



September 27, 2011 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: ALEXANDER
Mayor Pro Tem/Vice Chair: JACKSON
Council/Board Members: HAWORTH, HEBERT, KOPSHEVER

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: 2

Chowchilla District Historical Society v. City of Chowchilla
Madera County Superior Court Case Number MCV-045680

City of Chowchilla v. Department of Corrections
- 2. Conference with Legal Counsel - Anticipated Litigation, Gov Code Section 54956.9 (c)**
Initiation of litigation pursuant to subdivision (c) of section 54956.9:
Number of cases: 2
- 3. Conference with Legal Counsel – Liability Claim, Gov Code Section 54961**
Claimant Name: Neal Costanzo
Agency Claimed Against: City of Chowchilla

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

- Chowchilla Lioness Lions Club Presentation to the Chowchilla Volunteer Fire Department
- Fire Prevention Week Proclamation

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:

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 September 12, 2011 (Black)**
- 3.2: **Consideration of Monthly Check Listing for General Payments and Payroll (Padilla)**
- 3.3: **Consideration of Council Resolution # -11 Approving an Agreement Between Self Help Enterprises and the City of Chowchilla for Loan Portfolio Management Services (Padilla)**
- 3.4: **Consideration of Chowchilla Athletic Foundation Youth Basketball Agreement (Haupt)**
- 3.5: **Consideration of Council Resolution # -11 Approving the Addendum to the Existing Agreement Between NBS and the City of Chowchilla for Bond Arbitrage Calculation Services (Padilla)**
- 3.6: **Consideration of Council Resolution # -11 Retirement/Surplus of K9 Kilo to Sgt. Stacy Burns (Varney)**

PUBLIC HEARINGS – Section 4

None

DEFERRED BUSINESS – Section 5

5.1: Review of Draft Letter of Comments of the Draft EIR/EIS for the High Speed Rail Project from the City of Chowchilla (Lewis/Ebersole)

5.2: Women's Prison - Verbal Staff Report Only (Lewis)

NEW BUSINESS – Section 6

None

ANNOUNCEMENTS – Section 7

- Sept & Oct Chowchilla Fairgrounds Market Place, see City website for hours of operation
- Sept 29 Furlough Day, City Offices Closed
- Oct 7 City Offices, with the exception of Public Safety, will be closed
- Oct 10 Fire Prevention Week begins
- Oct 11 City Council Meeting, Civic Center, 7PM
- Oct 12 Chowchilla District Chamber of Commerce Board Meeting, Civic Center, 12:00 PM

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 September 27, 2011 at Civic Center, 130 S Second St., Civic Center Plaza, on September 21, 2011, 2011 at 11:00 AM


Joann McClendon, Secretary II



September 27, 2011 Fact Sheet
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130 S Second St., Civic Center Plaza, Chowchilla
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CONSENT CALENDAR - Section 3

- 3.1: Consideration of Minutes of the Joint Council/Redevelopment Agency Meeting of September 12, 2011 (Black) Page 1**

- 3.2: Consideration of Monthly Check Listing for General Payments and Payroll (Padilla) Page 6**
Presented are the lists of checks that are awaiting Council approval to be released.

Enclosures: Check and Direct Deposit Listings.

- 3.3: Consideration of a Resolution # -11 Approving an Agreement Between Self Help Enterprises and the City of Chowchilla for Loan Portfolio Management Services (Padilla) Page 7**

At the time that the July 25th agenda item was assembled, staff overlooked the fact that there was a separate agreement covering the loan portfolio services and only presented the agreement covering grant administration services. At this time, staff is seeking the City Council's approval of the second agreement, with an effective date of July 25, 2011 in order to cover the period since the earlier agreement lapsed and in which services continued to be provided by SHE.

Enclosures: Resolution
Agreement between SHE and city

- 3.4: Consideration of Chowchilla Athletic Foundation Youth Basketball Agreement (Haupt) Page 15**
The purpose of the proposed Agreement is for the Chowchilla Athletic Foundation Youth Basketball League to utilize the Community Sports Center/Wilson Gym for their Youth Basketball League Program for their 2011-2012 season.

Enclosures: CAFYB Draft Agreement 2011-2012

- 3.5: Consideration of a Resolution # -11 Approving the Addendum to the Existing Agreement Between NBS and the City of Chowchilla for Bond Arbitrage Calculation Services (Padilla)**

Page 19

The City of Chowchilla and the Chowchilla Redevelopment Agency have issued debt to finance infrastructure improvements. These existing bonds must be maintained in accordance with the regulations set by the Internal Revenue Service (IRS) in order to maintain their tax exempt status. One of the on-going requirements set by the IRS is that the measurement of any arbitrage earnings (investment return in excess of the nominal yield on the bonds) must be made before the end of the 5th bond year and periodically after that. It is time for these calculations to be made and NBS, which is already under contract to perform a number of these calculations, has provided an addendum to their existing agreement so that all bonds fall under the agreement and will be brought into compliance with this reporting requirement.

Enclosures: Resolution
Agreement between NBS and city

Page 25

3.6: Consideration of Resolution # -11 Retirement/Surplus of K9 Kilo to Sgt. Stacy Burns (Varney)
K9 Kilo has been assigned to Sgt. Stacy Burns throughout his working career which began in 2004 and has reached the appropriate point in his service where he should be retired. Previous practice of the City and other agencies that employ K9 dogs is to transfer ownership of the service K9 to the handling officer for the consideration of \$1. As part of this transfer of ownership, the handling officer becomes responsible for all care, maintenance and liability for the retired K9.

Enclosures: Resolution

PUBLIC HEARINGS – Section 4

None

DEFERRED BUSINESS – Section 5

5.1: Review of Draft Letter of Comments of the Draft EIR/EIS for the High Speed Rail Project from the City of Chowchilla (Lewis/Ebersole) *Page 27*

The High Speed Rail Authority Issued their Draft EIR/EIS for the High Speed Rail Project, comments from the public and affected parties, official comments related the document are due not latter than October 13, 2011. For your consideration tonight is staff's final draft comments that includes all of the additional input from the staff, public and Council related to the document, we request that you review them and make any related amendments to the proposed letter and approve the letter to be sent to the High Speed Rail Authority.

5.2: Women's Prison - Verbal Staff Report Only (Lewis)

NEW BUSINESS – Section 6

None

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