



AGENDA REGULAR MEETING

CHOWCHILLA CITY COUNCIL

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

March 22, 2016

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the Civic Center, 130 S. Second St., Written communications from the public for the agenda must be received by Administrative Services no less than 7 days prior to the meeting date.

Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter. In addition, most documents will be posted on the city website at www.CityofChowchilla.org.

The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 112 at least 4 days prior to the meeting.

CALL TO ORDER

ROLL CALL:

Mayor: Waseem Ahmed

Mayor Pro Tem: Mary Gaumnitz

Council: John Chavez, Dennis Haworth, Richard Walker

City staff and contract employees present at the meeting will be noted in the minutes

PUBLIC ADDRESS – CLOSED SESSION

This time is reserved for members of the audience to address the City Council on items listed on the closed session agenda only. It is recommended that speakers limit their comments to no more than 3 minutes each. Speakers are asked to please use the microphone and provide their name for the record. Any handouts should be provided to the City Clerk who will distribute them to the Council Board and appropriate staff.

CLOSED SESSION – 6:00 PM

This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54957 (b)(1) 54957.6, and 54956.9(d) (2). Based on the advice of the City Attorney, discussion in open session concerning these matters would prejudice the position of the City in this litigation. The City Attorney will give an additional oral report regarding the Closed Session at the beginning of the next regular City Council Meeting.

- 1. Conference with Labor Negotiators, Gov. Code Section 54957.6**
Negotiating Parties: CEA, CCOEA, CPOA, MMCA, Management
- 2. Conference with Real Property Negotiators, Gov. Code Section 54956.8**
Property: Rancho Calera Specific Plan Area
Agency Negotiator: City Administrator
Negotiating Party: Pembroke Development
Under Negotiation: Price & Terms of Payment

In the event that not all the items on the closed session agenda have been deliberated in the time provided, the City Council may continue the closed session until the end of the regularly scheduled Council Meeting.

OPEN SESSION – 7:00 PM**PLEDGE OF ALLEGIANCE:****INVOCATION:** Mr. Hansen**CLOSED SESSION REPORT:****CEREMONIAL / PRESENTATIONS – Section 1****1.1 Recognition of Dan and Jacki Flanagan****1.2 Proclamation: Public Safety Telecommunicators Week, April 10-16****WORKSHOPS****PUBLIC ADDRESS**

This time is reserved for members of the audience to address the City Council on items of interest that are **not** on the Agenda and that are within the subject matter jurisdiction of the Council.

It is recommended that speakers limit their comments to **no more than 3 minutes** each and it is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council on items on the Agenda should notify the Mayor when that Agenda item is called.

The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. No adverse conclusions should be drawn if the Council does not respond to public comment at this time.

Speakers are asked to please **use the microphone and provide their name for the record**. Prior to addressing the Council, any handouts are to be provided to City Clerk who will distribute them to the Council and the appropriate staff.

COUNCIL AND STAFF REPORTS – Section 2**2.1 COUNCIL REPORTS**Legislative Items
Oral / Written Reports**2.2 STAFF REPORTS**

Written/Oral Reports

CONSENT CALENDAR – Section 3

All items listed under Consent Calendar are considered to be routine and will be enacted by one motion. For discussion of any Consent Item, it will be made a part of the Regular Agenda at the request of any member of the City Council or any person in the audience.

3.1 Approval of the March 8, 2016 Regular City Council Meeting Minutes (McClendon)**3.2 Approval of the March 15, 2016 Special City Council Meeting Minutes (McClendon)****3.3 Consideration of Monthly Financial Reports for February 2016 (Pruett)****PUBLIC HEARINGS – Section 4**

- 4.1 **City Council Ordinance #475-16, Amending the Chowchilla Municipal Code Title 8, Chapter 8.19 Establishing the Requirements for the Recycling of Construction and Demolition Waste; Waiving Second Reading of the Ordinance, Public Hearing Prior to Adoption of the Ordinance, and Adoption of the Ordinance (Locke/Attorney)**
- 4.2 **City Council Ordinance #476-16, Amending the Prior Adoption of Chowchilla Municipal Code Section 15.04.160, Incorporating California Code of Regulations Title 24 into the Municipal Code by Reference; Waiving Second Reading of the Ordinance; Public Hearing Prior to Adoption of the Ordinance, and Adoption of the Ordinance (Locke/Attorney)**
- 4.3 **City Council Ordinance # 477-16, Amending the Chowchilla Municipal Code Title 8, Establishing a Proposed Anti-Scavenging Ordinance; Waiving Second Reading of the Ordinance; Public Hearing Prior to Adoption of the Ordinance, and Adoption of the Ordinance (Locke/Attorney)**

DEFERRED BUSINESS – Section 5

NEW BUSINESS – Section 6

- 6.1 **Consideration of Madera County Economic Development Commission's 2016-2017 Budget Request (Haddix)**
- 6.2 **Consideration of Appointments to the City's Parks & Recreation Commission (McClendon)**
- 6.3 **Council Resolution # -16, Authorizing the City Staff to Contract with Blue Shield and Administration Solutions Inc. for Medical and COBRA Insurances Through Arthur J. Gallagher & Company Insurance Broker (Pruett)**
- 6.4 **Acceptance of Notice of Completion for Water Meter Installation and Appurtenances (Locke)**
- 6.5 **Council Resolution # -16, Authorizing a Budget Amendment and Authorizing the City Administrator to Execute Necessary Documents for the Purchase of a Replacement Fire Engine (Turner)**
- 6.6 **Council Resolution # -16, Approving a Budget Increase to the Transit Fund for the Purchase of Four School Buses (Pruett)**
- 6.7 **Authorization to Prepare and Release a Request for Proposals for Auditing Services (Pruett)**
- 6.8 **Consideration of Supporting the Chowchilla Water District's Request for a Sub Basin Boundary Modification (Locke)**
- 6.9 **Council Resolution # -16, Authorizing the City Administrator to Execute an Agreement with Cornerstone Church for Providing Public Landscape and Maintenance Services Within the Landscape and Lighting Maintenance District 90-1 (Locke)**
- 6.10 **Council Resolution # -16, Approving a Proposal from Quad Knopf to Prepare the 2016 – 2020 Chowchilla Housing Element Update (Haddix)**

6.11 Council Resolution # -16, Authorizing the City Administrator to Apply for the Proposition 1 Storm Water Grant Program Planning Grant (Locke)

ANNOUNCEMENTS – Section 7

Mar 25	Good Friday
Mar 27	Easter Sunday
Mar 29	City Council Town Hall, Chowchilla Senior Center, 7 PM
Apr 1	City Hall Closed
Apr 9	Chowchilla Fair Horse Show, Fairgrounds, All Day
Apr 12	City Council Meeting, City Hall, 7 PM

ADJOURNMENT

Adjournment in Memory of Bryan Cheatham

I, Joann McClendon, CMC, City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Chowchilla City Hall, 130 S Second Street, Chowchilla, CA and made available for public review on this 17th day of March 2016 at or before 5:30 p.m.

Joann McClendon, CMC
City Clerk



MINUTES REGULAR MEETING

CHOWCHILLA CITY COUNCIL

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

March 8, 2016

Agendas for all City Council/Redevelopment Successor Agency meetings are posted at least 72 hours prior to the meeting at the Civic Center, 130 S. Second St., Written communications from the public for the agenda must be received by Administrative Services no less than 7 days prior to the meeting date.

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CALL TO ORDER

ROLL CALL:

Mayor: Waseem Ahmed

Mayor Pro Tem: Mary Gaumnitz

Council: John Chavez, Dennis Haworth, Richard Walker

City staff and contract employees present: City Administrator Brian Haddix, Attorney David Ritchie, Police Chief Dave Riviere, Fire Chief Harry Turner, Finance Director Rod Pruet, Engineer/Public Works Director Craig Locke, Community Relations Manager Marty Piepenbrok, City Clerk Joann McClendon

PUBLIC ADDRESS – CLOSED SESSION

No one spoke.

CLOSED SESSION – 6:04 PM

- 1. Conference with Labor Negotiators, Gov. Code Section 54957.6**
Negotiating Parties: CEA, CCOEA, CPOA, MMCA, Management
- 2. Conference with Real Property Negotiators, Gov. Code Section 54956.8**
Property: Rancho Calera Specific Plan
Agency Negotiator: City Administrator
Negotiating Party: Pembroke Development
Under Negotiation: Price & Terms of Payment

OPEN SESSION – 7:04 PM

PLEDGE OF ALLEGIANCE: Mayor Waseem Ahmed

INVOCATION: Mr. Hansen

CLOSED SESSION REPORT: No reportable action.

CEREMONIAL / PRESENTATIONS – Section 1**1.1 Recognition of the Chowchilla Western Stampede Committee****1.2 Recognition of the Chowchilla Athletic Foundation 2016 Hall of Fame Inductees****WORKSHOPS****PUBLIC ADDRESS**

Adam Debard addressed council, commending staff's efforts to work with him.

COUNCIL AND STAFF REPORTS – Section 2**2.1 COUNCIL REPORTS**

Legislative Items

Oral / Written Reports

Mayor Pro Tem Gaumnitz attended Council Member/Pastor Richard Walker's 20th anniversary with his church, as did Council Member Haworth, Mayor Ahmed and City Administrator Haddix.

Mayor Ahmed attended the Chowchilla Sportsman Club event and a California High Speed Rail Authority Board meeting in Sacramento with City Administrator Haddix.

Council Member Chavez attended a High Speed Rail Heavy Maintenance Facility Committee meeting with other City of Madera and Madera County elected officials.

Council Member Walker attended a Health Fair after his anniversary celebration, along with City Administrator Haddix.

2.2 STAFF REPORTS

Written/Oral Reports

City Administrator Haddix met with Senator Canella and other legislators after the California High Speed Rail Authority Board meeting to express concerns regarding route alternatives and the Heavy Maintenance Facility location; met with local developers on housing; attended the Crab Feed. He reported there were two entities that are looking to establish in Chowchilla.

- Town Hall Meeting Announcement-

Tuesday March 29 is the first Town Hall meeting, 7pm, at the Senior Center. The topic will be on budget. There will be no action items. Tuesday, March 15, from 12:30 to 1:30 p.m. the first series of 'Community Conversation' will be at Deli Delicious.

Community Relations Manager Piepenbrock announced the Easter Egg Event to be held on March 19 from 10:00 a.m. to noon at Ed Ray Park.

Engineer/Public Works Director Locke gave an update regarding JCI. The Financial ad hoc committee will meet mid-April.

CONSENT CALENDAR – Section 3

3.1 Approval of the February 23, 2016 Regular City Council Meeting Minutes (McClendon)**3.2 Approval of General Payments for the Month of February 2016 (Pruett)****3.3 Townsend Monthly Report (Haddix)**

Motion by Council Member Walker, seconded by Mayor Pro Tem Gaumnitz to approve the Consent Calendar as presented. Motion passed unanimously by roll call vote.

PUBLIC HEARINGS – Section 4**DEFERRED BUSINESS – Section 5****NEW BUSINESS – Section 6****6.1 Presentation of the City of Chowchilla's Fiscal Year 2014-2015 Audit (Pruett)**

Spoke:
Fausto Hinojosa

Motion by Council Member Walker, seconded by Council Member Haworth to accept the City of Chowchilla's Fiscal Year 2014-2016 Audit. Motion passed unanimously by roll call vote.

6.2 Council Resolution # 25-16, Authorizing the City Administrator to Execute a Lease Agreement with Cleargas Inc. for Tenancy and Easements to Allow Provision of Airplane Fuel and a Pilot Lounge at the Chowchilla Airport (Locke/Attorney)

Spoke:
Adam Debard

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to approve Council Resolution #25-16, Authorizing the City Administrator to Execute a Lease Agreement with Cleargas Inc. for Tenancy and Easements to Allow Provision of Airplane Fuel and a Pilot Lounge at the Chowchilla Airport. Motion passed unanimously by roll call vote.

The Mayor requested to take Item 6.5 out of order, at this time. Council concurred.

6.3 City Council Resolution # 26-16, Authorization of Service #1 Under the Master Service Agreement with Tartaglia Engineering to Produce an Updated Airport Layout Plan and Pavement Management and Maintenance Plan (Locke)

Motion by Council Member Haworth, seconded by Council Member Walker to approve Council Resolution #26-16, Authorization of Service #1 Under the Master Service Agreement with Tartaglia Engineering to Produce an Updated Airport Layout Plan and Pavement Management and Maintenance Plan. Motion passed unanimously by roll call vote.

6.4 Council Resolution # 27-16 Approving the Adoption and Implementation of Rules and Regulations Pursuant to Chowchilla Municipal Code Section 13.16.020, Providing for Procedures for Evaluation by the City Administrator of Disputed Bills Under Municipal Code Section 13.16.040 (G); and Providing a Scope of Authority to the City Administrator to Resolve Such Disputes (Attorney)

Recommendation to amend the procedures, adding language allowing the City Administrator to designate a representative to act on and hear the appeals.

Motion by Council Member Haworth, seconded by Council Member Walker to approve Council Resolution #27-16, Approving the Adoption and Implementation of Rules and Regulations Pursuant to Chowchilla Municipal Code Section 13.16.020, Providing for Procedures for Evaluation by the City Administrator of Disputed Bills Under Municipal Code Section 13.16.040 (G); and Providing a Scope of Authority to the City Administrator to Resolve Such Disputes, as Amended, adding "or designee". Motion passed unanimously by roll call vote.

6.5 Council Resolution # -16, Committing \$10,000 in Support of Promoting the Location of the California High Speed Rail Heavy Maintenance Facility in Madera County (Haddix)

Spoke:
Bobby Kahn

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to pull the item from the agenda for further review. Motion passed unanimously by roll call vote.

