

**MINUTES OF THE JOINT SPECIAL MEETING OF MADERA CITY COUNCIL, REGULAR MEETING OF THE MADERA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, AND SPECIAL MEETING OF THE MADERA CITY COUNCIL AS THE SUCCESSOR HOUSING AGENCY, CITY OF MADERA, CALIFORNIA**

December 10, 2014  
6:00 p.m.

City Hall  
Council Chambers

**1. CALL TO ORDER – CLOSED SESSION**

Mayor/Housing Authority Commissioner Robert Poythress opened the Closed Session portion of the Special Meeting of the City Council, Regular Meeting of the Housing Authority of the City of Madera and the Joint Special Meeting of the Madera City Council, Regular Meeting of the Madera City Council as the Successor Agency to the former Madera Redevelopment Agency, and Special Meeting of the Madera City Council as the Successor Housing Agency at 6:00 p.m. and called for the roll call.

**ROLL CALL**

Present: Mayor/Commissioner Robert L. Poythress  
Mayor Pro-Tem/Commissioner William Oliver  
Council Member/Commissioner Sally J. Bomprezzi  
Council Member/Chairperson Andrew J. Medellin  
Council Member/Vice-Chairperson Derek O. Robinson Sr.  
Council Member/Commissioner Charles F. Rigby arrived after roll call at 6:01 p.m.  
Council Member/Commissioner Donald E. Holley

Absent: None

**PUBLIC COMMENT – CLOSED SESSION**

The first fifteen minutes of this portion of the meeting are reserved for members of the public to address the City Council or Agency on Closed Session items listed on the Agenda. Speakers seeking to comment on other items are requested to make those comments during the Public Comment portion of the meeting at 6:30 p.m. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. The Council and Agency are 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 or Agency does not respond to public comment at this time.

Mayor/Housing Authority Commissioner Poythress read the Public Comment announcement and asked if there were members of the public wishing to address the City Council/Housing Authority Commission.

*Mayor Poythress asked if there were members of the public wishing to address the City Council/Housing Authority Commission.*

*No comments were offered and Mayor Poythress closed the Public Comment-Closed Session portion of the meeting.*

**2. CLOSED SESSION**

Closed Session items not concluded prior to the Regular Session may be continued at the end of the Regular Session.

**2A. Closed Session Announcement – General Counsel/City Attorney**

**2B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to California Government Code Section 54956.8**

One Property: Riverside Villas (23 Remaining lots and catch basin)  
Negotiating Parties: Representing the Successor Housing Agency as the Seller:  
James E. Taubert

One (1) Potential Buyer:  
AMG Atlantic, LLC

Under Negotiations: Price and Terms

*The City Council retired to Closed Session at 6:01 p.m. and reconvened the meeting at 6:14 p.m. with all members present.*

**2C. Reconvene Closed Session** - Mr. Richardson announced that the City Council met in Closed Session for one item pursuant to Government Code Section 54956.8, and noted that no reportable action was taken during Closed Session.

## **WORKSHOP**

Mayor Robert Poythress stated that it is always great to recognize people for their service to the City of Madera. The first person he would like to honor is former Agency Member/Madera County Assessor Elect Gary Svanda. He has spent 14 years in the capacity on the board and has seen so many changes and progress. I would like to thank you so much for being a great colleague and you provided great input. Mayor Poythress presented a plaque on behalf of the Board and Agency.

Former Agency Member/Madera County Assessor Elect Gary Svanda stated that it has been an outstanding honor to serve all the people before and with him during his journey. When he originally ran for office, he said that there were three things that Madera needed to become a great city. He identified it as beautification, education and diversification. The beautification started when he introduced Mr. Taubert to the graffiti movement. Later on to become known as the Clean and Green Mayor, I scraped together somehow through our budget about \$400,000.00. We put together a graffiti truck, and charged Mr. Taubert with making sure that we eliminated graffiti and start changing the image of our city because the way looked to people inside and outside of the city has everything to do with how we feel and how much pride we take in it ourselves and I couldn't be more pleased with the results. Also, you have extended in to the neighborhoods and devise programs that are encompassing the entire city. I couldn't be more proud of having a small role and helping that movement along. You will be honoring someone a little later that far out shadows anything that I have done when it comes to serving this city. He was the first to take this city in a direction and added jobs and helped us grow in a way that Madera has formed today. He also was involved in the graffiti movement. Here is a guy that doesn't just talk a good fight, he grabbed his bag and said "follow me". He took his own cloth and cleaned graffiti off of the poles. So I am honored and humbled to be in his presence. I thank you for all the nice things you have said and tributes you have given me for my humble service.

Mayor Robert Poythress stated that we will also recognize a great couple. Jack and Paula Perialas. They are a great team. In 1973 they moved to Madera and it took off from there. The industrial development, retail store, the golf course, the Planning Commission and the other various clubs and commissions. A lot of people join things, but not everyone participates and shows passion. That is what you think about when you think of the Perialas'. Jack takes a hold of something and goes into it with gusto. Just as Gary mentioned earlier with the graffiti; he doesn't just talk about it, he does it. That is true leadership. This couple does it and lead the charge. Currently they are co-leaders for their neighborhood watch. They are still leading and charging ahead. Also, one of the things he appreciates the most from Jack and Paula is their encouragement. I know that there are very many people here that have been recipients of their encouragement. I thank them so much and I would love to present this photo that says it all. It is a picture of Jack cleaning graffiti.

Paula Perialas stated that Jack has represented both of them in his city/county work. When we moved to Madera, we bought Office Supplies Store. I said to Jack, I will run the store; your job is to get us part of the community. He jumped in with both feet, and he has not stopped until he got sick. When they moved from beautiful Los Altos to Madera, people asked "You came to Madera from Los Altos?" I would take Madera over Los Altos any day.

Jack Perialas stated that in 1973, when we moved here, I don't think I could find a warmer town to live in. There are good neighborhoods with warm people. What I found to be true is that everybody helps everybody else, and it made my way of life so easy. For example, you have someone on the City Council that if I said grab your bucket and let's go, we would be off in his car and go. Anyhow, I couldn't have done any of this without Paula. So Madera, on behalf of Paula and myself, thank you so much. We appreciate it.

## **RECESS**

*Mayor Poythress recessed the joint meetings at 6:29 p.m.*

### **3. CALL TO ORDER – REGULAR SESSION**

Mayor /Housing Authority Commissioner Robert Poythress opened the Special Meeting of the City Council, Regular Session portion of the Regular Meeting of the Housing Authority of the City of Madera and the Joint Special Meeting of the Madera City Council, Regular Meeting of the Madera City Council as the Successor Agency to the former Madera Redevelopment Agency, and Special Meeting of the Madera City Council as the Successor Housing Agency at 6:30 p.m. and called for the roll call.

Present: Mayor/Commissioner Robert L. Poythress  
Mayor Pro-Tem/Commissioner William Oliver  
Council Member/Commissioner Sally J. Bompreszi  
Council Member/Chairperson Andrew J. Medellin  
Council Member/Vice-Chairperson Derek O. Robinson Sr.  
Council Member/Commissioner Charles F. Rigby arrived after roll call at 6:32 p.m.  
Council Member/Commissioner Donald E. Holley

Absent: None

Successor Agency staff members present: Executive Director Jim Taubert, City Attorney Brent Richardson, Business Manager Bob Wilson and Recording Secretary Claudia Mendoza

City of Madera staff members present: City Administrator David Tooley and Neighborhood Preservation Supervisor Monica Diaz and Neighborhood Outreach Coordinator Christina Herrera

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Poythress

### **PUBLIC COMMENT – REGULAR SESSION**

The first fifteen minutes of the meeting are reserved for members of the public to address the Council/Agency on items which are within the subject matter jurisdiction of the Council/Agency. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Council/Agency are 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 does not respond to public comment at this time.

*Mayor Poythress asked if there were members of the public wishing to address the City Council/Housing Authority Commission.*

*No comments were offered and Mayor Poythress closed the Public Comment portion of the meeting.*

*Mayor Poythress reconvened the Joint Special Meeting of the Madera City Council, Regular Meeting of the Madera City Council as the Successor Agency to the former Madera Redevelopment Agency, and Special Meeting of the Madera City Council as the Successor Housing Agency at 6:33 p.m.*

### **ANNOUNCEMENT BY SECRETARY:**

*Per Government Code Section 54957.5, MEMBERS OF THE PUBLIC ARE ADVISED, THAT LESS THAN 72 Hours prior to this evening's meeting, Item 8A was distributed to the City Council and staff. Copies of this item are located on the podium. Thank you.*

### **4. CONSENT CALENDAR**

**4A.** Minutes of the Joint Meeting of the Special Meeting of the Madera City Council, Regular Meeting of the City Council as the Successor Agency to the former Madera Redevelopment Agency and Special Meeting of the Successor Housing Agency – November 12, 2014 (**City/Successor Agency/Successor Housing Agency**)



- 4B. Listing of Warrants Issued from November 1, 2014 to November 30, 2014 (**Successor Agency**)
- 4C. Monthly Financial Reports – Successor Agency (**Successor Agency**)
- 4D. Monthly Financial Reports – Code Enforcement (**City**)
- 4E. Code Enforcement Activity Report (**City**)
- 4F. Code Enforcement Funds Collection Report for Period Ending November 30, 2014 (**City**)

Mayor Poythress asked members of the Council if there were any items on the Consent Calendar they wished to have pulled for further discussion. There were none.

**Mayor Poythress called for a motion to approve the items as presented on the Consent Calendar.**

*On motion by Council Member Bompreszi, seconded by Council Member Robinson the Consent Calendar was approved unanimously by the Council resulting in the approval of the Minutes of the Joint Meeting of the Special Meeting of the Madera City Council, Regular Meeting of the City Council as the Successor Agency to the former Madera Redevelopment Agency, and Special Meeting of the Successor Housing Agency for November 12, 2014*

## 5. **PROJECTS AND REPORTS**

### 5A. Mayor's Appointment to the Oversight Board (**City**)

Executive Director Taubert reported the Redevelopment dissolution created the Oversight Board. The Oversight Board is responsible for overseeing the dissolution of Redevelopment Agency. The Successor Agency makes the day to day decisions regarding what we do and how we will spend the rest of our money. Every Redevelopment decision you make, with the exception of Housing decisions, is subject to review and approval of the Oversight Board and the Department of Finance. The Oversight Board consists of members: appointed by Board of Supervisors – Supervisor Manuel Nevarez; appointed by the Mayor – Former Council Member Gary Svanda. Council Member Donald Holley serves as alternate; appointed by the largest special district – Don Horal; appointed by the County Superintendent of Schools – Dr. Cecilia Massetti. Jeri Cox is the alternate; appointed by the Chancellor of Community Colleges – Ric Arredondo; member of the public appointed by the Board of Supervisors – Stell Manfredi; member who is an employee of the former Redevelopment Agency – Bob Wilson. This is not a City Council appointment, but specifically a mayoral appointment. The key to being a member to the Oversight Board is that you have to be available at 9:00 a.m. the Monday after Successor Agency meeting.

Mayor Poythress confirmed the appointment of Council Member Robinson as Oversight Board Member and Council Member Holley as an alternate.

