

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

August 10, 2016
6:00 p.m.

City Hall
Council Chambers

1. CALL TO ORDER

Mayor/Housing Authority Commissioner Robert L. 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 6:00 p.m. and called for the roll call.

ROLL CALL

Present: Mayor/Commissioner Robert L. Poythress
Mayor Pro-Tem /Vice- Chairperson Charles F. Rigby
Council Member/Commissioner Cecelia K. Foley Gallegos
Council Member/Commissioner Andrew J. Medellin
Council Member /Commissioner William Oliver
Council Member/ Chairperson Derek O. Robinson Sr.
Council Member/ Commissioner Donald E. Holley

Absent: None

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

City of Madera staff members present: City Administrator David Tooley, City Clerk Sonia Alvarez, Neighborhood Preservation Supervisor Viola Rodriguez, Neighborhood Preservation Specialist Andrew Martinez, Neighborhood Preservation Specialist Steve Montes, Neighborhood Preservation Specialist Nicholas Salinas, Neighborhood Outreach Assistant Christina Herrera, Code Enforcement Consultant Lou Donaldson and Neighborhood Outreach Consultant Yuliana Franco.

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.

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

Mayor Poythress 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 6:01 p.m.

Housing Authority Chairperson Derek Robinson 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 6:23 p.m.

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 6:27 p.m.

PRESENTATIONS

There are no items for this section.

INTRODUCTIONS

There are no items for this section.

2. WORKSHOP

There are no items for this section.

Mayor Poythress 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 – July 13, 2016 (City/Successor Agency/Successor Housing Agency)

3B. Listing of Warrants Issued from July 1, 2016 to July 31, 2016 (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 July 31, 2016 (City)

3G. Update on Neighborhood Outreach Activities (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.

On motion by Council Member Oliver seconded by Council Member Foley Gallegos the Consent Calendar was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Poythress, Rigby, Robinson, Foley Gallegos, Oliver, Medellin and Holley; Noes: None; Abstain: None; Absent: None; 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 July 13, 2016.

4. PROJECTS AND REPORTS

4A. Code Enforcement Major Case Summary (City)

Neighborhood Preservation Specialist Montes presented images depicting the violations and second abatement at the property located at 518 Vineyard Street. This was a foreclosure that turned into a vacant/dangerous property. The property owner was evicted and the beneficiary failed to maintain the property. Once the beneficiary was contacted, they disavowed any interest in the property and they failed to maintain it. The property owner remained on record as the bank made it known that they no longer had an interest in the property. The property owner had given us consent to do the first abatement. However, the property owner has since passed away and we do not have anyone to contact. Not surprisingly the property was still not maintained so staff moved forward with the emergency abatement to remove any and all violations on the property. We want to get the property as manageable as possible, we do not want to go back and continue to do these projects. We also want to make sure that the property is safe so that when PD drives the area they can see all the way through to the back to make sure there is nobody hiding. We also do not want this property to cause blight in the neighborhood. After the cleanup, we treated the property with Roundup to try to further hamper the growth of vegetation and we had a pest control service treat the property because once the abatement was completed, the pests went to the adjoining properties.

Mayor Poythress asked if a lien will be placed on the property for the costs of the cleanup? Mr. Montes responded that we will have a cost recovery hearing and we will record a lien.

Councilmember Holley stated that staff did a great job cleaning that up. He used to live across the street from that home and he knew the owners and was not aware that they had passed away.

No other comments or questions were offered.

4B. Report on National Night Out (Successor Agency)

Neighborhood Outreach Consultant Franco and Neighborhood Outreach Assistant Herrera shared photos thanked everyone who participated in the National Night Out event on August 2, 2016. Mrs. Franco reported that this is Madera's fourth National Night Out. This year's participants included: City of Madera, Madera Unified School District, Madera Parks and Community, Madera Police Department, Madera Housing Authority and Madera Probation Department. This year we had McGruff the Crime Dog and Congressman Jim Costa.

Mrs. Franco reported that the kickoff was very exciting, there was a drumline battle between Madera High North and Madera High South. We had a special singer from Lincoln Elementary Macy Atherton. We also had a Children Against Crime Poster and Essay Contest. This year we had 36 participants in the art contest and 5 essay entries. Bikes were donated from Madera County Probation Management Association, Steve Copeland with Seabury and Copeland and

GBS (General Builder's Supply). iPads were donated from Madera County Administration Association and Madera Probation Peace Officers Association.

Mrs. Franco stated that this year our participation increased we had 1 store, 2 senior citizen centers, 7 churches, 8 apartment complexes and 27 neighborhoods for a total of 45 neighborhoods. Some of the night's activities included were potlucks, hotdogs, ice cream socials, movies, games and face painting.