6.6 Ordinance of the City Council of the City of Chowchilla Amending the Chowchilla Municipal Code Title 8, Chapter 8.19 Establishing the Requirements for the Recycling of Construction and Demolition Waste; Waiving First Reading of the Ordinance, and Setting a Public Hearing Prior to Adoption of the Ordinance (Locke/Attorney)

Motion by Council Member Walker, seconded by Mayor Pro Tem Gaumnitz to Waive the Full Reading of Ordinance 475-16 Amending the Chowchilla Municipal Code Title 8, Chapter 8.19 Establishing the Requirements for the Recycling of Construction and Demolition Waste; Waiving First Reading of the Ordinance, and Setting a Public Hearing Prior to Adoption of the Ordinance. Motion passed unanimously by roll call vote.

6.7 Consideration to Proceed to Finalize Plans to Build the Veterans Memorial Park Performance Stage Project (Piepenbrok)

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to Permit Staff to Proceed to Finalize Plans to Build the Veterans Memorial Park Performance Stage Project. Motion passed unanimously by roll call vote.

6.8 Ordinance of the City Council of the City of Chowchilla Amending the Prior Adoption of Chowchilla Municipal Code Section 15.04.160, Incorporating California Code of Regulations Title 24 into the Municipal Code by Reference; Waiving First Reading of the Ordinance; and Setting a Public Hearing Prior to Adoption of the Ordinance (Locke/Attorney)

Motion by Council Member Council Member Walker, seconded by Council Member Council Member Haworth to Waive the Full Reading of Ordinance 476-16 Amending the Prior Adoption of Chowchilla Municipal Code Section 15.04.160, Incorporating California Code of Regulations Title 24 into the Municipal Code by Reference; Waiving First Reading of the Ordinance; and Setting a Public Hearing Prior to Adoption of the Ordinance. Motion passed unanimously by roll call vote.

6.9 Ordinance of the City Council of the City of Chowchilla Ordinance Amending the Chowchilla Municipal Code Title 8, Establishing a Proposed Anti-Scavenging

Ordinance; Waiving First Reading of the Ordinance; and Setting a Public Hearing Prior to Adoption of the Ordinance (Locke/Attorney)

Motion by Council Member Council Member Haworth, seconded by Council Member Walker to Waive the Full Reading of Ordinance 477-16 Amending the Chowchilla Municipal Code Title 8, Establishing a Proposed Anti-Scavenging Ordinance; Waiving First Reading of the Ordinance; and Setting a Public Hearing Prior to Adoption of the Ordinance. Motion passed unanimously by roll call vote.

6.10 Council Resolution # 28-16, Approving, for a Defined Period (April 1, 2016 – July 31, 2017), all Development Impact Fees in the Older Established Neighborhoods be Waived for Builders to Construct New Homes on Vacant Infill Lots (Haddix)

Council Member Haworth recommended amending term with an additional two years.

Motion by Council Member Haworth, seconded by Council Member Walker to approve Council Resolution #28-16, Approving, for a Defined Period (April 1, 2016 – April 1, 2018), all Development Impact Fees in the Older Established Neighborhoods be Waived for Builders to Construct New Homes on Vacant Infill Lots, as amended. Motion passed unanimously by roll call vote.

6.11 Council Resolution # 29-16, Amending the O'Dell Engineering Contract for Engineering Services for Robertson Blvd. & 11th Street Pedestrian Facility Improvements Project, State Funded Active Transportation Program (Locke)

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to approve Council Resolution #29-16, Amending the O'Dell Engineering Contract for Engineering Services for Robertson Blvd. & 11th Street Pedestrian Facility Improvements Project, State Funded Active Transportation Program. Motion passed unanimously by roll call vote.

ANNOUNCEMENTS – Section 7

Mar 10	Chowchilla Western Stampede Royalty Contest 6 PM
Mar 1	Stampede Cattle Drive, Robertson Blvd 10 AM
Mar 11-13	Chowchilla Western Stampede Roping, Fairgrounds All Day
Mar 12	Rabies Vaccination Clinic, Police Department 9 AM - NOON
Mar 12	Chicano Correctional Workers Assn Crab Feed, Fairgrounds, 5 PM
Mar 13	Daylight Savings Time Begins
Mar 16	Planning Commission Meeting, City Hall, 7 PM
Mar 18	City Hall Closed
Mar 18-20	Chowchilla Western Stampede Barrel Racing 9 AM-5 PM
Mar 19	Chowchilla Lions Club Spring Round Up Dinner, Fairgrounds 6:30 PM
Mar 19	City Easter Egg Scramble, Edward Ray Park 10 AM
Mar 21- 28	Chowchilla Schools Spring Break
Mar 22	City Council Meeting, City Hall, 7 PM

ADJOURNMENT

Adjournment in Memory of Mr. John Fore

Motion by Mayor Ahmed, seconded by Council Member Walker to adjourn the March 8, 2016 Council Meeting at 9:36 p.m. Motion passed unanimously by voice vote.

ATTEST:

APPROVED:

Joann McClendon, CMC
City Clerk

Mayor Waseem Ahmed



MINUTES
SPECIAL MEETING

CHOWCHILLA CITY COUNCIL

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

March 15, 2015

CALL TO ORDER

ROLL CALL

Mayor: Waseem Ahmed
Mayor Pro Tem: Mary Gaumnitz
Council Members: John Chavez, Dennis Haworth
Absent: Council Member Richard Walker

City staff and contract employees present: City Administrator Brian Haddix, Special Counsel Betsy Martyn (via phone), Engineer/Public Works Director Craig Locke, City Clerk Joann McClendon.

OPEN SESSION – 6:04 PM

PLEDGE OF ALLEGIANCE: Mayor Ahmed

INVOCATION: Council Member Haworth

PUBLIC ADDRESS

No one spoke.

CLOSED SESSION – Section 1

1. Conference with Real Property Negotiators, Gov. Code Section 54956.8

Property: Rancho Calera Specific Plan
Agency Negotiator: City Administrator
Negotiating Party: Pembroke Development
Under Negotiation: Price & Terms of Payment

No reportable action.

ADJOURNMENT

Motion by Mayor Ahmed, seconded by Council Member Haworth to adjourn the March 15, 2016 Special City Council Meeting at 7:58pm. Motion passed unanimously by voice vote with Council Member Walker absent.

ATTEST:

APPROVED:

Joann McClendon, CMC
City Clerk

Mayor Waseem Ahmed



CITY COUNCIL STAFF REPORT

Item 3.3

[CLICK HERE
TO RETURN TO
THE AGENDA](#)

March 22, 2016

AGENDA SECTION: Consent

SUBJECT: Consideration of Monthly Financial Statements

PREPARED BY: Rod Pruett, City Treasurer/Finance Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Approve the February Financial Statements shown in the attachment.

HISTORY / BACKGROUND:

The monthly financial statements consist of a Budget vs Actual and a Balance Sheet for the General Fund. The Budget vs Actual shows the current year Revenues and Expenses by Department in summary form compared to the current year budget, as well as the prior year revenues and expenses compared to budget for the same time period. This report presents year-to-date amounts. The Balance Sheet shows the Assets, Liabilities and Fund Balance at the time the report is generated. This provides an overview of cash, amounts owed to the City, amounts the City owes and the fund balance at a specific point in time.

The financial statements are being presented as an overview of the City's finances and are not meant to be a comprehensive in-depth review. As a reference to compare to the percentage columns in the report, the percentage of the year that has expired is 58% for February 2016

If there are questions regarding the actual amounts or budget vs actual variances, please forward your questions to me in enough time before the meeting for staff to research them to provide accurate answers.

FINANCIAL IMPACT:

Revenues- General Administration is less than the 58% benchmark due to VLF and Property Taxes only come in 2 installments which are usually around January and May. Sales tax is expected to be less than budgeted due to the decrease in gas sales tax but we received a one-time payment in property taxes from the county due to a State Controller's Office audit which offsets that decrease in sales tax revenue. Police Sworn is at 50% because we have grants such as AB 109 Realignment that are reimbursement grants and reimbursements are usually requested annually.

Police Net is a fully reimbursable grant and all expenses will be reimbursed. The total amount budgeted will most likely not be met since we currently only have 1 position in the program and the budget assumed more than 1.

Special Investigations Unit is showing revenue which is from the COPS grant.

Fire Services is at 27% because we made a budget adjustment to both expense and revenue for the proceeds from insurance for the water tender and the purchase of a new water tender. We have not received the insurance proceeds yet.

Recreation Programs is at 39% because we haven't received all of the event fees and donations/sponsorships yet.

Expenses- City Attorney is at 82%. We have incurred more in expenses for the lawsuit than anticipated. We will make necessary budget amendments if we exceed the original budgeted amount.

General Services is at 98%- The debt service payments account for almost all the budget in this department. We have paid for both installments of the Civic Center bond and paid off our Public Safety bond so all bond expense for the year has already been incurred.

The Property Taxes department is a once a year fee that has already been incurred. Insurance Holding is just a holding account and will be fully allocated at the end of each quarter.

ATTACHMENTS:

February 2016 Budget vs Actual and Balance Sheet

SPECIAL INSTRUCTIONS:

None.

	Prior Budget	Prior Actual	Percent	Current Budget	Current Actual	Difference	Percent
GENERAL FUND							
GENERAL ADMINISTRATION							
Total Expenditure:	41,951.38	61,649.16	62%	43,831.00	4,922.59	38,908.41	11%
Total Revenue:	4,940,035.00	5,059,911.69	30%	5,298,899.00	2,615,617.09	2,683,281.91	49%
CITY COUNCIL							
Total Expenditure:	65,418.99	48,001.03	5%	75,402.00	26,019.98	49,382.02	35%
Total Revenue:	20,634.00	20,634.00	8%	20,160.00	15,120.00	5,040.00	75%
CITY CLERK							
Total Expenditure:	119,298.52	112,936.30	6%	103,924.00	15,434.11	88,489.89	15%
Total Revenue:	75,938.00	76,937.92	8%	42,288.00	31,716.00	10,572.00	75%
CITY ATTORNEY							
Total Expenditure:	212,000.00	870,650.17	55%	383,200.00	314,175.24	69,024.76	82%
Total Revenue:	44,000.00	58,283.09	7%	35,000.00	39,556.66	4,556.66	113%
GENERAL SERVICES							
Total Expenditure:	647,748.26	477,917.30	4%	629,638.00	618,616.23	11,021.77	98%
Total Revenue:	74,481.00	74,481.00	8%	74,233.00	55,675.50	18,557.50	75%
ADMINISTRATIVE SERVICES							
Total Expenditure:	517,996.44	464,042.57	6%	467,629.00	291,187.56	176,441.44	62%
Total Revenue:	324,109.00	324,108.96	8%	128,088.00	96,066.00	32,022.00	75%
CITY PROPERTY - RENTS							
Total Expenditure:	9,293.21	9,307.75	10%	15,850.00	9,274.20	6,575.80	59%
Total Revenue:	92,480.00	84,511.68	2%	93,300.00	63,431.80	29,868.20	68%
FINANCE DEPARTMENT							
Total Expenditure:	592,593.57	591,126.71	7%	619,706.00	405,558.42	214,147.58	65%
Total Revenue:	418,308.00	418,051.08	8%	314,451.00	238,410.50	76,040.50	76%
PROPERTY TAXES							
Total Expenditure:	540.00	539.40	0%	550.00	539.40	10.60	98%
INSURANCE HOLDING							
Total Expenditure:	.00	21,623.00	0%	.00	10,546.00	10,546.00	0%
POLICE - SWORN							
Total Expenditure:	2,857,092.24	2,879,370.56	6%	2,867,397.00	1,727,310.66	1,140,086.34	60%
Total Revenue:	310,655.00	371,480.13	3%	398,605.00	198,099.73	200,505.27	50%
POLICE - NET							
Total Expenditure:	140,280.00	38.50	0%	109,250.00	55,939.82	53,310.18	51%
Total Revenue:	141,761.00	.00	0%	109,250.00	44,973.29	64,276.71	41%
SPECIAL INVESTIGATIONS UNIT							
Total Expenditure:	86,443.00	58,593.09	6%	.00	.00	.00	0%
Total Revenue:	60,000.00	18,276.38	12%	.00	25,954.41	25,954.41	0%
POLICE - K-9							
Total Expenditure:	4,750.00	4,324.36	6%	241,590.00	160,904.35	80,685.65	67%
Total Revenue:	20,000.00	23,093.94	0%	10,000.00	4,945.00	5,055.00	49%
FIRE SERVICES							
Total Expenditure:	331,781.40	330,706.10	5%	546,541.00	184,257.04	362,283.96	34%
Total Revenue:	80,426.00	81,206.16	8%	232,152.86	62,688.09	169,464.77	27%
ANIMAL CONTROL							
Total Expenditure:	110,556.61	109,570.11	8%	130,540.00	63,991.53	66,548.47	49%
Total Revenue:	8,900.00	6,330.95	6%	5,000.00	3,544.00	1,456.00	71%
STREETS-OLD							
Total Revenue:	.00	50.00	0%	.00	.00	.00	0%
PLANNING & ZONING							
Total Expenditure:	225,890.37	223,072.70	4%	192,242.00	89,183.23	103,058.77	46%
Total Revenue:	59,138.00	45,397.46	12%	30,642.00	26,836.24	3,805.76	88%
COMMUNITY & ECONOMIC DVLPMNT							
Total Expenditure:	595.00	384.63	1%	650.00	.00	650.00	0%
BUILDING & CODE ENFORCEMENT							
Total Expenditure:	134,812.00	132,807.40	6%	133,235.00	92,200.02	41,034.98	69%

