

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

October 11, 2017
6:00 p.m.

City Hall
Council Chambers

1. CALL TO ORDER

Mayor Andrew Medellin opened the Regular Meeting of the City Council and the Special 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. and called for the roll call.

ROLL CALL

Present: Mayor Andrew J. Medellin
Mayor Pro-Tem Cecelia K. Foley Gallegos
Council Member Jose Rodriguez
Council Member William Oliver
Council Member Derek O. Robinson Sr.
Council Member Charles F. Rigby
Council Member Donald E. Holley

Absent: None

Successor Agency staff members present: Business Manager Bob Wilson and City Attorney Brent Richardson

City of Madera staff members present: Neighborhood Preservation Supervisor Viola Rodriguez, Neighborhood Preservation Specialist Andrew Martinez and Neighborhood Outreach Assistant Christina Herrera.

INVOCATION

Pastor David Votaw, Harvest Community Church

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Andrew Medellin.

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 Medellin closed the Public Comment portion of the meeting.

Mayor Medellin 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 Charles Rigby 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 7:20 p.m.

Mayor Medellin 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 7:25 p.m.

PRESENTATIONS

No Presentations were given.

INTRODUCTIONS

There are no items for this section.

2. WORKSHOP

2A. Work Shop - Waste Tire Amnesty Day Event (City)

Neighborhood Preservation Specialist Andrew Martinez reported and presented images on the the waste tire event held on September 30, 2017. This program serves Madera City and County residents so they can clean their properties of waste tires. Businesses cannot participate in this program, it is for residents only. These events are funded by a grant from CalRecycle. The tires come from people cleaning out their lots, illegal dumping, people who accumulate tires in the city limits. Tires are not biodegradable so they can be a health hazard, fire hazard and can cause mosquito breeding. It is very important to dispose of these tires and get them out of our county. These events are also supported by:

- Fresno Economic Opportunity Commission (EOC) – This program does a lot of recycling for the State of California.
- Madera County Environmental Health – Provides exemption letter that allows participants to bring up to 20 tires.
- Madera County Sheriff Department's Citizens on Patrol - Assist in traffic control and they check reservations.
- City of Madera Public Works Department – provided staff and community service court workers.

Mr. Martinez reported that in early September, Jennifer with EOC contacted him and asked if we could assist with hosting an event by the end of the month. EOC will provided the trailers and we hosted the event. It was a very short timeframe. We did not provide any advertisement. We sent a reservation to our mailing list which consists of over 1,000 residents that have participated in previous events.

Mr. Martinez reported there is a possibility that CalRecycle will move the grant solely to EOC. If that happens, we want to make sure that we have them on board with the exemption letters, customer service and we do not want them to forget about Madera.

Mr. Martinez reported we received approximately 2,200 tires for this event. Our next event is scheduled for December 2, 2017.

Council Member Holley asked if we would accept tires with rims. Mr. Martinez responded yes.

Mayor Pro Tem Foley Gallegos stated that she usually sees a young lady that works with the kids and she did not see her at this one. Mr. Martinez stated that Jennifer had a prior commitment with Fresno State earlier that morning. But she made it before the event ended.

Mayor Medellin stated to please send our appreciation to all of our partners who helped put this together. Another great program.

2B. Implementation Plan - Rental Housing Inspection Program (City)

Neighborhood Preservation Supervisor Viola Rodriguez reported that this workshop is to provide a status. The program is divided in three parts: registration, inspection and education.

Mrs. Rodriguez stated the first hurdle is the registration process. We needed to identify all the rental properties. We have access to a web based program that allowed us to conduct a query to obtain the information needed on the properties. We used residential properties that the situs address was different than the mailing address. Based on that information we sent out a letter describing the program, registration and a frequently asked questions/answers forms. This was sent in both English and Spanish. We started by sending out 100 letters to make sure that the process we had in place would work. It did and we sent out the rest in batches of 940 notices with a total 3,860 notices were mailed out. To date we have received 4,589 responses. Not all of these responses are registrations. Some of the other responses included the sale of the property or it is a vacant lot. There are all sorts of exemptions. We are sorting through all of that so that we can provide one master list that will be organized by area. This will allow the inspectors to go in and schedule their inspections.

Mrs. Rodriguez stated we will be sending out a second notice to the owners that have yet to respond to our initial letter. The next notice that they will receive is a Notice of Violation and the notice after that will be an Administrative Citation. Council Member Rigby asked what is the time period between the Notice of Violation and the Administrative Citation? Mrs. Rodriguez responded that it will be 10 days.

