



**July 26, 2010 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: Kopshever  
Mayor Pro Tem/Vice Chair: Alexander  
Council/Board Members: Chavez, Haworth, White

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. Any outstanding items at 7:00pm the Council will recess into Open Session and then resume Closed Session at the end of the meeting.

**6:00 pm CLOSED SESSION**

- 1: Conference with Legal Counsel - Pending Litigation, Gov. Code Section 54956 (a)**  
Name of Case: Chowchilla Historical Society vs. City of Chowchilla
- 2: Conference with Legal Counsel - Pending Litigation, Gov. Code Section 54956 (a)**  
Name of Case: Robinson vs. City of Chowchilla
- 3. Conference with Legal Counsel - Pending Litigation, Gov. Code Section 54956 (a)**  
Name of Case: City of Chowchilla vs. Rabon
- 4: Conference with Legal Counsel – Anticipated Litigation, Gov. Code Section 54956.9 (b)**  
Number of Cases: 7
- 5: Public Employee Evaluation, Gov. Code Section 54957**  
Position: All Public Employees, City Attorney

**7:00 pm OPEN SESSION**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**CLOSED SESSION REPORT: Meeting of 07/12/2010:**

**CEREMONIAL/PRESENTATIONS**

**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 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 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: **AD HOC/COMMITTEE UPDATES:** Oral / Written Reports:
- 2.3: **STAFF REPORTS:** Written/Oral Reports:

*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 Regular Joint Council/Redevelopment Agency Meetings of July 19, 2010 (Black)
- 3.2: Consideration of MOU Regarding City of Chowchilla Underground Utility Rule 20a Project and County of Madera Maintenance District 85-Valetta (Varney)
- 3.3: Consideration of Approval of Council Resolution # \_\_\_-10, Providing Workers' Compensation Coverage for Certain City Volunteers (Varney)
- 3.4: Consider a Resolution Requesting the Madera County Board of Supervisors to Permit the Madera County Clerk to Render Specified Services to the City of Chowchilla Relating to the Conduct of Municipal Elections (Black)

## PUBLIC HEARINGS – Section 4

- 4.1: Consideration and Necessary Action on Resolution # \_\_\_-10 Extending by One Year Ordinance No.'s 453-09 and 454-09, an Urgency Ordinance of the City Council of the City of Chowchilla Adding Section 080 of Chapter 3 of Title 18 of the Chowchilla Municipal Code Prohibiting Uses Related to Dispensation, Cultivation, Sale or Use of Medical Marijuana (Costanzo)
- 4.2: Annual review of the Community Development Block Grant (CDBG) Housing Rehabilitation programs for 08-STBG-4783, Revolving Loan Account Program Income Grantee Performance Report (GPR), Citizen input for possible 2011 CDBG funded activities, and Possible Homebuyer & Rehabilitation Participation Guideline Revisions; Review of 07 and 08 EDEF Business Loan Programs (Padilla)

## DEFERRED BUSINESS – Section 5

- 5.1: Continued Discussion of the FY 2010-2011 Budget and Cost Reduction Alternatives (Padilla)

### NEW BUSINESS – Section 6

- 6.1: Consideration of a Resolution # \_\_\_\_ -10 Making Findings of Fact and Authorizing Certain Actions Regarding Sublease/Option Agreement #00-023A between Municipal Finance Corporation and City of Chowchilla, as Modified in Connection with the Sub-Assignment Dated June 1, 2005 (Modified Sublease 00-023A); and**
- Consideration of a Resolution # \_\_\_\_ -10 Amending the Fiscal Year 2010-2011 Interim General Fund Budget to Liquidate the Appropriation Representing the City's Next Sublease Payment Due under Modified Sublease 00-023A (Padilla)**
- 6.2: Consideration of a Resolution of the City Council of the City of Chowchilla Approving an Agreement with the Madera County Economic Development Corporation for the Administration of the Community Development Black Grant Business Revolving Loan Account Program; and**
- ★ Consideration of a Resolution of the Board of the Chowchilla Redevelopment Agency Approving an Agreement with the Madera County Economic Development Corporation for the Administration of the Agency's Business Revolving Loan Account and Other Business Development Programs (Padilla)**
- 6.3: Consideration of a Resolution # \_\_\_\_ -10 Authorizing the Submission of an Application to the State of California Department of Housing and Community Development for Designation of the Madera County Enterprise Zone (Padilla)**

### ANNOUNCEMENTS – Section 7

- |           |   |
|-----------|---|
| July 30   | City Offices, except Public Safety, will be closed every Friday during July 2010                                    |
| Aug 6     | Furlough Friday, City Offices Closed  |
| Aug 9     | Council/RDA Meeting, Civic Center, 6PM Closed, 7PM Open Session   |
| Aug 11    | Chowchilla District Chamber of Commerce Board Meeting, Civic Center, 12pm   |
| Aug 12-16 | Vietnam Moving Wall Display, Veterans Memorial Park, 600 W. Robertson Blvd  |
| Aug 13    | City of Chowchilla Parks & Recreation's 21st Annual Community Block Party, Sports & Leisure Park, 5:30 PM - 9:30 PM |
| Aug 13    | City Offices, except Public Safety, will be closed every Friday during August 2010                                  |
| Aug 18    | Planning Commission Meeting, Civic Center, 7:00 PM  |
| Aug 20    | Furlough Friday, City Offices Closed  |
| Aug 21    | Community Volunteer Clean-Up Day, Veterans Memorial Park, 8:30 AM   |
| Aug 21    | Chowchilla Fairgrounds E-Cycle Event, Chowchilla Fairgrounds, 9:00 PM - 12:00 PM                                    |
| Aug 23    | Council/RDA Meeting, Civic Center, 6PM Closed, 7PM Open Session   |
| Aug 27    | City Offices, except Public Safety, will be closed every Friday during August 2010                                  |

