



January 24, 2012 Agenda
Regular Joint City Council/★ Redevelopment Agency Meeting
130 S Second St., Civic Center Plaza, Chowchilla
6:00 PM Closed Session - 7:00 PM Open Session

CALL TO ORDER

ROLL CALL: Mayor/Chairman: HEBERT
Mayor Pro Tem/Vice Chair: KOPSHEVER
Council/Board Members: ALEXANDER, HAWORTH, JACKSON

City staff and contract employees present at the meeting will be noted in the minutes.

PUBLIC ADDRESS – CLOSED SESSION ITEMS

The City Council will call the meeting to order and conduct the roll call. Council will immediately convene into closed session after hearing any public comment on Closed Session. At 7:00pm the Council will recess into Open Session and then resume Closed Session at the end of the meeting to address outstanding items.

6:00 pm CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation, Gov Code Section 54956.9 (a)

Number of Cases: 3

Chowchilla v. Robinson
5th Appellate District, F059608

City of Chowchilla v. California Department of Corrections and Rehabilitation
Madera County Superior Court, Case number MCV-057653

Jay Kaplan v. US Bank
Los Angeles County Superior Court, Case number 11K16170

2: Conference with Legal Counsel - Anticipated Litigation, Gov Code Section 54956.9 (b)

Potential litigation pursuant to subdivision (b) of section 54956.9:

Number of cases: 2

In the event that not all the items on the closed session agenda have been deliberated in the time provided, the City Council may continue the closed session until the end of the regularly scheduled Council Meeting.

7:00 pm OPEN SESSION

INVOCATION:

PLEDGE OF ALLEGIANCE:

CLOSED SESSION REPORT:

CEREMONIAL/PRESENTATIONS

None

PUBLIC ADDRESS

This time is reserved for members of the audience to address the City Council/Agency Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council/Agency Board. It is recommended that speakers limit their comments to between 3 to 5 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council/Agency Board on items on the Agenda should notify the Mayor/Chairman when that Agenda item is called. The Council/Agency Board 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/Agency Board does not respond to public comment at this time. Speakers are asked to please use the microphone, and provide their name and address. Prior to addressing the Council/Agency Board, any handouts to be provided to City Clerk/Board Clerk who will distribute to Council/Agency Board and appropriate staff.

COUNCIL AND STAFF REPORTS - Section 2

- 2.1: COUNCIL REPORTS:** Legislative Items:
Oral / Written Reports:
- 2.2: COLLABORATIVE AGENCY COMMITTEE UPDATES:** Oral / Written Reports:
- 2.3: STAFF REPORTS:** Written/Oral Reports:
1. Potential 2012 City Council Goal Setting Workshop (Lewis)

Items denoted with a ★ are RDA items and will be acted upon by the Redevelopment Agency Board. Agendas for all City Council/RDA meetings are posted at least 72 hours prior to the meeting at the Civic Center, 130 S. Second St., Written communications from the public for the agenda must be received by Administrative Services no less than seven (7) days prior to the meeting date. The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 705 at least 4 days prior to the meeting.

CONSENT CALENDAR - Section 3

- 3.1: Consideration of Minutes of the Joint Council/Redevelopment Agency Meeting of January 10, 2012 (Balkan)**
- 3.2: Consideration of CAF Girls Softball User Agreement with City of Chowchilla (Haupt)**
- 3.3: Consideration of Monthly Check Listing for General Payments and Payroll (Padilla)**
- 3.4: Consideration of Professional Landscape Maintenance Services RFP Award to Clean Cut Landscape (Benelli)**
- 3.5: Consideration of Chowchilla Little League User Agreement with City of Chowchilla (Haupt)**
- 3.6: Consideration of Adoption of Resolution # -11, Creating the Management Employee Group (Lewis)**
- 3.7: Consideration of Adopting Resolution # -12 Approving Weed Abatement for 2012 (Fabino)**
- 3.8: Consideration of a Resolution # -12 for Annual Encroachment Permits on State Route 233 (Robertson Blvd.) and Authorizing the City Administrator to Approve the Permits on Behalf of the City Council (Fabino)**

3.9 ★ Consideration of Resolution Amending the Enforceable Obligation Payment Schedule Drafted Pursuant to AB1X-26 (Ebersole)

PUBLIC HEARINGS - Section 4

None

DEFERRED BUSINESS - Section 5

5.1: Report on Replacement of Telephone System and Authorization to Proceed from AT&T's Voice DNA to CDWG's ShoreTel (Turner)

NEW BUSINESS - Section 6

6.1: Review Graffiti Ordinance and Direction to Staff (Ebersole)

6.2: Council Ad Hoc Appointments (Hebert)

