

**SPECIAL MEETING OF THE
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE FORMER MADERA REDEVELOPMENT AGENCY**

Wednesday, May 9, 2012

7:15 p.m. – Regular Session

City of Madera City Hall – Council Chambers
205 West Fourth Street, Madera, California

Action/Summary Minutes

1. CALL TO ORDER – REGULAR SESSION

Meeting called to order by the Chairperson Brett Frazier at 7:15 p.m.

ROLL CALL

Board Members Present:

Ric Arredondo, Madera Unified School District Board of Trustees
(Appointed by the Chancellor of Community Colleges)

Ronn Dominici, Madera County Board of Supervisors Chairman
(Appointed by the Madera County Board of Supervisors)

Brett Frazier, Madera City Council Mayor
(Appointed by the Madera City Council)

Donald Horal, Madera County Mosquito & Vector Control District Board Member
(Appointed by the Largest Special District)

Cecilia Massetti, Ed.D., Madera County Office of Education Superintendent
(Appointed by the Madera County Superintendent of Schools)

Stell Manfredi, Retired Madera County Administrator
(Appointed by the Madera County Board of Supervisors as a member of the public at large)

Bob Wilson, former employee of the Madera Redevelopment Agency
(Appointed by the Madera City Council)

Board Member Absent:

Stell Manfredi, Retired Madera County Administrator
(Appointed by the Madera County Board of Supervisors as a member of the public at large)

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was let by Chairperson Frazier.

OATH OF OFFICE

City Clerk Sonia Alvarez administered the Oath of Office to the Oversight Board members present and to Geri Kendall Cox, alternate member for Madera County Office of Education appointed by the Superintendent of Schools.

PUBLIC COMMENT

The first fifteen minutes of the meeting are reserved for members of the public to address the Board on items which are within the subject matter jurisdiction of the Board. 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 Chairperson 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 Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

No public comments were offered.

Agency Secretary Sandi Brown announced, per Government Code 54957.5, copies of corrected resolutions for Agenda Items 3.3, 4.4, 4.5, 4.6, 4.7 and 4.8, correcting an error in the title of each resolution, were distributed to the members of the Oversight Board less than 72 hours prior to the meeting and additional copies are available for members of the public.

2. CONSENT CALENDAR

2.1 Minutes of the Special Meeting of the Oversight Board for April 11, 2012

Action: Approved Consent Calendar as presented.

Moved by: Board Member Dominici; seconded by Board Member Massetti

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

3. PRESENTATIONS/ADMINISTRATIVE REPORTS

3.1 Consideration of a Resolution Adopting Bylaws for the Oversight Board of the Successor Agency to the Former Madera Redevelopment Agency

Summary of staff report/recommendation: Staff presented proposed Bylaws for the Oversight Board of the Successor Agency to the Former Madera Redevelopment Agency for consideration and approval.

Action: Adopted Resolution No. OB 12-06 approving Oversight Board Bylaws

Moved by: Board Member Horal; seconded by Board Member Dominici

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

3.2 Discussion Regarding Legal Services (Report by City Attorney)

Summary of staff report/recommendation: At their meeting of April 11, 2012, the Oversight Board directed staff to bring back a Waiver of Conflict and utilize the services of the City Attorney. In surveying other Oversight Boards concerning use of legal counsel, staff determined that the conflict of interest cannot be overcome with a Waiver of the Conflict. The Executive Director noted two available options for consideration: 1) Prepare a Request for Proposal to contract for outside legal services; 2) Request legal services from Madera County Counsel on an as-needed basis subject to approval of the Board of Supervisors. Discussion followed.

Action: Oversight Board directed staff to investigate using Doug Nelson, Madera County Counsel, to provide legal services on an as-needed basis.

