

**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**

June 10, 2015
6:00 p.m.

City Hall
Council Chambers

1. CALL TO ORDER

Mayor Pro Tem/Housing Authority Commissioner William Oliver 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 6:00 p.m. and called for the roll call.

ROLL CALL

Present:

Mayor Pro-Tem/Commissioner William Oliver
Council Member/Chairperson Donald E. Holley
Council Member/Vice-Chairperson Derek O. Robinson Sr.
Council Member/Commissioner Sally J. Bompreszi
Council Member/Commissioner Charles F. Rigby

Absent:

Mayor/Commissioner Robert L. Poythress
Council Member/Commissioner Andrew J. Medellin

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, Community Development Director Dave Merchen, Finance Director Tim Przybyla, Neighborhood Preservation Supervisor Viola Rodriguez, Neighborhood Preservation Specialist Andrew Martinez, Neighborhood Preservation Specialist Steve Montes, Neighborhood Outreach Assistant Christina Herrera and Code Enforcement Consultant Cheryl Breedlove.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Oliver

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.

No comments were offered and Mayor Pro Tem Oliver closed the Public Comment portion of the meeting.

Mayor Pro Tem Oliver recessed 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 6:02 p.m.

Housing Authority Chairperson Donald Holley opened the Regular Meeting of the Housing Authority of the City of Madera, calling for items as listed on the agenda. The Housing Authority meeting was adjourned at 6:14 p.m.

Mayor Pro Tem Oliver 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 6:16 p.m.

PRESENTATIONS:

There are no items for this section.

2. WORKSHOP:

There are no items for this section.

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 6C was provided to the City Council and staff. If you wish to obtain a copy of this item, it is located on the podium.

Mayor Pro Tem Oliver called for the items as listed on the Consent Calendar.

3. CONSENT CALENDAR

- 3A. 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 – May 13, 2015 (City/Successor Agency/Successor Housing Agency)**
- 3B. Listing of Warrants Issued from May 1, 2015 to May 31, 2015 (Successor Agency)**
- 3C. Monthly Financial Reports – Successor Agency (Successor Agency)**
- 3D. Monthly Financial Reports – Code Enforcement (City)**
- 3E. Code Enforcement Activity Report (City)**
- 3F. Code Enforcement Funds Collection Report for Period Ending May 31, 2015 (City)**
- 3G. Consideration of a Minute Order Approving Acceptance of the NSP3 Rehab Project at 1990 Tangerine Avenue, Authorizing the Mayor to Execute the Notice of Completion, Authorizing Recording of the Notice of Completion (City)**
- 3H. Consideration of a Resolution Accepting a Quitclaim Deed for Real Property known as Lots 6-28 of the Riverside Villas Subdivision in the City of Madera (Successor Housing Agency)**

Mayor Pro Tem Oliver 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 Pro Tem Oliver called for a motion to approve the items as presented on the Consent Calendar.

SHA 15-11 RESOLUTION OF THE CITY OF MADERA AS SUCCESSOR HOUSING AGENCY, TO THE FORMER MADERA REDEVELOPMENT AGENCY ACCEPTING A QUITCLAIM DEED FOR REAL PROPERTY KNOWN AS LOTS 6-28 OF THE RIVERSIDE VILLAS SUBDIVISION IN THE CITY OF MADERA AND AUTHORIZING THE MAYOR PRO TEM TO EXECUTE SUCH DEED ON BEHALF OF THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY (3H)

On motion by Council Member Holley, seconded by Council Member Robinson the Consent Calendar was approved unanimously as presented by the following 5/0 vote: Ayes: Council Members Oliver, Robinson, Bompreszi, Rigby and Holley; Noes: None; Abstain: None; Absent: Council Members Poythress and Medellin; resulting in the unanimous 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 May 13, 2015; the Minute Order Approving Acceptance of the NSP3 Rehab Project at 1990 Tangerine Avenue and Resolution SHA 15-11.

4. PROJECTS AND REPORTS

4A. Presentation on Impact of Drought on Enforcement of Madera Municipal Codes (City)

Executive Director Taubert stated that we are seeing a lot of citizens are very much impacted when a foreclosure hits their neighborhood. It really hits home when this is in your neighborhood. Given what is going on with our water conservation program, we thought giving you a presentation to get an idea of what your expectations are and what your vision is for moving forward. We felt that this was an important enough presentation that when Robert and Andy were not going to be here, we sat down and did the presentation with them on Thursday afternoon. We have received their input and we are looking forward to hearing yours. Executive Director Taubert introduced Neighborhood Preservation Specialist Montes.