Mrs. Rodriguez reported that in August and September we sent out registration forms. Starting Monday and through the end of the month we will be sending out the delinquency notices. In November we will be following up with the Notice of Violation and Administrative Citations. We will continue to do that until all the properties have been documented with some kind of action. This process is different from the inspections part of the program because the clerical team is mailing and tracking the registrations and the inspections will be performed by the code enforcement officers.

Mrs. Rodriguez stated after the code enforcement officers have selected the properties that they will inspect, they will send a 30-Day Notice with Intent to Inspect to the property manager and the owner. Once that has been set, they will then conduct the inspection. On the day of the inspection, they will have a list of violations that they will be looking for. They will go over this list with the property manager and/or owner. If there is no violation, the case will be closed and we

will move on. They do not need another inspection for three years. However, if there is a violation, they will get a Notice of Violation. They will have 30 days to correct those violations. The reinspection is a normal process. It can go into abatement or the Building Official can call it uninhabitable. There are going to be situations that we deal with on a case by case basis. Council Member Rodriguez asked if the notices will have what the inspector will be looking out Mrs. Rodriguez stated that before we start inspections, staff will be reviewing the ordinance and our checklist. We will outline exactly what we are going to look at when we send out the 30 Day Notice with the Intent to Inspect. This will give the property owner a heads up as to what we will be looking for during the inspection.

The inspection process:

- A 30 Day Notice with the Intent to Inspect will be sent out
- We will conduct an inspection, where you will pass or fail.
- If you fail the inspection, you will get a 30-Day Notice of Violation
- If you have not corrected a majority of the violations by the reinspection, you may get a citation. Unless you have a justifiable reason, that will be taken into consideration and we can give an extension.

Mrs. Rodriguez stated the inspectors that will be doing the work is Andrew Martinez, Maribel Hernandez, Fabela Rodriguez and Nicholas Salinas. Starting December, we plan on completing 168 inspections over the course of the next seven months. That is approximately six inspections a month per inspector. If we spend an hour and a half on each property, we will be spending 252 hours on these inspections. The numbers provided today do not include the costs for reinspections or the administrative penalties that may be assessed.

Mrs. Rodriguez provided a map to the council indicating the inspector's areas. In the South East quadrant of the City we do not have an inspector at this time. However, we are in process of recruiting for an inspector for this area. In the meantime we will be responding to calls/reports for this area. We are not doing any proactive inspections at this time. If we have caught up on our inspections for that month, we may go in and do a few inspections in that area.

Mrs. Rodriguez stated we would like to update the website to include information regarding the program such as program forms, a questions and answers section and tenant/landlord rights information. We would also like to have a brochure/handout to provide the public. We want to put as much information out there. We want to continue where Mr. Montes left off and continue having meetings with Madera Adult Education. But as of right now because we are in the beginning stages we are looking at getting to this in January. Not everyone is happy with the program, but we have a lot of people thanking us.

Council Member Rodriguez asked if all rental property owners including the homes built before 1970 have to register? Mrs. Rodriguez responded we are updating our database with the information from the registration forms to make sure we are within the requirements. Council Member Rodriguez asked if we are sending notices to all and will only conduct inspections to those with homes built prior to 1970? Mrs. Rodriguez responded yes. Council Member Rodriguez asked at what point do you start inspecting homes built after 1970? Mrs. Rodriguez responded that sometime in February and March she will provide the council with an update on the inspections. In that report she will provide more information when we can expect to see inspections for those homes. Mayor Medellin stated ideally that the homes built pre 1970 will comply with not many issues and we can move on or it could be the opposite where 80% of them will need multiple inspections. There are a few variables and unknowns and it is really hard to put an exact timeline to everything. Council Member Rodriguez stated that the information he is trying to get is the cycle/timeline. Because a majority of these problem homes are probably pre 1970.

Council Member Oliver stated that he appreciates the hardwork and attention to detail that Mrs. Rodriguez and staff has put into this effort. He asked Mrs. Rodriguez if we could inspect a home built post 1970 if the owner is requesting one? Mrs. Rodriguez stated that we could accommodate that.

Council Member Oliver asked Mrs. Rodriguez to elaborate on the inspector training and preparedness to ensure that there is continuity across the board. Mrs. Rodriguez responded that as a code enforcement officer they do attend code enforcement training. We will go through the different codes that we use and we will have the new employee work alongside with a more experienced code enforcement officer. We will be going through the ordinance as a group and make sure we are all on the same page as far as the interpretation of that ordinance. We will review the forms and process. Notice of Violation or Administrative Citation process is in the code and it is something that we have to ensure that any new or existing employees are following that same process. Council Member Oliver stated that we are lucky to have you at the helm and anyone who follows your example will be in good hands.