Moved by: Board Member Massetti; seconded by Board Member Dominici

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

3.3 Consideration of a Resolution Approving an Agreement with Peter S. Cooper, MAI for Appraisal Services Related to the Potential Acquisition at 112 West Sixth Street, Madera, CA (APN 010-135-012) and a Potential Sale of Property at 124 South 'A' Street (APN 007-165-006)

Summary of staff report/recommendation: The Executive Director reported that appraisal services are necessary to determine fair market value for the purchase of 112 West Sixth Street and sale of 124 South 'A' Street. The Memorandum of Understanding executed between the state, county and former Madera Redevelopment Agency called for the transfer of county-owned property to the Agency providing the Agency conduct certain activities based upon the appraised value of the properties at the

time of the transfer, which was \$880,000.00. The County has expressed a desire to utilize these funds to acquire property for future offices of the District Attorney and Probation. An appraisal is necessary to consider the value of the property located at 112 West Sixth Street being considered for purchase. The Darin Camarena Health Center has been awarded a grant for the expansion of their current facility and wishes to purchase Agency-owned property located at 124 South 'A' Street for expansion purposes. It is necessary to determine the fair market value of the 'A' Street property to set the sales price of the property. Discussion followed.

Action: Adopted Resolution No. OB 12-07 approving the agreement with Peter S. Cooper MAI for appraisal services for the purchase of 112 West Sixth Street and sale of 124 South 'A' Street.

Moved by: Board Member Dominici; seconded by Board Member Wilson

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

3.4 Consideration of a Resolution Acknowledging and Approving a Lease Extension between the Successor Agency and the Madera District Chamber of Commerce

Summary of staff report/recommendation: Staff advised it would not be appropriate at this time to enter into a new ten year lease with the Chamber, noting that the current lease automatically renews annually, and recommended pulling the item off the agenda for consideration.

Action: Board Members concurred with staff's recommendation to pull the item; no action was taken.

4. NEW BUSINESS

4.1 Consideration of a Resolution Approving the Adoption of the Amended Updated Recognized Obligation Payment Schedule (ROPS) for the Period Covering January 1, 2012 through June 30, 2012

Summary of staff report/recommendation: The Executive Director reported the previously approved ROPS was forwarded to the DOF following the April meeting at which time they had 10 days to review and respond. Their response included the following comments: 1) Low-mod Housing Set-Aside is not an enforceable obligation; 2) Agreement with the City for the Handicapped Ramp project is not an enforceable obligation; 3) Certain administrative costs required reclassification. The ROPS was amended to incorporate the DOF recommendations. Discussion followed.

Action: Adopted Resolution No. OB 12-08 approving the amended ROPS for the period January 1, 2012 through June 30, 2012.

Moved by: Board Member Wilson; seconded by Board Member Dominici

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.2 Consideration of a Resolution Approving the Adoption of the Recognized Obligation Payment Schedule (ROPS) for the Period Covering July 1, 2012 through December 31, 2012

Summary of staff report/recommendation: The Executive Director reported on the ROPS for the period July 1, 2012 through December 31, 2012 advising that the Downtown Streetscape Project, Sonora/Green/Columbia/Sierra Improvement Project, E Street Improvement Project, and East Yosemite Avenue Widening Project have been removed from the payment schedule. He reported that there are nine outstanding purchase orders that will be closed out and not included on the next ROPS. ABx1 26 requires that the ROPS for this period be adopted by May 11, 2012. Discussion followed.

Action: Adopted Resolution No. OB 12-09 approving the ROPS for the period July 1, 2012 through December 31, 2012

Moved by: Board Member Dominici; seconded by Board Member Horal

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.3 Consideration of a Resolution Approving the Administrative Budget for Administrative Costs of the Successor Agency for the Period July 1, 2012 through December 31, 2012

Summary of staff report/recommendation: The Executive Director reported the Administrative Budget for the period July 1, 2012 through December 31, 2012 allows for up to 3% of the property tax allocated or \$250,000.00 whichever is greater. He noted that administrative costs are funded with a combination

of Low-Moderate Income Housing fund, Bond Proceeds, Reserve Balances and grants. Discussion followed.

Action: Adopted Resolution No. OB 12-10 approving the Administrative Budget for July 1, 2012 through December 31, 2012

Moved by: Board Member Arredondo; seconded by Board Member Horal

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.4 Consideration of a Resolution Acknowledging and Approving the Second Amendment to the Agreement between the Successor Agency and Quad-Knopf for Design and Engineering Services Related to the Adell Improvement Project

Summary of staff report/recommendation: The Executive Director reported that the Adell Improvement project was initiated in 2008 and is viewed as falling in the top two-tier of projects the Agency was working on prior to the dissolution activities. The agreement being amended is for design only and completion of this agreement with Quad-Knopf will bring the project to a bid-ready status. The construction of this project is dependent upon the passage of SB986. Discussion followed.