	Prior Budget	Prior Actual	Percent	Current Budget	Current Actual	Difference	Percent
Total Revenue:	154,190.00	148,555.73	0%	153,650.00	126,869.79	26,780.21	83%
COMMUNITY PROMOTION							
Total Expenditure:	39,541.00	14,057.35	0%	19,047.00	9,007.58	10,039.42	47%
SENIOR SERVICES							
Total Expenditure:	29,681.14	28,557.84	7%	31,660.00	20,363.66	11,296.34	64%
Total Revenue:	5,100.00	7,949.62	101%	9,100.00	6,815.19	2,284.81	75%
PARKS AND FACILITIES							
Total Expenditure:	599,252.87	304,575.65	4%	364,773.00	153,204.96	211,568.04	42%
Total Revenue:	50,875.00	64,879.18	7%	58,731.00	48,922.89	9,808.11	83%
RECREATION PROGRAMS							
Total Expenditure:	25,708.00	14,271.60	0%	27,450.00	7,750.63	19,699.37	28%
Total Revenue:	6,500.00	6,885.00	0%	7,500.00	2,940.00	4,560.00	39%
GENERAL FUND Revenue Total:	6,887,530.00	6,890,923.97	23%	7,021,049.86	3,708,182.18	3,312,867.68	53%
GENERAL FUND Expenditure Total:	6,793,224.00	6,714,877.28	7%	7,004,105.00	4,260,387.21	2,743,717.79	61%
Net Total GENERAL FUND:	94,306.00	176,046.69	1158%	16,944.86	552,205.03-	569,149.89	-3259%
Net Grand Totals:	94,306.00	176,046.69	1158%	16,944.86	552,205.03-	569,149.89	-3259%

CITY OF CHOWCHILLA
BALANCE SHEET FEBRUARY 29, 2016
GENERAL FUND

ASSETS

100-0100-0000-0200-000	CASH - COMBINED FUND	(8,314,383.13)	
100-0100-0000-0201-000	PETTY CASH	800.00	
100-0100-0000-0201-001	CASH DRAWER	2,400.00	
100-0100-0000-0202-000	PRE-PAID POSTAGE ACCOUNT	1,151.91	
100-0100-0000-0208-000	CASH IN US BANK - RESTRICT	369,738.52	
100-0100-0000-0209-000	CASH IN LAIF	9,001,281.98	
100-0100-0000-0224-000	A/R MODULE ONLY RECEIVALB	53,278.71	
100-0100-0000-0226-000	ADVANCE TO OTHER FUNDS	557,442.34	
100-0100-0000-0227-000	LIENS RECEIVABLES GENERAL	64,557.53	
100-0100-0000-0228-000	PENDING CHARGES OR REFU	84.00	
100-0100-0000-0229-000	A/R BUSINESS LICENSE	20,045.48	
	TOTAL ASSETS		<u>1,756,397.34</u>

LIABILITIES AND EQUITY

LIABILITIES

100-0200-0000-0420-000	TRADE PAYABLES	88,187.68	
100-0200-0000-0421-001	BONDS FOR WORK-REFUNDAB	3,500.00	
100-0200-0000-0465-000	UNCLAIMED PROP/STALE DAT	2,186.42	
	TOTAL LIABILITIES		<u>93,874.10</u>

FUND EQUITY

100-0300-0000-0602-000	RESERVE FOR L/T A/R	557,442.34	
	UNAPPROPRIATED FUND BALA		
100-0300-0000-0601-000	FUND BALANCE	259,592.90	
100-0300-0000-0601-004	RESERVE FOR CONTINGENCIE	910,223.00	
100-0300-0000-0601-005	DESIGNATED FOR PREPAID IT	3,470.25	
100-0300-0000-0601-006	DESIGNATED FOR DEBT SVC R	369,738.52	
100-0300-0000-0601-009	PRIOR PERIOD ADJUSTMENTS	97,765.59	
100-0300-0000-0601-999	FUND BALANCE RESTRICTED I	16,495.67	
	REVENUE OVER EXPENDITUR	(552,205.03)	
	BALANCE - CURRENT DATE		<u>1,105,080.90</u>
	TOTAL FUND EQUITY		<u>1,662,523.24</u>
	TOTAL LIABILITIES AND EQUIT		<u>1,756,397.34</u>



CITY COUNCIL STAFF REPORT

Item 4.1

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March 22, 2016

AGENDA SECTION: Public Hearing

SUBJECT: **Amending the Chowchilla Municipal Code Title 8, Chapter 8.19 Establishing the Requirements for the Recycling of Construction and Demolition Waste; Waiving Second Reading of the Ordinance, Public Hearing Prior to Adoption of the Ordinance, and Adoption of the Ordinance**

PREPARED BY: Dave Ritchie, City Attorney

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends the Council receive the draft and waive the second reading of the attached Ordinance, adding Chapter 5 to the Chowchilla Municipal Code Title 8, Health and Safety, and establishing the Requirements for the Recycling of Construction and Demolition Waste; and adopting findings and exemption from the provisions of the California Environmental Quality Act pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3).

The California Green Building Code, or "CALGreen," went into effect on January 4, 2014. This Code requires a number of sustainable and environmentally-friendly building practices, including a requirement for recycling of construction debris on all new residential and non-residential projects, and certain additions and alterations for non-residential projects.

As a result, the threshold for a covered project is such that all new construction, demolition, and renovation projects, regardless of valuation or size, are subject to the recycling requirement, and certain additions and alterations to non-residential buildings and structures are also subject to this requirement.

The amended Ordinance aligns with the new requirements of CALGreen, and clarifies the associated deposit and fee impacts. Key aspects of this Ordinance include the following:

- 50% recycling requirement for all new construction and demolition projects, and all residential renovation projects, without cost or size thresholds
- 50% recycling requirement for additions to non-residential structures and buildings of 1,000 square feet or more, and alterations to non-residential structures and buildings of \$200,000 or more in value
- Refundable security deposit still set at 1% of project value, but minimum deposit amount of \$500 is established
- Fee to compensate City for expenses related to administering the recycling program set at one "Pre-work or Site Inspection" as established by resolution in the City's Schedule of Fees.

FINANCIAL IMPACT:

To be determined. The effect is dependent upon the volume of Construction and Demolition project applicants, and the number of refundable deposits forfeited due to failure to comply with the recycling regulations.

SUPPLEMENTS ATTACHED:

Draft Ordinance

CITY COUNCIL ORDINANCE # 475-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA ADDING CHAPTER 5 TO TITLE 8 OF THE CITY MUNICIPAL CODE ESTABLISHING A REQUIREMENT TO COMPLY WITH CAL GREEN CODE AND THE CITY'S CONSTRUCTION AND DEMOLITION RECYCLING PROGRAM

WHEREAS, under California law as embodied in the California Waste Management Act of 1989 (California Public Resource Code Sections 4000 et seq. hereafter "AB939") the City of Chowchilla is required to prepare, adopt and implement source reduction and recycling plans to reach landfill diversion goals, and is required to make substantial reductions in the volume of waste materials going to the landfills, or face fines up to \$10,000 per day;

WHEREAS, in order to meet these goals it is necessary that the City of Chowchilla promote the reduction of solid waste, and reduces the stream of solid waste going to the landfills; and

WHEREAS, waste from construction and demolition, and renovation of buildings represents a significant portion of the volume of waste presently coming from the City of Chowchilla and much of this waste is particularly suitable for recycling and reuse;

WHEREAS, the City of Chowchilla's commitment to the reduction of waste requires the establishment of programs for recycling and salvaging of construction and demolition (C&D) waste;

THEREFORE the City Council enacts the following:

Chapter 8.5 – RECYCLING OF CONSTRUCTION AND DEMOLITION WASTE

8.5.010 DEFINITIONS

For the purposes of this chapter, the following definitions shall apply:

- A. "Applicant" shall mean any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the City for any permit, as defined in this chapter, and who, therefore, responsible for meeting the requirements of this chapter.
- B. "City" shall mean the City of Chowchilla.
- C. "Construction and Demolition Waste" shall mean solid waste that results directly from construction, remodeling, repair, demolition, or deconstruction of buildings and other structures, does not contain hazardous waste (as defined in California Code of Regulations, Title 22, Section 66621.3 *et seq.*), and contains no more than one percent (1%) putrescible waste by volume, calculated on a monthly basis. Construction and Demolition Waste includes, but is not limited to, asphalt, concrete, Portland cement, brick, lumber, wallboard, roofing material, ceramic tile, pipe, glass, carpet or associated packing.
- D. "Construction" shall mean the building of any facility or structure or any portion thereof including tenant improvements to an existing facility or structure.
- E. "Covered Projects" shall include a construction, renovation or demolition project for which a building permit or a demolition permit is required, covering 500 square feet or more. For the purposes of determining whether a project meets the foregoing threshold, all phases of a project and all related projects taking place on a single or adjoining parcels as determined by the City shall be deemed a single project.
- F. "Deconstruction" shall mean the process of carefully dismantling a building or structure in order to salvage components for reuse or recycling.
- G. "Demolition" shall mean the decimating, razing, ruining, tearing down or wrecking of any facility, structure, payment or building, whether in whole or in part, whether interior or exterior.
- H. "Divert" shall mean use material for any purpose other than disposal in a landfill or transformation facility.

- I. "Diversion Requirement" shall mean the redirection from the waste stream of at least 50 percent of the total Construction and Demolition Debris generated by a Project via reuse or recycling, unless the Applicant has been granted an Infeasibility Exemption, in which case the Diversion Requirement shall be the maximum feasible diversion rate established by the City's Planning Department and meet Cal Green Code.
- J. "Franchise Hauler" shall mean the City's exclusive franchise hauler.
- K. "Material Recovered Facility" shall mean the required facility where Construction and Demolition waste should be hauled to be processed in order to meet Cal Green Code and the City's diversion requirements.
- L. "Non-Covered Projects" shall mean projects that do not qualify as Covered Projects as defined by this section.
- M. "Required Construction and Demolition Processing Facility" Shall mean the City's Franchise hauler's Material Recovery Facility.
- N. "Solid Waste" shall mean waste that the Department of Resource Recycling and Recovery (Cal Recycle) has deemed acceptable for disposal at a Class III Landfill.
- O. "Recycling Application" shall mean a required form submitted by the Applicant and approved by the City's Planning Department. The Recycling Application provides the City with Applicant's contact information and detailed information for each Covered Project.
- P. "Waste Diversion Fee Deposit" shall mean a fee deposited with the City pursuant to Section 8.05.080 (diversion deposit fee)

8.05.020 DIVERSION REQUIREMENTS.

- A. At least 75% of all concrete and asphalt construction and demolition debris and 50% of all other construction and demolition debris generated by any Covered Project shall be delivered to the City's Franchise Hauler's Material Recovery Facility, where material will be processed, sorted, recycled, or otherwise diverted from landfills for highest diversion.
- B. Each Applicant for a Covered Project shall meet the diversion requirements of this Section unless the Applicant is granted an exemption pursuant to this Chapter, in which case the diversion requirement shall be the maximum diversion rates feasible (the "lower alternate diversion rates") as established in writing by the City's Planning Department.

8.05.030 COVERED PROJECTS

- A. Covered Project are subject to meet CALGreen Code and shall mean any of the following projects:
 - 1. All projects involving residential development of more than one residential unit;
 - 2. All projects with a project area of 500 square feet or greater;
 - 3. All projects involving non-residential demolition and/or renovation of 500 square feet or greater of project area.

8.05.040 NON-COVERED PROJECTS

Applicants for Non-Covered Projects are encouraged to divert construction and demolition debris to an extent and in a manner consistent with the diversion requirements of this Chapter. All Non-Covered Projects are subject to Section 8.04.070 regarding use of City's franchise hauler.

8.05.050 CITY-SPONSORED PROJECTS

- A. City-sponsored construction, demolition or renovation activities that involve 500 square feet or greater of project area shall divert construction and demolition debris in a manner consistent with this Chapter to the extent necessary to meet or exceed the diversion requirements of Section 8.05.020 (Diversion Requirements). For such City-sponsored projects, an application, approved by the City, must be submitted to and approved by the Planning Department prior to the commencement of the subject construction, demolition, or renovation activities.
- B. City-sponsored construction, demolition and renovation activities that involve less than 500 square feet of project area are not required, but shall be encouraged, to divert construction and demolition debris to an extent and in a manner consistent with the diversion requirements of this Chapter.
- C. City curbside improvements and replacement of asphalt.

8.05.060 RECYCLING APPLICATION

- A. The Applicant for a Covered Project shall submit a Recycling Application to the City's Planning Department, in a form approved by the City's Planning Department, prior to beginning any construction, demolition, or renovation activities that generate solid waste.
- B. The Applicant shall submit its completed, signed and dated Recycling Application to the City during the construction, demolition, and/or similar permit application process(es). Approval of the Recycling Application by the City's Planning Department shall be in condition to precedent to the issuance of any building or demolition permit for all Covered Projects.

At a minimum, an approved Recycling Application shall contain the following:

- 1. Project Location;
 - 2. Contractor Name;
 - 3. Contact information;
 - 4. Expected start and end date for the project;
 - 5. Hauler/sub hauler information;
 - 6. Transport by roll-off or self-hauls;
 - 7. Transport to the City's Franchise Hauler's Material Recovery Facility
 - 8. Type of Project
- C. The Applicant shall submit an appropriate Deposit and Administrative fees for the project in accordance with Section 8.05.080 (Waste Diversion Fee deposit required)
 - D. Once the Covered Project is complete, the Applicant must turn in required documents showing total waste and diversion of material, than the City will approve Certificate of Occupancy and sign application as approved and refund Waste Diversion Deposit to the Applicant.

8.05.070 DECONSTRUCTION REQUIREMENT

In order to ensure the diversion of reusable and/or recyclable fixtures, appliances, and other similar items from every demolition or renovation project, no demolition may take place until the Applicant for a Covered Project has demonstrated through documentation submitted to and approved by the Planning Department that deconstruction activities will take place prior to demolition.