Neighborhood Preservation Specialist Montes provided a brief history of the City of Madera's foreclosure ordinance. He also presented images of homes in various states of neglect that are in foreclosure and asked the City Council to judge each property based on the lawn, bushes and shrubs only to see if it was their opinion if they would issue a citation:

Vote: Yes (Would Issue Citation) No (Would Not Issue Citation)

Location	Vote	Location	Vote
.428 Willis Avenue	Yes 0 / No 5	.909 Merced Street	Yes 1 / No 4
.508 Shannon Avenue	Yes 0 / No 5	.1892 Coolidge Street	Yes 0 / No 5
.881 Royal Drive	Yes 0 / No 5	.1577 Sanarita Way	Yes 0 / No 5
.800 Williams Avenue	Yes 0 / No 5	.1373 Alicante Way	Yes 5 / No 0
.1231 Monterey Street	Yes 0 / No 5	.101 East 1st Street	Yes 0 / No 5
.574 Quady Lane	Yes 0 / No 5	.129 East Central Avenue	Yes 5 / No 0
.695 Santa Bonita Street	Yes 5 / No 0	.626 Vineyard Avenue	Yes 5 / No 0
.104 Spring Way	Yes 5 / No 0	.601 North H Street	Yes 5 / No 0
.204 Wilson Street	Yes 5 / No 0	.417 South B Street	Yes 5 / No 0
.805 Riverside Drive	Yes 1 / No 4	.100 East Dunham Street	Yes 0 / No 5
.1408 West Central Avenue	Yes 0 / No 5	.212 East Dunham Street	Yes 5 / No 0
.223 Asti Way	Yes 5 / No 0	.1428 Lynmarie Way	Yes 2 / No 3

Council Member Bompreszi stated that she travels up and down National Avenue every single day, and there is nothing but brown lawns and some green patches. Foreclosure or not, the whole city will look like this.

Council Member Robinson stated that as long as you keep the weeds down and property neat with no trash he would not cite the properties.

Council Member Rigby stated that his lawn looks brown like some of the images. In today's California a brown lawn is a badge of honor.

Neighborhood Preservation Specialist Montes continued, that we are requesting direction so when citizens or banks call our office, we could provide suitable information.

Council Member Rigby asked Executive Director Taubert what is his recommendation. Executive Director Taubert responded that we are still keeping in mind the neighborhood standards, but we are no longer focusing on grass, which was the main focus. It is still our position that if your trees and bushes are dying they will have to be removed.

Mayor Pro Tem Oliver stated that he agrees with Executive Director Taubert's position and it puts staff in a tough position. It will require for them to exercise a lot of discretion, but I do trust in staff to do that.

Mayor Pro Tem Oliver asked City Attorney Richardson will there be any legal implications presented to us for any of these properties that were cited for brown lawns for past actions? City Attorney Richardson responded, it may be decided on a case by case situation. However clearly if they were cited a year or two ago before the legislation, they were done validly. He doesn't believe any of this will change that. Executive Director Taubert stated that most of these have been open for over a year and they have not come because Governor Brown declared an emergency situation. These are banks that have been

blowing us off for several years. We wanted to get a sense of the degree of which the City Council wanted to go.

Council Member Bompreszi asked if in Governor Brown's declaration that limited the use of fireworks? City Attorney Richardson stated he will check.

Mayor Pro Tem Oliver called for additional questions or comments, there were none.

4B. Code Enforcement Major Case Summary (City)

Executive Director Taubert introduced Neighborhood Preservation Specialist Andrew Martinez. He presented images and depicting the violations at the property located at 518 Vineyard Street. This was a foreclosure that turned into a vacant/dangerous property. This property is located off of Vineyard Avenue and is in the vicinity of Martin Luther King Middle School. This case was opened in 2011, and there were no attempts by the bank or the owner on file to correct the violations. Madera Police Department were called out and responded to this location on several issues including homeless squatting/breaking into the home, drug use/paraphernalia, stolen credit cards and prostitution. Notice of violations and citations were issued, the bank and property owner listed still failed to comply. The property owner remained on record as the bank made it known that they no longer had an interest in the property. Staff worked with the property owner on record, who cooperated by signing a consent to abate and clean-up of property. Staff moved forward with the abatement process by hiring a contractor to remove any and all violations on the property. On April 29, 2015 all violations have been abated. There is a new sense of pride in ownership in the neighborhood.