Mrs. Franco presented an award to Councilmember Medellin for having the most participants in his district. Councilmember Medellin stated that he shares this with everybody and he thanked his colleagues for their efforts as well.

Mrs. Franco also presented Mayor Poythress with an award, since this will be his last year as Mayor and thanked him for participating and being a great MC for the evening. Mayor Poythress responded that this was a great team effort.

Mrs. Franco thanked McGruff the Crime Dog, Brian Chavez. Who sat in costume in such heat and she had the privilege of escorting him. Unfortunately, he is out doing great leadership work at Fresno State and was unable to come this evening. We will make sure he will get an appreciation certificate.

Mrs. Franco stated that overall we had a great media coverage and social media presence. We had ABC 30 that shared that great dance off with Madera Officer out at the Bridge Store. The Madera Police Department posted several times how great the event was, and our partnership will grow stronger each year. We had a special note from Congressman Jim Costa. It was a blessing because he only attended three events in the valley. It was great he chose to celebrate with our community.

Mrs. Franco thanked everyone who participated and for their support.

Councilmember Medellin added that we also had California Highway Patrol and the Sheriff's Department participate. That is a great partnership.

Councilmember Foley Gallegos thanked the Code Enforcement escorts, they are the reason we had photos for our social media pages and they made sure they got the good shots. We were so busy talking, I did not realize when I was putting my video together I did not have one picture of them because they were so busy making sure we did what we needed to do that night. Plus we had Joseph join the team. Mrs. Franco stated that Joseph is doing a great job working on the video. When he is finished, we will make sure to present that to you as well.

5. AGREEMENTS

There are no items for this section.

6. HOUSING

6A. Consideration of a Resolution Adopting the FY 2017 Successor Housing Agency Budget (Successor Housing Agency)

Business Manager Wilson reported we are looking at the two Successor Housing Agency funds for the low income housing income money and the pre 2011 housing bond funds. In total the Successor Agency and the Successor Housing Agency together have six (6) funds. Four (4) of

the six (6) funds has been approved by the Oversight Board and the Department of Finance. That is why we are only looking at the two (2) funds this evening. The Successor Housing Agency's funds expenditures are related to low-moderate income housing and replacement housing.

Mr. Wilson stated that the agency owns 60+ lots and a majority of the funds are going towards the development of those lots. There is still some funding left over that we are setting aside for acquisition of a few more parcels that are significant to the properties we have already and other parcels within the project are that are blighted.

Mr. Wilson went on to describe line items listed on Exhibit A.

Mayor Poythress called for questions or comments.

Councilmember Holley stated that Mr. Wilson did a good job.

No other questions or comments were offered.

Mayor Poythress called for a motion to adopt the Successor Housing Agency resolution.

SHA 16-12 A RESOLUTION OF THE SUCCESSOR HOUSING AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY ADOPTING THE FISCAL YEAR 2017 AGENCY BUDGET

*On motion by Council Member Holley, seconded by Council Member Robinson, **Resolution Number SHA 16-12** was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Poythress, Rigby, Robinson, Foley Gallegos, Oliver, Medellin and Holley; Noes: None; Abstain: None; Absent: None.*

6B. Consideration of a Resolution Approving Purchase and Sales Agreements for Properties at 309 Malone Street (A.P.N. 008-052-035), 311 Malone Street (A.P.N. 008-052-036), 313 Malone Street (A.P.N. 008-052-037) and 315 Malone Street (A.P.N. 008-052-038) (Successor Housing Agency)

Executive Director Taubert stated it is important to outline how we are buying properties when we technically no longer exist. By previous action, the former Redevelopment Agency displaced 63 low income households in conjunction with the Riverwalk Project and eleven (11) households in conjunction with the Courthouse Relocation Project. State law requires that we replace 100% of those homes. That obligation was not eliminated by the dissolution resolution. Unfortunately, the Department of Finance agrees that we have that obligation, but they have not provided us with any money to meet that obligation. So we are proposing to use land sale proceeds from infill/Sugar Pine, the Bravo loan repayment and the sale of the Nebraska/Central properties to fund the acquisition of the site. The site we are acquiring is located at the SE corner of Malone and Washington streets.

It is our intent to demolish four (4) substandard structures, clear the landscaping and cause 5-6 replacement housing units to be constructed on the site. The purchase price is considered to be fair market price based upon appraisals. The City found the proposed acquisition to be categorically exempt from CEQA and the proposed use to be in conformance with the General Plan.

Mayor Poythress called for questions or comments.

