



August 9, 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: 4
- 5: Public Employee Evaluation, Gov. Code Section 54957**
Position: All Public Employees

7:00 pm OPEN SESSION

INVOCATION:

PLEDGE OF ALLEGIANCE:

CLOSED SESSION REPORT: Meeting of 07/26/2010:

CEREMONIAL/PRESENTATIONS

- **Stephen Qualls, Central Valley Regional Public Affairs Manager, League of California Cities**

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 26, 2010 (Black)**
- 3.2: Consideration of General Payments and Payroll for the Month of August 2010 (Padilla)**
- 3.3: Consideration of a Resolution # -10 Approving an Agreement with the State of California Controller's Office for the Preparation of the Annual Street Report (Padilla)**
- 3.4: Consideration of a Proclamation "In Honor of the Vietnam War Veterans And the Vietnam War Memorial Wall Exhibition" (Black)**
- 3.5: Consideration of Resolution # -10 Ratifying a Revised Lease Agreement for Photocopiers with Zoom Imaging Solutions, Inc. (Padilla)**
- 3.6: Consideration of Resolution # -10 Confirming the Basis for Establishing the Fiscal Year Assessments for the Pheasant Run, Greenhills and Community Facility Special Districts (Padilla)**
- 3.7: Consideration of Resolution # -10 Approving an Agreement with Madera County to Create a Fee Schedule Related to the Processing of Special Assessments Placed on the County Tax Roll (Padilla)**

PUBLIC HEARINGS – Section 4

- 4.1: Consideration of a Resolution # -10 Confirming Diagram and Assessment of the Fiscal Year 2010-2011 Annual Levy for Landscape Maintenance and Lighting District No. 90-1 (Giersch)**

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 Approving Requested Deferments of the Annual Assessment for Landscape Maintenance and Lighting District No. 90-1 of the City of Chowchilla for the 2010-2011 Tax Year**
- 6.2: Consideration of Acceptance of 2009 Alley Improvements, CML-5258 (018), 11th & Robertson Improvements, SR2SL 5258 (022) (Giersch)**
- 6.3: Consideration of Resolution # -10 of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council City of Chowchilla to include Industrial Disability Retirement (Black)**

ANNOUNCEMENTS – Section 7

- Aug 11 Chowchilla District Chamber of Commerce Board Meeting, Civic Center, 12pm
- Aug 14-16 Vietnam Moving Wall Display, Veterans Memorial Park, 600 W. Robertson Blvd
Special Opening Ceremony Aug 14 at 10:00 am
- 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
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CLOSED SESSION – Continued if Necessary

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Number of Cases: 4

5: Public Employee Evaluation, Gov. Code Section 54957
Position: All Public Employees

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 August 9, 2010 at Civic Center, 130 S Second St., Civic Center Plaza, on 8/4/2010 at 6:30 am/pm.

Cindy Black
Cindy Black



August 9, 2010 Fact Sheet
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- 3.2: Consideration of General Payments and Payroll for the Month of August 2010 (Padilla) Page # 6**
- 3.3: Consideration of a Resolution # -10 Approving an Agreement with the State of California Controller's Office for the Preparation of the Annual Street Report (Padilla) Page # 7**
- The state requires the annual submission of a report that identifies the receipt and expenditure of revenues related to the city's street maintenance and construction program. This report, while not difficult to prepare requires up to 20 hours to complete and has a deadline that normally falls within the timeframe when staff is working to complete the annual audit. It is recommended that the city should contract with the state's own audit department to begin generating this report to relieve this time constraint.
- 3.4: Consideration of a Proclamation "In Honor of the Vietnam War Veterans And the Vietnam War Memorial Wall Exhibition" (Black) Page # 11**
- 3.5: Consideration of Resolution # -10 Ratifying a Revised Lease Agreement for Photocopiers with Zoom Imaging Solutions, Inc. (Padilla) Page # 12**

The forecast for the city's finances shows a large deficit growing over the current fiscal year unless significant budget reductions are implemented. One proposed reduction that was approved by the City Council has been acted on to replace existing, leased copiers with new equipment that is more affordably priced. In order to maximize the savings, staff signed a new lease with Toshiba Financial Services and the City Council is now being asked to ratify the lease.