### CLOSED SESSION – Continued if Necessary

- 1: Conference with Legal Counsel - Pending Litigation, Gov. Code Section 54956 (a)**  
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- 5: **Public Employee Evaluation, Gov. Code Section 54957**  
Position: All Public Employees, City Attorney

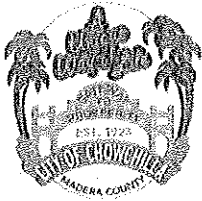
### ADJOURNMENT

*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, Cindy Black, Acting City Clerk for the City of Chowchilla, declare under penalty of perjury that I posted the above City Council/RDA Agenda for the meeting of July 26, 2010 at Civic Center, 130 S Second St., Civic Center Plaza, on 7/21/10 at 7:00 am pm.

Cindy Black  
Cindy Black



**July 26, 2010 Fact Sheet**  
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This undergrounding project will benefit the City, its residents and business through the removal of the overhead utilities currently running in each of the alleys previously mentioned. This visual improvement should make business and home sites more appealing as well as improving the usefulness of the Veteran's Park.
- 3.3: Consideration of Approval of Council Resolution # \_\_\_-10, Providing Workers' Compensation Coverage for Certain City Volunteers (Varney) Page 16**  
The City of Chowchilla has been utilizing qualified volunteers under City supervision to complete ongoing clerical and office work that can not be completed by existing staff. Due to the ongoing nature of the time that these and future volunteers may serve, we do not require them to complete a waiver each day or week that they volunteer time. These volunteers have completed a qualification process.
- 3.4: Consider a Resolution Requesting the Madera County Board of Supervisors to Permit the Madera County Clerk to Render Specified Services to the City of Chowchilla Relating to the Conduct of Municipal Elections (Black) Page 19**  
This resolution is required in election years requesting services of Madera County in the conduct of those elections.

## PUBLIC HEARINGS – Section 4

- 4.1: Consideration and Necessary Action on Resolution # \_\_\_-10 Extending by One Year Ordinance No.'s 453-09 and 454-09, an Urgency Ordinance of the City Council of the City of Chowchilla Adding Section 080 of Chapter 3 of Title 18 of the Chowchilla Municipal Code Prohibiting Uses Related to Dispensation, Cultivation, Sale or Use of Medical Marijuana (Costanzo) Page 22**  
Under the authority of Government Code §65858, the City is therefore, authorized to adopt an urgency ordinance that prohibits medical marijuana and to extend that ordinance, first by a period of 10 months and 15

days and then by a period of one year. The Council has previously extended the ordinance by the 10 month 15 day period.

- 4.2: Annual review of the Community Development Block Grant (CDBG) Housing Rehabilitation programs for 08-STBG-4783, Revolving Loan Account Program Income Grantee Performance Report (GPR), Citizen input for possible 2011 CDBG funded activities, and Possible Homebuyer & Rehabilitation Participation Guideline Revisions; Review of 07 and 08 EDEF Business Loan Programs (Padilla) Page 27**

The Community Development Block Grant (CDBG) requires public participation for the purpose of review and input to CDBG activities and performance. The purpose of this hearing is to allow the citizens of Chowchilla the opportunity to review and make comments

### DEFERRED BUSINESS – Section 5

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As a result of the General Fund \$1.2 million shortfall, it does not appear that in the Fiscal Year 2010-2011 the City will be in a position to maintain the level of appropriations within the General Fund to the degree required under the City's modified sublease of the former City Hall facility located at 145 West Robertson Boulevard. Under these circumstances, there will not be sufficient funds in the General Fund for the budget or appropriation of any portion of the sublease payments payable by the City with respect to the former City Hall facility in the Fiscal Year 2010-2011.

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The city issued a Request for Qualifications (RFQ) document on May 10, 2010 calling for eligible parties to submit documentation outlining their experience and eligibility to assist the city with the oversight of these programs. One response to the RFQ was received by the deadline from the Madera County Economic Development Corporation, a qualified non-profit entity.

- 6.3: Consideration of a Resolution # \_\_\_\_-10 Authorizing the Submission of an Application to the State of California Department of Housing and Community Development for Designation of the Madera County Enterprise Zone (Padilla) Page 72**

The Madera County Enterprise Zone expired in March of 2009 and was not one of the four jurisdictions selected for a new designation in that year. MCEDC, on behalf of the County of Madera, City of Madera and the City of Chowchilla, is reapplying for a new designation again during the 2010 application period.

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