Mayor Pro-Tem Rigby stated that he applauded Mr. Taubert's effort to acquire this parcel of land. Malone and Washington Street are in his district and he gets a lot of phone calls and emails regarding this property. Specifically from the Section 8 Housing that we have across the street and some incredible tenants that we have in that housing that have taken a great interest in that neighborhood and have been doing a great job. They not only started a neighborhood watch, they have seen a lot of the activity that happens with Martin Luther King Middle School students around that area decrease a lot. I want to agree with Mr. Taubert that this is a property that needs to get purchased. It is constantly overgrown. The most recent phone call he received was a week ago because of raccoons and possums that are in there and getting into people's trash cans. It is a haven for several homeless people as well and most recently a fire hazard as a portion of it caught fire during the 4th of July. So I would love to see this get purchased. However he does have a question, looking at the signatures that are going to be needed to have this go through, do all of these people need to sign off on this? Mr. Taubert responded we so far have an agreement with all family members that are going to do it. We have got to obtain death certificates or affidavits. When it comes to title, I think our City Attorney will agree, this would probably be the oddest pieces of properties that we will acquire. Not only is there a number of deceased individuals, there is a life estate. We have been assured by the family members that they are all in agreement to sign. But it would take one to say no.

No other questions or comments were offered.

Mayor Poythress called for a motion to adopt the Successor Housing Agency resolution.

SHA 16-13 RESOLUTION OF THE SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY, MADERA, CALIFORNIA, APPROVING AGREEMENTS WITH MULTIPLE PARTIES FOR THE PURCHASE OF REAL PROPERTIES KNOWN AS 309, 311, 313 AND 315 MALONE STREET, IN THE CITY OF MADERA AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS 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 16-13** was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Poythress, Rigby, Robinson, Foley Gallegos, Oliver, Medellin and Holley; Noes: None; Abstain: None; Absent: None.*

7. GENERAL

7A. Consideration of a Request from Heather Stern, Legal Representative for JPMorgan Chase Bank, N.A., Regarding Appointment of a Committee to Negotiate Administrative Penalties and Liens (City)

Attorney Paul S. Hokokian appeared on behalf of Heather Stern. He stated that he has a few comments to make about this request and will entertain any questions the Council may have. This is a request is from Heather Stern with the law firm Parker Ibrahim & Berg. They want an appointment of a committee to negotiate administrative penalties and liens. She is an attorney representing JPMorgan Chase Bank who are the owners of the properties. There are three (3) properties involved here. The first one is at 1100 Garfield Avenue which is in District 4. Second, 1254 Majestic Court which is in District 6 and lastly 2417 Sunnysdale in District 2. We are not asking for a particular outcome with respect to any negotiations. We are not asking to agree to any particular dollar figure or payment plan. We are asking the City to appoint a committee, so the committee can have discussions with Chase Bank and it's representatives to try to come to some resolution. Thereafter, the committee would report back to the Council with any recommendations the committee will be willing to make.

The main reason we are here is to make sure we are speaking to the right person or persons who has the authority to make a decision. In the past they tried reach a resolution with the City Attorney, but Mr. Richardson stated that his authority was limited and we need to ask the City Council to provide direction. If the City Council were to vote to approve the appointment of a committee, we would not come to the conclusion that anything the City's willing to have negotiate other than having to have negotiations with us. We are not asking for a particular outcome. Currently the liens and penalties imposed by the City to these properties are large. The Garfield property lien is about \$104,000. The Majestic property is about \$85,000. The Sunnydale property lien is about \$35,000. As best we are aware of, all of these properties are in current compliance and there are no current fees and penalties imposed. All of these fees and fines go back many years. There is no current litigation pending on these properties. As been explained to us by your City Attorney, first step to having a conversation is asking the Council to appoint a committee. And we would like to thank the Council for its consideration of this request. And we would like to thank you for your time.

Mayor Poythress asked City Attorney Richardson if there has been resolution on our side as far as what we have as levies on the property? Mr. Richardson responded that the fines have been levied and there have been no appeals that he is aware of.

Mayor Poythress also asked if we are under any obligation to form a committee to negotiate. Mr. Richardson responded no. it is merely a request before you. Like he had explained to them it is up to your discretion and he (Mr. Richardson) has no authority in that area.

Mayor Poythress called for questions or comments.

Councilmember Foley Gallegos asked when did the fines start on these properties? Mr. Taubert responded that the case on the Sunnydale property was opened in 2013, the Majestic property 2013 and on Garfield property 2011.