## 6. **AGREEMENTS**

There are no items for this section

## 7. **HOUSING**

There are no items for this section

## 8. **GENERAL**

### 8A. **Consideration of Introduction of an Ordinance Amending Chapter 15 of Title III Section of the Madera Municipal Code Pertaining to Weed Abatement (City)**

Neighborhood Preservation Supervisor Diaz reported that this item has been in the works for quite a bit of time. A presentation regarding this item was brought to you by Georgetown intern Saleh Alhomed in August of this year; and this is the fruit of his labor. The questions that were brought up were why do we need a weed abatement ordinance and why is this amendment necessary? The weed abatement ordinance was enacted years ago, but due to budget cuts there was a reduction of service where the Fire Department could not sustain this program anymore. As time went on, this started to emerge as a problem that required service. That is why the amendment is being brought before you now. Primarily, it is a safety concern whenever there is overgrowth and a lack of maintenance. It creates a health and safety hazard



and fire hazard. Our intent is to protect life, limb and property. Secondary, it is to attract development and promote economic development. We want to keep our neighborhoods strong and clean.

Some of the differences between previous ordinance and what is before you today:

- The definition section has been developed further. The previous ordinance did not specify a lot of detail on the allowable weed growth, the amendment has specific measurements.
- The dates for compliance and penalties have been adjusted, we will have a 45-day notice of violation and it will also include the hearing part of the notice that needs to be provided before we move ahead with abatement, this will be condensed into one document. The abatement would then go on only if a resident has been notified and does not comply within the 45 day term. Also the Council will review a list and adopt a resolution to move forward with abatement.
- We elaborated on corrective action.
- The main reason we are here today, is because the previous ordinance only gave the authority to the Fire Chief to enforce the ordinance. This allows the City Administrator or his designee to enforce this ordinance.

We hope to accomplish with through the ordinance is to prevent fire issues, preclude damages to real property, prevent fires, protect health and safety of public, keep right of ways visible for safety, not allow properties to become harborage for waste and vermin.

Council Member Rigby asked if it says future discussion for allocated funds will be discussed by the Council. Is there a specific number? Neighborhood Preservation Supervisor Diaz responded that we currently have reserves worked in our budget of approximately \$40,000.00 in abatement funds. But that is reserved for current cases that we or may not tap into. We are optimistic that the residents of Madera will comply on their own. I would like to say it will be below that number, but it will be hard to estimate until we know how many cases we will deal with.

Mayor Poythress called for additional questions or comments; there were none.

Mayor Poythress called for an introduction of action.

*On motion by Council Member Bompreszi, seconded by Council Member Rigby, waiving further reading and introducing the ordinance amending Chapter 15 of Title III Section of the Madera Municipal Code Pertaining to Weed Abatement e was approved by a unanimous vote of the Council.*

## **8B. Discussion and Review of Written Communication Received Regarding 1373 Alicante Way (City)**

Neighborhood Preservation Supervisor Diaz reported that in 2008 we enacted a foreclosure ordinance because we came across a number of properties that were abandoned and left to deteriorate to the point that some of them became an extreme hazard for communities. We had a number of them go up in flames and brought dangerous conditions for neighborhoods. The main requirements of the ordinance are registration requirements, maintenance requirements, security requirements and posting requirements. With that I present to you 1373 Alicante Way. I have provided images to you to give an idea of the conditions that have been affecting this neighborhood because of this property and its abandonment. Fast forward to November 21, 2014, we were contacted by Gina Albertson of Albertson Law, who proposed that we rescind the citations. We explained that we do not have the authority to do that. The case has been reviewed twice for errors and omissions by staff; we applied credits that arose from that review. The last time we did a full analysis the amount owed was approximately \$58,000.00; now it is closer to approximately \$63,000.00 due to the conditions that remain at the property. Albertson Law requested to settle the case for \$7,500.00.

City Attorney Richardson advised the City Council that the citations amount to a debt owed to the City and to forgive that without a reason, you would have to confer a benefit to the community, not just to one property owner. I do not see the justification on this case; it would constitute a gift of public funds.

Executive Director Taubert stated that Cordova Estates is a subdivision which this property is located. It took a big hit during the foreclosure crisis and it is coming back. As of this afternoon, I drove by this property and this property continues to be the most poorly maintained property on the street.

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Mayor Poythress asked if there were further questions; there were none, and called for a motion.

*On motion by Council Member Medellin, seconded by Council Member Holley, to approve by Minute Order denying request for reduction in fines was approved by a unanimous vote of the Council.*

**9. AGENCY MEMBER REPORTS**

Council Member Robinson reported that he attended the San Joaquin Catholic Elementary field trip to the old city hall museum. It was well decorated and a good experience.

Council Member Bomprezzi had nothing to report but asked if the Smith property on Rotan has sold? Neighborhood Preservation Supervisor Diaz responded yes it has sold and it looks like they may flip the property and resale.

Council Member Rigby had nothing to report.

Council Member Holley had nothing to report.

Council Member Medellin had nothing to report.

Mayor Pro-Tem Oliver had nothing to report.

Mayor Poythress had nothing to report.

**10. ADJOURNMENT**

*Mayor Poythress adjourned the Joint Special Meeting of the Madera City Council, Regular Meeting of the Madera City Council as the Successor Agency to the former Madera Redevelopment Agency, and Special Meeting of the Madera City Council as the Successor Housing Agency at 6:53 p.m.*

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Claudia Mendoza, Recording Secretary

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Robert Poythress, Mayor

**THE SUCCESSOR AGENCY TO  
THE FORMER CITY OF MADERA REDEVELOPMENT AGENCY**

Memorandum To: The Honorable Chairman,  
Agency Board and  
Executive Director

From: Office of the Treasurer

Subject: Listing of Warrants Issued

Date: January 14, 2015

Attached, for your information, is the register of the warrants for the Successor Agency to the former Redevelopment Agency covering obligations paid during the period of:

December 1, 2014 to December 31, 2014

Each demand has been audited and I hereby certify to their accuracy and that there were sufficient funds for their payment.

General Warrants:	#10465 - #10480	\$191,333.54
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Respectfully submitted,



Gina Daniels  
Financial Services Manager



**THE SUCCESSOR AGENCY TO  
THE FORMER CITY OF MADERA REDEVELOPMENT AGENCY  
REGISTER OF AUDITED DEMANDS FOR BANK #1-UNION BANK MAIN ACCOUNT  
JANUARY 14, 2015**

CHECK	PAYDATE	ISSUED TO	DESCRIPTION	AMOUNT
010465	12/4/2014	SANDY'S HOUSEKEEPING & JANITORIAL	CUSTODIAL SVCS FOR DECEMBER 2014	425.00
010466	12/11/2014	THE BANK OF NEW YORK MELLON	1998 BOND INTERIM REBATE CALC/2003 BOND ADMIN FEES	3,105.20
010467	12/11/2014	BUSINESS JOURNAL, THE	1 YR SUBSCRIPTION E-JOURNAL RENEWAL	69.00
010468	12/11/2014	DIAMOND COMMUNICATIONS INC	ALARM MONITORING SVCS 1/1/15-3/31/15	180.00
010469	12/11/2014	CITY OF MADERA	SUCCESSOR AGENCY PAYROLL AND OTHER EXPENSES	61,996.05
010470	12/11/2014	CITY OF MADERA	WATER/SEWER SVCS DEC 2014 CITY OWNED PROPERTIES	397.48
010471	12/11/2014	MADERA CHAMBER OF COMMERCE	MEMBERSHIP DUES 2015	190.00
010472	12/11/2014	P G AND E	UTILITY SVCS FOR 428 E YOSEMITE OFFICE	911.50
010473	12/11/2014	RICOH USA, INC.	COPIER LEASE DEC 2014	203.67
010474	12/24/2014	CITY OF MADERA	SUCCESSOR AGENCY PAYROLL AND OTHER EXPENSES	121,907.07
010475	12/24/2014	STEAMRITE	CARPET - 428 E YOSEMITE	1,180.00
010476	12/31/2014	MADERA CLEANERS AND LAUNDRY INC.	SLATE MAT	18.00
010477	12/31/2014	RICOH USA, INC.	COPIER LEASE JAN 2015	218.87
010478	12/31/2014	SANDY'S HOUSEKEEPING & JANITORIAL	CUSTODIAL SVCS FOR JANUARY 2015	425.00
010479	12/31/2014	SHRED-IT USA-FRESNO	DOCUMENT SHREDDING SVCS ON 12/10/14	79.70
010480	12/31/2014	TERMINIX INTERNATIONAL	12/5/14 PEST CONTROL SVCS	27.00

**BANK #1 - Union Bank Main Acct. Total**

**\$ 191,333.54**

# CITY OF MADERA REDEVELOPMENT AGENCY REPORT TO SUCCESSOR AGENCY BOARD

SUCCESSOR AGENCY MEETING OF JANUARY 14, 2015

SUCCESSOR AGENDA ITEM NUMBER 4C/4D

APPROVED BY

  
FINANCE DEPARTMENT

  
SUCCESSOR AGENCY EXECUTIVE DIRECTOR

**Subject:** Monthly Financial Reports

**Background:** Each month the Finance Department will be including in the agenda packet a set of reports that present the operating results for the Successor Agency during the prior month. Reports for the Code Enforcement program are also included in this presentation.

**Recommendation:** This report is for Successor Board Member review and no formal action is being requested.

**Discussion:** Due to the timing of the Successor Agency meetings, it will not be possible to reflect the results from each month based on information that is reconciled to the bank statement, since the statements are not available from the bank in time to do so. However, the information shown in the actual column is cumulative, so later months will reflect any changes made to an earlier month based on the reconciliation of accounting data to the bank and trustee statements.

## CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Approval of the monthly financial reports is not addressed in the vision or action plans; there is no formal action being requested, therefore, no conflict exists with any of the actions or goals contained in that plan.

Should the Successor Agency Board wish to have additional information, the Finance Department will make every effort to meet those requests.

For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 40200: Low/Mod Hsg TI Housing Asset</b>						
<b>Account: Revenue</b>						
2001-8163	Interest Income - Loans	9,591.28-	9,591.28-	0.00	9,591.28	0.00
2001-8190	Rental Income	18,300.00-	18,300.00-	0.00	18,300.00	0.00
2001-8657	Miscellaneous Revenue	178.71-	178.71-	0.00	178.71	0.00
2001-8659	Refunds and Reimbursements	7,879.00-	7,879.00-	0.00	7,879.00	0.00
2001-8671	Sale of Real Estate	108,000.00-	108,000.00-	0.00	108,000.00	0.00
	NET Account: Revenue:	143,948.99-	143,948.99-	0.00	143,948.99	0.00
<b>Account: Expense</b>						
2001-1010	Salaries - Full-time	11,976.76	11,976.76	0.00	11,976.76-	0.00
2001-1020	Salaries - Part-time	891.58	891.58	0.00	891.58-	0.00
2001-1040	Salaries - Leave Payout	1,502.49	1,502.49	0.00	1,502.49-	0.00
2001-2000	Public Employees Retirement System	2,409.98	2,409.98	0.00	2,409.98-	0.00
2001-2002	Long Term Disability Insurance	37.22	37.22	0.00	37.22-	0.00
2001-2003	Life Insurance Premiums	9.26	9.26	0.00	9.26-	0.00
2001-2004	Worker's Compensation Insurance	989.18	989.18	0.00	989.18-	0.00
2001-2005	Medicare Tax - Employer's Share	226.49	226.49	0.00	226.49-	0.00
2001-2007	Deferred Compensation - Part-time	33.44	33.44	0.00	33.44-	0.00
2001-2008	Deferred Compensation - Full-time	1,224.39	1,224.39	0.00	1,224.39-	0.00
2001-2010	Section 125 Benefit Allow.	1,790.04	1,790.04	0.00	1,790.04-	0.00
2001-3001	Gas and Electric Utilities	1,670.24	1,670.24	0.00	1,670.24-	0.00
2001-3002	Telephone and Fax Charges	159.68	159.68	0.00	159.68-	0.00
2001-3011	Advertising - Bids and Legal Notice	393.12	393.12	0.00	393.12-	0.00
2001-3040	Contracted Services	3,822.98	3,822.98	0.00	3,822.98-	0.00
2001-3115	Taxes and Assessments	850.78	850.78	0.00	850.78-	0.00
2001-3120	Other Supplies	18.23	18.23	0.00	18.23-	0.00
2001-3135	Rental Property Maintenance	197.00	197.00	0.00	197.00-	0.00
2002-3069	Disposal Costs	2,607.30	2,607.30	0.00	2,607.30-	0.00
2002-3802	Acquisition / Demolition	24,425.00	24,425.00	0.00	24,425.00-	0.00
	NET Account: Expense:	55,235.16	55,235.16	0.00	55,235.16-	0.00
	TOTAL Fund 40200: Low/Mod Hsg TI Housing Asset:	88,713.83-	88,713.83-	0.00	88,713.83	0.00