At a minimum, such documentation shall identify the name of the party that will conduct the deconstruction activity and the dates or time period when such activity is anticipated to occur. Reusable materials salvaged and diverted through the deconstruction of any Covered Projects shall count towards the diversion requirements of Section 8.05.020 (Diversion Requirements) in reported documentation required by Section 8.05.130 (Reporting Requirements).

8.05.080 WASTE DIVERSION FEE DEPOSIT REQUIRED

- A. As a condition precedent to the issuance of any construction, demolition, or similar permit for a Covered Project, the Applicant shall post a deposit (in the form of cash, letter of credit, money order, bond, or other method of payment acceptable to the City, in the amount of \$1.00 per square foot of building area related to Covered Project that will be constructed, demolished, or renovated. In no case shall the required deposit exceed \$50,000 for any single Covered Project. Credit cards shall not be accepted by the City for payment of such deposit. The deposit shall be returned in total to the Applicant, promptly and without interest, at the conclusion of the project upon the Applicant presenting proof satisfactory to the City's Planning Department that no less than the required percentages (or approved lower alternative diversion rates) of construction and demolition debris generated by the Covered Project have been recycled, reused, or otherwise diverted from landfills to the extent indicated in the approved application. If lesser percentages of construction and demolition debris tonnage than required were diverted, the deposit shall be forfeited entirely to the City by the Applicant. Failure to comply with any terms of this Department may result, at the City Manager's sole discretion, in the Applicant's forfeiture of the Waste Diversion Fee Deposit.

8.05.090 ON-SITE PRACTICES

During the term of the Covered Project, the Applicant shall divert the required percentage of waste and keep weight tickets from the Material Recovery Facility. The City's Planning Department will monitor each Covered Project by requesting recycling reports from the City's Exclusive Franchise Hauler to determine the percentage of waste recycled or reused from the Covered Project. To the maximum extent feasible, project waste shall be separated on-site if this practice increases diversion. For construction, demolition, and/or renovation projects, onsite separation shall include, but not limited to, salvageable materials (e.g., fixtures, appliances, and other similar items) and lumber, wallboard, concrete and corrugated cardboard.

8.05.100 SOLID WASTE HAULER PERMIT REQUIREMENTS

A. Permit Requirements

- (1) Person(s) who collect, remove or transport Solid Waste, including Construction and Demolitions Waste, Source-Separated Materials or Co-Mingled Recyclables, generated within the City,
- (2) Persons who arrange for the removal or transportation of Construction and Demolition Waste generated within the City, and who do not contract or otherwise arrange with a Permittee to remove or transport such Waste, must comply with all City requirements.

8.05.110 UNAUTHORIZED SOLID WASTE HAULER BINS

As a means to deter unauthorized solid waste haulers and other persons from placing, depositing, storing or using their bins in the City, and to more effectively regulate and monitor the amount of solid waste disposed of in landfills, the City shall have the authority to require removal of such bins and require the solid waste present in such bins be delivered to the City's Franchise Hauler's Material Recovery Facility.

8.05.120 FACILITIES

The Material Recovery Facility meets Cal Green Code and an overall minimum 50 percent diversion for Construction and Demolition Debris. The recovery rate will be determined by the total quantity of materials delivered to an established recycling and composting markets divided by the total quantity received by the registered facility.

8.05.130 REPORTING

- A. Within 30 days following the completion of the demolition phase of a Covered Project, the Applicant shall, as a condition precedent to receiving Waste Diversion Deposit described in Section 8.05.080, submit actual weight tickets and or a diversion report from the City's Exclusive Franchise Hauler to the City's Planning Department.

8.05.140 APPEALS

- A. If an Applicant is aggrieved by any decision by the City's Planning Department under this Chapter, the Applicant may appeal the decision to the City Council by filing with the City Clerk a statement addressed to the City council setting forth the name and address of the person filing the appeal, the facts and circumstances regarding the Planning Department's decision and the basis of the appeal. The appeal shall be accompanied by a fee as established by the City Council. The City Clerk shall present the appeal to the City Council at the next regular meeting of the City Council following the date of filing. The City Council shall hear and pass upon the appeal, and the decision of the Council thereupon shall be final and conclusive.

EFFECTIVE DATE AND PUBLICATION

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

Introduced and first reading waived by the City Council of the City of Chowchilla at a regular meeting held on March 8, 2016; second reading waived, and ordinance enacted on March 22, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item #4.2

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March 22, 2016

AGENDA SECTION: Public Hearing

SUBJECT: **Amending the Prior Adoption of Chowchilla Municipal Code Section 15.04.160, Incorporating California Code of Regulations Title 24 into the Municipal Code by Reference; Waiving Second Reading of the Ordinance**

PREPARED BY: David Ritchie, City Attorney

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends the Council receive the draft and waive the second reading of the attached Ordinance # 476-16 amending Section 15.04.160 of the Chowchilla Municipal Code, (Buildings and Construction, Chapter 04 – General Provisions); and amending the incorporation of California Code of Regulations Title 24 (the “California Building Standards Code”) as previously adopted in Local Code.

HISTORY / BACKGROUND:

The existing Chowchilla Municipal Code Section 15.04.160 states

“Pursuant to the provisions of Section 50022.2 of the Government Code of the State of California, the City Council of the City of Chowchilla does hereby adopt by specific reference thereto and incorporation herein by said reference, the provisions, rules and regulations specified and set forth in the 2013 California Code of Regulations Title 24, known as the 2013 California Building Standards Administrative Code, California Administrative Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Green Building Standards Code, And California Referenced Standards Code, together with all appendices, copies of which are on file with the City of Chowchilla for public record and inspection. These are hereby adopted by said council by reference as the California Building Standards Administrative Code of the City of Chowchilla and made a part of this chapter as though set forth in full, subject, however, to the amendments, additions, deletions and fee exceptions as set forth in this chapter.”

However the 2013 California Building Standards Administrative Code is updated every 3 years. The reference to the 2013 Code embedded in the Chowchilla Municipal Code necessitates that the Chowchilla Municipal code receive updates every 3 years. By changing the reference to

“the current California Building Standards Administrative Code”

The City of Chowchilla is relieved of the necessity of periodic updates to the code to maintain compliance with the current CALGreen requirements.

Staff recommends that the City Council receive the draft ordinance, and waive first reading. This Ordinance then returns to the City Council on March 22, 2016 for a second reading, public hearing and adoption. Once adopted, this Ordinance will go into effect in 30 days, April 21, 2016.

FINANCIAL IMPACT:

None.

SUPPLEMENTS ATTACHED:

Draft Ordinance

Ordinance # 476-16

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA,
AMENDING SECTION 15.04.160 OF THE CHOWCHILLA MUNICIPAL CODE
INCORPORATING CALIFORNIA CODE OF REGULATIONS TITLE 24 INTO LOCAL CODE**

WHEREAS, the provisions of Section 50022.2 of the Government Code enacted by Legislature of the State of California, requires cities and other local jurisdictions to implement the most current version statute enacted in 2013; and,

WHEREAS, the existing Chowchilla Municipal Code Section 15.04.160 references the 2013 California Building Standards Administrative Code of Regulations Title 24; and,

WHEREAS, the 2013 California Building Standards Administrative Code of Regulations Title 24, known as the 2013 California Building Standards Administrative Code, California Administrative Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Green Building Standards Code, And California Referenced Standards Code, together with all appendices is expected to receive updates every 3 years;

THEREFORE the City Council of the City of Chowchilla adopts this amendment to the Chowchilla Municipal Code, deleting the current Section 15.04.160 and replacing it with a revised Section 15.04.160 that states as follows:

15.04.160 – Adoption of the California Building Standards Administrative Code

Pursuant to the provisions of Section 50022.2 of the Government Code of the State of California, the City Council of the City of Chowchilla does hereby adopt by specific reference thereto and incorporation herein by said reference, the provisions, rules and regulations specified and set forth in the current version of California Code of Regulations Title 24, known as the California Building Standards Administrative Code, California Administrative Code, California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Green Building Standards Code, And California Referenced Standards Code, together with all appendices, copies of which are on file with the City of Chowchilla for public record and inspection. These are hereby adopted by said council by reference as the California Building Standards Administrative Code of the City of Chowchilla and made a part of this chapter as though set forth in full, subject, however, to the amendments, additions, deletions and fee exceptions as set forth in this chapter.

A copy of the full text of this ordinance shall be on file in the City Clerk's office on and after the date following introduction and passage and shall be available to any interested member of the public. This ordinance shall be effective a 12:01 a.m. on the 31st day after its final passage.

Introduced and first reading waived by the City Council of the City of Chowchilla at a regular meeting held on March 8, 2016; second reading waived, and ordinance enacted on March 22, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 4.3

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March 22, 2016

AGENDA SECTION: Public Hearing

SUBJECT: **Amending the Chowchilla Municipal Code Title 8, Establishing a Proposed Anti-Scavenging Ordinance; Waiving Second Reading of the Ordinance; Public Hearing Prior to Adoption of the Ordinance, and Adoption of the Ordinance**

PREPARED BY: David Ritchie, City Attorney

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends the Council receive the draft and waive the second reading of the attached Ordinance # -16 adding Section 8.04.150 to the Chowchilla Municipal Code Title 8, Health and Safety, Chapter 04 Garbage and Refuse; and establishing an Anti-Scavenging Ordinance prohibiting scavenging from solid waste containers within the City of Chowchilla.

HISTORY / BACKGROUND:

In 1989, the California State Legislature enacted the California Integrated Waste Management Act, establishing a solid waste management process that required cities and other local jurisdictions to implement plans for source reduction, reuse, and recycling as integrated waste management practices. In addition, under Public Resources Code Section 40059, various aspects of solid waste handling constitute matters of local concern to be governed by local agencies. Under this section, matters of local concern include, but are not limited to, frequency of solid waste collection, means of collection and transportation, level of services, charges and fees, the nature, location and extent of providing solid waste services, and whether the services are to be provided by City employees or through franchises, contracts, licenses, or otherwise.

The Chowchilla Police Department routinely receives complaints regarding the removal of items from solid waste containers other than by licensed solid waste contractors and, specifically, has received complaints regarding the removal of recyclable items. As defined in the proposed draft ordinance, such behavior is often referred to as "scavenging."

In keeping with Chowchilla Municipal Code, the City of Chowchilla ("City") has awarded solid waste contracts to Contractors who are granted the privilege of collecting and disposing of refuse, garbage, rubbish and other solid waste produced within the City. Removal of solid waste items by persons other than the Contractors undermines the agreements made with these providers.

The City has received complaints regarding the removal of items from solid waste containers other than by licensed solid waste contractors and, specifically, received complaints regarding the removal of recyclable items. Staff recommends that the City Council considered the adoption of an ordinance.

The residents of Chowchilla and the Chowchilla Police Department have identified three primary areas of concern related to persons involved in the removal of items from solid waste containers:

1. Scavenging tends to attract non-residents to neighborhoods where the nonresidents thereafter loiter nearby or on private property, resulting in an increase in calls for law enforcement service.
2. Scavenging concerns have been heightened in recent years due to an increase in identity theft crimes. Individuals who engage in scavenging can collect personal information about the owners of the solid waste, and can thereafter use such information to execute identity theft crimes.
3. Scavenging leads to increased amounts of trash and debris left behind by persons engaged in scavenging, particularly in local parks and public facilities.

The concerns related to scavenging appear reasonable as evidenced by the Legislature's attempt to prevent certain types of scavenging. Under Public Resources Code Sections 41950 and 41951, the State prohibits unauthorized removal of recyclable solid waste and materials placed at designated recycling collection locations.

Staff recommends that the City Council receive the draft ordinance, and waive first reading. This Ordinance then returns to the City Council on March 22, 2016 for a second reading, public hearing and adoption. Once adopted, this Ordinance will go into effect in 30 days, April 21, 2016.

FINANCIAL IMPACT:

None.

SUPPLEMENTS ATTACHED:

Draft Ordinance

Ordinance # 477-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA, AMENDING OF TITLE 8 – HEALTH AND SAFETY OF THE CHOWCHILLA MUNICIPAL CODE TO ADD SECTION 8.04.150 PROHIBITING SCAVENGING IN SOLID WASTE CONTAINERS IN THE CITY

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989, ("AB 939" or the "Act") established a solid waste management process which requires cities and other local jurisdictions to implement plans for source reduction, reuse and recycling as integrated waste management practices; and,

WHEREAS, Public Resources Code § 40059, implementing Article XI, § 7 of the California Constitution, provides that aspects of solid waste handling of local concern include, but are not limited to, frequency of collection, means of collection and transportation, level of services, charges and fees, and the nature, location and extent of providing solid waste services, and whether the services are to be provided by City of Chowchilla ("City") employees or by means of nonexclusive, partially exclusive or wholly exclusive franchise, contract, license or otherwise which may be granted by local government under terms and conditions prescribed by the governing body of the local agency; and,

WHEREAS, the City has the right to award solid waste franchises to Contractors and has done so in accordance with Section 8.04.070 of the Chowchilla Municipal Code; and,

WHEREAS, Public Resources Code §§ 41950 and 41951 prohibit unauthorized removal of recyclable solid wastes and materials placed at designated recycling collection locations; and,

WHEREAS, the City is obligated to protect the public health and safety of the residents and business owners of the City of Chowchilla as well as comply with its duties to solid waste Contractors under the contracts entered into for hauling of solid wastes; and,

WHEREAS, the City has received complaints regarding the removal of items from solid waste containers other than by licensed solid waste Contractors, and specifically has received complaints regarding the removal of recyclable items from solid waste containers, which recyclables are.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Chowchilla does hereby ordain as follows:

8.04.150

A) Scavenging Prohibited.