Council Member Robinson asked if a list of items that you will be checking will be provided to home owners. Mrs. Rodriguez responded when we send out the Notice of Intent to Inspect, we will attach the same checklist the code enforcement officers will be using to conduct the inspections.

Mayor Medellin thanked Mrs. Rodriguez for the update. There are so many unknowns. As we go out into the community and speak to our constituents, this is great information to have.

3. CONSENT CALENDAR

- 3A. Minutes of the Joint Meeting of the Regular Meeting of the Madera City Council, Special Meeting of the City Council as the Successor Agency to the former Madera Redevelopment Agency and Special Meeting of the Successor Housing Agency – September 13, 2017 (City/Successor Agency/Successor Housing Agency)**
- 3B. Listing of Warrants Issued from September 1, 2017 to September 30, 2017 (Successor Agency)**
- 3C. Monthly Financial Reports – Successor Agency (Successor Agency)**
- 3D. Monthly Financial Reports – Code Enforcement (City)**
- 3E. Activity Report – Code Enforcement Division (City)**
- 3F. Code Enforcement Funds Collection Report for Period Ending September 30, 2017 (City)**
- 3G. Update on Neighborhood Outreach Activities (City)**
- 3H. Consideration of Resolutions Rescinding Resolution Nos. SHA 17-20 and CC 17-131 Approving the Sale of Property and Resolution No. SHA 17-21 Approving the Disposition and Development Agreement for Property Located at 704 and 705 Riverside Court (City/Successor Housing Agency)**

Mayor Medellin 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 Rigby seconded by Council Member Robinson on the Consent Calendar was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Medellin, Foley Gallegos, Robinson, Rigby, Oliver, Rodriguez and Holley; Noes: None; Absent: None; Abstain: 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 September 13, 2017 and approval of resolutions CC 17-157, SHA 17-28 and SHA 17-29.

4. PROJECTS AND REPORTS

There were no items for this section.

5. AGREEMENTS

There were no items for this section.

6. HOUSING

6A. Joint Public Hearing Regarding Consideration of Resolutions Approving 33433 Report and Approval of Sale of Real Properties Located at 704 and 705 Riverside Court and Consideration of a Resolution Approving Disposition and Development Agreement with Mario Gutierrez (City/Successor Housing Agency)

6A.1 A Resolution of the City Council of the City of Madera, California, Approving Sale of Properties Known as 704 and 705 Riverside Court Acquired by Tax Increment by the Former Madera Redevelopment Agency and Making Findings Related Thereto (City)

6A.2 Resolution of the City of Madera as Successor Housing Agency to the Former Madera Redevelopment Agency Madera, California Approving the Sale of Properties 704 and 705 Riverside Court for the Construction of One (1) Single Family Dwelling Unit on Each Lot Located in the City of Madera (Successor Housing Agency)

6A.3 Resolution of the City of Madera as Successor Housing Agency to the Former Madera Redevelopment Agency Madera, California Approving the Disposition and Development Agreement for the Construction of Two Single Family Residences Located at 704 and 705 Riverside Court and Authorizing the Mayor to Execute the Agreement on Behalf of the Successor Housing Agency of the Former Madera Redevelopment Agency (Successor Housing Agency)

Business Manager Wilson reported that this a noticed public hearing regarding the sale of properties located at 704 and 705 Riverside Court. We previously sold these two parcels to Victor Swalef but he withdrew his desire to purchase these lots. We rescinded the sale of these properties as a Consent Calendar item. Mr. Swalef's builder Mario Gutierrez expressed interest in purchasing these parcels. The sales price is \$20,000.00 (\$10,000 per lot). The established sales price is considered to be fair market value based the conditions for development that are placed on the property.

Council Member Rigby stated that when he spoke to Mr. Taubert and was informed that we were not going to make the sale to Mr. Swalef, Mr. Taubert stated that the properties were going to go back to the lottery pool. Are we sidestepping a process that may be necessary to protect us or are we within our jurisdiction to continue with Mr. Gutierrez. Mr. Wilson responded that Mr. Gutierrez was with Mr. Swalef at the original lottery pool, so we are considering him part of that original pool that was at the meeting. We are continuing with the same group.

Mayor Medellin opened the public hearing at 8:13 p.m.

There being no other speakers, the public hearing was closed at 8:13 p.m.

No other questions or comments were offered.