For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 40300: Non Housing Tax Incr - RPTTF</b>						
<b>Account: Revenue</b>						
3001-8000	Current Secured Property Tax	1,999,995.00-	1,999,995.00-	0.00	1,999,995.00	0.00
3001-8430	NSP3 Reimbursements	15,974.74-	15,974.74-	0.00	15,974.74	0.00
	NET Account: Revenue:	2,015,969.74-	2,015,969.74-	0.00	2,015,969.74	0.00
<b>Account: Expense</b>						
3001-7000	Operating Transfer to Other Funds	2,478,489.39	2,478,489.39	0.00	2,478,489.39-	0.00
	NET Account: Expense:	2,478,489.39	2,478,489.39	0.00	2,478,489.39-	0.00
	TOTAL Fund 40300: Non Housing Tax Incr - RPTTF:	462,519.65	462,519.65	0.00	462,519.65-	0.00

For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 57500: Administrative Allowance Fund</b>						
<b>Account: Revenue</b>						
3500-8350	Transfers In	125,000.00-	125,000.00-	0.00	125,000.00	0.00
	NET Account: Revenue:	125,000.00-	125,000.00-	0.00	125,000.00	0.00
<b>Account: Expense</b>						
3501-1010	Salaries - Full-time	64,763.29	64,763.29	0.00	64,763.29-	0.00
3501-1020	Salaries - Part-Time	4,821.09	4,821.09	0.00	4,821.09-	0.00
3501-1040	Salaries - Leave Payout	8,124.61	8,124.61	0.00	8,124.61-	0.00
3501-2000	Public Employees Retirement System	13,031.81	13,031.81	0.00	13,031.81-	0.00
3501-2002	Long Term Disability Insurance	201.19	201.19	0.00	201.19-	0.00
3501-2003	Life Insurance Premiums	49.98	49.98	0.00	49.98-	0.00
3501-2004	Worker's Compensation Insurance	5,348.93	5,348.93	0.00	5,348.93-	0.00
3501-2005	Medicare Tax - Employer's Share	1,224.70	1,224.70	0.00	1,224.70-	0.00
3501-2007	Deferred Compensation - Part-Time	180.77	180.77	0.00	180.77-	0.00
3501-2008	Deferred Compensation - Full-time	6,128.20	6,128.20	0.00	6,128.20-	0.00
3501-2010	Section 125 Benefit Allow.	9,679.44	9,679.44	0.00	9,679.44-	0.00
3501-3001	Gas and Electric Utilities	8,005.37	8,005.37	0.00	8,005.37-	0.00
3501-3002	Telephone and Fax Charges	863.55	863.55	0.00	863.55-	0.00
3501-3003	Cellular Phone and Pager Charges	581.78	581.78	0.00	581.78-	0.00
3501-3014	Professional Dues	190.00	190.00	0.00	190.00-	0.00
3501-3015	Publications and Subscriptions	69.00	69.00	0.00	69.00-	0.00
3501-3018	Postage / Other Mailing Charges	14.04	14.04	0.00	14.04-	0.00
3501-3040	Contracted Services	6,919.32	6,919.32	0.00	6,919.32-	0.00
3501-3115	Taxes and Assessments	227.37	227.37	0.00	227.37-	0.00
3501-3120	Other Supplies	98.54	98.54	0.00	98.54-	0.00
3501-3130	Building Supplies, Keys and Repairs	162.00	162.00	0.00	162.00-	0.00
	NET Account: Expense:	130,684.98	130,684.98	0.00	130,684.98-	0.00
	TOTAL Fund 57500: Administrative Allowance Fund:	5,684.98	5,684.98	0.00	5,684.98-	0.00

For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 60500: Non Housing Bond Proceeds</b>						
<b>Account: Revenue</b>						
5001-8201	Services for Other Agencies	500.00-	500.00-	0.00	500.00	0.00
	NET Account: Revenue:	500.00-	500.00-	0.00	500.00	0.00
<b>Account: Expense</b>						
5001-1010	Salaries - Full-time	11,976.76	11,976.76	0.00	11,976.76-	0.00
5001-1020	Salaries - Part-time	891.58	891.58	0.00	891.58-	0.00
5001-1040	Salaries - Leave Payout	1,502.49	1,502.49	0.00	1,502.49-	0.00
5001-2000	Public Employees Retirement System	2,409.98	2,409.98	0.00	2,409.98-	0.00
5001-2002	Long Term Disability Insurance	37.22	37.22	0.00	37.22-	0.00
5001-2003	Life Insurance Premiums	9.26	9.26	0.00	9.26-	0.00
5001-2004	Worker's Compensation Insurance	989.18	989.18	0.00	989.18-	0.00
5001-2005	Medicare Tax - Employer's Share	226.49	226.49	0.00	226.49-	0.00
5001-2007	Deferred Compensation - Part-time	33.44	33.44	0.00	33.44-	0.00
5001-2008	Deferred Compensation - Full-time	1,042.23	1,042.23	0.00	1,042.23-	0.00
5001-2010	Section 125 Benefit Allow.	1,790.04	1,790.04	0.00	1,790.04-	0.00
5001-3001	Gas and Electric Utilities	440.65	440.65	0.00	440.65-	0.00
5001-3002	Telephone and Fax Charges	159.68	159.68	0.00	159.68-	0.00
5001-3040	Contracted Services	855.24	855.24	0.00	855.24-	0.00
5001-3115	Taxes and Assessments	68.26	68.26	0.00	68.26-	0.00
5001-3120	Other Supplies	18.23	18.23	0.00	18.23-	0.00
5001-3135	Rental Property Maintenance	630.00	630.00	0.00	630.00-	0.00
5002-3812	Riverwalk Improvement Project	1,625.00	1,625.00	0.00	1,625.00-	0.00
5002-3814	Adell Improvement Project	2,848.76	2,848.76	0.00	2,848.76-	0.00
5004-3804	SouthWest Industrial Infract. Study	2,457.50	2,457.50	0.00	2,457.50-	0.00
5010-3812	Sunset/Laurel Linear Park	803.91	803.91	0.00	803.91-	0.00
	NET Account: Expense:	30,815.90	30,815.90	0.00	30,815.90-	0.00
	TOTAL Fund 60500: Non Housing Bond Proceeds:	30,315.90	30,315.90	0.00	30,315.90-	0.00



For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 60600: Low/Mod Housing Bond Proceeds</b>						
<b>Account: Expense</b>						
6016-3803	Riverside Villa Subdivision	1,325.00	1,325.00	0.00	1,325.00-	0.00
	NET Account: Expense:	1,325.00	1,325.00	0.00	1,325.00-	0.00
	TOTAL Fund 60600: Low/Mod Housing Bond Proceeds:	1,325.00	1,325.00	0.00	1,325.00-	0.00

For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 80400: Debt Service Fund</b>						
<b>Account: Revenue</b>						
4001-8162	Interest Income	13,136.65-	13,136.65-	0.00	13,136.65	0.00
4001-8350	Transfers In	2,353,489.39-	2,353,489.39-	0.00	2,353,489.39	0.00
	NET Account: Revenue:	2,366,626.04-	2,366,626.04-	0.00	2,366,626.04	0.00
<b>Account: Expense</b>						
4002-3040	Contracted Services	3,031.00	3,031.00	0.00	3,031.00-	0.00
4002-6000	Interest Expense-Bond 1998	140,855.00	140,855.00	0.00	140,855.00-	0.00
4002-6001	Bond Principle 1998	130,000.00	130,000.00	0.00	130,000.00-	0.00
4003-3040	Contracted Services	1,605.20	1,605.20	0.00	1,605.20-	0.00
4003-6000	Interest Expense Bond 2003	378,253.13	378,253.13	0.00	378,253.13-	0.00
4003-6001	Bond Principle 2003	550,000.00	550,000.00	0.00	550,000.00-	0.00
4004-3040	Contracted Services	7,061.40	7,061.40	0.00	7,061.40-	0.00
4004-6000	Interest Expense Bond 2008	709,381.26	709,381.26	0.00	709,381.26-	0.00
4004-6001	Bond Principle-2008	445,000.00	445,000.00	0.00	445,000.00-	0.00
	NET Account: Expense:	2,365,186.99	2,365,186.99	0.00	2,365,186.99-	0.00
	TOTAL Fund 80400: Debt Service Fund:	1,439.05-	1,439.05-	0.00	1,439.05	0.00
	REPORT TOTALS:	409,692.65	409,692.65	0.00	409,692.65-	0.00