(1) It is unlawful for any person to engage in the act of scavenging. For purposes of this section, "scavenging" means engaging in any of the following activities:

- (a) Tampering or meddling with a container for solid waste, including recyclable materials;
- (b) Tampering or meddling with the contents of any container for solid waste, including recyclable materials;
- (c) Removing the contents of any container for solid waste, including recyclable materials;
- (d) Removing any container for solid waste, including recyclable materials, from the location where the container has been placed by the owner of the container or owner's agent or employee; or,
- (e) Removing, tampering, or meddling with any solid waste, including recyclable materials, set out for collection, pursuant to the provisions of this Chapter 4, on private property or on any sidewalk, street, or public right-of-way.

(2) The provisions of this section do not apply to:

- (a) A Contractor or its agents or employees performing under the authority of its contract;
- (b) A City agent performing within the authority of the City; or

(c) The owner of the solid waste or of the container, including the owner's authorized agents and employees.

(3) It is declared to be an infraction for any person, other than those individuals listed in subsection (2), to violate any provision of this section."

B) Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

A summary of this ordinance, approved by the City Attorney, together with the ayes and noes, shall be published twice: at least five days prior to its final passage in the Chowchilla News, a newspaper published and circulated in the City of Chowchilla, and; before the expiration of fifteen (15) days after its final passage in the Chowchilla News, a newspaper published and circulated in the City of Chowchilla. A copy of the full text of this ordinance shall be on file in the City Clerk's office on and after the date following introduction and passage and shall be available to any interested member of the public. This ordinance shall be effective a 12:01 a.m. on the 31st day after its final passage.

1. The above recitals are true and correct.
2. This resolution is effective immediately upon adoption.

Introduced and first reading waived by the City Council of the City of Chowchilla at a regular meeting held on March 8, 2016; second reading waived, and ordinance enacted on March 22, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 6.1

[CLICK HERE
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THE AGENDA](#)

March 22, 2016

AGENDA SECTION: New Business

SUBJECT: Consideration of Madera County Economic Development Commission's 2016 -2017 Budget

PREPARED BY: Brian Haddix, City Administrator

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

That the City Council direct staff to include funding in the 2016-2017 Budget for continued economic development marketing services provided by the Madera County Economic Development Commission (MCEDC) at the rate of \$31,965.

HISTORY / BACKGROUND:

Mr. Bobby Kahn, MCEDC Executive Director has submitted a memo to the Council requesting 2016/17 Basic Level Budget funding for the Economic Development Commission. The budget request for the City is \$31,965, up by \$3,000 compared to last year's request.

The increase is attributed to a change in the proration formula. Historically, the budget was prorated using a County share set at 54%, City of Madera at 39.17%, and the City of Chowchilla at 6.83%. The current recommendation of the MCEDC is to use the most recent Department of Finance population data, as well as funding formula used by the Madera County Transportation Commission. As a result, the new county share is 49%, City of Madera 43% and the City of Chowchilla is 8%.

Mr. Kahn has also submitted MCEDC Projected Expenses and Summary of Staff Time.

FINANCIAL IMPACT:

To be included in the 2016 – 2017 General Fund budget in the amount of \$31,965.

ATTACHMENTS:

Memo
Summary of Staff Time
Projected Expenses

SPECIAL INSTRUCTIONS:

None.

MEMO

DATE: March 15, 2016

TO: Chowchilla City Council

FROM: Bobby Kahn, Executive Director
Madera County Economic Development Commission

RE: Madera County Economic Development Commission
2016/17 Annual Basic Service Level Budget

I. RECOMMENDATION

The Madera County Economic Development Commission (MCEDC) recommends the Chowchilla City Council (Council) approve the 2016/17 Basic Service Level Budget as submitted.

II. BACKGROUND

MCEDC was created by the County of Madera and the cities of Madera and Chowchilla (PARTIES) through a Joint Powers Agreement (JPA). MCEDC is required by the JPA to submit a Basic Service Level Budget to the PARTIES on an annual basis. Once approved the budget is divided between PARTIES proportionally based on population. Through the past several years MCEDC has worked diligently on attraction of new business, expansion and retention efforts with local businesses throughout the County. MCEDC also acts as the lead agency on a county-wide basis for several agencies, organizations and programs such as the Eastern Madera County Chamber Alliance, the Greater Madera County Industrial Association, the Central California Valley Economic Development Corporation, the Madera County Energy Watch Program; CalRecycle, the Madera County and City of Madera Revolving Loan Fund programs and others. MCEDC is also a leader in promoting Madera County with ongoing press releases, social media, daily blogs and serves as the Madera County representative on the Channel 30 ABC news community advisory committee.

III. SUMMARY

The 2016/17 Basic Service Level Budget is approximately \$3,000 higher than the 2015/16 budget. All budget line items are almost identical to the 2015/16 budget.

The budget is prorated between the PARTIES using the most current Department of Finance population date and aligning with the Madera County Transportation Commission funding formula. The county share is 49%, City of Madera 43% and the City of Chowchilla is 8%.

This request will have an impact to the General fund in the amount of \$31,965. MCEDC invoices the City on a quarterly basis.

Summary of Staff Time

*Based on population

County of Madera	City of Madera	City of Chowchilla	TOTAL
49%	43.00%	8.00%	100%

Business Assistance/Office Manager

** 15% to CDBG

Executive Director

**1% to CDBG

Business Assistance/Office Manager

						CDBG
Salary	\$53,677.20	\$22,356.55	\$19,619.02	\$3,650.05	\$45,625.62	\$8,051.58
Retirement	\$4,025.79	\$1,676.74	\$1,471.43	\$273.75	\$3,421.92	\$603.87
Employer Taxes	\$4,106.31	\$1,710.28	\$1,500.85	\$279.23	\$3,490.36	\$615.95
Workers Comp.	\$617.28	\$257.10	\$225.62	\$41.97	\$524.69	\$92.59
Medical	\$17,416.36	\$7,253.92	\$6,365.68	\$1,184.31	\$14,803.91	\$2,612.45
Dental	\$757.90	\$315.66	\$277.01	\$51.54	\$644.21	\$113.69
Vision	\$116.28	\$48.43	\$42.50	\$7.91	\$98.84	\$17.44
Life/LTD	\$255.00	\$117.05	\$84.90	\$14.80	\$216.75	\$38.25
					\$68,826.30	\$12,145.82

Business Development/Mkting Manager

Salary	\$48,590.12	\$23,809.16	\$20,893.75	\$3,887.21	\$48,590.12
Retirement	\$3,644.26	\$1,785.69	\$1,567.03	\$291.54	\$3,644.26
Employer Taxes	\$3,717.14	\$1,821.40	\$1,598.37	\$297.37	\$3,717.14
Workers Comp	\$558.78	\$273.80	\$240.28	\$44.70	\$558.78
Medical	\$23,337.22	\$11,435.24	\$10,035.00	\$1,866.98	\$23,337.22
Dental	\$1,015.34	\$497.52	\$436.60	\$81.22	\$1,015.34
Vision	\$184.32	\$90.32	\$79.26	\$14.74	\$184.32
Life/LTD	\$235.56	\$115.42	\$101.29	\$18.85	\$235.56
					\$81,282.74

Executive Director

						CDBG
Salary	\$107,923.00	\$52,353.45	\$45,942.82	\$8,547.50	\$106,843.77	\$1,079.23
Retirement	\$16,188.00	\$7,852.80	\$6,891.23	\$1,282.09	\$16,026.12	\$161.88
Employer Taxes	\$8,256.00	\$4,004.99	\$3,514.58	\$653.87	\$8,173.44	\$82.56
Workers Comp	\$4,047.11	\$1,963.25	\$1,722.86	\$320.53	\$4,006.64	\$40.47
Medical	\$12,315.21	\$5,974.11	\$5,242.59	\$975.36	\$12,192.06	\$123.15
Dental	\$559.81	\$271.56	\$238.31	\$44.34	\$554.21	\$5.60
Vision	\$74.88	\$36.32	\$31.88	\$5.93	\$74.13	\$0.75
Life/LTD	\$487.00	\$236.24	\$207.32	\$38.57	\$482.13	\$4.87
					\$148,352.50	\$1,498.51

\$312,105.87	\$146,257.00	\$128,330.18	\$23,874.36	\$298,461.54	\$13,644.33
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EDC Projected Expenses		County	City	City	
(Exhibit B)		of Madera	of Madera	of Chowchilla	TOTAL
Staff Salaries/Other Compensation		98,519.00	86,456.00	16,085.00	201,060.00
Staff Benefits/Taxes		47,727.00	41,883.00	7,792.00	97,402.00
Subtotal		146,246.00	128,339.00	23,877.00	298,462.00
Operating Expenses	% to be applied	49%	43.00%	8.00%	100%
Audit	3,500	1,715.00	1,505.00	280.00	3,500
Auto Expense/Travel	3,000	1,470.00	1,290.00	240.00	3,000
Conference/Training	3,000	1,470.00	1,290.00	240.00	3,000
Staff Expense	2,000	980.00	860.00	160.00	2,000
Insurance/Surety Bonds	1,000	490.00	430.00	80.00	1,000
Office Supplies	1,000	490.00	430.00	80.00	1,000
Office Rent	28,800	14,112.00	12,384.00	2,304.00	28,800
Organizational Dues	1,700	833.00	731.00	136.00	1,700
Postage	1,000	490.00	430.00	80.00	1,000
Newsletter	2,394	1,173.00	1,029.00	192.00	2,394
Printing	1,000	490.00	430.00	80.00	1,000
Publications/Directories	500	245.00	215.00	40.00	500
Repairs/Maintenance	2,500	1,225.00	1,075.00	200.00	2,500
Telephone	3,000	1,470.00	1,290.00	240.00	3,000
Utilities	3,500	1,715.00	1,505.00	280.00	3,500
Commission Expense	200	98.00	86.00	16.00	200
Equipment Rental	3,000	1,470.00	1,290.00	240.00	3,000
Marketing	40,000	19,600.00	17,200.00	3,200.00	40,000
	101,094.00	49,536.00	43,470.00	8,088.00	101,094
TOTAL Fiscal Year 16/17		195,782.00	171,809.00	31,965.00	399,556.00
		County of Madera	City of Madera	City of Chowchilla	



CITY COUNCIL STAFF REPORT

Item 6.2

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THE AGENDA](#)

March 22, 2016

AGENDA SECTION: New Business

SUBJECT: Consideration of Commission/Committee Appointments – Parks & Recreation Commission

PREPARED BY: Joann McClendon, City Clerk

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION

That the Council make the appointment to the Parks & Recreation Commission.

HISTORY / BACKGROUND

There is currently one unexpired vacancy on the Parks & Recreation Commission. The unexpired term will expire on January 1, 2018. Vacancy notices were posted at City Hall, on the website and published in the Chowchilla News.

We have received four applications for the Parks & Recreation Commission:

- Carol Ann Pitner
- Kevin Bernstein
- Donald Brumfield
- Marlene Holst

There will be two vacancies beginning in January 2017. Notice of Vacancies will be posted 2 months in advance of the December Council meeting to fill those and any other vacancies. Currently, there are four vacancies with the Airport Advisory Committee that are yet to be filled.

FINANCIAL ANALYSIS

There is no financial impact from these appointments, as the committee members do not receive compensation.

ATTACHMENTS

Applications. (Due to privacy issues for the applicants, the applications will not be published online, once appointed the commissioners address and phone number are public record.)



CITY COUNCIL STAFF REPORT

Item 6.3

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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: A Resolution Authorizing the City Staff to Contract with Blue Shield and Administration Solutions Inc. for Medical and COBRA Insurances Through Arthur J. Gallagher & Company

PREPARED BY: Rod Pruett, Finance Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends approval of a resolution, approving the Health Insurance and the COBRA Insurance as recommended by our Insurance Broker Arthur J. Gallagher & Co.

HISTORY / BACKGROUND:

The City of Chowchilla has been contracted with SDRMA for our medical insurance since July 2012. Effective 1/1/2016 the deductible was raised from \$2,000 per person to \$3,000 per person and there was a rate increase of 6.3% in premiums. Due to the dissatisfaction of the current health insurance by the employees and the rising costs, the City of Chowchilla requested that Arthur J. Gallagher & Co. (the city's insurance broker) survey the market place to determine what insurances were available for a group our size. The City's Administration reviewed the recommendations and discussed them with the Employee's Insurance Committee. The survey resulted in a direct plan with Blue Cross as the best results. The city currently is insured with Blue Cross through the SDRMA so this allows for a smooth transition, as employees will not have to worry about a provider not being covered since Blue Shield is the new plan being selected.

Staff decided to provide options for employees for insurance coverage since not every employee is in the same situation and not every plan will suit every employee the same way. There are 3 plans that have been selected. There is a \$750 deductible plan, \$1,250 deductible plan and a \$4,500 deductible plan with a Health Savings Account (HSA). Arthur J. Gallagher will provide a presentation that explains the different plans.

The City currently uses Employment Benefit Specialist Inc. (EBS) for our COBRA administration. There have been some communication issues between EBS and VSP our vision provider. In reviewing everything it was determined that to better serve the employees and the City of Chowchilla after employees leave our employment, we would like to use Administrative Solutions Inc. (ASI) which is located in Fresno. The City of Chowchilla has used ASI in the past and Gallagher has a good working relationship with them.

Both of these contracts are for one year and we would not be locked in as we were with SDRMA and EBS

FINANCIAL IMPACT:

This Fiscal impact is estimated to be minor. The Cost for ASI is about the same as EBS. Since the City has less than 100 employees we are no longer receiving flat rates but are now age rated. The three plans keep the costs relatively the same for the City of Chowchilla while giving a better benefit to the employees. The Cost Plans are attached for Council to review. Employees will have one of three plans to choose from. Two of the three plans keep employee costs the same and there is a buy-up plan (\$750 deductible) the employees can choose for a 15% cost increase.

