but they can't require them to do that.

Council Member Rigby agreed that obviously it would be voluntary. He stated that he agrees with Council Member Medellin. He would like to see a little bit more done on this. He would be curious as to what other proposals look like again, including what it would look like on the end including more staff members, what those numbers might lead to. He thinks having that dashboard option leads not only to more information available to their departments as well as transparency to the general public. He thinks that is something that is going to be really important to their voters and to citizens. He would also be curious as to how the Police Department has kind of handled their new texting options. If staff wants to look at that, the amount of people that have enrolled in their program and have been receiving texts for what he believes has been over two years now that they have been involved in that program. He commented that if Madera is not ready for it then he would hate to make the investment in such an amazing tool and just have it sit in the garage as so many of them have, really shiny air compressors or what not that just don't get used. He just wants to make sure that they are being smart with this investment.

Council Member Holley stated he noticed that they have a very interesting tool and asked if it would give them a chance to have meetings that they have here in the evenings on the internet, on your laptop like the County has across the street in the morning. Their meetings are all videoed.

Mr. Uyesaka replied that those are two separate technologies or applications. If they wanted to, at some point in time, put those on closed circuit t.v. type of thing, video, that would be something separate.

Council Member Holley commented he thinks that would be a very interesting tool as well. If they are going to spend money, he thinks they should look for something that is going to benefit the City because a lot of folks don't get to come to meetings. He thinks if they are going to talk about technology to be lifted, that would be something that would help people to be inspired about what is going on in the City. They can sit at home and go on, like tonight's meeting. They can video what is going on here tonight about what decisions are being made and then with this other tool they can call in or text in or email and get the right answers. He noted this is a lot of money they are looking at to spend. He thinks they need to look down the line to make sure that it is going to benefit the whole City as well.

Mr. Tooley stated, to Council Member Holley's point, one of the conversations they constantly have when they talk about technology is they need to have a planned approach. They can take certain kinds of actions that limit what they do in the future so certainly whatever they do in terms of one technology, they are going to be very sensitive to growth into other applications. He noted that Council Member Holley's point is well taken and they will certainly wrap that into their thought process. He added that certainly what they are looking for tonight is that the Council wants more information before they make a decision. Mr. Tooley noted staff has wetted the Council's appetite and they have indicated that they are interested. Staff will bring them back something that is a little broader and a little more detailed so that they can react to it.

Mayor Pro Tem Oliver stated he thinks this is a great foundation, a great start to being a smart city. He thinks the need is there. One, just comment/suggestion, is he thinks that as they go through the creative process for a new website overhaul, he would like to see this effort paired with their new website and see how they can kind of consolidate that effort and leverage both.

Mr. Uyesaka commented that as they have gone through their interviews regarding their website with staff and with public, they have gotten parts of a CRM type of information. That is the kind of thing they would like to add to that but they would definitely integrate something like this in with that.

Council Member Robinson stated he would like to see them do the research and compare other City use of this social media; the pros and cons before they step into it.

Mr. Uyesaka replied, just as a note, Bakersfield just recently deployed theirs publicly and the City of Fresno also. He added that Clovis has been online for a couple of years so it is a very well used tool out there currently. He advised that he can check that information for them.

Mayor Poythress stated he thinks staff has received input and direction. He thanked Mr. Uyesaka.

Mr. Tooley suggested they move to item E-5 and perhaps closed session depending on the Council's pleasure as they wait.

Mayor Poythress suggested they move to E-4.

E-4 Update on Status of Water Meter Installations in the City and Request for Direction Regarding the Implementation of Section 3 of Chapter 5 of Title V of the Madera Municipal Code Pertaining to Water Meter Services

City Engineer Keith Helmuth stated this item provides a status update of single family residential water meters and requests direction regarding implementation of the City Municipal Code relative to the water meters. He advised that there have been approximately 12,000 single family residential meters installed in the last few years. He noted that includes about 360 in the most recent project within gated communities. He added that within those gated communities there were about 110 non-responsive parcels. He commented on how are they going to deal with those non-responsive property owners and advised that he would give a little history on that. He noted that back in December of 2013 Council directed that they adopt a cooperation first method to go ahead and work with them. What that meant is that they would install as many meters as possible while working cooperatively with the property owners. He stated that process has pretty much gotten to an end. They have installed all the meters that they can do at this point in time. They have moved on to the next stage of that which is enforced per triggers as allowed in the amended Municipal Code. What that says is that they can go ahead and require the meters be installed by the property owners if they come and they look for say a change in the water service account, a building permit, or any other entitlement action against that property. He commented that the City would say no to that unless they installed the water meter at their cost. He advised that is in effect right now unless Council chooses to change that.