\*\*\* End Of Report \*\*\*

For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 10800: Code Enforcement</b>						
<b>Dept 414: Community Development - Code Enforcement</b>						
<b>Account: Revenue</b>						
2380-8076	Abandoned Property Registration fees	3,080.00-	3,080.00-	10,000.00-	6,920.00-	30.80
2380-8203	Background Check Service Fee	50.00-	50.00-	300.00-	250.00-	16.67
2380-8227	Vacant Building Ordinance	845.00-	845.00-	4,500.00-	3,655.00-	18.78
2380-8228	Graffiti Ordinance	823.92-	823.92-	0.00	823.92	0.00
2380-8551	Fines and Penalties for Violations	277,950.00-	277,950.00-	425,000.00-	147,050.00-	65.40
2380-8554	Vehicle Abatement Fee	0.00	0.00	48,000.00-	48,000.00-	0.00
2380-8556	Foreclosure Revenues	31,431.28-	31,431.28-	45,000.00-	13,568.72-	69.85
2380-8659	Refunds and Reimbursements	875.00-	875.00-	0.00	875.00	0.00
2380-8682	Collection Recovery-Code Enf.	87,074.86-	87,074.86-	30,000.00-	57,074.86	290.25
2381-8363	Transfer In from 10221	200,000.02-	200,000.02-	400,000.00-	199,999.98-	50.00
	NET Account: Revenue:	602,130.08-	602,130.08-	962,800.00-	360,669.92-	62.54
<b>Account: Expense</b>						
2425-1010	Salaries / Full-time	188,497.22	188,497.22	421,117.00	232,619.78	44.76
2425-1020	Salaries / Part-time	39,168.48	39,168.48	192,399.00	153,230.52	20.36
2425-1030	Salaries / Overtime	307.65	307.65	0.00	307.65-	0.00
2425-1040	Salaries - Leave Payout	1,095.76	1,095.76	8,917.00	7,821.24	12.29
2425-1050	Salaries / Uniform Pay	750.00	750.00	1,000.00	250.00	75.00
2425-2000	Public Employees Retirement System	37,523.18	37,523.18	98,561.00	61,037.82	38.07
2425-2002	Long Term Disability Insurance	690.77	690.77	1,425.00	734.23	48.48
2425-2003	Life Insurance Premiums	229.42	229.42	478.00	248.58	48.00
2425-2004	Worker's Compensation Insurance	17,486.46	17,486.46	46,729.00	29,242.54	37.42
2425-2005	Medicare Tax - Employer's Share	3,388.76	3,388.76	9,430.00	6,041.24	35.94
2425-2007	Deferred Compensation / Part-time	1,235.12	1,235.12	3,843.00	2,607.88	32.14
2425-2008	Deferred Compensation / Full-time	13,546.53	13,546.53	23,103.00	9,556.47	58.64
2425-2009	Unemployment Insurance	312.10	312.10	4,903.00	4,590.90	6.37
2425-2010	Section 125 Benefit Allow.	54,032.63	54,032.63	180,677.00	126,644.37	29.91
2425-3001	Gas and Electric Utilities	0.00	0.00	9,999.00	9,999.00	0.00
2425-3002	Telephone and Fax Charges	2,009.99	2,009.99	10,000.00	7,990.01	20.10
2425-3011	Advertising - Bids and Legal Notices	0.00	0.00	1,000.00	1,000.00	0.00
2425-3014	Professional Dues	0.00	0.00	375.00	375.00	0.00
2425-3015	Publications and Subscriptions	85.72	85.72	85.00	0.72-	100.85
2425-3016	Office Supplies - Expendable	406.25	406.25	8,000.00	7,593.75	5.08
2425-3018	Postage / Other Mailing Charges	6,268.54	6,268.54	6,000.00	268.54-	104.48
2425-3020	Mileage Reimbursement	0.00	0.00	700.00	700.00	0.00
2425-3025	Vehicle Fuel, Supplies & Maintenance	4,325.37	4,325.37	22,167.45	17,842.08	19.51
2425-3040	Contracted Services	17,108.11	17,108.11	109,659.10	92,550.99	15.60
2425-3050	Bad Debt Expense	0.00	0.00	3,000.00	3,000.00	0.00
2425-3120	Other Supplies	831.92	831.92	25,000.00	24,168.08	3.33
2425-3130	Building Supplies, Keys, Repairs	292.40	292.40	3,000.00	2,707.60	9.75
2425-3138	Tool Replacement Cost	91.24	91.24	1,000.00	908.76	9.12
2425-3300	Conference, Training, Education	82.63	82.63	7,000.00	6,917.37	1.18
2425-4002	Interfund Charges - Central Supply	364.53	364.53	600.00	235.47	60.76
2425-4005	Interfund Charges - Vehicle Repairs	0.00	0.00	16,777.00	16,777.00	0.00
2425-4007	Interfund Charges - Vehicle Replacem	0.00	0.00	11,067.00	11,067.00	0.00
2425-4018	Interfund Charges-Computer Maint.	0.00	0.00	26,258.00	26,258.00	0.00
2425-4020	Interfund Charges - Computer Replace	0.00	0.00	3,312.00	3,312.00	0.00
2425-5015	Auto and Truck - New	16,187.78	16,187.78	16,187.78	0.00	100.00
2425-6002	Lease Payment	0.00	0.00	7,730.00	7,730.00	0.00
	NET Account: Expense:	406,318.56	406,318.56	1,281,499.33	875,180.77	31.71
	TOTAL Dept 414: Community Development - Code Enforcement:	195,811.52-	195,811.52-	318,699.33	514,510.85	61.44-
<b>Dept 435: Tire Clean-up</b>						
<b>Account: Revenue</b>						
2429-8455	Waste Tire Clean-up Grant	89,110.59-	89,110.59-	0.00	89,110.59	0.00
	NET Account: Revenue:	89,110.59-	89,110.59-	0.00	89,110.59	0.00
<b>Account: Expense</b>						
2429-1010	Salaries / Full-time	805.74	805.74	0.00	805.74-	0.00
2429-2000	Public Employees Retirement System	198.41	198.41	0.00	198.41-	0.00
2429-2002	Long-term Disability Ins.	3.26	3.26	0.00	3.26-	0.00
2429-2003	Life Insurance Premiums	0.92	0.92	0.00	0.92-	0.00
2429-2004	Worker's Compensation Insurance	64.49	64.49	0.00	64.49-	0.00
2429-2005	Medicare Tax - Employer's Share	12.75	12.75	0.00	12.75-	0.00
2429-2008	Deferred Compensation/Full-time	34.21	34.21	0.00	34.21-	0.00
2429-2010	Section 125 Benefit Allow.	249.42	249.42	0.00	249.42-	0.00
	NET Account: Expense:	1,369.20	1,369.20	0.00	1,369.20-	0.00
	TOTAL Dept 435: Tire Clean-up:	87,741.39-	87,741.39-	0.00	87,741.39	0.00
	TOTAL Fund 10800: Code Enforcement:	283,552.91-	283,552.91-	318,699.33	602,252.24	88.97-



For All Revenue, Expense Accounts  
 Zero Balance Accounts NOT Included

Transactions Entered From 07/01/2014  
 To 12/31/2014

Account	Description	Period Actuals	YTD Actuals	YTD Budget	Variance	% Of Budget
<b>Fund 10865: LEA Tire Grant</b>						
<b>Dept 432: LEA Tire Grant</b>						
<b>Account: Revenue</b>						
2427-8428	Current Year Allocation-LEA Grant	9,195.68-	9,195.68-	18,338.00-	9,142.32-	50.15
	NET Account: Revenue:	9,195.68-	9,195.68-	18,338.00-	9,142.32-	50.15
<b>Account: Expense</b>						
2427-1010	Salaries / Full-time	5,912.27	5,912.27	6,335.00	422.73	93.33
2427-2000	Public Employees Retirement System	1,583.60	1,583.60	1,505.00	78.60-	105.22
2427-2002	Long Term Disability Insurance	18.22	18.22	23.00	4.78	79.22
2427-2003	Life Insurance Premiums	6.38	6.38	0.00	6.38-	0.00
2427-2004	Worker's Compensation Insurance	456.74	456.74	483.00	26.26	94.56
2427-2005	Medicare Tax-Employer's Share	92.05	92.05	96.00	3.95	95.89
2427-2008	Deferred Compensation/Full-time	249.92	249.92	266.00	16.08	93.95
2427-2009	Unemployment Insurance	0.00	0.00	291.00	291.00	0.00
2427-2010	Section 125 Benefit Allow.	1,328.59	1,328.59	2,643.00	1,314.41	50.27
2427-3120	Other Supplies	0.00	0.00	205.00	205.00	0.00
2427-3300	Conference, Training, Education	0.00	0.00	6,956.00	6,956.00	0.00
	NET Account: Expense:	9,647.77	9,647.77	18,803.00	9,155.23	51.31
	TOTAL Dept 432: LEA Tire Grant:	452.09	452.09	465.00	12.91	97.22
<b>Dept 436: Tire Amnesty Grant</b>						
<b>Account: Revenue</b>						
2428-8455	Tire Amnesty Grant	0.00	0.00	39,649.00-	39,649.00-	0.00
	NET Account: Revenue:	0.00	0.00	39,649.00-	39,649.00-	0.00
<b>Account: Expense</b>						
2428-1010	Salaries / Full-time	1,874.75	1,874.75	5,280.00	3,405.25	35.51
2428-1040	Salaries - Leave Payout	219.15	219.15	0.00	219.15-	0.00
2428-2000	Public Employees Retirement System	1,668.88	1,668.88	1,254.00	414.88-	133.08
2428-2001	Health Insurance Benefits	0.00	0.00	19.00	19.00	0.00
2428-2002	Long Term Disability Insurance	9.87	9.87	0.00	9.87-	0.00
2428-2003	Life Insurance Premiums	2.99	2.99	0.00	2.99-	0.00
2428-2004	Worker's Compensation Insurance	167.70	167.70	402.00	234.30	41.72
2428-2005	Medicare Tax - Employer's Share	33.84	33.84	80.00	46.16	42.30
2428-2008	Deferred Compensation / Full-time	88.48	88.48	222.00	133.52	39.86
2428-2009	Unemployment Insurance	0.00	0.00	243.00	243.00	0.00
2428-2010	Section 125 Benefit Allow.	636.97	636.97	2,203.00	1,566.03	28.91
2428-3012	Advertising - Other	567.00	567.00	4,318.00	3,751.00	13.13
2428-3040	Contracted Services	2,750.00	2,750.00	25,545.00	22,795.00	10.77
2428-3120	Other Supplies	0.00	0.00	665.00	665.00	0.00
	NET Account: Expense:	8,019.63	8,019.63	40,231.00	32,211.37	19.93
	TOTAL Dept 436: Tire Amnesty Grant:	8,019.63	8,019.63	582.00	7,437.63-	1,377.94
	TOTAL Fund 10865: LEA Tire Grant:	8,471.72	8,471.72	1,047.00	7,424.72-	809.14
	REPORT TOTALS:	275,081.19-	275,081.19-	319,746.33	594,827.52	86.03-

\*\*\* End Of Report \*\*\*

## REPORT TO THE CITY COUNCIL

MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 4E

APPROVED BY:

  
Executive Director

  
Neighborhood Preservation Supervisor

**Subject: Activity Report – Code Enforcement Division**

**Summary: The City Council has identified pro-active code enforcement to be a major priority. We have modified the format in order to provide you and the public with a better understanding of the activity level of the Neighborhood Revitalization Program.**

### **HISTORY/BACKGROUND**

The report is summarized as follows:

- Foreclosures continue to dominate our current activity level. We currently have 104 registered foreclosures and we are monitoring 224 properties that are in default. Notices of Violations have been recorded on 337 properties.
- We are monitoring 41 Abandoned Buildings. To date, 5 are registered and Notices of Violations have been recorded on 47 properties.
- Graffiti has been inconsistent but is still slightly worse than 2010. We currently have 1,801 volunteers that are actively participating in abatement efforts. It is important to note that the biggest impact on graffiti reduction can be attributed to the efforts of the Madera Police officers assigned to the graffiti enforcement.

### **RECOMMENDATION**

No action is required.

JET/cm

Attachment:  
-Activity Report

**REPORT FOR DECEMBER 1 – DECEMBER 31, 2014**

**Code Enforcement Activities**

	<b>Activity</b>	<b>Total for Month</b>	<b>Year to Date (From 7/1/2014)</b>
1.	Files Opened	63	1,015
2.	Files Closed	106	951
3.	Remaining Active Files	980	N/A
4.	Citations Issued	81	705
*5.	Abandoned Vehicles Tagged	16	399
*6.	Abandoned Vehicles Towed	0	9
*7.	Abandoned Vehicles Removed	42	456
8.	Trash Removed by Ton	0.0	0.0
**9.	Foreclosed Properties Sold	10	50

\*Vehicles removed will usually be a higher number, as there has been a backlog of vehicle cases that our department is currently focusing upon.

\*\* Aside from the ( 10 ) Foreclosure Properties Sold, there were ( 1 ) additional Foreclosure cases closed due to cancellation of foreclosure sales in this month.