Council Member Oliver stated that this is quite remarkable. I am sure a lot of folks in the neighborhood are gaining their neighborhood back after something so unsightly was removed.

Council Member Bompreszi asked what will happen with the house next? Neighborhood Preservation Specialist Martinez responded that basically the house will sit there, that is the best we can do for now, until the Tax Assessor's Office auction off this home and hopefully we can collect on the abatement lien placed. Executive Director Taubert stated that this is the third straight abatement that Neighborhood Preservation Specialist Martinez has done where both the bank and the property owner has washed their hands of any responsibility.

Mayor Pro Tem Oliver called for additional questions or comments, there were none.

4C. National Night Out Presentation by Neighborhood Outreach Program (Successor Agency)

Neighborhood Outreach Assistant Christina Herrera provided a presentation stating the purpose of Madera National Night Out (NNO) and to illustrate who was involved and to share with you stories from last year's Madera National Night Out. It is the central point of focus for our community to rally together to fight crime. It is also an important component for Neighborhood Watch Program. Creating an opportunity for a neighborhood to celebrate and come together. It is a demonstration of the positive value of a strong community, police and probation partnerships based on mutual concern for the safety of our neighborhoods. With each porch light that is left on and each street light that illuminates a neighborhood, a beacon of hope is sent to good and a strong message is sent to perpetrators that crime will not be tolerated. The National Night Out Committee is comprised of the following agencies: Madera Police Department, Madera County Probation Department and City of Madera Neighborhood Revitalization Department, City of Madera Parks and Community Services and Madera Housing Authority. We will be holding another Children Against Crime Poster Contest. Children are the future leaders, residents and citizens of our community and we are responsible for helping them see the importance of fighting against crime, and promoting crime awareness and safety. Through the Children Against Crime Poster Contest we are hoping to achieve those goals and to enable them to build a strong spirit of community building and neighborhood safety.

Community Outreach Assistant Herrera presented images and reported on last year's activities that neighborhoods participated in such as: root beer floats, sidewalk chalk, ice cream socials, movie, potlucks and carnival.

Community Outreach Assistant Herrera asked City Council to “Save the Date” for the upcoming National Night Out that will take place on Tuesday, August 4, 2015 and stated that it is our hope that this workshop is a stepping stone for us all because it will provide us with the important information concerning the roles we can play on the upcoming event. As we gear up for this year’s National Night Out, we are asking for your help. You can help by getting the word out and encouraging others to join in. You may also personally contact members in your district, church/service clubs, fellow co-workers to sponsor or host a neighborhood event. Finally, plan on personally attending as many events in your district as possible, and perhaps invite a department head to attend with you. We would love to hear any ideas or questions from you. We will do anything we can to make this a success. As of today, we have fourteen (14) neighborhoods volunteering to host a National Night Out event. We are looking to increase our numbers from last year

Council Member Oliver stated that we have reached out to neighborhoods that have had neighborhood watch activities over the past six (6) months or year. This is a great opportunity to start new Neighborhood Watches. I also hope that we can also use this to take an inventory of folks who might be interested in becoming more engaged in other programs such as Adopt a School or become a neighborhood leader. I know that citizens throughout the city look forward to and he is excited to participate.

Council Member Rigby asked if the Fire Department participates. Community Outreach Assistant Herrera responded that yes they do. We ask the Fire Department and Pistoresi Ambulance to visit the neighborhoods where there are a lot of children.

Mayor Pro Tem Oliver stated that it would be beneficial for Madera Police Department to share this information on their Facebook page. Executive Director Taubert responded last year the Police Department’s Facebook page had a contest on whatever neighborhood had the most likes somebody from that neighborhood would win a bicycle, and it went very well. Neighborhood Outreach Assistant Herrera added that we are planning on putting our event on the Police Department’s and the City’s Facebook page.

Mayor Pro Tem Oliver called for additional questions or comments, there were none.

5. AGREEMENTS

No items for this section.

