



**Agenda**  
**Regular Joint City Council/ \* Redevelopment Agency Meeting**  
**130 S Second St., Civic Center Plaza, Chowchilla**  
**November 9, 2009**  
**6:00 PM Closed Session - 7:00 PM Open Session**

**CALL TO ORDER**

**ROLL CALL:**

Mayor/Chairman: White  
Mayor Pro Tem/Vice Chair: Kopshever  
Council/Board Members: Alexander, Chavez, Haworth

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

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The City Council will call the meeting to order and conduct the roll call. Council will immediately convene into 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 Real Property Negotiators – Gov. Code 54956.8**  
Agency Negotiator: City Attorney, Acting City Administrator and Contract Planner  
Properties: 305, 313, 316, 317, 320 and 324 Prosperity Blvd.  
1404, 1406, 1408, and 1410 Mariposa  
26 Robertson Blvd.
- 2: Conference with Legal Counsel – Existing Litigation, Gov. Code Section 54956.9 (a)**  
Name of Case: Robinson
- 3: Conference with Legal Counsel – Anticipated Litigation, Gov. Code Section 54956.9 (b)**  
Number of Cases: 3

**7:00 pm OPEN SESSION**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**CLOSED SESSION REPORT:** Meeting of 10/12/2009

**CEREMONIAL/PRESENTATIONS**

- Oath of Office for Keith Burns, Volunteer Firefighter
- National Veteran's Awareness Week Proclamation

**PUBLIC ADDRESS - Section 1**

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.

*Items denoted with an \* 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. 105 at least 4 days prior to the meeting.*

## 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:
- Written Report - Standards & Specs – Downtown Colors (Wiederhold)
  - Written Report - Consideration of Status of City Newsletter (Haupt)
  - Written Report – Status of the General Fund, Pheasant Run & Greenhills Special Assessment District Budgets for 2009/10 Fiscal Year (Padilla)
  - Oral Update - Sonoma Project and WWTP Repairs (Turner)

## CONSENT CALENDAR - Section 3

- 3.1: Consideration of Minutes of the Regular Joint Council/Redevelopment Agency Meeting of September 28, 2009 (Barr)**
- 3.2: Consideration of General Payments and Payroll for the Month of October 2009 (Padilla)**
- 3.3: Consideration of Resolution # - 09 Declaring a 1988 Ford Crown Victoria Vehicle as Surplus and Supporting the Donation of it to the Madera Sheriff's Office Citizens on Patrol Program (Varney)**
- 3.4: Consideration of Resolution # - 09 to Extend a Contract with the Madera Housing Authority for Assisted Housing Services for Two Additional Years, until January 2012 (Barr)**
- 3.5: Consideration of Resolution # -09 Designating its Agents for all Matters Pertaining to the California Emergency Management Agency and the Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program (Turner)**
- \* 3.6: Consideration of RDA Resolution # - 09 Rescinding RDA Resolution #16-09 and Consideration of RDA Resolution #-09 Awarding Bid to GameTime Athletics for Aluminum Athletic Bleachers for RC Wisener Park in the Amount of \$19,428.00 (Piepenbrok)**

## PUBLIC HEARINGS – Section 4

None

## DEFERRED BUSINESS – Section 5

None

## NEW BUSINESS – Section 6

- 6.1: Consideration of Resolution #-09 Authorizing the Retention of Special Counsel to Prosecute Judicial Foreclosure Pursuant to the Improvement Bond Act of 1915 and the Mello-Roos Community Facilities Act of 1982 (Padilla)**

**\* 6.2: Consideration of RDA Resolution #-09 Directing Staff to Enter into an Agreement with Go Dogs, LLC for the Rehabilitation of Commercial Property Located at 200 through 208 Robertson Blvd. (Padilla)**

**ANNOUNCEMENTS – Section 7**

- Nov 11 Annual Veteran's Day Commemoration Ceremony, VMP, 11am  
Veteran's Day Observed, City Offices Closed
- Nov 13 Furlough Friday, City Offices Closed
- Nov 14 Senior Center's 10th Annual Holiday Craft Fair
- Nov 16 Airport Advisory Committee Meeting, Civic Center, 4pm
- Nov 18 Madera County 2009 Economic Summit, Madera Municipal Golf Course, 11:30am  
Planning Commission Meeting - Cancelled
- Nov 19 Heritage Preservation Commission Meeting - Cancelled
- Nov 23 Council/RDA Meeting, Civic Center, 7pm
- Nov 25 Furlough Day, City Offices Closed
- Nov 26, 27 Thanksgiving Observed, City Offices Closed

**CLOSED SESSION – Continued if Necessary**

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Name of Case: Robinson
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Number of Cases: 3

**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, Rebekah Barr, CMC, 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 November 9, 2009 at Civic Center, 130 S Second St., Civic Center Plaza, on November 5, 2009 at 7:00 pm.

  
Rebekah Barr, CMC

CC Resolution #93-09  
RDA Resolution #17-09  
Next Ordinance #455-09



**Fact Sheet**  
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**CALL TO ORDER**

**ROLL CALL:**

Mayor/Chairman: White  
Mayor Pro Tem/Vice Chair: Kopshever  
Council/Board Members: Alexander, Chavez, Haworth

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

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**PLEDGE OF ALLEGIANCE:**

**CLOSED SESSION REPORT:** Meeting of 10/12/2009

**CEREMONIAL/PRESENTATIONS**

- Oath of Office for Keith Burns, Volunteer Firefighter
- National Veteran's Awareness Week Proclamation

**PUBLIC ADDRESS - Section 1**

**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:

- Written Report - Standards & Specs – Downtown Colors (Wiederhold) *(Page 1)*
- Written Report - Consideration of Status of City Newsletter (Haupt) *(Page 8)*
- Written Report – Status of the General Fund, Pheasant Run & Greenhills Special Assessment District Budgets for 2009/10 Fiscal Year (Padilla) *(Page 10)*
- Oral Update - Sonoma Project and WWTP Repairs (Turner)

**CONSENT CALENDAR - Section 3**

***Recommendation*** – All items under the Consent Calendar are recommended for approval by roll call vote and are generally done by single action unless an item is pulled for separate consideration. If an item is an RDA item (denoted by \*) it will be acted upon by a separate action & recorded appropriately.