**Graffiti Abatement Activities**

*Effective August 15, 2012 Graffiti Abatement Team is operating out of Public Works Department*

	<b>Activity</b>	<b>Total for Month</b>	<b>Year to Date (From 7/1/2014)</b>
1.	Consent Forms Received	0	2
2.	Incidences Removed by Graffiti Abatement Staff	885	3,916
3.	Total Gallons of Paint Used (Items 4,5,6,7 Combined)	63.37	288.48
4.	Gallons of Paint Used – SE Quadrant	8.30	78.28
5.	Gallons of Paint Used – NE Quadrant	25.28	111.21
6.	Gallons of Paint Used – SW Quadrant	11.48	63.13
7.	Gallons of Paint Used – NW Quadrant	18.31	35.86
8.	Incidences Removed by Empowered Citizens/Property Owners	80	680
9.	Public Presentations	4	18
10.	Arrests by Madera Police Department	0	1

Note: In addition to the 63.37 gallons of paint used within the City limits during the month of December another 1.96 gallons of paint were used in the County.

**Accounts Receivables Activities**

	<b>Activity</b>	<b>Total for Month</b>	<b>Year to Date (From 7/1/2014)</b>
1.	Fines/Citations, Penalties, and Enforcement Fees <i>Levied</i> For Fiscal Year	\$78,675.00	\$562,475.00
2.	Fines/Citations, Penalties, and Enforcement Fees <i>Collected</i> For Fiscal Year	\$36,230.00	\$421,375.83
3.	Registration Fees for Vacant/Abandoned Buildings and Foreclosed Properties <i>Collected</i> For Fiscal Year	\$495.00	\$3,925.00
4.	Removed for Collections - Fines, Penalties, Citations and Towing Fees sent to Financial Credit Network For Fiscal Year	\$0.00	\$850.00

**Small Claims and Lien Activities**

*Information provided by City Attorney's Office*

	<b>Type</b>	<b>No. of files This month</b>	<b>No. of files Year to date</b>	<b>Amount This month</b>	<b>Amount Year to date</b>
1.	Small Claims / Intercept Candidates	0	32	\$0.00	\$18,167.50
2.	Lien Confirmations	11	16	\$16,262.00	\$20,640.00
3.	Liens turned over to Assessor	0	2	\$0.00	\$22,050.00

**Files currently being reviewed for appropriate action – 47**

# REPORT TO THE CITY COUNCIL

**MEETING OF:** January 14, 2015

**AGENDA ITEM NUMBER:** 4F

**APPROVED BY:**

*Jan 3 Tarkenton*  
 \_\_\_\_\_  
 Executive Director

**Subject:** Code Enforcement Funds Collection Report for Period Ending December 31, 2014

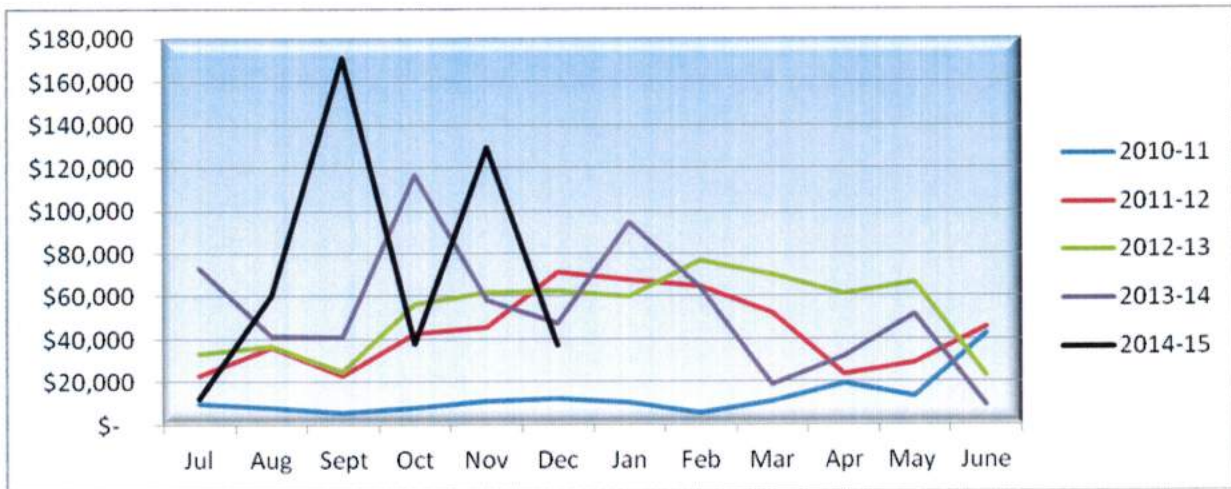
**Summary:** The City Council will be provided with an updated funds collection report.

**HISTORY/BACKGROUND**

The primary sources for Code Enforcement/Neighborhood Revitalization funding are General Fund, and CDBG funds. Other sources include:

- Foreclosure Registration Fee
- Abandoned Building Registration Fee
- Graffiti Restitution
- Fines and Penalties

Since we have begun recording Notice of Violations on foreclosures, we have experienced a significant increase in revenues from "Fines and Penalties." Revenue increases from "other sources" is illustrated below.



Fiscal Year	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	TOTAL
2010-11	\$ 9,845	\$ 7,980	\$ 5,806	\$ 7,953	\$10,873	\$12,240	\$10,304	\$ 5,354	\$11,147	\$19,446	\$13,501	\$42,760	\$157,209
2011-12	\$22,646	\$35,955	\$22,782	\$42,900	\$45,553	\$71,297	\$67,720	\$64,524	\$52,238	\$23,612	\$28,641	\$45,809	\$523,678
2012-13	\$33,216	\$36,791	\$24,520	\$56,500	\$61,504	\$62,101	\$60,271	\$76,941	\$70,142	\$61,138	\$66,261	\$22,660	\$632,045
2013-14	\$73,253	\$41,445	\$40,692	\$116,589	\$58,036	\$47,573	\$94,700	\$64,214	\$18,911	\$31,682	\$51,773	\$9,043	\$647,915
2014-15	\$12,262	\$60,675	\$171,037	\$38,146	\$129,213	\$37,074							\$448,407

**RECOMMENDATION**

Report is provided for your information only – no action is required.



# REPORT TO THE SUCCESSOR HOUSING AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY

BOARD MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 4G

  
Executive Director

**Subject: Consideration of a Resolution Approving a Full Reconveyance for Property Located at 625 South Madera Avenue**

**Summary: The Successor Housing Agency will consider a resolution approving the Full Reconveyance for a Deed of Trust approved June 14, 2006 between the former Madera Redevelopment Agency and Robert L. Lee, Barbara A. Lee, Willard Lee and Ida L. Lee for property located at 625 South Madera Avenue, Madera.**

## **HISTORY/BACKGROUND**

By previous action, the former Redevelopment Agency entered into an agreement with Robert L. Lee and Barbara A. Lee, Husband and wife, as community property, as to an undivided one-half interest; Willard Lee and Ida L. Lee, husband and wife, as community property to obtain \$1,000,000.00 in HELP loan funds.

The Lee's are the owners of one hundred (100) multi-family units located at 625 South Madera Avenue, Madera, California that were built in 1976. The HELP funds were used for improvements such as:

- Resurfacing Parking Lots and Striping
- Removed and Replaced Damaged Sidewalks
- New Interior Cabinets
- Retrofited Windows
- Remodeled Bathrooms
- New Gutters, Roof Repairs and Flashing
- Repaired Security Gates and Locks
- Installed Security Cameras Throughout
- Rerouted Water Lines
- Re-dashed Stucco
- New Appliances
- Carpeting and Linoleum

The total project cost was \$1,270,000.00 with the property owner contributing \$270,000.00.

## **SITUATION**

On January 9, 2015, the Agency received a request from North American Title Company for full reconveyance, releasing the Deed of Trust dated June 14, 2006 recorded June 23, 2006 in Official Records of Madera County as document number 2006027735. On July 28, 2014 the loan was paid in full.

## **RECOMMENDATION**

Staff recommends that the Successor Housing Agency adopt the resolution authorizing the Mayor to execute the Full Reconveyance for property located at 625 South Madera Avenue, Madera.

JET:sb

Attachments:

- Resolution (SHA)
- Full Reconveyance



RESOLUTION NO. SHA 15-

RESOLUTION OF THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, MADERA, CALIFORNIA, APPROVING A FULL RECONVEYANCE FOR REAL PROPERTY KNOWN AS 625 SOUTH MADERA AVENUE, IN THE CITY OF MADERA AND AUTHORIZING THE MAYOR TO EXECUTE THE FULL RECONVEYANCE ON BEHALF OF THE CITY OF MADERA, AS SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY

WHEREAS, on June 14, 2006, Robert L. Lee and Barbara A Lee, Husband and Wife as community property, as to an undivided one-half interest; Willard Lee and Ida L. Lee, Husband and Wife, as community property as to an undivided one-half interest, executed a Deed of Trust in favor of Beneficiary, Madera Redevelopment Agency; and

WHEREAS, on June 14, 2006, Robert L. Lee and Barbara A Lee, Husband and Wife as community property, as to an undivided one-half interest; Willard Lee and Ida L. Lee, Husband and Wife, as community property as to an undivided one-half interest, executed a Promissory Note in the amount of \$1,000,000.00; and

WHEREAS, the amount of \$1,000,000.00 was paid in full on July 28, 2014

WHEREAS the Successor Housing Agency desires to record the full reconveyance of the property located at 625 South Madera Avenue.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA, as Successor Housing Agency to the former Madera Redevelopment Agency does hereby resolve, find and order as follows:

1. The above recitals are true and correct.

2. The Full Reconveyance of real property known as 625 South Madera Avenue from the Agency to Robert L. Lee and Barbara A Lee, Husband and Wife as community property, as to an undivided one-half interest; Willard Lee and Ida L. Lee, Husband and Wife, as community property as to an undivided one-half interest, is approved, and a copy of such Reconveyance can be found in the office of the Executive Director of the Agency for more particulars.

3. The Mayor of the City of Madera as Successor Housing Agency to the former Madera Redevelopment Agency is authorized to execute the Full Reconveyance on behalf of the Successor Housing Agency to the former Madera Redevelopment Agency.

4. This resolution is effective immediately upon adoption.

\* \* \* \* \*

PASSED AND ADOPTED by the City Council of the City of Madera as the Successor Housing Agency to the former Madera Redevelopment Agency this 14<sup>th</sup> day of January 2015, by the following vote:

YES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Robert L. Poythress, Mayor

ATTEST:

\_\_\_\_\_  
Claudia Mendoza, Recording Secretary

Approved as to Legal Form:

\_\_\_\_\_  
J. Brent Richardson, General Counsel  
Successor Housing Agency

Recording Requested By:  
North American Title Company

When Recorded Mail Document to:  
City of Madera  
Successor Agency to the former  
Madera Redevelopment Agency  
428 East Yosemite Avenue  
Madera, California 93638

APN: 012-133-023

Space Above This Line For Recorder's Use

## Full Reconveyance

Chicago Title Company, as present trustee under that certain Deed of Trust dated June 14, 2006, executed by Robert L. Lee and Barbara A Lee, Husband and Wife as community property, as to an undivided one-half interest Willard Lee and Ida L. Lee, Husband and Wife, as community property as to an undivided one-half interest and recorded on June 23, 2006 as/in Instrument No. 2006027735 of Official Records, in the Office of the County Recorder of Madera County, State of California, having been requested in writing by the City of Madera as Successor Agency to the Former Madera Redevelopment Agency as the holder of the obligations secured by said Deed of Trust to reconvey the estate granted to Trustee under said Deed of Trust, DOES HEREBY RECONVEY to the person or persons legally entitled thereto, without warranty, all the estate, title, and interest acquired by Trustee under said Deed of Trust.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: \_\_\_\_\_

City of Madera as Successor Agency to the  
former Madera Redevelopment Agency,

By: \_\_\_\_\_  
Robert L. Poythress, Mayor

Attach Notary Acknowledgment

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lots 4 and 7 of Division "A" of Section 30, Township 11 South, Range 18 East, Mount Diablo Base and Meridian, according to the map entitled "Map of Division "A" of Section 30, Township 11 South, Range 18 East, according to the map thereof recorded September 24, 1900 in Book 1 Page 26 of Maps, Madera County Records.