6. HOUSING

6A. The Successor Housing Agency is Notifying the Successor Agency of Future Commitment of 2008A/2008B Tax Allocation Bonds (Successor Housing Agency)

Business Manager Wilson reported that the Redevelopment Agency Dissolution legislation allows for the Successor Housing Agency to spend uncommitted housing bond funds. The legislation also requires that the Successor Housing Agency notifies the Successor Agency of its intent to spend these uncommitted housing bond funds. To give you an update, the Successor Housing Agency previously notified the Successor Agency that they had the intent to spend housing bond funds on the Riverside Housing Project, Riverside Villas and the Riverwalk Project, and the Successor Agency has accepted notification for those. At this time the Successor Housing Agency would like to notify the Successor Agency of its intent to spend housing bond funds on the public improvements associated with the Hunter property located at 728 Lilly Street. Staff recommends that the Successor Agency accept the notification from the Successor Housing Agency.

Mayor Pro Tem Oliver called for questions or comments, there were none.

On motion by Council Member Bomprezzi, seconded by Council Member Robinson, the Successor Agency accepts the notification from the Successor Housing Agency and was approved unanimously as presented by the following 5/0 vote: Ayes: Council Members Oliver, Robinson, Bomprezzi, Rigby and Holley; Noes: None; Abstain: None; Absent: Council Members Poythress and Medellin.

6B. Consideration of a Resolution Approving a Sales Agreement for Property at 728 Lilly Street (APN 008-102-003) (Successor Housing Agency)

Executive Director Taubert reported that the motivation for this acquisition is the fact the former Redevelopment Agency displaced 63 residents in conjunction with the Riverwalk acquisition and eleven (11) residents in conjunction with the Courthouse Project. Health and Safety Code Section 33413 of California Redevelopment Law requires that we replace these as a unit by unit basis. ABx126 and AB1484 did not eliminate this requirement. However, we have through the last few years we have been unable to convince the Department of Finance that this is an enforceable obligation that is fundable with tax increment. That means that we have to find other means to satisfy this obligation. So we are proposing that we use the land sale proceeds from infill / Sugar Pine lots and the Bravo loan repayment be used to fund the acquisition / demolition of the site.

Mayor Pro Tem Oliver called for questions or comments, there were none.

Mayor Pro Tem Oliver called for a motion to adopt the Successor Housing Agency resolution.

SHA 15-12 RESOLUTION OF THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, MADERA, CALIFORNIA, APPROVING AGREEMENT WITH ANNA HUNTER, TRUSTEE OF THE GEORGE F. HUNTER TRUST AND ANNA HUNTER, TRUSTEE OF THE ANNA HUNTER TRUST, FOR THE PURCHASE OF REAL PROPERTY KNOWN AS 728 LILLY STREET, IN THE CITY OF MADERA AND AUTHORIZING THE MAYOR PRO TEM TO EXECUTE THE AGREEMENT AND ACCEPT THE PROPERTY ON BEHALF OF THE CITY OF MADERA, AS SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY

On motion by Council Member Holley, seconded by Council Member Rigby, Resolution Number SHA 15-12 was approved unanimously as presented by the following 5/0 vote: Ayes: Council Members Oliver, Robinson, Bompreszi, Rigby and Holley; Noes: None; Abstain: None; Absent: Council Members Poythress and Medellin.

6C. Consideration of a Resolution Approving a Agreement with Blair, Church and Flynn Consulting Engineers for Engineering and Design Services Related to the Development of the Hunter Property (Successor Housing Agency)

Executive Director Taubert reported the Agency is in the process of acquiring the property located at 728 Lilly Street. We will need an engineer to facilitate the preparation of subdivision map, improvement plans (sewer, water, storm drainage, etc.), construction drawings and staking, and set property corners. Typically this would be a basic engineering contract that we would enter into for a subdivision, but on this particular one we have asked them to prepare at least three to four drought resistant landscaping plans that we will require the builders to install. We have also asked them to evaluate the installation of a gray water system utilizing the washing machine and dish washer at the time of construction. The drought tolerant landscaping will be easy, but we don't know the cost associated of the gray water system. We will keep you apprised every step of the way on this one.

Council Member Rigby stated that this is good news and he is excited for this project and looking forward in being involved every step of the way.

Mayor Pro Tem Oliver agreed with Council Member Rigby and excited to see what they bring back. In any event, this will be a discussion moving forward; whether it is an affordable housing development or a new residential/commercial development. Thank you.