Mr. Helmuth stated that they would also pursue administrative enforcement and that is not in effect right now. He commented that Council was very specific in December of 2013 that they would only move into that if so directed. He noted that just about every code within their Municipal Code allows enforcement but this one is held in abeyance until they receive that direction.

Mr. Helmuth advised that there are other alternatives out there that they can look at. He commented on why they would consider alternatives. He noted that when that was first approved, the drought wasn't worsening and they didn't have associated conservation measures along with that. They also weren't looking at tiered water rates coming up. He advised that things have changed a little bit and Council may want to go ahead and reconsider. Mr. Helmuth stated that the alternatives include that they can consider with the status quo which is enforce triggers as amended in the code. They can move into an administrative enforcement. He advised this is different than code enforcement. Regarding administrative enforcement, the Engineering Department would take the lead on that and follow the same protocols as the Code Enforcement Department would. He stated that enforcement can occur with or without fines though without fines there wouldn't be much to nudge the property owners into installing the meters. Something he thought about following the report is that they do have a commercial meter project that is going to be coming up in the next fiscal year. He commented that it could be that the administrative enforcement could nudge those property owners into getting into that particular installation. He advised that they would pay a little more for those meters going in under that because they've got six different gated communities and they range from probably 5 or 6 meters in each to 10 or something like that. He noted there would be special trips for the

contractor so the cost would be a little bit more but more than likely it won't be dramatically more. He advised that these basically represent the options as they have been able to derive. He stated they can kind of pick and choose on the administrative enforcement on how they would like to look at that.

Mr. Helmuth stated staff would be looking for direction on how they proceed. He offered to answer any questions.

Mayor Poythress stated he has some ideas for direction but he would be interested in hearing staff's recommendation.

Mr. Helmuth replied, as he indicated, without fines probably not going to be much of a nudge. It could be that administrative enforcement with fines. He stated that perhaps the fines are delayed a little bit. He hasn't put much thought into how that would proceed but they can come back with a more defined recommendation on how that might go. He noted that they probably do need a nudge. If they are not able to nudge them what will happen is many of those houses will remain unmetered for years and years potentially as the drought continues.

Mayor Poythress commented that back in 2013 they talked about these triggers and it looks like it is about time that they trip those triggers.

Council Member Medellin agreed with Mayor Poythress. In 2013 when they adopted the cooperation first they thought they might have gotten a little more cooperation. They had 326 people agree over a certain period of time. He thinks there were 34 additional while they were putting meters in. He stated that obviously they didn't reply over three separate notices without any return call or anything. He commented that any kind of threat without fines at this point he doesn't think they are going to budge. He would recommend that they use administrative enforcement with some sort of fine.

Mayor Poythress asked for any other comments/input from his colleagues.

Council Member Robinson stated that if farmers with 100 year old water rights, they were made to stop taking water, and the City is in a serious drought, he presumes that fines would be the best.

Mayor Poythress stated he thinks staff has direction.

Mr. Helmuth stated administrative with fines.

Mayor Poythress responded yes.

Mayor Poythress announced they would go on to item E-5.

E-5 Request for Appointment by Mayor of Ad Hoc Committee for Negotiating Compensation and Terms and Conditions of Employment with Council's Direct Reports

City Administrator David Tooley stated this is fairly self-explanatory. He advised that the Council has provided direction with regard to all of the collective bargaining units. He commented that the Council has certain direct reports with whom they need to complete that loop as well. Their normal operating practice has been to appoint two Council Members to meet with their direct reports and bring back a recommendation to the Council as a whole. Mr. Tooley offered to answer any questions.

Mayor Poythress stated there are no questions at this time. He appreciates that explanation. He noted that this is an appointment that he would make.

Mr. Tooley replied that is correct.

Mayor Poythress stated he would like to make it a two person ad-hoc committee. He would like to be on that. He asked Council Member Rigby if he would like to join him on this ad-hoc committee.

Council Member Rigby accepted and thanked Mayor Poythress for that opportunity.