Excepting therefrom that portion conveyed to the State Of California by deed of April 12, 1973 in Book 1158 Page 80, as Document No. 5792, Official Records.

APN: 012-133-023

## REPORT TO THE CITY COUNCIL AND THE SUCCESSOR AGENCY BOARD

BOARD MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 5A

APPROVED BY:

  
\_\_\_\_\_  
Neighborhood Preservation Supervisor

  
\_\_\_\_\_  
Executive Director

**Subject: Code Enforcement Major Case Summary**

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Major case summary for *December/January* include the following:

**121 North N Street aka (814/816 W 5<sup>th</sup> Street)**

**History:** In 2013, the Police Department was called several times to address trespassing at this address by students and vagrants. This triggered a request for Neighborhood Revitalization Department to get involved. After inspecting the property, the main structure and rear yard were found to be unsecured. Notifications of these violations were sent to Madlin and Ohan Ohan, the owners on record. While attempts were being made to contact and work with the owners, the property quickly became a haven for squatters, vagrants, a junk yard with large accumulations of trash and debris, abandoned vehicles, an attractive site for criminal activity (drugs and prostitution); all of which disrupted the peace and safety of an entire neighborhood. This property was also the subject of various disturbances to which Police Officers had to respond. In late 2014, the owners gave Power of Attorney to a family member, who then authorized the City of Madera to abate the violations. After consulting with the City's Building Official, the building was declared substandard and unsafe for human occupancy. Therefore, steps were taken to initiate abatement.

**Status:** On January 5<sup>th</sup>, 2015 a walkthrough of each room in the house and basement was conducted. Inventories were taken of any salvageable personal items and were moved to an offsite storage facility where they will remain. The next day, a contractor began to remove the house, trees, and shrubs. As of January 7<sup>th</sup>, all violations have been completely removed from this property. The cost of the abatement will be secured through a lien against the property, and the case will be closed.









**RECOMMENDATION:**

No further action is required.



# REPORT TO THE CITY COUNCIL AND THE SUCCESSOR AGENCY BOARD

CITY COUNCIL MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 5B

APPROVED BY:

  
Executive Director

**Subject:** Department of Finance Issues

**Summary:** The Agency Board will be provided with an update of current issues with the Department of Finance

## HISTORY/BACKGROUND

The Agency Board approved the 14-15B Recognized Obligation Payment Schedule in September, 2014. The Department of Finance denied the following items:

1. Southwest Industrial Park Master Plan
2. Project Operations
3. Knox/Stinson/Wallace/Hull Streetlight Project
4. Loan Repayment to the City of Madera

Our "Meet and Confer Request Form" is attached and explains the basis for our objections to their denial. This is our fifth Meet and Confer request. The first four (4) were conducted by phone. Due to the importance of the city loan, this session was conducted at the Department of Finance Office. Bob Wilson, Brent Richardson and Tim Przybyla represented the Agency. We prevailed on all issues.

The second major issue relates to the Long Range Property Management Plan. Approvals are being withheld due to the issues associated with the acquisitions/transfer of 300 South G Street. Our position is articulated in the attached letter prepared by the City Attorney. In addition we have provided them with an email from Eric Flemming and summary minutes from a number of closed session meetings of the Board of Supervisors. These minutes support our position. We can't sell non-housing properties until the issue is resolved.

## RECOMMENDATION

Information only.

### Attachments:

- Meet and Confer Request Form dated 11/7/2014
- Letter to Department of Finance dated 10/15/2014



## MEET AND CONFER REQUEST FORM

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**Instructions:** Please fill out this form in its entirety to initiate a Meet and Confer session. Additional supporting documents may be included with the submittal of this form—as justification for the disputed item(s). Upon completion, email a PDF version of this document (including any attachments) to:

Redevelopment\_Administration@dof.ca.gov

The subject line should state “[Agency Name] Request to Meet and Confer”. Upon receipt and determination that the request is valid and complete, the Department of Finance (Finance) will contact the requesting agency within ten business days to schedule a date and time for the Meet and Confer session.

To be valid, all Meet and Confer requests must be specifically related to a determination made by Finance and submitted within the required statutory time frame. The requirements are as follows:

- **Housing Asset Transfer** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter per HSC Section 34176 (a) (2).
- **Due Diligence Review** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter, and no later than **November 16, 2012** for the Low and Moderate Income Housing Fund due diligence review per HSC Section 34179.6 (e).
- **Recognized Obligation Payment Schedule (ROPS)** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter per HSC Section 34177 (m).

Agencies should become familiar with the Meet and Confer Guidelines located on Finance’s website. Failure to follow these guidelines could result in termination of the Meet and Confer session. Questions related to the Meet and Confer process should be directed to Finance’s Dispute Resolution Coordinator at (916) 445-1546 or by email to Redevelopment\_Administration@dof.ca.gov.

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**AGENCY (SELECT ONE):**

Successor Agency       Housing Entity

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**AGENCY NAME: Successor Agency to the former Madera Redevelopment Agency**

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**TYPE OF MEET AND CONFER REQUESTED (SELECT ONE):**

Housing Assets Transfers       Due Diligence Reviews       ROPS Period 14-15B

DATE OF FINANCE’S DETERMINATION LETTER:

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**REQUESTED FORMAT OF MEET AND CONFER SESSION (SELECT ONE):**

Meeting at Finance       Conference Call

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## DETAIL OF REQUEST

### A. Summary of Disputed Issue(s) *(Must be specific.)*

1. Item 48 – Southwest Industrial Park Master Plan
2. Item 75 -78 – Project Operations
3. Item 153 – Knox/Stinson Streetlight Project
4. Item 151 – City Loan - Loan from City for September 2014 Bond Payment is not an enforceable obligation. The Agency submitted OB Resolution No. 14-10 acknowledging a loan from the City to the Agency for debt service payment, is denied. We (DOF) denied OB Resolution No. 14-10 in our letter dated October 31, 2014. Base on our review of the Agency's redevelopment Property Tax Trust fund (RPTTF) distribution for the previous ROPS periods, the Agency received sufficient RPTTF to pay the debt service payment. Therefore, this item is not eligible for RPTTF in the amount of \$369,217.

### B. Background/History *(Provide relevant background/history, if applicable.)*

#### 1. Item 48 – Southwest Industrial Park Master Plan

The project has been recognized as an “enforceable obligation” on every EOPS/ROPS since the dissolution process was initiated. All back-up material has been provided to Department of Finance and the Oversight Board. Conference calls have been held bi-monthly with the most recent being November 5, 2014. (Most recent meeting invite is attached)

In fiscal year 2012/2013 the project was at a point where we thought we were ready for the public vetting process. Discussions with Union Pacific regarding the addition of a new railroad crossing on their spur line has resulted in unanticipated costs for additional studies and the deferment of some of our original tasks. The spur line serves industrial users in the southwest area of the City. It goes through both residential and commercial zoned areas of the City. It is Union Pacific's position that the additional crossing we are proposing will require the closing of 2-3 crossings in other areas of the City. This impacts traffic circulation patterns beyond the initial area of study. More recently we have discussed eliminating the request for new crossing.

To date we have managed to make administrative changes to the existing contract that did not require Successor Agency or Oversight Board action. Depending on the future decisions on the proposed crossing changes in the contract are likely to be significant enough to require Successor Agency and Oversight Board action. There will be no new spending without an approved agreement.

#### 2. Item 75 -78 – Project Operations

The Agency has the following projects underway and approved on ROPS 14-15B: Riverside Villas \$330,000, Avenue 16 Landscape Project \$250,000, Canal Relocation \$46,266, and Riverwalk Subdivision \$1,690,000. In order to carry out these projects the Agency will have to fund the associated administrative, maintenance and operation cost. It may have been more appropriate to have only one single line item for bond funded administrative, maintenance and operation cost. And title this line item “Bond Project Administrative Cost”. The funding of project construction, administrative maintenance and operation cost is the purpose for which the bonds were sold.

### **3. Item 153 – Knox/Stinson Streetlight Project**

The Wallace, Hull, Stinson and Knox Sidewalk/Streetlight project was completed in March 2009. At that time, a significant decline in the increment revenue and the State financial crisis forced a delay in energizing the lights. This project was originally funded with proceeds from the 2008 Tax Allocation Bond; however, at the outset of dissolution it didn't qualify as an "enforceable obligation".

Under the Post Compliance Provisions of AB1484, Section 34191.4(C) (c) (1) states "Bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the purposes for which the bonds were sold".

We don't know specific costs because we haven't put the project out to bid because

1. We haven't been able to define the specific source to fund the project
2. We are actively evaluating energizing through traditional PG&E sources or using solar.
3. There will be no expenditures without an agreement

An Agency workshop will be held in December 2014.

### **4. Item 151 – City Loan**

There are several items that resulted in the Agency's need to request a loan from the City.

1. During ROPS II and ROPS III the Agency did not have a clear understanding of the difference between RPTTF and Reserve funds. At the same time, this was complicated even more as DOF was having a difficult time reviewing the Agency Non-Housing DDR. DOF's response at this time regarding "Total OFA to be distributed" from the Non Housing DDR ranged from \$2,224,831 (see email dated March 4, 2013) to \$749,454 (see letter dated April 1, 2013) and then finally through the meet and confer process, \$0.0 was to be distributed (see letter dated May 5, 2013). The Agency was having difficulty determining what funding would be available going into 13-14A.
2. Also, the Agency incorrectly stated that bond reserve on the ROPS could be used for debt service payments. The \$3,009,002 bond reserve in question (ROPS 13-14A line 89) is held by the bond trustee and not accessible by the Agency (see attached BNY Mellon statements totaling \$3,009,002 at 6/30/12). This mistake resulted in the Agency receiving less RPTTF in ROPS III through the true up process which otherwise should have been carried forward to 13-14A for debt service. The total reserve on hand at 6/30/12 not including ROPS II RPTTF totaled \$2,250,431. This amount, the Agency's total reserve, went to fund approved enforceable obligations in ROPS II & III as approved in the letter dated May 5, 2013, attached. No reserves remained to be carried forward into 13-14A. Regardless of all misunderstanding at the Agency and DOF no bond reserves or Other Funds and Accounts (OFA) were available to be carried forward. Into 13-14A.

These items resulted in the Agency's ultimate shortfall of funding for debt service payments. During the ROPS 13-14A meet and confer, the Agency requested to use the bond reserve to make its debt service payments. Please see the attached DOF letter dated May 17, 2013 where DOF approves the use of the bond reserve. This was an error on our part, no reserves remained.