Mayor Medellin called for a motion to adopt the City Council resolution

CC 17-158 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA APPROVING SALE OF PROPERTIES KNOWN AS 704 AND 705 RIVERSIDE COURT ACQUIRED BY TAX INCREMENT BY THE FORMER MADERA REDEVELOPMENT AGENCY AND MAKING FINDINGS RELATED THERETO

*On motion by Council Member Rodriguez, seconded by Council Member Oliver, **Resolution Number CC 17-158** was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Medellin, Foley Gallegos, Robinson, Rigby, Oliver, Rodriguez and Holley; Noes: None; Absent: None; Abstain: None.*

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

SHA 17-30 RESOLUTION OF THE CITY OF MADERA AS SUCCESSOR HOUSING AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY MADERA, CALIFORNIA APPROVING THE SALE OF PROPERTIES located at 704 and 705 Riverside Court FOR THE CONSTRUCTION OF ONE (1) SINGLE FAMILY DWELLING UNIT ON EACH LOT LOCATED IN THE CITY OF MADERA

*On motion by Council Member Rigby, seconded by Council Member Holley, **Resolution Number SHA 17-30** was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Medellin, Foley Gallegos, Robinson, Rigby, Oliver, Rodriguez and Holley; Noes: None; Absent: None; Abstain: None.*

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

SHA 17-31 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 TWO SINGLE FAMILY RESIDENCES LOCATED AT 704 and 705 Riverside Court AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE SUCCESSOR HOUSING AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY

*On motion by Council Member Foley Gallegos, seconded by Council Member Rigby, **Resolution Number SHA 17-31** was approved unanimously as presented by the following 7/0 vote: Ayes: Council Members Medellin, Foley Gallegos, Robinson, Rigby, Oliver, Rodriguez and Holley; Noes: None; Absent: None; Abstain: None.*

7. GENERAL

There were no items for this section.

8. AGENCY MEMBER REPORTS

Council Member Robinson reported that tomorrow he will attend a League of Cities meeting in Delano.

Mayor Pro Tem Foley Gallegos asked if she could get a PowerPoint presentation that are not included in the meeting packet sent to her. Mayor Medellin stated that he usually requests this after the fact in a portable drive or a hardcopy. You are certainly entitled to that. He is sure if you call Viola or Andrew you can get that information. Mr. Richardson responded that he would do that on a request basis. You can make your request by email. He will put a bug in Sonia's ear to figure out the best way to deal with it.

Council Member Rigby stated that he applauded the efforts being done cleaning up the encampments. He thinks Neighborhood Revitalization is doing a great job. He also wanted to

apologize because it was reported at their tri agency that there was gangs being formed underneath bridges and that is a complete fabrication of what is happening. Undoubtedly there are communities of people, but they are not gangs or violent men and women that are posing criminal activity. He is sorry if that got out or wrongfully reported. He spoke to Chief Frazier personally and rest assured you guys are doing a great job.

Council Member Rigby asked what our rule on PODS. He would like clarification on PODS in the driveway and if there is a timeframe on that? Mr. Martinez responded stated if it is maintained on the street it is obstructing the right of way and this is a violation. If this is in the driveway or backyard, what we are able to do is address it as an illegal structure. We would require them to obtain a permit for this.

Council Member Holley asked if another council member would attend a meeting tomorrow on his behalf. Mayor Medellin stated he would be there.

Council Member Rodriguez had nothing to report.

Council Member Oliver reported that he had opportunity to attend the Sherwood Square Block Party. This Saturday he is looking forward in attending the Fillmore Block Party. He was also able to serve at Alegria Guild's Day in the Country Event last weekend. It benefits Valley Children's Hospital. He also attended the MUSD Athletic Dinner and Dance, where they sold over 500 tickets and it was a great success. For the first time, he used his culinary hobby to donate a eggs benedict brunch. It brought in \$120.00..

Mayor Medellin stated that he really appreciates that his colleagues are spending time out in the community. He had the opportunity to hear Chief Frazier as a keynote speaker at the Madera County Rescue Mission Dinner. But it was Council Member Rigby had a very inspiring speech. It gives our community a lot of hope and pride. He thanked his colleagues again for getting out there and supporting in Neighborhood Watch. We can really see the difference. Keep up the good work and momentum.

9. CLOSED SESSION

There were no items for this section.

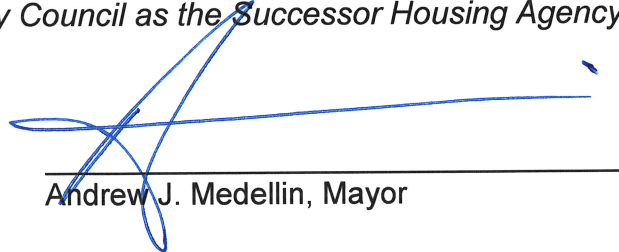
10. ADJOURNMENT

Mayor Medellin 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 8:25 p.m.



Claudia Mendoza, Recording Secretary

/cm



Andrew J. Medellin, Mayor