Mayor Poythress stated they will now reconvene item C-4. *See continued discussion under item C-4.*

F. COUNCIL REPORTS

Council Member Robinson reported that last week he went to the 2015 Mayor and Council Members Advanced Leadership Workshop in Monterey along with Councilman Holley. He commented that it was a good conference. His class was on city finance, what you need to know.

Council Member Rigby reported that he had a great time at their neighborhood watch meeting, the first one on Elm Street. He commented that over 50 were in attendance so he thought that was very well attended and they got some great dialogue as well some really great leadership in that neighborhood. He was really excited about that.

Council Member Rigby reported that he recently got to ride along with their Madera PD. He took a night shift on a Friday night and he was glad to say that it was not as eventful so that is good. They had some fun but he is again so proud of what they do. He commented that those men and women every day take their lives and put them out there for their public safety. He was just well impressed. He got to see how they interacted with not only their Fire Department but as well as their paramedics. It is just a great team, great team effort all around. He looks forward to celebrating the 4th of July at the Golf Course Fireworks Extravaganza being put on by their Parks and Recreation this weekend.

Council Member Holley commented that Council Member Robinson already said that they went to the League of Cities retreat. He stated it was a treat. He learned a lot. They gave good workshops on everything.

Council Member Holley stated that Camarena put on one of the best extravaganza, gallery of banquets he has ever seen. They stepped up to the plate after 35 years. They did something that is going to be well talked about. The Mayor was there plus Mayor Pro Tem Oliver. He stated it was awesome and his hat goes off to them because he knows they did a wonderful job. They didn't spare no expense. He hasn't seen anything like that in 30 years or better. He thought they did a great job.

Mayor Poythress agreed.

Council Member Medellin stated that lately the theme up here, he has been hearing a lot of words like engagement of the community, and educate, and outreach for the community. He knows they have a website that they are working on. He referred to Mr. Uyesaka's report today with the CRM. They had talked about that a little bit but it is very, very important because of the public perception. He has had a couple of calls himself about leaks and the perception is why don't you fix it immediately, we are in a drought, so the outreach is, we can't just dig without calling folks like PG&E and AT&T and doing the USA. He thinks that is going to be very, very important with this study that Mr. Uyesaka shows them and how they can continue to engage the public, to educate the public, and outreach whether it is leaks or neighborhood watch or LMZ's (landscape maintenance zones), watering schedules and times. They all go to neighborhood watch meetings and Lacy Burleson does a fantastic job for PD (Police Department) with Nextdoor and Nixle and it is talked about at every single meeting on how, if you just take advantage of what we have to offer you it makes your community and your neighborhood that much better. He thinks they are heading that way. They are already there but he thinks it is just a huge component to continue to engage the community, have their input and let them know what they are doing prior to some of the meetings where they actually make the decision. He would like to continue to stay on that path and take advantage of technology and continue to keep the community informed on what they are doing and get their input.

Mayor Poythress stated taking the City to the streets.

Mayor Pro Tem Oliver reported that he had an opportunity on Saturday morning to volunteer with members of celebration church and their Parks staff. They are going to open up church this spring in Madera so they reached out to John Scarborough and Mary Anne Seay (Parks and Community Services) to look for opportunities to give back to their City. They spent the morning installing drip irrigation lines in 15 medians along the Westberry corridor. It was very rewarding. They did it very efficiently. They had over 40 people in attendance so their enthusiasm, energy, and commitment to the City was really a strong showing even before opening up here in Madera and most importantly, they are also going to bring several people to their community who are moving from Fresno and will be moving to our City. He stated that it was a fantastic day of service so kudos to Ms. Seay and Mr. Scarborough and their staff. Most importantly, he was really impressed by the hard work ethic and dedication from some of their Park's employees especially those that have logged a lot of hours in this blistering summer heat in providing maintenance and improvements to their landscaped areas so their work is certainly very appreciated.

Mayor Poythress thanked them and added great job.