## **C. Justification (Provide additional attachments to this form, as necessary.)**

### **1. Item 48 – Southwest Industrial Park Master Plan**

- a) Meeting Invite for latest call
- b) Contract Amendment



**2. Item 75 -78 – Project Operations**

- a) Item 75-78 will fund the associated administrative, maintenance and operation cost of approved bond funded projects. H&S Code Section 34191.4(C)(c)(1) States that “Bond proceeds derived from bonds issued on or before December 31, 2010, shall be used for the purposes for which the bonds were sold.” Since the exact amount of administrative cost is unknown the Agency budgeted amounts based on prior experience. The funding of project construction, administrative maintenance and operation cost is the purpose for which the bonds were sold.

**3. Item 153 – Knox/Stinson Streetlight Project**

- a) Cost Estimate

**4. Item 151 – City Loan**

- a) Email March 4, 2013
- b) DOF letter dated April 1, 2013
- c) DOF letter dated May 5, 2013
- d) BNY Mellon Statements 6/30/12
- e) DOF letter date May 17, 2013
- f) CAC letter Dated February 25, 2014
- g) ROPS Reconciliation
- h) Appendix 10 from Non Housing DDR
- i) ROPS II PPA
- j) ROPS III PPA
- k) ROPS 13-14A PPA
- l) ROPS 13-14B PPA

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**Agency Contact Information**

Name: James E. Taubert

Name: Bob Wilson

Title: Executive Director

Title: Business Manager

Phone: (559) 661-5112

Phone: (559) 661-5188

Email: jtaubert@cityofmadera.com

Email: bwilson@cityofmadera.com

Date: 11/07/2014

Date: 11/07/2014

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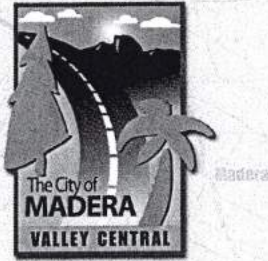
**Department of Finance Local Government Unit Use Only**REQUEST TO MEET AND CONFER DATE:  APPROVED  DENIED

REQUEST APPROVED/DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MEET AND CONFER DATE/TIME/LOCATION: \_\_\_\_\_

MEET AND CONFER SESSION CONFIRMED:  YES DATE CONFIRMED: \_\_\_\_\_DENIAL NOTICE PROVIDED:  YES DATE AGENCY NOTIFIED: \_\_\_\_\_

Form DF-MC (Revised 9/10/12)



Brent Richardson, City Attorney  
205 W. Fourth Street  
Madera, Ca 93637  
Phone: 559-661-5483  
Fax: 559-673-1304  
[brichardson@cityofmadera.com](mailto:brichardson@cityofmadera.com)

October 15, 2014

California Department of Finance  
Attn: Beliz Chappuie  
915 L Street  
Sacramento, CA 95814-3706

RE: *Long-Range Property Management Plan Determination*

Dear Ms. Chappuie:

I am in receipt of a letter from Justyn Howard dated September 30, 2014, indicating that the Long Range Property Management Plan ("LRPMP") submitted by the Successor Agency to the Former Madera Redevelopment Agency ("Agency"). The basis for such rejection is identified as the inclusion of the Agency's transfer of real property located at 300 S. G Street to the County of Madera (the "Property") for the purpose of fulfilling an enforceable obligation. This letter will address the issues raised in Mr. Howard's letter.

First, it should be noted that the objection to the transfer of the Property instructed the Oversight Board to **reconsider its approval of the transfer. It did not direct the Board to overturn its approval.** Thus, the Board maintained its discretion as to whether the transaction was appropriate. As directed, the Oversight Board did reconsider the approval as requested and ratified the approval. As part of that process, the Oversight Board made findings that the transfer was done in compliance with pertinent sections of the Health and Safety Code.

The Department of Finance ("Department") was notified of the Oversight Board's determination upon reconsideration via email on June 17, 2013. That e-mail was in fact received and read by the Department on June 20, 2013, as evidenced by the read receipt attached as Exhibit "A". The Department then had 5 days in which to assert an objection to the action, but failed to make any objection within that time frame. Accordingly, pursuant to Health and Safety Code section 34179(h), the action becomes effective. Therefore, by law the sale of the Property was approved by operation of law.

Notwithstanding the Department's failure to timely object to the approval, the Agency continues to assert that the transaction is part of an enforceable obligation inasmuch as the conveyance of the property was necessary to satisfy an existing obligation of the Agency to the County as part of an agreement relative to the construction of the new Madera County Courthouse. The MOU with the County of Madera creates an obligation



for the Agency which at the option of the County may consist of a project consistent with the Agency's five year implementation plan in place at the time of the MOU. The acquisition and conveyance of the Property qualifies to fulfill this obligation of the Agency in the MOU, and accordingly is an enforceable obligation of the Agency. Pursuant to Health and Safety Code section 34178, agreements such as the MOU are enforceable obligations. (See also 34191.5(c)(2) setting forth the requirement of the Agency to list property in its LRPMP which is sold to fulfill an enforceable obligation.)

The letter also suggests that the Agency "...should make best effort to recover the funds spent on the purchase of the Property...". However, this direction clearly does not mandate that the Agency do anything. Further, what is meant by "best effort"? As I read the letter, the Agency is not required to take any specific action.

The letter then states that "as authorized by HSC section 34191.5(b), Finance is not approving the LRPMP." However, the section cited here does not authorize the Department to refuse to approve a LRPMP; it merely provides that a successor agency shall prepare and submit a LRPMP to the Department within a certain time frame. The section does not provide any type of standard for approval or denial of such a plan, and cannot be cited as authority for the Department's refusal to approve the plan. Health and Safety Code section 34191.5(c) is the section that specifies what must be contained in a LRPMP. The Agency has complied with those requirements, and the Department has not asserted that it has not.

For all of the foregoing, demand is hereby made that the Department approve the Agency's LRPMP forthwith. Please let me know no later than October 31, 2014, how you intend to proceed so that the Agency may determine what further action is necessary to protect its interests, and if necessary, take steps to compel the department to act in compliance with state law.

Very Truly Yours,



Brent Richardson,  
City Attorney

copy: Jim Taubert  
Bob Wilson

## Brent Richardson

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**From:** Jim Taubert  
**Sent:** Tuesday, September 30, 2014 4:33 PM  
**To:** Brent Richardson  
**Subject:** FW: 6/17/2013 Oversight Board Meeting - Action Summary Minutes

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**From:** Claudia Mendoza  
**Sent:** Tuesday, September 30, 2014 4:31 PM  
**To:** Jim Taubert  
**Cc:** Bob Wilson; Sandi Brown  
**Subject:** FW: 6/17/2013 Oversight Board Meeting - Action Summary Minutes

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**From:** Redevelopment Administration [<mailto:RedevelopmentAdministration@dof.ca.gov>]  
**Sent:** Thursday, June 20, 2013 1:14 PM  
**To:** Claudia Mendoza  
**Subject:** Read: 6/17/2013 Oversight Board Meeting - Action Summary Minutes

Your message

**To:**  
**Subject:** 6/17/2013 Oversight Board Meeting - Action Summary Minutes  
**Sent:** Thursday, June 20, 2013 1:14:13 PM (UTC-08:00) Pacific Time (US & Canada)

was read on Thursday, June 20, 2013 1:14:11 PM (UTC-08:00) Pacific Time (US & Canada).

**EXHIBIT "A"**



**REPORT TO THE CITY COUNCIL AND THE  
SUCCESSOR HOUSING AGENCY  
OF THE FORMER MADERA REDEVELOPMENT AGENCY**

BOARD MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 7A

APPROVED BY:

  
Executive Director

**Subject:** Joint Public Hearing Regarding Consideration of Resolutions Approving 33433 Report and Approval of Sale of Real Property Located at 1008 Green Way (APN 005-082-001) and Consideration of a Resolution Approving Disposition and Development Agreement with DMP Development, Inc.

**Summary:** This is a noticed public hearing between the City Council and the Successor Housing Agency regarding the sale of property located at 1008 Green Way. The buyer is DMP Development, Inc. and the sales price is \$10,000.00

**HISTORY/BACKGROUND**

By previous action, the Successor Housing Agency acquired a vacant lot at 1008 Green Way. The property was acquired to facilitate the construction of entry level housing.

**SITUATION**

DMP Development is proposing to construct a 1,300± sf / 4 Bedroom / 2 Bathroom home to be priced in the \$145,000.00 - \$149,000.00 range.

**RECOMMENDATION**

Staff recommends the following actions:

1. The City Council adopt the resolution approving the sale of property at 1008 Green Way to DMP Development Inc. and making related findings. The sales price is \$10,000.00
2. The Successor Housing Agency adopt the resolution approving sale of property located at 1008 Green Way.
3. The Successor Housing Agency adopt the resolution approving the Disposition and Development Agreement with DMP Development, Inc. for property located at 1008 Green Way.

JET:cm

Attachments:

- Disposition and Development Agreement
- Resolutions (City & Resolutions Successor Housing Agency)

**SUMMARY REPORT PURSUANT TO SECTION 33433  
OF THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW ON A  
DISPOSITION AND DEVELOPMENT AGREEMENT  
BY AND BETWEEN THE  
SUCCESSOR HOUSING AGENCY TO THE FORMER  
MADERA REDEVELOPMENT AGENCY  
AND  
DMP DEVELOPMENT, INC.**

This summary report has been prepared for the Successor Housing Agency to the former Madera Redevelopment Agency ("Agency") pursuant to Section 33433 of the California Health and Safety Code. This report sets forth certain details of the proposed Disposition and Development Agreement ("Agreement") between the Agency and DMP Development Inc., ("Developer"). The Agreement requires the Developer to build one (1) single family dwelling on one (1) lot, identified as 1008 Green Way, Madera, CA, which is currently a vacant lot.

- I. A copy of the proposed Disposition and Development Agreement between the Agency and Developer is available upon request to the Successor Housing Agency of the former Madera Redevelopment Agency, 428 East Yosemite Avenue, Madera, California, 93638, Phone (559) 661-5110.
- II. The proposed sale of land to DMP Development Inc., is summarized as follows:
  - A. The cost of the Agreement to Agency is:

Description	Amount
Acquisition (Escrow Fees Included)	\$24,425.00
Appraisal Fees	\$250.00
Public Hearing Notices	\$129.00
Subtotal	\$24,804.00
Less: Land Sale Proceeds	-\$10,000.00
<b>Net Cost to Agency</b>	<b>\$14,804.00</b>

- B. In addition to the cost information above, the sales price is reflective of conditions for development placed on the project that include the limitation that the Developer must construct one (1) single family dwelling unit on the lot.
- C. The highest and best use permitted under the City of Madera General Plan is for residential use of the property. The estimated value of the interest conveyed, determined the highest uses permitted for the area is \$10,000.00 per lot.
- D. The purchase price pursuant to the proposed agreement is \$10,000.00.
- E. The amount of the purchase price is fair market value of the subject parcel. The cost of the property to the Agency is more than the purchase price. However, staff is of the opinion that the cost to the Agency and the purchase price are justified based on several factors, including:
  - 1. The Agency has placed restrictions as to how the property can be developed.
  - 2. The proposed agreement will eliminate a blighted condition in the Project Area.
  - 3. The proposed agreement will increase and improve the supply of affordable housing for very low, low and moderate income persons or families.
  - 4. The proposed agreement will upgrade the Project Area and the northeast quadrant of the City.
  - 5. The proposed agreement will generate additional tax revenues and attract new investment beneficial to the citizens of Madera.