ANNOUNCEMENTS - Section 7

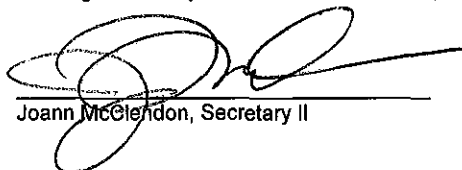
- Jan 27 City Offices, with the exception of Public Safety, will be closed
- Feb 3 Furlough Day, City Offices Closed
- Feb 8 Chamber of Commerce Board Meeting, Civic Center Public Training Room, 12:00 PM
- Feb 10 City Offices, with the exception of Public Safety, will be closed
- Feb 14 City Council Meeting Removed from Calendar Per Resolution #118-11
- Feb 15 Planning Commission Meeting, Civic Center, 7:00 PM
- Feb 17 Furlough Day, City Offices Closed

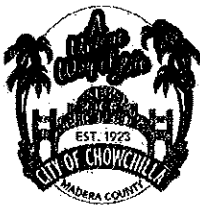
ADJOURNMENT

NOTICE: Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before or during consideration of the item. Those wishing to address Council on an item shall be limited to between 3-5 minutes and if a large group, the Mayor may request that individuals provide only new information not presented by another person.

PUBLIC NOTIFICATION

I, Joann McClendon, Secretary II for the City of Chowchilla, declare under penalty of perjury that I posted the above City Council/RDA Agenda for the meeting of January 24, 2012 at Civic Center, 130 S Second St., Civic Center Plaza, on January 19, 2012 at 2:15 pm.


Joann McClendon, Secretary II



January 24, 2012 Fact Sheet
Regular Joint City Council/★ Redevelopment Agency Meeting
130 S Second St., Civic Center Plaza, Chowchilla
6:00 PM Closed Session - 7:00 PM Open Session

CALL TO ORDER

ROLL CALL: Mayor/Chairman: HEBERT
Mayor Pro Tem/Vice Chair: KOPSHEVER
Council/Board Members: ALEXANDER, HAWORTH, JACKSON

City staff and contract employees present at the meeting will be noted in the minutes.

PUBLIC ADDRESS – CLOSED SESSION ITEMS

The City Council will call the meeting to order and conduct the roll call. Council will immediately convene into closed session after hearing any public comment on Closed Session. At 7:00pm the Council will recess into Open Session and then resume Closed Session at the end of the meeting to address outstanding items.

6:00 pm CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation, Gov Code Section 54956.9 (a)

Number of Cases: 3

Chowchilla v. Robinson
5th Appellate District, F059608

City of Chowchilla v. California Department of Corrections and Rehabilitation
Madera County Superior Court, Case number MCV-057653

Jay Kaplan v. US Bank
Los Angeles County Superior Court, Case number 11K16170

2: Conference with Legal Counsel - Anticipated Litigation, Gov Code Section 54956.9 (b)

Potential litigation pursuant to subdivision (b) of section 54956.9:
Number of cases: 2

In the event that not all the items on the closed session agenda have been deliberated in the time provided, the City Council may continue the closed session until the end of the regularly scheduled Council Meeting.

7:00 pm OPEN SESSION

INVOCATION:

PLEDGE OF ALLEGIANCE:

CLOSED SESSION REPORT:

CEREMONIAL/PRESENTATIONS

None

PUBLIC ADDRESS

This time is reserved for members of the audience to address the City Council/Agency Board on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council/Agency Board. It is recommended that speakers limit their comments to between 3 to 5 minutes each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council/Agency Board on items on the Agenda should notify the Mayor/Chairman when that Agenda item is called. The Council/Agency Board 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/Agency Board does not respond to public comment at this time. Speakers are asked to please use the microphone, and provide their name and address. Prior to addressing the Council/Agency Board, any handouts to be provided to City Clerk/Board Clerk who will distribute to Council/Agency Board and appropriate staff.

COUNCIL AND STAFF REPORTS – Section 2

- 2.1: COUNCIL REPORTS:** Legislative Items:
Oral / Written Reports:
- 2.2: COLLABORATIVE AGENCY COMMITTEE UPDATES:** Oral / Written Reports:
- 2.3: STAFF REPORTS:** Written/Oral Reports:
1. Potential 2012 City Council Goal Setting Workshop (Lewis)

Items denoted with a ★ are RDA Items and will be acted upon by the Redevelopment Agency Board. Agendas for all City Council/RDA meetings are posted at least 72 hours prior to the meeting at the Civic Center, 130 S. Second St., Written communications from the public for the agenda must be received by Administrative Services no less than seven (7) days prior to the meeting date. The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 705 at least 4 days prior to the meeting.

CONSENT CALENDAR - Section 3

- 3.1: Consideration of Minutes of the Joint Council/Redevelopment Agency Meeting of January 10, 2012 (Balkan) P. 1**

- 3.2: Consideration of CAF Girls Softball User Agreement with City of Chowchilla (Haupt)**

The Chowchilla Athletic Foundation (CAF) stepped up in 2010 to pick up this league since the City could not continue the program. CAF continues to provide a seasonal girls softball program for the benefit of the youth in our community. P. 5

The purpose of the proposed Agreement is for the Chowchilla Athletic Foundation to utilize City fields for their Girls Softball League Program while being cognizant of reduced City staffing, and provide for possible in-kind donations.