3.6: Consideration of Resolution # -10 Confirming the Basis for Establishing the Fiscal Year Assessments for the Pheasant Run, Greenhills and Community Facility Special Districts (Padilla) Page # 14

Each year the city's consultant prepares the annual assessments for the Pheasant Run, Greenhills and Community Facility Special Districts. The process that is followed utilizes a cost of service approach and is not tied to the value of the properties that are charged the assessments. The city assists in the process by providing cash balance, annual debt service costs and estimated administrative cost information to the consultant. The city oversees the process to ensure that all applicable regulations are complied with. The City Council is being asked to certify that these assessments have been properly calculated and levied.

3.7: Consideration of Resolution # -10 Approving an Agreement with Madera County to Create a Fee Schedule Related to the Processing of Special Assessments Placed on the County Tax Roll (Padilla) Page # 16

Madera County processes the assessments levied for special districts each year by taking information contained in electronic files and placing them in the property tax billing system. The county has identified the need to begin charging fees associated with the process of levying assessments for special districts and apportioning funds to the city starting with the current fiscal year. The City Council is being asked to approve the agreement with Madera County.

PUBLIC HEARINGS – Section 4

4.1: Consideration of a Resolution # -10 Confirming Diagram and Assessment of the Fiscal Year 2010-2011 Annual Levy for Landscape Maintenance and Lighting District No. 90-1 (Giersch) Page # 26

The city adopted the Resolution of Intent to Levy and Collect the annual assessments for the current year during the July 12th meeting and set August 9th as the date for the public hearing. At this time the public hearing will be convened so the public may address the Council with questions and/or concerns about the proposed levy before the City Council takes action on the resolution that sets the levy and directs staff to create a charge on the affected property owner's property tax bill.

DEFERRED BUSINESS – Section 5

5.1: Continued Discussion of the FY 2010-2011 Budget and Cost Reduction Alternatives (Padilla) Page # 35

NEW BUSINESS – Section 6

6.1: Consideration of a Resolution # -10 Approving Requested Deferments of the Annual Assessment for Landscape Maintenance and Lighting District No. 90-1 of the City of Chowchilla for the 2010-2011 Tax Year Page # 37

Annually the City Council approves the Engineer's Report and the collection of the annual assessments for the Landscape Maintenance and Lighting District No. 90-1 at a public hearing. For several years now a few of the developments that have filed their final maps have requested deferments from the assessment district because the building industry collapsed just before they were to start their developments. Their lands lay vacant so there is nothing for the City to maintain. The City Engineer recommends that the assessments apportioned to the properties should be deferred this year.

6.2: Consideration of Acceptance of 2009 Alley Improvements, CML-5258 (018), 11th & Robertson Improvements, SR2SL 5258 (022) (Giersch) Page # 40

The Contractor, Lockwood General Engineering, Inc. was awarded a construction contract by the City to pave alleyways between Robertson Blvd & Kings Ave from 13th Street to 15th Street, between

Robertson Blvd & Trinity Ave from 13th Street to 15th Street and to construct infill sidewalks along the north side of Robertson Blvd from 11th Street to 13th Street, replace drive approach at 11th & Robertson and install new ADA approach at 11th Street and Robertson. Lockwood Engineering has constructed the improvements in accordance with the approved plans and specifications. The City Council is being asked to approve the Notice of Completion.

6.3: Consideration of Resolution # -10 of Intention to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council City of Chowchilla to include Industrial Disability Retirement (Black) Page # 44

Currently the City provides an Industrial Disability Retirement benefit for safety members of the California Public Employees Retirement System (CalPERS), but not for miscellaneous members of CalPERS. The Miscellaneous members include Police Dispatchers, Public Works, Parks & Recreation, Finance, Community Development and Administrative Services personnel. The City Council is being asked to approve the addition of this benefit to the retirement program for miscellaneous CalPERS members.

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