

**SPECIAL MEETING
OF THE MADERA CITY COUNCIL**
205 W. 4th Street, Madera, California 93637

NOTICE AND AGENDA

**Monday, October 15, 2018
7:30 a.m.**

**Council Chambers
City Hall**

CALL TO ORDER

ROLL CALL: Mayor Andrew J. Medellin
Mayor Pro Tem Jose Rodriguez, District 2
Council Member Cece Gallegos, District 1
Council Member William Oliver, District 3
Council Member Derek O. Robinson Sr., District 4
Council Member Charles F. Rigby, District 5
Council Member Donald E. Holley, District 6

PUBLIC COMMENT:

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

Agenda Item

1. Consideration of a Minute Order Approving Short Sale for Property Located at 1139 Toschi Drive and Authorizing the Mayor to Execute an Approval Letter (Report by Brent Richardson)

ADJOURNMENT – Next regular meeting October 17, 2018

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- Please silence or turn off cell phones and electronic devices while the meeting is in session.
 - Regular meetings of the Madera City Council are held the 1st and 3rd Wednesday of each month at 6:00 p.m. in the Council Chambers at City Hall.
 - Any writing related to an agenda item for the open session of this meeting distributed to the City Council less than 72 hours before this meeting is available for inspection at the City of Madera Office of the City Clerk, 205 W. 4th Street, Madera, California 93637 during normal business hours.
 - The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Request for additional accommodations for the disabled, signers, assistive listening devices, or translators needed to assist participation in this public meeting should be made at least seventy two (72) hours prior to the meeting. Please call the Human Resources Office at (559) 661-5401. Those who are hearing impaired may call 711 or 1-800-735-2929 for TTY Relay Service.
 - Questions regarding the meeting agenda or conduct of the meeting, please contact the City Clerk's office at (559) 661-5405.
 - Para asistencia en Español sobre este aviso, por favor llame al (559) 661-5405.
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I, Sonia Alvarez, City Clerk for the City of Madera, declare under penalty of perjury that I posted the above agenda for the special meeting of the Madera City Council for Monday, October 15, 2018, near the front entrances of City Hall at 4:30 p.m. on October 12, 2018.



Sonia Alvarez, City Clerk



REPORT TO THE CITY COUNCIL

MEETING OF OCTOBER 15, 2018

Agenda Item No. 1

APPROVED BY



GRANT ADMINISTRATOR

CITY ADMINISTRATOR

SUBJECT: CONSIDERATION OF A MINUTE ORDER APPROVING SHORT SALE FOR PROPERTY LOCATED AT 1139 TOSCHI DRIVE AND AUTHORIZING THE MAYOR TO EXECUTE AN APPROVAL LETTER

RECOMMENDATION:

Staff recommends Council approve the Minute Order approving the short sale and authorizing the Mayor to execute the approval letter attached hereto.

DISCUSSION:

Jose T. Garcia (father), Paula N. Garcia (mother) and Maria E. Garcia (daughter) received First Time Homebuyer down-payment assistance (\$75,000) and signed loan documents on August 15, 2008 to purchase the property at 1139 Toschi Drive in the City of Madera. There are two City liens on the property. One for \$44,000 through the HOME Program, and the second, \$31,000, through the CalHome Program.

Ms. Maria E. Garcia lost her parents and, consequently, she also lost the household's combined income. Initially, the short sale process began on September 2013. At that time, it was determined that there were no grounds to release the liens. No further communication about the short sale request occurred with staff during this timeframe.

City staff received a Notice of Trustee's Sale February 26, 2018. Mr. Jimenez, Realtor of RE Broker Group, has helped Ms. Garcia with bankruptcy, property improvements and utility bill expenses since her parent's passing and is now handling the short sale process on behalf of Ms. Garcia.

Staff followed the California Department of Housing and Community Development's guidance for short sales, including taking the following steps:

- Discussed with Ms. Garcia, the reasons for the short sale.

- Discussed with Ms. Garcia, alternatives such as loan modifications.
- Provided direction to Ms. Garcia to seek the assistance of a tax consultant or attorney who can provide qualified advice regarding the potential taxable obligation.

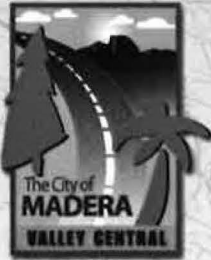
The bullet points above conclude the first phase of the Short Sale oversight. The final phase consists of approving the Minute Order and submitting the Short Sale letter to escrow. Excess proceeds expected from the Short Sale are estimated in the amount of \$4,439.00 by Chicago Title Company. The proceeds will be used to provide future assistance to City residents for eligible HOME and/or CalHOME activities. Should the Short Sale not proceed no proceeds will be forthcoming to City.

FINANCIAL IMPACT:

Approval of the Minute Order will not impact the General Fund because HOME and CalHOME are the sole funding source.

VISION MADERA 2025 ACTION PLAN CONSISTENCY:

The activity described in this report is not specifically incorporated in the strategies contained in the action plans of the Vision Madera 2025 and is not in conflict with any of the action or goals contained in the plan.



October 16, 2018

Chicago Title Company
Attention: Cathy Padilla
601 W. Yosemite Avenue, Suite 101
Madera, CA 93637

Re: 1139 Toschi Drive; Short Sale Approval

Dear Ms. Padilla:

This is to inform you that City of Madera hereby agrees to accept proceeds from the sale of the property located at 1139 Toschi Drive, further describe as APN: 009-580-050, in an amount less than the full amount due and payable in connection with its interest arising out of Deeds of Trust recorded as Document Nos. 2008028360 dated August 15, 2008 and 2008028361 dated August 15, 2008, but in no event less than \$4,000.

Respectfully,

Andrew J. Medellin, Mayor