- 3.3: Consideration of Monthly Check Listing for General Payments and Payroll (Padilla)**

Presented are the lists of checks that are awaiting Council approval to be released. P. 10

- 3.4: Consideration of Professional Landscape Maintenance Services RFP Award to Clean Cut Landscape (Benelli)**

The City issued a request for proposal (RFP) in October, 2011 for professional landscape maintenance services to maintain streetscape areas in the Greenhills/Pheasant Run area within the City-wide Assessment District and three City playground areas. Staff reviewed all proposal packets and generated a Canvas of Bids. It is recommended to authorize the award of bid and City Administrator to execute the contract. P. 14

P. 18

3.5: Consideration of Chowchilla Little League User Agreement with City of Chowchilla (Haupt)

The purpose of the proposed Agreement is for Chowchilla Little League to utilize City fields for their Little League Program while being cognizant of reduced City staffing, and provide for possible in-kind donations.

3.6: Consideration of Adoption of Resolution # -11, Creating the Management Employee Group (Lewis)

This action establishes the Management Employee Group for the City of Chowchilla. With the employment of our new Director of Public Works/ City Engineer and Community and Economic Development Director. There needs to be an established employee group that authorizes pay and benefits for those employees. The pay for these employees was established by separate resolution previously authorized by the City Council. The Benefits would be established by the creation of this group. The creation of this group will eliminate the need for individual contracts with Department Heads and Management Personnel.

P. 22

3.7: Consideration of Adopting Resolution # -12 Approving Weed Abatement for 2012 (Fabino)

The need for weed abatement is a seasonal and recurring nuisance, which poses a fire, safety, and public health risk. Staff recommends approving the Resolution declaring the existence of a public nuisance by virtue of certain weed growth and move forward with the process per the proposed timeline.

P. 24

3.8: Consideration of a Resolution # -12 for Annual Encroachment Permits on State Route 233 (Robertson Blvd.) and Authorizing the City Administrator to Approve the Permits on Behalf of the City Council (Fabino)

The State of California, Department of Transportation requested the City of Chowchilla to issue a yearly resolution for all annual events and activities that take place on State Route 233 (Robertson Blvd.) in order to process an encroachment permit for each event.

P. 27

3.9 ★ Consideration of a Resolution # -12 Amending the Enforceable Obligation Payment Schedule Drafted Pursuant to AB1X-26 (Ebersole)

A recent State Supreme Court decision upheld AB 1X 26 and set February 1, 2012 as the date on which all redevelopment agencies shall cease to operate and requires the creation of a new Enforceable Obligation Payment Schedule.

Staff needs time to evaluate the current schedule and prepare the amendment to be compliant with the court's decision.

P. 29

PUBLIC HEARINGS – Section 4

None

DEFERRED BUSINESS – Section 5**5.1: Report on Replacement of Telephone System and Authorization to Proceed from AT&T's Voice DNA to CDWG's ShoreTel (Turner)**

On January 10, 2011, the City Council authorized the Acting City Administrator to enter into an agreement with AT&T to provide a hosted enterprise telephone solution called Voice Dynamic Network Applications (Voice DNA) to replace the existing telephone system which is no longer supported by the current vendor and continues to suffer periodic service failures.

Staff began working with AT&T to finalize the scope of work and enter into a purchase agreement. Due to an AT&T internal reorganization, they are unable to provide this service in a timely manner.

In response to the failure of AT&T to follow through on its commitment, staff began researching alternative solutions and developed an informal request for quote for a telephone system from vendors who could provide terms and pricing that were part of an existing bid award.

Staff is bringing this back before Council to report on the status of this item. P. 33

NEW BUSINESS – Section 6

6.1: Review Graffiti Ordinance and Direction to Staff (Ebersole)

In November, 2011, the Council expressed a desire to have Chapter 9.24 of the Chowchilla Municipal Code reexamined, The City attorney and Police chief have taken the opportunity to review the current Graffiti Ordinance, and compare it to the Graffiti ordinance recently passed in the City of Madera. The Police Chief indicated that while the current Graffiti ordinance was very thorough, it was a bit problematic with respect to the day-to-day enforcement activities. After reviewing each section of the current code, and comparing it to the code recently adopted by the city of Madera, it was determined that the enforcement officers would be benefited by adopting a more streamlined ordinance. P. 34

6.2: Council Ad Hoc Appointments (Hebert)

Routine appointments of Ad Hoc Committees of 2012 by the Mayor. P. 42

ANNOUNCEMENTS – Section 7

- Jan 27 City Offices, with the exception of Public Safety, will be closed
- Feb 3 Furlough Day, City Offices Closed
- Feb 8 Chamber of Commerce Board Meeting, Civic Center Public Training Room, 12:00 PM
- Feb 10 City Offices, with the exception of Public Safety, will be closed
- Feb 14 City Council Meeting Removed from Calendar Per Resolution #118-11
- Feb 15 Planning Commission Meeting, Civic Center, 7:00 PM
- Feb 17 Furlough Day, City Offices Closed