ATTACHMENTS:

Resolution to Approve Blue Shield and ASI as our insurance carriers
ASI Contract & Costs

SPECIAL INSTRUCTIONS:

None

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE CITY STAFF TO CONTRACT WITH BLUE SHEILD AND ADMINISTRATION
SOLUTIONS INC. FOR MEDICAL AND COBRA INSURANCES THROUGH ARTHUR J, GALLAGHER
& COMPANY INSURANCE BROKER**

WHEREAS, the City Council authorizes the adoption to change the current medical and COBRA insurance from SDRMA and EBS to Blue Shield and Administrative Solutions Inc., respectively.

WHEREAS, The City Council authorizes the City Administrator enter into a contract with Blue Shield and Administration Solutions Inc. to provide services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The recitals above are true and correct.
2. This Resolution is effective immediately.

PASSED AND ADOPTED by City Council of the City of Chowchilla this 22nd day of March 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk



Universal Employer Application

Administration for the following new service(s):

- COBRA (Federal)
- Health Reimbursement Arrangement (HRA)
- Health Savings Account (HSA)
- Medical Expense Reimbursement Plan (MERP)
- San Francisco HCSO Compliance
- Section 132 (Commuter Benefits)
- Section 125: Flexible Spending Arrangement (FSA)
- Premium Only Plan (POP)
- Self-Funded Dental
- Self-Funded Vision

Please complete the set-up forms for the administration of the new services indicated above.

Entity Type (Please check one):

- Sole Proprietor
- Non-Profit Corporation
- Partnership
- Government Entity
- Professional Service Corp
- Limited Liability Company**
 - Partnership or Sole Proprietor
 - Corporation
 - S-Corp
- Corporation**
 - C-Corp
 - S-Corp

Fiscal Year End (mm/dd): ____ / ____

Please provide the following information:

NAME OF CONTRACTING ENTITY _____

Group Address _____
Street City State Zip

Group Contact Person _____ Contact Email _____

HIPAA Privacy Officer _____ Contact Email _____

Group Phone # _____ Group Fax # _____ Total Number of Employees: _____

Federal Tax ID # _____

BROKER/AGENCY NAME _____

Broker Address _____
Street City State Zip

Broker Contact Person _____ Contact Email _____

Broker Tax ID # _____ Broker Phone # _____ Broker Fax # _____

Please check here if multiple brokers for different lines of coverage _____
(Broker/Agency Name)

Is ASi currently administering any other types of plans for your group? YES NO

→ If yes, please indicate what plans we are administering _____

Administration Proposal

COBRA

Consolidated Omnibus Budget Reconciliation Act of 1985

Administrative Solutions, Inc.

Contact Us:

555 W. Shaw Ave., Ste. C-1

Fresno, CA 93704

Ph. 559.256.1320 / Toll Free 866.777.1320

Fax 559.256.1321 / Toll Free 866.333.1321

clientservices@asibenefits.com

www.asibenefits.com



The ASI Story

Administrative Solutions, Inc. (ASI) is a highly regarded Third Party Administrator specializing in group benefits. ASI was formed June of 2001.

ASI has positioned itself to be an all inclusive TPA for employers of all sizes and is innovative in providing solutions to employee benefit plans. ASI offers services for Insurance Billing and Capitation Programs, Medical Expense Reimbursement Plans (MERP), Health Reimbursement Arrangements (HRA), Self Funded Dental and Vision Plans, COBRA Administration, Section 125 Plans (FSA), Consolidated Billing, FMLA Billing and Voluntary Benefits

ASI prides itself on outstanding customer service and its success at implementing administrative strategies to meet the growing demand of employer's rising cost. What has been most advantageous to their vast client base is ASI's ability to maintain, reduce and create significant savings through innovative approaches to the employers health and benefits.

ASI Leadership Team

<u>Name:</u>	<u>Position:</u>	<u>Industry Years:</u>
Barry Maas	President	14
Christina O. Castro, RHU CLTC	Vice President	25
Michelle Gentry	COBRA Department Lead	9

Leadership Biographies

Barry Maas, President

Bachelor of Science Degree, Business Administration with an Accountancy Option, California State University, Fresno. Barry has an accounting background working in a law firm for over ten years in payroll, accounts receivable including financial preparation and analysis and budget preparation. Barry started ASI in 2001 with 2 employees as he saw a need for a local TPA administering high deductible health plans and COBRA administration.

Christina O. Castro, Vice President

Christina is a certified COBRA administrator, a Registered Health Underwriter and has her certification in Long Term Care. She has been in the Third Party Administration business for over twenty years and most recently worked as a consultant for a local broker's office. Christina is a past President of the Central California Association of Health Underwriters and is a member of the International Foundation of Employee Benefits, the Employee Benefit Institute of American and served on the Board of Directors for the California Department of Insurance Education Committee. Christina is the past VP of Communications for the California Association of Health Underwriters.

Michelle Gentry, COBRA Department Lead

Michelle has been with ASI since 2006 working in our COBRA department for about a year before moving to our Flex Department. In 2009 Michelle went back to our COBRA department as our lead and has gained her COBRA experience from working with COBRA everyday and attending COBRA compliance seminars and meetings. Michelle has recently been praised for her leadership skills with her staff and for the changes in her department to meet the needs of our clients. Michelle is now conducting our internal COBRA training for all new hires and for our quarterly COBRA training.



COBRA Administration

About COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was passed to temper the increasing rate of uninsured Americans. The continuation requirement forces employers to offer insurance continuation to anyone who would otherwise lose coverage due to a qualifying event. Qualifying events include: Termination of employment or reduction in hours, divorce or legal separation, death of covered employee, covered employee becomes eligible for Medicare, dependent ceases to be eligible as a dependent and employer's filing of a bankruptcy proceedings.

ASI administers COBRA benefits for employer groups who prefer to outsource the administrative duties to an administrator that can handle the day-to-day functions required under COBRA.

Under COBRA, employers must provide written notification to all covered employees and their dependents of their rights under COBRA. This notification of rights must be provided (1) upon inception of coverage, (2) in the summary plan description and (3) upon the occurrence of a qualifying event.

COBRA is jointly enforced by the Internal Revenue Services, the U.S. Department of Labor and the Department of Health and Human Services. Penalties for COBRA violations vary but can be significant, ranging from daily penalties and even resulting in Civil lawsuits, in which attorney's fees and interest can be awarded.

Proposed COBRA Services

Administration of Mandatory Notices Required Under COBRA – ASI requires our COBRA staff to attend COBRA compliance seminars annually to keep up to date on regulatory procedures.

COBRA Tracking – ASI uses COBRApoin software which automatically tracks all notices, correspondences and will automatically issues COBRA notices as required.

COBRA Letters and/or Termination of COBRA – COBRApoin provides updated letters to qualified beneficiaries based on the event.

Coupon Book and Premium Collection – ASI provides all COBRA Participants a coupon book to submit the carrier premiums to ASI monthly.

COBRA Support – ASI Provides COBRA Updates to Employers. We remain on top of upcoming changes to the proposed or final regulations and we pass this information on to our clients.

ASI Continuously Updates Services to Incorporate COBRA Changes – Our software provides updates as needed. In the event of a change in the administration, our clients are notified if the change affects any administrative changes to their group.



COBRA Administration

Specialized COBRA Services

- Audit Current COBRA Events
- Initial Notifications sent to all new hires
- Welcome Letter to all qualified beneficiaries notifying them of the change in administration.
- Coupon Book sent to all COBRA continuants.
- Qualified Beneficiary acknowledgement of current information.
- Employer training for on-line access COBRApoint
- Confidentiality and Privacy of any information received by the employer or qualified beneficiary.
- Communication to employer of any known issues during the takeover process.

Fee Schedule

Set Up Fees: \$300

Monthly Administration Fee:

20-50 employees	\$1.35/pepm
51-100 employees	\$1.10/pepm
101-199 employees	\$1.05/pepm
200+ employees	\$0.95/pepm
Administrative Fee for COBRA Recipient:	\$5.00/pepm
Minimum monthly fee:	\$35.00

Please note: ASI bills and retains the 2% of participants premium for an administrative fee.

Notice Fee to ASI:

Initial (general) notification:	Included
Election and Enrollment notice:	Included
Unavailability of COBRA coverage:	Included
Termination of COBRA coverage:	Included
Custom Reports:	Contact ASI to discuss

Additional Services:

Open Enrollment Notification:	\$15.00 per packet (1-24 pages)
Open Enrollment Notification:	\$25.00 per packet (25+ pages)

ASI's Commitment

ASI never takes the position that we know everything about COBRA. COBRA is never black and white and this is why we contract with many legal professionals to provide guidance in areas that may not be the day to day occurrences. Our goal is to provide the correct information and recommendations based on our many years of experience with COBRA.





CITY COUNCIL STAFF REPORT

Item 6.4

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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: **Acceptance Notice of Completion for Water Meter Installation and Appurtenances**

PREPARED BY: Craig Locke, Engineer/Public Works Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends that Council accept the completed improvements and authorize the Notice of Completion to be filed.

HISTORY / BACKGROUND:

Based on periodic visits to the job site and general familiarity with the progress of the work, Engineering Staff declare that to the best of our knowledge, information and belief, construction had proceeded in accordance with the intent of the design, and in general, compliance with the Plans and Specifications.

The original contract in the amount of \$364,728 was for the installation of 406 water meters and system repairs to service lines, valves and hydrants anticipated to fail incidental to meter installation. Because the failure rate was lower than anticipated, 479 meters were installed and \$29,311.73 encumbered by the contract was not used.

Staff finds that the Contractor, West Valley Construction, has constructed the improvements in accordance with the approved plans and specifications.

FINANCIAL IMPACT:

The final construction cost for this project was \$335,416.27.

ATTACHMENTS:

Notice of Completion

SPECIAL INSTRUCTIONS:

None.

RECORDING REQUESTED BY AND
FOR THE BENEFIT OF:
City of Chowchilla
WHEN RECORDED MAIL TO:

NAME: City of Chowchilla
Attn. Joann McClendon
STREET: 130 South Second Street
STATE: California
ZIP: 93610

Title Order No. _____ Escrow No. _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE is hereby given that:

**NO RECORDING FEE PER
GOVERNMENT CODE SECTION 27383**

1. The undersigned is the agent of the / owner of the interest stated below in the property hereinafter described,
2. The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any interest in such property is as follows:

Full Name	Full Address	Nature of Title
City of Chowchilla	130 S. Second Street, Chowchilla Ca. 93610	
Name of Undersigned		

3. The names and addresses of the transferors to the current owner (to be shown if the current owner is a successor in interest of the owner who caused the improvement to be constructed, etc.):

Full Name	Full Address
-----------	--------------

4. A work of improvement on the property hereinafter described was COMPLETED on _____

5. The name of the CONTRACTOR, if any, for such work of improvement was _____

West Valley Construction Co., Inc.

(if no Contractor, Insert "None")

6. The property on which said work of improvement was completed is in the City of Chowchilla
_____, County of Madera, State of California,
and is described as follows:

Phase 1 of the Chowchilla Water Meter Installation Project

7. The street address of said property is: City of Chowchilla, all areas as outlined as the Phase 1 boundary.

Dated _____

Signature of Owner or Owners (or Agent)

Brian Haddix

Type name

City Administrator

Type title

**NOTICE OF COMPLETION
VERIFICATION**

I, the undersigned say: I am the agent of the owner, and I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Chowchilla, California this _____ day of _____, 2016.

Signature of Owner or Owners (or Agent)
Craig Locke, PE
City Engineer

STATE OF CALIFORNIA)
) ss.
COUNTY OF MADERA)

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 2016, by Craig Locke, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Signature _____
Signature of Notary Public

Place Notary Seal Above



CITY COUNCIL STAFF REPORT

Item 6.5

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TO RETURN TO
THE AGENDA](#)

March 22, 2016

AGENDA SECTION: New Business

SUBJECT: Replacement Fire Engine

PREPARED BY: Harry Turner, Fire Chief

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Approve budget modification and authorize City Administrator to execute necessary documents for purchase of replacement fire engine.

HISTORY / BACKGROUND:

In approximately 1975 the City increased the number of front line fire engines from two to three. This allowed at least two front line fire engines to be available for structure fires within the City while one of the three could be out of service for maintenance or repairs.

Current and common firefighting standards require at least two fire engines for a single structure fire. One of these engines is typically dedicated to supplying water while the second is dedicated to fighting the fire. With only two engines available, there is no reserve when an engine has to be down for maintenance or repairs nor does it allow an extra engine to respond to a second simultaneous incident. Fire engines are required to be tested annually to insure they meet the minimum pumping capacity and due to nature of use require maintenance that leaves them out of service for several days (if not weeks) at a time.

From approximately 1975 until 2014 the City did have three primary front line engines available. The reserve engine at that time, a 1968 Ford, worked well as the reserve. Beginning around 2006 repair parts for this engine became very difficult to find. In 2008 the brakes on this engine began to fail and there were no repair parts available. This engine was placed on the surplus list and disposed of in 2014 so no one would be tempted to drive it with the failed brakes.

Fire department staff immediately began including the replacement of this fire engine in budget preparations every year, explaining to Administration the need of the engine and the liability to the firefighters and City in not having a replacement for the reserve engine. Unfortunately this timing coincided with the downturn in the economy and the replacement engine was removed from consideration each year in the budgets presented to Council.

Currently the City has two primary fire engines that meet the criteria needed for structural firefighting. These include a 1992 International and a 2005 International. In addition to these we have a mini-pumper and a new water tender on order (replacement for burned water tender). Neither of these pieces of equipment can serve as a reserve engine. The water tender is primarily used to supply water for fire engines and the mini-pumper's primary functions is to respond to medical calls, vehicle accidents and assist with very limited firefighting capabilities.

There is considerable maintenance that needs to be done on each of our primary fire engines (none critical at this point). Included is the annual pump testing that has not been completed in the last few years due to the time the engines would need to be out of service.