Councilmember Medellin asked if any appeals were made or any attempts to reach out to sit down with anybody to question, appeal or negotiate anything. Mr. Taubert responded that not counting emails or phone calls; the Sunnydale property has received 65 written notices, the Majestic property has received 83 written notices and the Garfield property has received 121 written notices. Again, this does not include emails and phone calls that we have made. Mr. Richardson stated that if you will recall that Ms. Stern did appear before you and asked for reduction in fines on the Garfield property and the Council gave her a negative response on that.

Councilmember Foley Gallegos stated that she is concerned because if she was a resident near these properties and it had gone on for that many years she would be very upset.

Mayor Poythress asked Councilmembers if there is any desire to enter into negotiations for these fines? Councilmember Rigby stated that he feels that the bank has had ample amount of time to communicate with Mr. Taubert and his office. I believe that the lack of efforts and interest has shown and this is a last ditch effort. He personally would not like to sit on this committee. Councilmembers Medellin and Holley concurred.

Mayor Poythress stated that we have direction.

8. AGENCY MEMBER REPORTS

Council Member Robinson had nothing to report.

Council Member Foley Gallegos had nothing to report.

Mayor Pro-Tem Rigby stated that in the spirit of National Night Out and being that we are moving into a new school year. It feels like we are starting a second wave or new year. I would love a workshop on Neighborhood Watch meetings and get some feedback on how we are progressing, how we are moving, what is working or not working, what we as a Council can do to better make these worth our time. I think we are doing a bang up job, but I believe it is healthy that we come back and constantly review. I would like to give Christina a chance to give us some feedback on how we can continue better than it already is. I would like to see this workshop sometime in September.

Council Member Holley reminded everyone school starts tomorrow, everyone please be careful out there. Also he thanked the Mayor for attending his election signing yesterday.

Council Member Medellin stated that he wanted to echo the comments that Councilmember Rigby said. He totally agrees. Neighborhood Watch and National Night Out is a huge success. It takes cooperation and collaboration. It is this team right here and a few others that makes it successful. But I think we can do more and have 50 participants in National Night Out next year and reach a goal of 100 neighborhoods and have that interaction. To reach that level we may have to take a look inward to see what is working and what is not working. We tweaked Neighborhood Watch a little bit recently where we decided meeting number one would be an entirely about the neighborhood and not about speeches and electeds because obviously they called us for a reason and most of the time it is because something is wrong. I would like to see a workshop and have Lacy Burleson and an Officer from PD here. And have input from all those parties. I think we can make it a little better. I totally agree that we can have this on the next agenda or two having a workshop on Neighborhood Watch.

Council Member Oliver introduced his nephew Anthony Oliver and his friend William Benarbe. This is their first City Council/public meeting.

Council Member Oliver also stated that he echoed Councilmember Rigby and Medellin's comments. Also, he thinks we have a really good example recently and he wanted inform the staff of this development. The City Council recently made CDBG allocations. And part of those allocations included \$100,000 to fund a solar street light pilot project. I will say that the reason for that project stems from the discussions at the neighborhood level. It was discussions from Sonora Street, Bridge Store and Harding Street. I recall a Neighborhood Watch meeting at Harding Street and we had to bring in lights from the Public Works Department. Because of that input and what we heard time and time again from the residents was streetlights and a lack of infrastructure and it was a public safety issue. I think it was elevated to the priority level it deserved. It is \$100,000 to begin this pilot project and measure its effectiveness. I think it is going to be geared toward CDBG Census Tracts. We are sitting on a treasure trove of information and ideas from our residents. I think that Neighborhood Watch is the best manifestation of that effort. Except we are taking it to the streets, to front yards and garages. Projects such as the streetlight project show how we can incorporate that input into our budget making activities and to our capital improvements project planning. I would certainly welcome a discussion or workshop as to how we not only look at the many areas of opportunities on how we can continue to tap in to this community network we have established. I know that you all have a great deal to do with that and the residents are proud.

Mayor Poythress stated that one of the things that he fears most is complacency. Our Neighborhood Watch meetings and get together has become really successful but if it becomes

routine, people will start losing interest and dropping out. I think there is a lot of great opportunities to circle back to those neighborhoods that maybe have dropped off a little bit. We are working closely with the Board of Realtors to develop a Neighborhood of Choice program. It looks like things will be coming to fruition pretty soon on that. There are tons of things we could be doing with neighborhoods. It is an exciting times and looks like the word is getting out. It really brings this community together.

9. CLOSED SESSION

There are no items for this section.

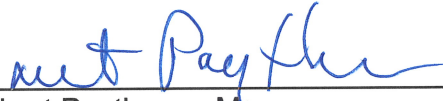
10. ADJOURNMENT

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 7:10 p.m.



Claudia Mendoza, Recording Secretary

/cm



Robert Poythress, Mayor