Action: Adopted Resolution No. OB 12-11 approving the second amendment to the agreement with Quad Knopf for design and engineering services related to the Adell Improvement Project.

Moved by: Board Member Massetti; seconded by Board Member Dominici

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.5 Consideration of a Resolution Acknowledging and Approving the First Amendment to the Agreement between the Successor Agency and Quad-Knopf for Design and Engineering Services Related to the Canal Relocation Project

Summary of staff report/recommendation: The Executive Director reported that the project was initiated in 2008. He noted that the Agency had a contract in place prior to the dissolution activities and an additional \$8,639.00 is needed to complete the design phase and bring the project to a bid-ready status. No further discussions transpired.

Action: Adopted Resolution No. OB 12-12 approving the amendment to the agreement with Quad-Knopf for design and engineering services related to the MID Pipeline Relocation Project.

Moved by: Board Member Dominici; seconded by Board Member Horal

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.6 Consideration of a Resolution Acknowledging and Approving the First Amendment to the Agreement between the Successor Agency and North Star Engineering Group for the Preparation of an Infrastructure Master Plan for the Southwest Industrial Area

Summary of staff report/recommendation: The Executive Director reported that the project was initiated in 2009 and includes developing a master sewer/water/storm drainage and traffic circulation plan for 112 acres located between Pine and Schnoor adjacent to Madera Industrial Park. The project will require an additional \$11,688.00 to finalize the agreement with North Star and bring the project to a bid-ready status. Discussion followed.

Action: Adopted Resolution No. OB 12-13 approving the amendment to the agreement with North Star Engineering Group to complete the preparation of an Infrastructure Master Plan for the Southwest Industrial Area.

Moved by: Board Member Wilson; seconded by Board Member Arredondo

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.7 Consideration of a Resolution Acknowledging and Approving the First Amendment to the Agreement between the Successor Agency and Blair, Church & Flynn for Design and Engineering Services Related to the Sunset/Laurel Linear Park Project

Summary of staff report/recommendation: The Executive Director reported that the project was initiated in 2009 and said the intent of the project was to provide a safe pedestrian linkage between the residential areas in the northwest quadrant including the Sunset/Laurel area and the Fresno River trail.

The Agency is funding the design phase of the project. The project engineer has indicated that no additional funds are necessary; however, to restart the project the scope of the project needs to be revised. The agreement is being amended to revise the scope of the project and bring to a bid-ready status. Discussion followed.

Action: Adopted Resolution No. OB 12-14 approving the amendment to the agreement with Blair, Church & Flynn for engineering and design services for the Riverview Linear Park Improvement Project.

Moved by: Board Member Dominici; seconded by Board Member Wilson

Vote: 6/0 Ayes: Board Members Frazier, Arredondo, Dominici, Horal, Massetti and Wilson; Noes: None; Absent: Board Member Manfredi

4.8 Consideration of a Resolution Acknowledging and Approving the First Amendment to the Agreement between the Successor Agency and Blair, Church & Flynn for the Preparation of an Infrastructure Master Plan for the Avenue 16/Avenue 17 Commercial/Industrial Corridor

Board Member Horal stated he wished to recuse himself from participating in this item citing a conflict of interest as a property owner in the project site area and exited the Council Chambers at 7:46 p.m.

Summary of staff report/recommendation: The Executive Director reported that the project was initiated in 2007 and stated that most of the master plan has been developed and approved by all parties with the exception of vetting the proposed traffic circulation plans. The engineer is being asked to amend the agreement and complete the vetting process. Discussion followed.

Action: Adopted Resolution No. OB 12-15 approving the amended agreement with Blair, Church & Flynn for the preparation of an Infrastructure Master Plan for the Avenue 16/Avenue 17 Commercial/Industrial Corridor.

Moved by: Board Member Dominici; seconded by Board Member Massetti

Vote: 5/0 Ayes: Board Members Frazier, Arredondo, Dominici, Massetti and Wilson; Noes: None; Abstain: Board Member Horal; Absent: Board Member Manfredi

Board Member Horal returned to the Chambers at 7:52 pm.

5. GENERAL

There are no items for this section.

6. BOARD MEMBER REPORTS

No reports were given by the Board members.

7. ADJOURNMENT

The meeting was adjourned at 7:53 p.m.

Respectfully submitted by:

Sandi Brown, Agency Secretary