Mayor Poythress stated the reason he reads the Fresno Bee is because it makes him appreciate the Tribune so much more. They had an article about, he thinks it was CHP division that includes Fresno and Kings and Tulare County, but it was south of here and they developed this volunteer corps and this program where people can call in and they have four specific areas where people can work. A few things he recalls out of the article, of course, there was some office work. He thinks that there was some help that some of the volunteers could help out on some of the scenes and working with the public, public information type situation. They had requirements that people work at least four hours a week, that they are in good health and so forth. He stated they have baby boomers retiring at, he doesn't know how many thousands per day, and a lot of these folks that are extremely healthy, they are very vital, they are retiring at the top of their game and they need something to do. He knows other cities, Carlsbad and some other cities have received awards for developing volunteer programs. In fact, several years ago he talked to the person who coordinated volunteer services at Carlsbad and she said the biggest problem that they had was finding enough for these people to do. He was just going whoa then he hears tonight about their CRM project and the need to add staff and so forth. To him when you look at all these initiatives, community outreach, and taking the City to the streets, there is some kind of connection there. He doesn't know exactly what that looks like but he knows that there are resources out there with people who need something to do who want something to do. He thinks at the City they need some of those people and they have ways that they can utilize them so it just seems like a real win, win. He stated that again, he doesn't have any grand plans, great solutions and so forth but after looking at these things, he thinks, they should consider some of it. He thinks the immediate thing is hey great idea when do I have time to train volunteers but he thinks that once something like this is developed and put into play...that individual he was talking to from Carlsbad for instance, that was not even a paid position. She was like the unpaid lead of the volunteers. He stated this is something to think about and he just wanted to throw that out there, in light of everything, they have been talking about.

Chief of Police Steve Frazier advised that Madera PD has 15 volunteers and they have had them for 15 years.

Mayor Poythress stated that is a perfect example. He noted that others would probably jump in if they knew about it.

Mr. Tooley added that they are greeted by volunteers when they arrive at City Hall.

Council Member Rigby stated he would like to hear Chief Frazier give a quick announcement in regards to their Citizens Academy that will be opening up again soon.

Chief of Police Steve Frazier stated they will be starting their fourth Citizens Academy class August 12th. They haven't really started pushing for that. They have already got a list of probably about 10 to 15 folks

that have signed up for the last one. If they know of anybody that would benefit from that, he asked that they send them in their direction.

Council Member Holley asked what age they are.

Chief Frazier responded anybody above 18. They ask that they live or work in the City of Madera and they would love to have them come out.

Council Member Rigby asked what exactly are they covering in the six weeks.

Chief Frazier responded that they cover a little bit of everything, everything that they do. He noted that the idea again is to engage the community, let them know who they are, establish that relationship with them and hopefully when they graduate the Citizen Academy they have, however many people graduated, that are advocates for the PD that can spread the news on who they are, what they do and why they do it. He thinks that is the biggest benefit that they get is, and there are a lot of people that really don't understand what they do, and in light of everything that occurs on the national stage, people have a preconceived idea on who and what the Police Department does and is and they want to make sure that the citizens of Madera understand who they are, what they do, and why they do it.

Council Member Holley asked Mr. Tooley if he is doing the Citizens Academy again.

Mr. Tooley responded that they are looking at doing both a Citizens Academy and how to start a new business. They would like to do that before the end of the year. As they all know there are a couple of things stacked up that they are focused on right now but the intent is still to get those done.

Council Member Holley announced that Mayor Poythress just had a new grandbaby so they need to congratulate him on being a grandfather.

Mayor Poythress thanked him.

Mayor Poythress announced they can now move on to closed session even though C-1 has been continued. They can come back and complete that. *See item C-1 above for full discussion and action.*

G. CLOSED SESSION

G-1 Closed Session Announcement – City Attorney

City Attorney Brent Richardson announced that the Council will adjourn to closed session pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-2.

The Council adjourned to closed session at 8:07 p.m. Absent: Council Member Bompreszi.

G-2 CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: David Tooley

Employee Group: Management Employees

G-3 Closed Session Report – City Attorney

The Council returned from closed session at 8:13 p.m. with all members present. Absent: Council Member Bompreszi.

City Attorney Brent Richardson announced that the Council met in closed session pursuant to Government Code Section 54957.6 to discuss conference with labor negotiators as described under item G-2 and reported that no reportable action was taken.

Mayor Poythress called a recess at 8:14 p.m. until they pick up with item C-1 again.

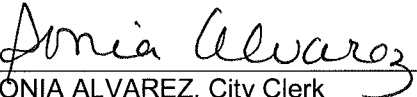
Mayor Poythress called the meeting back to order at 8:37 p.m. and announced that they would continue on item C-1. *See full discussion and action taken under item C-1 above.*

ADJOURNMENT

The meeting was adjourned by Mayor Poythress at 8:45 p.m.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

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


SONIA ALVAREZ, City Clerk


ROBERT L. POYTHRESS, Mayor

Charles Rigg Mayor Pro Tem