Fire Department staff has worked with the primary fire engine builder in our area, Hi Tech Fire Apparatus out of Oakdale, to obtain approximate costs for a replacement fire engine. To replace with an engine that is similar to our newest engine (#7) will be approximately \$385,000.00. To replace with custom cab (municipal-type engine) is approximately \$525,000.00.

The preferred replacement is the custom cab. Its design will much better accommodate up to six firefighters riding in the fire engine. Additionally the breathing apparatus would be mounted in the seats and can be put on while riding to the scene. The custom cab design is also built lower, making it easier for the firefighters exiting the fire engine with their breathing apparatus on to exit the engine. This expedites the time for firefighters to make entry into burning buildings for rescue and extinguishment. The design of the custom cab also allows a much shorter wheel base which allows travel through narrower residential streets much easier and safer.

Fire engines also typically have a much longer life use span than other City owned vehicles, normally 30 plus years. Considering this, the additional cab capacity for firefighters will better serve the City in the future when full time paid firefighters are added.

If the custom cab is found to be an unaffordable option at this time there would need to be some modifications to the current design of conventional cab over the 2005 fire engine we currently have as our newest fire engine. The replacement will need to be a four door rather than an extended cab to allow for placement of breathing apparatus in the seats. This addition will increase the wheel base, further restricting the maneuverability of this piece of equipment on our residential streets. Though the four-door will accommodate the firefighters and their breathing apparatus, their exiting height will certainly be increased due to chassis design with conventional cab. The current 2005 design was designed to accommodate the additional firefighters, but without the breathing apparatus in the seats.

If approved, the additional cost of the custom cab could be funded with fire impact fees since this is certainly an additional capacity and capability than that of the engine being replaced.

Fire Department staff has recently been in contact with fire engine manufacturers and have also verified delivery time from order date. All local (California) builders have a delivery time frame of 365 to 385 days from date of order. They have an estimated chassis delivery time frame of 3 to 5 months, at which time chassis payment would need to be made. Estimated chassis cost for custom cab is approximately \$180,000.00 and conventional cab is approximately \$90,000.00. The balance of the purchase price would be due on delivery. In short, if ordered today it will be over a year before a new engine will be in service in the City.

Following discussions with City Administrator and the Finance Director regarding this purchase, the Fire Chief has met with the Finance Director have identified potential funding sources for a new fire engine. At the direction of the City Administrator, the Fire Chief has also checked again for potential grant funding or other potential funding opportunities to purchase a replacement fire engine. Unfortunately there are very limited opportunities for fire engine replacements and those that do exist would score the City very low on funding potential. This is due to high demand throughout the Country.

FINANCIAL IMPACT:

Potential Funding source	Custom Cab		Conventional Cab
General fund	\$115,500.00	30%	\$115,500.00
Fire Impact Fees	\$ 96,250.00	25%	\$ 96,250.00
Greenhills Assessment Dist.	\$ 57,750.00	15%	\$ 57,750.00
Pheasant Run Assessment Dist.	\$ 57,750.00	15%	\$ 57,750.00
Community Facilities Dist.	\$ 57,750.00	15%	\$ 57,750.00

Additional Fire Impact for Custom Cab	\$140,000.00	
Total	\$525,000.00	\$385,000.00

ATTACHMENTS:

Resolution

SPECIAL INSTRUCTIONS:

None.

COUNCIL RESOLUTION # - 16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING A BUDGET AMENDMENT AND AUTHORIZING THE CITY ADMINISTRATOR
TO EXECUTE NECESSARY DOCUMENTS FOR THE PURCHASE OF A REPLACEMENT
FIRE ENGINE**

WHEREAS, the City of Chowchilla currently has two primary firefighting engines; and

WHEREAS, to maintain two primary engines there needs to be a third as a reserve engine used during normal maintenance and repair of the two primary as well as having the additional capacity during multiple incidents at the same time; and

WHEREAS, City's most recent reserve engine (a 1968 Ford) was taken out of service in 2014 with failed brakes and no repair parts available; and

WHEREAS, delivery time for a new fire engine from date of order is approximately 12 to 16 months; and

WHEREAS, fire department staff has researched approximate pricing for a new replacement fire engine; and

WHEREAS, Finance and Fire Department staff have identified funding sources and percentages sufficient to purchase replacement fire engine; and

WHEREAS, the general fund portion of this replacement cost can be funded by unanticipated revenue for reimbursement of LLMD overpayment to general fund; and

WHEREAS, it has been a goal of the City Council for several years to purchase a replacement fire engine.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The above recitals are true and correct.
2. The City Council authorizes a budget amendment to purchase a replacement fire engine
3. Funding sources and percentages to be as follows:

Potential Funding source	Custom Cab		Conventional Cab
General fund	\$115,500.00	30%	\$115,500.00
Fire Impact Fees	\$ 96,250.00	25%	\$ 96,250.00
Greenhills Assessment Dist.	\$ 57,750.00	15%	\$ 57,750.00
Pheasant Run Assessment Dist.	\$ 57,750.00	15%	\$ 57,750.00
Community Facilities Dist.	\$ 57,750.00	15%	\$ 57,750.00
Additional Fire Impact for Custom Cab	\$140,000.00		
Total	\$525,000.00		\$385,000.00

4. The City Council authorizes the City Administrator to execute necessary documents to purchase replacement fire engine from vendor to be determined.
5. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of March, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 6.6

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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: **Approval of a Resolution for a Budget Increase to Transit for Purchase of Buses on Behalf of Alview-Dairyland Unified School District**

PREPARED BY: Sherri Dueker, Account Manager

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Council approves resolution accepting a budget increase to Transit for the purchase of four buses on behalf of Alview-Dairyland Unified School District (ADUSD).

HISTORY / BACKGROUND:

ADUSD requested, and the City Council approved a Public Private Partnership (PPP) Agreement on February 24, 2015 for sponsorship of Federal Congestion Mitigation and Air Quality (CMAQ) grant funding for ADUSD that includes no contribution of City funds. Having a PPP is a requirement from Caltrans in order for ADUSD to implement awarded federal funding. The PPP allows ADUSD to utilize federal CMAQ funds awarded to them. Projects applications are developed and submitted by ADUSD and awarded by the Madera County Transportation Commission (MCTC) on a competitive basis for projects that improve air quality within Madera County.

ADUSD submitted an application that was awarded in FY2013-14 for four clean diesel replacement school buses for its fleet. The buses will be part of the District's four-route school bus system that serves two school sites, Alview, the Kindergarten through 3rd grade school site and Dairyland, the 4th through 8th grade site.

The Grant was awarded to ADUSD in the amount of \$545,000. ADUSD purchased the buses for a total of \$595,502.16. The CMAQ grant covers 88.53% of the cost (\$527,198.06) and ADUSD is responsible for the local match portion of 11.47% (\$68,304.10).

It was brought to ADUSD's attention by the Department of Transportation (DOT) that the City would have to pay for the buses and request for reimbursement since the City was the sponsor and was the actual recipient of the grant. This is a technical difference from what was originally expected.

ADUSD has already received the buses and needs to pay the vendor but the DOT is saying the City needs to request the grant reimbursement and we have to pay for the buses. Staff has conferred with DOT this is the correct method.

ADUSD has the money to give to the City for the full amount of the buses (\$595,502.16). We will then pay the vendor and request for reimbursement from the CMAQ grant for \$527,198.06. Once the grant proceeds are received, the City will then reimburse ADUSD for that amount. There is no cost to the city in doing this transaction. There could be an expense to the city in the form of a potential Single Audit requirement since the city will be required to report the CMAQ grant as a grant to the city. Staff has been in contact with ADUSD and if this occurs, an amendment to the agreement will be created stating ADUSD will be responsible for those costs.

FINANCIAL IMPACT:

Increase the Transit fund for the purchase of the buses (\$595,502.16) and increase the revenues for the same amount. There will be a \$0 net effect in the transit fund.

ATTACHMENTS:

Resolution

SPECIAL INSTRUCTIONS:

None.

COUNCIL RESOLUTION # -16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA APPROVING A BUDGET INCREASE TO THE TRANSIT FUND FOR THE PURCHASE OF FOUR SCHOOL BUSES

WHEREAS, the City Council approved Resolution 45-15 adopting the budget for fiscal year ending June 30, 2016 on June 23, 2015; and

WHEREAS, per Resolution 45-15, Item #6 states, authority to increase appropriations within a fund by an amount not to exceed \$50,000 shall rest with the City Administrator; and

WHEREAS, the budget amendment of \$595,502.16 is more than the City Administrator's authority level of \$50,000

WHEREAS, City Council approved a Public Private Partnership with Alview-Dairyland Unified School District (ADUSD) on February 24, 2015 for the purchase of four school buses; and

WHEREAS, the City Council wishes to approve the budget increase to the Transit fund for the purchase of four school buses in the amount of \$595,502.16 in the 2015-2016 budget; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The above recitals are true and correct.
2. The budget changes are hereby approved and the Finance Director is directed to post them into the City's financial system.
3. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of March, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 6.7

[CLICK HERE
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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: Audit Services

PREPARED BY: Rod Pruett, Finance Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

That Council gives direction on the preference of going out for an RFP for audit services

HISTORY / BACKGROUND:

Price Paige & Company (PPC) currently provides audit services for the City of Chowchilla. The city previously awarded PPC with a contract for audit services, through a formal Request for Proposal (RFP) process, for a 3 year period that ended in FY 11/12. In February 2013 Council granted PPC with a 2 year extension through FY 13/14. In August 2015, Council granted PPC with a 1 year extension through FY 14/15 as well. The State Controller's Office recommends rotating auditors every 6 years.

The recommended rotation is in reference to new auditors performing the audit. This can be achieved by rotation of personnel within an existing firm or through the engagement of a new firm.

PPC has provided the city with audit services over the past six years and with the implementation of GASB's 34 and 68 in FY 14/15, the city received its first "clean audit report" in many years.

Due to minimal Adjusting Journal Entries made and a reduction of staff time needed for the FY 13/14 audit on PPC's part, they reduced the FY 14/15 audit fees by approximately \$9,000.

With a new firm performing the audit, there will be additional time needed by the firm to get an understanding of our processes and services we provide as well as by staff as we get to know the new auditors preferences and documentation they will need. Typically, a 3 year contract is entered into upon engaging a new audit firm.

FINANCIAL IMPACT:

None

ATTACHMENTS:

None

SPECIAL INSTRUCTIONS:

None



CITY COUNCIL STAFF REPORT

Item 6.8

[CLICK HERE
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THE AGENDA](#)

March 22, 2016

AGENDA SECTION: New Business

SUBJECT: **Supporting the Chowchilla Water District's Request for a Sub Basin Boundary Modification**

PREPARED BY: Craig Locke, City Engineer/Public Works Director/Airport Manager

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff Recommends that the City Council approve the attached Letter of Support for the Chowchilla Water District (CWD)'s request to the California Department of Water Resources for a Sub-Basin Boundary Modification.

HISTORY / BACKGROUND:

The California Department of Water Resources drafted boundaries for the groundwater basins and sub-basins in accordance with the State Legislation. The Chowchilla Water District (CWD) has requested a basin boundary modification based on criteria Included in the legislation.

The Jurisdictional Modification provision requested by CWD was devised to promote sustainable groundwater management within the sub-basin and with adjoining sub-basins. Ultimately, Groundwater Sustainability Agencies (GSA) will develop Groundwater Sustainability Plans (GSP). The job of implementing these plans will be greatly simplified if the sub-basin boundaries generally reflect the jurisdictional boundaries they underlie.

CWD and the City of Chowchilla have a long history of cooperative action regarding the management and preservation of the resources on which we both rely. Support of this request not only benefits CWD, but also the City, as the provisions of the GSP are implemented to create a sustainable resource for the future.

FINANCIAL IMPACT:

The Sub-basin Boundary Modification results in no adverse financial impacts to City and will potentially result in a more efficient implementation of the GSP

ATTACHMENTS:

CWD Request for Support Letter
Letter of Support

SPECIAL INSTRUCTIONS:

Obtain Mayor's signature and return letter to CWD by 3/23/16

Chowchilla Water District

Post Office Box 905 ♦ 327 S. Chowchilla Blvd. ♦ Chowchilla, CA 93610
Phone (559) 665-3747 ♦ Fax (559) 665-3740 ♦ Email dwelch@cwdwater.com

Board of Directors

Russell Harris ♦ Dan Maddalena ♦ Michael Mandala ♦ Vince Taylor ♦ Kole M. Upton

March 2, 2016

Brian Haddix
City Administrator
City of Chowchilla
130 S. Second Street
Chowchilla, CA 93610

Subject: Proposed Modification to the Chowchilla Groundwater Sub-basin Boundary

Dear Mr. Haddix:

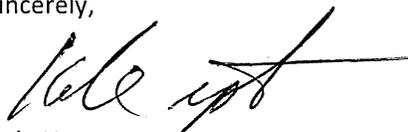
Chowchilla Water District (District) has filed a Notice of Intent with the California Department of Water Resources to modify the boundaries of the Chowchilla Groundwater Sub-basin (Sub-basin) in accordance with the recently approved Groundwater Basin Boundaries regulations¹. The modification request is based on the Jurisdictional Modification criteria set forth in those regulations and is intended to promote sustainable groundwater management within the Sub-basin and adjoining groundwater sub-basins by aligning boundaries with the boundaries of local agencies that will be involved in creating groundwater sustainability agencies (GSAs) and developing and implementing groundwater sustainability plans (GSPs).

The District proposes to modify the Chowchilla Groundwater Sub-basin boundary to include certain lands currently in the northeast portion of the Madera Sub-basin that are part of the Chowchilla Water District service area or sphere of influence. The District also proposes to include certain lands currently in the southern portion of the Merced Sub-basin that are also part of the Chowchilla Water District. Modification as proposed will align these properties with the boundaries of the District.