6. The purchase price is consistent with other sales in the area.

### III. Salient Points of the Agreement

A. The proposed development will occupy one (1) parcel of land identified as 1008 Green Way in Madera California. The Developer will construct one (1) single-family home on the parcel.

#### B. Developer Responsibilities

1. The Developer will purchase the property 1008 Green Way from the Agency for \$10,000.00.
2. The Developer will design and construct one (1) single-family residential dwelling. The home and sales price are described as follows:
  - a. 1,300± square feet of living space
  - b. 4 Bedroom/2 Bathroom
  - c. Front Yard Landscaping with Automatic Irrigation Controller
  - d. Fenced Rear Yard
  - e. Home sales price will be \$145,000.00 - \$149,000.00

#### C. Agency Responsibilities

1. The Agency will convey one (1) parcel to the Developer for \$10,000.00

### IV. Blight Elimination

The proposed residential development as contained in the Agreement is essential to the stimulation of new investment in both the Project Area and the southeast quadrant of the City of Madera. The property represents a major blighting influence on the area. The construction of one (1) single family homes will increase economic activity in the area, thus strengthening the area for future development, while eliminating a blighted condition.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING SALE OF PROPERTY KNOWN AS 1008 GREEN WAY, ACQUIRED BY TAX INCREMENT BY THE FORMER MADERA REDEVELOPMENT AGENCY AND MAKING FINDINGS RELATED THERETO

WHEREAS, the City of Madera, as Successor Housing Agency to the Former Madera Redevelopment Agency (the "Agency") is involved in the elimination of blight; and

WHEREAS, the Agency has acquired certain property specifically described on Exhibit "A" attached hereto and generally described as 1008 Green Way (the "Subject Property") and removed the blighting conditions located on such property and prepared it for sale; and

WHEREAS, the sale price for the Subject Property is not less than the fair market reuse value of the parcel; and

WHEREAS, a public hearing concerning sale was duly noticed and came on for hearing on January 14, 2015; and

WHEREAS, the property is sold with a condition that it be used to construct one (1) single family dwelling unit on the lot, which can only be sold to very low, low or moderate income persons or families and the grantee of such property will be required to execute an agreement guaranteeing such use.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF MADERA does hereby resolve, find and order as follows:

1. The above recitals are true and correct
2. The sale of the Subject Property will provide for the



construction of one (1) single family dwelling unit on each lot, which can only be sold to very low, low or moderate income persons or families, and is consistent with the implementation plan adopted pursuant to Section 33490 of Community Redevelopment Law, California Government Code Sections 33000 et seq.

3. The consideration to be paid for the Subject Property is not less than the fair market reuse value at its highest and best use in accordance with the Former Madera Redevelopment Agency Redevelopment Plan.

4. The sale of the Subject Property is hereby approved.

5. This resolution is effective immediately upon adoption.

\* \* \* \* \*

## EXHIBIT "A"

**For APN/Parcel ID(s): 005-082-001**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MADERA, COUNTY OF MADERA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 15 AND 16 IN BLOCK TEN (10) OF RESUBDIVISION OF ROGERS ADDITION, ACCORDING TO MAP OF SAID SUBDIVISION FILED AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MADERA, STATE OF CALIFORNIA, NOVEMBER 24, 1947, IN VOLUME 6 OF MAPS, AT PAGE 61.

RESOLUTION NO. SHA 15-

RESOLUTION OF THE CITY OF MADERA AS SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY MADERA, CALIFORNIA APPROVING THE SALE OF PROPERTY KNOWN AS 1008 GREEN WAY AND , FOR THE CONSTRUCTION OF ONE (1) SINGLE FAMILY DWELLING UNIT ON THE LOT LOCATED IN THE CITY OF MADERA

WHEREAS, DMP Development, Inc., has applied to purchase property from the Successor Housing Agency for the construction of one (1) single family dwelling unit on the lot located at 1008 Green Way, (the "Project"); and

WHEREAS, the project has been deemed to be categorically exempt pursuant to §15303(a) new construction and that there is no possibility that this action could cause a significant adverse impact on the environment pursuant to the California Environmental Quality Act; and

WHEREAS, a Disposition and Development Agreement (the "Agreement") has been prepared and is on file in the office of the Executive Director of the Successor Housing Agency to the Former Madera Redevelopment Agency and referred to for more particulars; and

WHEREAS, the purpose of the sale of the property is to effectuate the Redevelopment Plan of the City of Madera (the "Plan"); and

WHEREAS, the sale of the property is in the best interest of the Developer and Successor Housing Agency in that it will assist in the elimination of blight in the Southeast area of Madera.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF MADERA as Successor Housing Agency to the Former Madera Redevelopment Agency, hereby finds, determines, resolves and orders as follows:

1. Each of the above recitals is true and correct.

2. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the approval of the sale of the property is in the best interest of the City of Madera, and the Successor Housing Agency finds in its independent judgment that the Project is categorically exempt pursuant to section 15303 of the California Environmental Quality Act (CEQA) Guidelines.

3. The consideration to be paid for the Subject Property is not less than the fair market reuse value at its highest and best use in accordance with the Redevelopment Plan.

4. The Successor Housing Agency to the Former Madera Redevelopment Agency approves the sale of 1008 Green Way, to DMP Development, Inc., for the Project conditioned upon the Developer entering into the Disposition and Development Agreement for the Site in substantial form of the Agreement on file in the office of the Executive Director of the Successor Housing Agency and approved as to form by the General Counsel of the Successor Housing Agency.

5. This resolution is effective immediately upon adoption.

\* \* \* \* \*



RESOLUTION NO. SHA 15-

RESOLUTION OF THE CITY OF MADERA AS SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY MADERA, CALIFORNIA APPROVING DISPOSITION AND DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF ONE SINGLE FAMILY RESIDENCE LOCATED AT 1008 GREEN WAY, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE SUCCESSOR HOUSING AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY

WHEREAS, DMP DEVELOPMENT, INC., has applied to purchase property from the Successor Housing Agency for the construction of one (1) single family dwelling unit on the lot located at 1008 Green Way, (the "Project"); and

WHEREAS, a Disposition and Development Agreement (the "Agreement") for this project is necessary to carry the project forward and the form of such Agreement has been prepared and is on file in the office of the Executive Director of the Successor Housing Agency of the Former Madera Redevelopment Agency and referred to for more particulars; and

WHEREAS, the purpose of the Agreement is to effectuate the Redevelopment Plan (the "Plan"); and

WHEREAS, the Agreement is in the best interest of the Developer and Successor Housing Agency in that it will allow the construction of one (1) single family dwelling unit on the lot, which can only be sold to very low, low or moderate income persons or families in the Southeast area of Madera.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF MADERA as Successor Housing Agency of the Former Madera Redevelopment Agency of the City of Madera hereby finds, determines, resolves and orders as follows:

1. Each of the above recitals is true and correct.
2. The consideration to be paid for the Subject Property is not less than the fair market

reuse value at its highest and best use in accordance with the Successor Housing Agency Redevelopment Plan.

3. The Successor Housing Agency of the Former Madera Redevelopment Agency approves the Disposition and Development Agreement for the Project and such Agreement is on file in the Office of the Executive Director of the Successor Housing Agency and approved as to form by the General Counsel of the Agency.

4. The Mayor is authorized to execute the Agreement on behalf of the Successor Housing Agency of the Former Madera Redevelopment Agency.

5. This resolution is effective immediately upon adoption.

\* \* \* \* \*

# REPORT TO THE CITY COUNCIL AND THE SUCCESSOR AGENCY BOARD

CITY COUNCIL MEETING OF: January 14, 2015

AGENDA ITEM NUMBER: 8A

APPROVED BY:



**Brent Richardson, City Attorney**

**Subject: Consideration of Approval of Change in Meeting Agenda Format**

**Summary: The Agency Board will be provided with a New Meeting Agenda Format**

## **HISTORY/BACKGROUND**

In 2010 the City Council approved a change to the format for meeting agendas. This change structured the meetings in their current format which provides a separate section at 6:00 p.m. for closed session items and then commencement of the regular portion of the meeting at 6:30. The Former Madera Redevelopment Agency also adopted this new format. This format occasionally results in wasted time at meetings when there are no closed session items on the agenda, because the regular portion of the meeting is not scheduled to commence until 6:30 p.m. notwithstanding the absence of the closed session items.

The Mayor has requested that staff bring a proposed revised agenda format which will eliminate the separate time for closed session, and include the closed session items as agenda items on the main agenda. Again, it is anticipated that such change will eliminate wasted time at Board meetings. A proposed agenda format which would implement this change is attached hereto as Attachment "A". It is suggested that such a change should become effective as of the first meeting in February of 2015.

If the Agency is in favor of such a change in format it should indicate its approval by a motion approving the format in Attachment "A", including language in any such motion as to when the change is to become effective. Alternatively, staff requests direction as to an alternative format, or no change at all if that is the preference.

## **RECOMMENDATION**

The Council as Successor Agency to the Former Madera Redevelopment Agency approve the new meeting agenda format attached as Attachment "A" or provide alternate direction to staff.

Attachment:  
- Attachment "A"- Draft Agenda

**JOINT MEETING NOTICE AND AGENDA****SPECIAL MEETING OF MADERA CITY COUNCIL REGULAR MEETING OF THE CITY COUNCIL  
AS THE SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY and  
SPECIAL MEETING OF CITY COUNCIL AS THE SUCCESSOR HOUSING AGENCY****Wednesday, February 11, 2015 at 6:00 p.m.****City Hall Council Chambers****1. 6:00 p.m. – CALL TO ORDER****ROLL CALL**

Mayor Robert L. Poythress  
 Mayor Pro-Tem William Oliver  
 Council Member Sally J. Bompreszi  
 Council Member Andrew J. Medellin  
 Council Member Derek O. Robinson Sr.  
 Council Member Charles F. Rigby  
 Council Member Donald E. Holley

**PLEDGE OF ALLEGIANCE****PUBLIC COMMENT**

The first fifteen minutes of the meeting are reserved for members of the public to address the Agency or Council on items which are within the subject matter jurisdiction of the Agency or Council. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Mayor has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Agency and Council are 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 Agency or Council does not respond to public comment at this time.

**PRESENTATIONS****INTRODUCTIONS****2. WORKSHOP****3. CONSENT CALENDAR****4. PROJECTS AND REPORTS****5. AGREEMENTS****6. HOUSING****7. GENERAL****8. AGENCY MEMBER REPORTS****9. CLOSED SESSION****10. ADJOURN**

The next Regular Meeting of the Successor Agency will be Wednesday, March 11, 2015.

*The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.*

*Any writing related to an agenda item for the open session of this meeting distributed to the Agency/City Council less than 72 hours before this meeting is available for inspection at the Agency office located at 428 East Yosemite Avenue, Madera California 93638 during normal business hours.*

*Para asistencia en Español sobre este aviso, por favor llame al (559) 661-5113.*

I, Claudia Mendoza, Recording Secretary, declare under penalty of perjury that I posted the above Joint Meeting Agenda of the Special Meeting of the Madera City Council, and Regular Meeting of the City Council as the Successor Agency for the former Madera Redevelopment Agency and Special Meeting of the City Council as the Successor Housing Agency for February 11, 2015 to be held at 6:00 p.m. in the Council Chambers at City Hall near the front entrances of City Hall before the close of business on Friday, February 6, 2015.