**3.1: Consideration of Minutes of the Regular Joint Council/Redevelopment Agency Meeting of September 28, 2009 (Barr) (Page 12)**

Enclosures: One Set of Minutes

**3.2: Consideration of General Payments & Payroll for the Month of October 2009 (Padilla) (Page 15)**

Enclosures: Summary of Payments – Full Check Register is on file in the City Clerk's Office

**3.3: Consideration of Resolution # - 09 Declaring a 1988 Ford Crown Victoria Vehicle as Surplus and Supporting the Donation of it to the Madera Sheriff's Office Citizens on Patrol Program (Varney) (Page 16)**

To assist the COP volunteers in carrying out their duties in the North County, particularly in the Chowchilla area, staff felt that the donation of a used police vehicle that has gone out of service (previously in service as a K9 vehicle) would be the most cost effective help that the City of Chowchilla could offer to the COP volunteers.

Enclosures: Staff Report and Resolution

**3.4: Consideration of Resolution # - 09 to Extend a Contract with the Madera Housing Authority for Assisted Housing Services for Two Additional Years, until January 2012 (Barr) (Page 19)**

In July 2000, the City entered into an agreement with the Madera Housing Authority to provide assisted housing services for the purpose of administering the Housing Choice Program (old Section 8 rental program). For several prior years the City had received public input at Council meetings that residents could benefit from the program; however there was no delivery service in the City, and the City was not prepared to undertake such administration. The Madera Housing Authority was contacted and they agreed to administer the program for the City of Chowchilla at no cost to the City. The agreement has been extended every two years since that time and Staff believes that continued services by the Housing Authority is appropriate and cost effective for the City of Chowchilla in delivering assisted housing services (Madera Housing Authority receives compensation from HUD directly for the administration of the program based on the number of assisted units delivered). Therefore, it is now being recommended that another two-year extension of the agreement be approved, to January 2012.

Enclosures: Staff Report and Resolution

**3.5: Consideration of Resolution # -09 Designating its Agents for all Matters Pertaining to the California Emergency Management Agency and the Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program (Turner) (Page 22)**

This is a housekeeping item only. With the change of administration for the City, we must designate new positions as authorized agents for the City in matters pertaining to Cal-EMA.

Enclosures: Resolution

**\* 3.6: Consideration of RDA Resolution # - 09 Rescinding RDA Resolution #16-09 and Consideration of RDA Resolution #09 Awarding Bid to GameTime Athletics for Aluminum Athletic Bleachers for RC Wisener Park in the Amount of \$19,428.00 (Piepenbrok) (Page 23)**

At the October 12, 2009 meeting of the Redevelopment Agency, RDA Resolution #16-09 was approved awarding the bid to provide bleachers for the RC Wisener Park bleacher project to The David O'Keefe Company which was the low bidder in the amount of \$14,259.50. Unfortunately, days later it was discovered that the vendor had priced the equipment referencing the incorrect size by providing a price for 15-foot long bleachers instead of the requested 21-foot bleachers. The vendor was contacted and admitted his error but stated that his company would provide the 21-foot bleachers for the price quoted for the smaller sets. Upon further consideration the proposal was found to be non-responsive or responsible based on the criteria of the request for proposals because it did not meet the required specifications at the time the proposal was opened for evaluation. Since the lowest bid did not meet the required specifications staff is required to remove it from further consideration and accept the bid from the next lowest bidder. In order to do this, RDA Resolution #16-09 must be rescinded by resolution approval.

Enclosures: Staff Report, RDA Resolution #16-09, and two additional Resolutions

**PUBLIC HEARINGS – Section 4**

None

**DEFERRED BUSINESS – Section 5**

None

**NEW BUSINESS – Section 6**

**6.1: Consideration of Resolution #-09 Authorizing the Retention of Special Counsel to Prosecute Judicial Foreclosure Pursuant to the Improvement Bond Act of 1915 and the Mello-Roos Community Facilities Act of 1982 (Padilla) (Page 28)**

The law firm of Sherman & Feller has extensive experience with the collection of special assessment district delinquencies within the state and has been recommended to the city by both municipal agencies and bond underwriters. In order to ensure that the collection actions are undertaken against all delinquent property owners in the shortest time possible, staff is recommending the hiring of Sherman & Feller to begin work on the more time consuming delinquencies. The cost of their services will be recovered through fees charged to the delinquent property owner that are in addition to penalties and interest that are added to the amount of the unpaid assessment.

Enclosures: Staff Report, Agreement, and Resolution  
Recommendation: Approval by roll call vote

**\* 6.2: Consideration of RDA Resolution #-09 Directing Staff to Enter into an Agreement with Go Dogs, LLC for the Rehabilitation of Commercial Property Located at 200 through 208 Robertson Blvd. (Padilla) (Page 36)**

Staff has received a request by Mr. Tom DuBose for consideration by the Agency Board of an application that was submitted on behalf of Go Dogs, LLC for a commercial rehabilitation loan in the amount of \$100,000.00.

Enclosures: Staff Report and Resolution  
Recommendation: Any action to be taken by roll call vote

**ANNOUNCEMENTS – Section 7**

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