Mayor Pro Tem Oliver called for additional questions or comments, there were none.

Mayor Pro Tem Oliver called for a motion to adopt the Successor Housing Agency resolution.

SHA 15-13 A RESOLUTION OF THE CITY OF MADERA AS SUCCESSOR AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, MADERA, CALIFORNIA, APPROVING AN AGREEMENT WITH BLAIR, CHURCH & FLYNN FOR DESIGN, BIDDING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE ADELAIDE AVENUE

SUBDIVISION PROJECT IN MADERA, CALIFORNIA AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE AGENCY

*On motion by Council Member Bomprezzi, seconded by Council Member Robinson, **Resolution Number SHA 15-13** was approved unanimously as presented by the following 5/0 vote: Ayes: Council Members Oliver, Robinson, Bomprezzi, Rigby and Holley; Noes: None; Abstain: None; Absent: Council Members Poythress and Medellin.*

7. GENERAL

7A. Public Hearing on Objections to Weed Abatement and Consideration of a Resolution of the City Council of the City of Madera Authorizing the City Administrator or Designee to Abate Weed Nuisances Existing Within the City (City)

City Attorney Richardson stated that this is a noticed public hearing. Back in January of this year the City Council enacted this ordinance that allows the City to take over where the Fire Department left off as far as weed abatement. The Fire Department used to do this on annual basis. Properties that did not meet clearance requirements were identified, put on a list, clear them by using a contractor to standards and charge the property owners. This ordinance was put in place to allow the City to take care of that. In pursuant to the enacted legislation Chapter 3-15 in the Municipal Code, the City has identified a list of properties which are not in compliance and provided the adequate notice of 45 days. It is before you now for confirmation and authorization to take care of that.

Council Member Rigby asked how are we able to cite a location with no physical address as it is stated in Exhibit A? Executive Director Taubert responded by parcel number.

Executive Director Taubert stated that staff did a great job. We started with almost 400 properties and Christina, Jose, Claudia and Viola did a great job considering that this is the first year.

Mayor Pro Tem Oliver called for any other questions or comments, there were none.

Mayor Pro Tem Oliver opened the public hearing at 7:27 p.m.

There being no other speakers, the public hearing was closed at 7:27 p.m.

No other comments or questions were offered.

Mayor Pro Tem Oliver called for a motion to adopt the City Council resolution.

CC 15-107 CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA AUTHORIZING THE CITY ADMINISTRATOR OR SUCH DESIGNEE TO ABATE WEED NUISANCES EXISTING WITHIN THE CITY OF MADERA

*On motion by Council Member Holley, seconded by Council Member Oliver, **Resolution Number CC 15-107** was approved unanimously as presented by the following 5/0 vote: Ayes: Council Members Oliver, Robinson, Bomprezzi, Rigby and Holley; Noes: None; Abstain: None; Absent: Council Members Poythress and Medellin.*

8. AGENCY MEMBER REPORTS

Council Member Robinson had nothing to report.

Council Member Bomprezzi had nothing to report.

Council Member Rigby had nothing to report.

Council Member Holley reported that he attended Madera Unified School District Board Meeting where they had a presentation/tribute for his contributions for the Jesse Owens games.

Mayor Pro Tem Oliver had nothing to report.

9. CLOSED SESSION

9A. Closed Session Announcement – General Counsel/City Attorney

9B. Conference with Legal Counsel – Existing Litigation. Subdivision (d)(1) of Government Code §54956.9

One case: Spartan Holdings, LLC v. City of Madera
MSC008456

The City Council retired to Closed Session at 7:29 p.m. and reconvened the meeting at 7:43 p.m. with all members present.

9C. Reconvene Closed Session

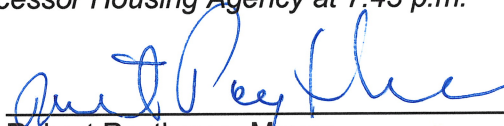
City Attorney Richardson announced that the City Council met in Closed Session for one item pursuant to Government Code Section (d)(1) of Government Code 54956.9, Spartan Holdings LLC vs. City of Madera. The City Council voted unanimously to provide a settlement offer of \$2,400.00 to the Plaintiff.

10. ADJOURNMENT

Mayor Pro Tem Oliver 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 7:43 p.m.



Claudia Mendoza, Recording Secretary



Robert Poythress, Mayor

/cm