The District has a long history of cooperation with other local agencies within the Sub-basin and adjoining basins, through the Madera Groundwater Authority JPA, Madera Regional Groundwater Management Plan, Madera-Chowchilla CASGEM Group, Madera IRWMP, Merced Area Groundwater Pool Interest (MAGPI), Merced IRWMP and MAGPI CASGEM. Modification of the Sub-basin boundaries is not intended to affect that cooperation.

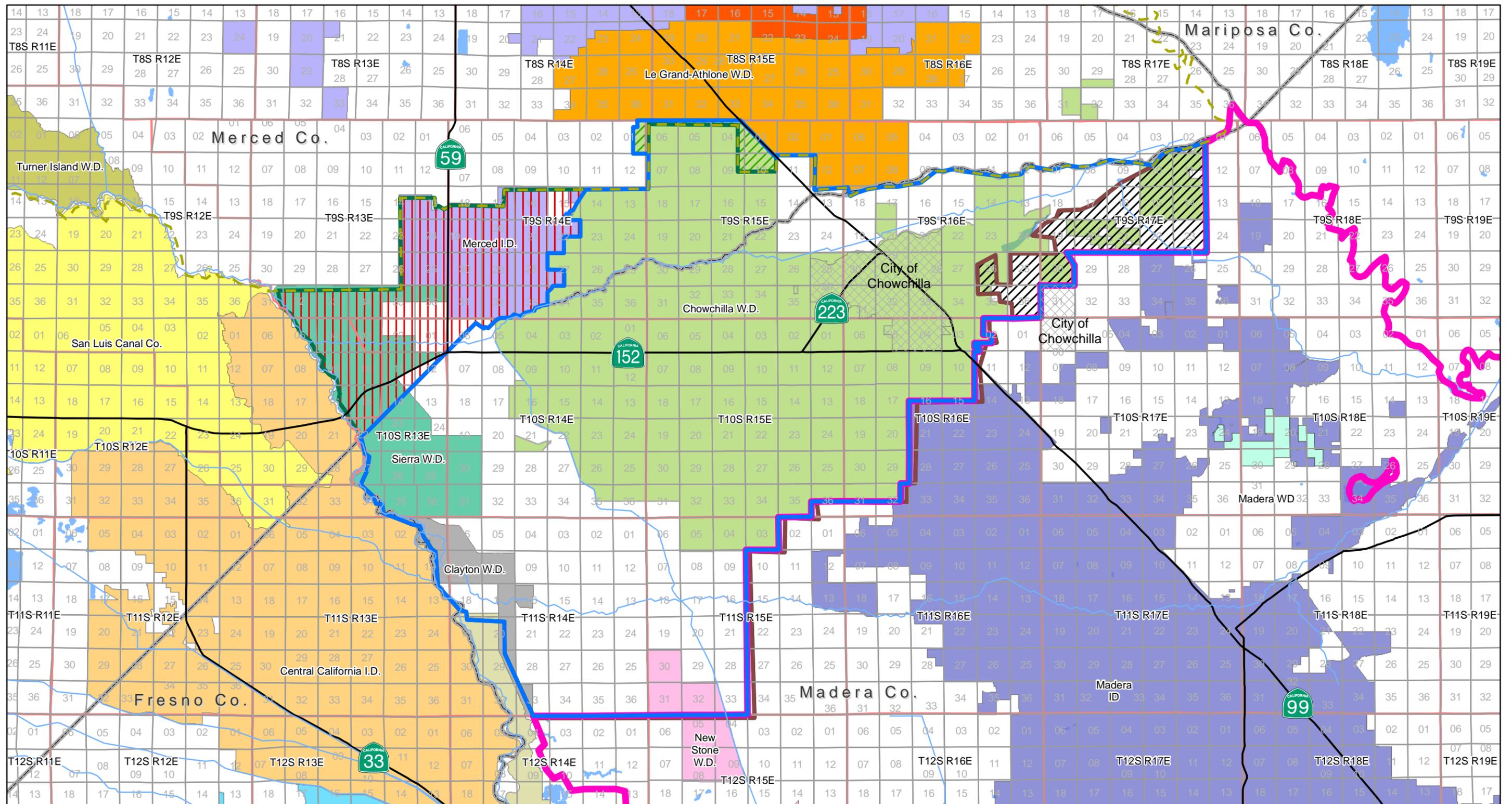
The proposed modifications to the Sub-basin boundaries are detailed on the attached map. The District requests your comments and a letter of support or concerns by March 25, 2016. If you have any questions or wish to discuss further, please contact Doug Welch at 559-665-3747.

Sincerely,



Kole Upton,
CWD Board President

¹ California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 1.5 Groundwater Management, Subchapter 1. Groundwater Basin Boundaries



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 (559) 449-2700

Legend

County Line	Chowchilla W.D.	Proposed Changes to Sub Basin	Proposed Chowchilla Subbasin	Existing Chowchilla Subbasin
PLS Townships	Gravelly Ford W.D.	Add to Chowchilla Sub Basin Remove from Madera Sub Basin	Proposed Madera Subbasin	Existing Madera Subbasin
Madera ID		Add to Chowchilla Sub Basin Remove from Merced Sub Basin		Existing Merced Subbasin
		Remove from Chowchilla Add to Merced Sub Basin		

**Groundwater Subbasin boundaries are considered approximate.*

Proposed Groundwater Sub Basin Boundary Changes

Chowchilla Subbasin Boundary Changes

CITY OF CHOWCHILLA CALIFORNIA

The seal of the City of Chowchilla, California, is circular. It features a central illustration of a bridge over a river. The text around the seal reads "CITY OF CHOWCHILLA CALIFORNIA" at the top, "GATEWAY TO PROSPERITY" in the middle, and "INCORPORATED FEB 7, 1923" at the bottom.

March 22, 2016

Kole Upton, President
Chowchilla Water District
327 S. Chowchilla Blvd
Chowchilla, CA 93610

Re: Support of Chowchilla Water District's Basin Boundary Request

Dear Mr. Upton:

This letter is in response to your request for support of Chowchilla Water District's proposed basin boundary modifications to the Chowchilla sub-basin as submitted on the Department of Water Resources website. Our agency has reviewed the basin boundary modification proposal, and has determined that we support the basin boundary modification proposal.

Thank you for allowing us this opportunity to comment.

Sincerely,

Waseem Ahmed
Mayor, City of Chowchilla
wahmed@cityofchowchilla.org



CITY COUNCIL STAFF REPORT

Item 6.9

[CLICK HERE
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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: A Resolution Authorizing the City Administration to Execute an Agreement with Cornerstone Church for Landscape Maintenance Services.

PREPARED BY: Craig Locke, City Engineer/Public Works Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Authorize the City Administrator to execute an agreement with Cornerstone Church to reimburse them for landscape maintenance services performed within the LLMD.

HISTORY / BACKGROUND:

Chowchilla has one Landscape and Lighting Maintenance District that is comprised of 26 different zones. The properties that are within the Landscaping and Lighting District pay an assessment on their property taxes for the costs of street lighting and landscape maintenance.

Cornerstone Church is within Landscape and Lighting District 90-1 and is assessed annually for the care of the landscaping within the City's right-of-way. Cornerstone Church is the only property within Zone 9. The landscaping that is maintained is along Cornerstone's frontage. The Church pays a contractor to maintain all of their landscaping including the area in the City's right-of-way. The City has been reimbursing Cornerstone for the maintenance of this property since June of 2011.

Staff recommends the extension of the agreement to reimburse Cornerstone Church for the portion of landscape maintenance billed to Cornerstone on the property tax bill. The annual Landscape and Lighting report will be presented to the Council during a Public Hearing in May or June, 2016.

FINANCIAL IMPACT:

The City will annually collect the total LLMD from Cornerstone Church through the semiannual property tax payments and reimburse that portion pertaining to the landscape maintenance. LLMD assessment values vary each year due to analysis of current direct charges to maintain special districts.

ATTACHMENTS:

Resolution
Agreement

SPECIAL INSTRUCTIONS:

Administrative Services to scan and file all related documents. City Clerk to forward copy of approved minutes and Resolution to Craig Locke, City Engineer/Public Works Director.

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR PROVIDING
PUBLIC LANDSCAPE AND MAINTENANCE SERVICES WITHIN THE LANDSCAPE AND LIGHTING
MAINTENANCE DISTRICT 90-1**

WHEREAS, pursuant to Part 2 of Division 15 of the Streets and Highways Code, the Landscape and Lighting Act of 1972, the City of Chowchilla has formed the City of Chowchilla Landscaping, Lighting and Maintenance District No. 90-1; and

WHEREAS, property owned by Cornerstone Church is within Zone 9 of Landscaping and Lighting and Maintenance District 90-1; and

WHEREAS, Cornerstone Church has been maintaining the landscaping that is within the City street right-of-way and agrees to continue the maintenance during the term of this contract; and

WHEREAS, the City is assessing Cornerstone Church for the Lighting and Landscaping maintenance that is within the street right-of-way along the frontage of their property, and

WHEREAS, the City desires to have Cornerstone continue to maintain the landscaping within the right-of-way.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The recitals above are true and correct.
2. The City Administrator is authorized to execute the Agreement for Providing Public Landscape and Maintenance Services within the Landscape Lighting Maintenance District 90-1.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of March, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk

CITY OF CHOWCHILLA
AGREEMENT FOR PROVIDING PUBLIC LANDSCAPE AND MAINTENANCE
SERVICES WITHIN THE LANDSCAPE LIGHTING MAINTENANCE DISTRICT 90-1

WHEREAS, pursuant to Part 2 of Division 15 of the Streets and Highways Code, the Landscape and Lighting Act of 1972 (the "Act"), the City of Chowchilla (the "City") has formed the City of Chowchilla Landscape, Lighting and Maintenance District No. 90-1 (hereinafter the "District"); and

WHEREAS, the City annually adopts a resolution of intention to levy and collect an annual assessment for the District for the maintenance and operation of landscaping drainage systems and public lighting facilities within the District; and

WHEREAS, Cornerstone Church (hereinafter "Cornerstone") is the owner and developer of that certain property located within the District commonly known as the Cornerstone Church more particularly identified as Assessor Parcel No. 014-020-018 (Parcel Map No. 02-09, Parcel No. 1 at Fig Tree Road and Robertson Blvd.) (referred to herein as the "Development") and subject to the assessment of the District to cover costs for, among other things, public lighting and landscaping maintenance; and

WHEREAS, Cornerstone hereby agrees to maintain the public landscaping within the Development located along East Robertson Blvd. until such time as the City formally accepts all the public improvements within the LLMD; and

WHEREAS, Cornerstone has agreed to pay the full amount of the assessment levied by the District pertaining to the Development, but in exchange for Cornerstone assuming the maintenance of the landscaping the City has agreed to refund that portion of the assessment paid for landscape maintenance for the Development;

WHEREAS, the parties have been verbally operating under the terms of this Agreement since June 30, 2011, they now desire to memorialize and ratify their Agreement by this writing.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE CITY AND CORNERSTONE as follows:

1. The City shall assess and record an assessment against the aforementioned Development and Cornerstone shall pay the full amount of that assessment on or before the assessment due date.
2. **Term of Agreement.** The term of this Agreement shall be for a period commencing *March 22, 2016* and ending *June 30, 2018*. Should Cornerstone fail or refuse to maintain and service the landscape areas in accordance with the City's maintenance specifications following thirty (30) days written notice and the opportunity for Cornerstone to cure the deficiency, City may terminate Cornerstone's rights and obligations to perform the maintenance and servicing of the landscape areas and shall thereafter undertake such maintenance and servicing by the City or City's selected landscape contractor(s) under the direct supervision of the City.

3. Following the City's receipt of payment by Cornerstone of the assessment levied against the Development , the City will determine what portion of the total amount assessed is for landscape maintenance costs and will refund to Cornerstone that portion of the assessment attributed to landscape maintenance costs.
4. The aforementioned refund to Cornerstone will be made no later than ninety (90) days after the City's receipt of payment for the full amount of the landscape maintenance assessment for the Development.
5. The City of Chowchilla requires that Cornerstone perform work with its own work force or contract with a duly qualified professional contractor that has successfully demonstrated the ability to provide landscaping maintenance services at comparable facilities.
6. Cornerstone Church has maintained the terms of the agreement since June 30, 2011, and reimbursement for billed landscape maintenance for the 15/16 fiscal year shall be paid according to the terms of this agreement.
7. **Obligations, duties and responsibilities of Cornerstone.** It shall be the duty, obligation and responsibility of Cornerstone under this Agreement that Cornerstone shall be responsible for the management, supervision and control of all work performed under the terms of this Agreement whether that work is performed by the use of Cornerstone's own work force or by a professional landscape contractor.
8. **Extra Services.** Cornerstone shall not perform any work without the prior written consent of the City. Cornerstone shall not be compensated by the City or be entitled to the payment of any additional refund beyond that set forth herein this Agreement for any Extra Work performed..
9. **Agreement to hold harmless and insurance requirements.**
 - A. **Independent contractor:** In the furnishing of the services provided for herein, Cornerstone is acting as an independent contractor and not as an employee of the City.
 - B. **Indemnification:** Cornerstone agrees to indemnify and defend the CITY and hold it, its Council, Boards, Commissions, Officers, Employees, Volunteers and Agents free and harmless from and against any and all claims, lawsuits, judgments, costs, expenses and attorney's fees on account of injury to persons or damage to property arising out of or resulting from Cornerstone or its contractors, subcontractors, agents, members, or representative's performance of this Agreement and/or maintenance of the Development.

C. Insurance requirement: During the term of this Agreement, Cornerstone or its contractors, subcontractors, agents or representatives shall pay for and maintain insurance as listed below:

1. Comprehensive General Liability Insurance of not less than 1,000,000 limit, with a thirty (30) day written Notice of Cancellation in favor of the City.
2. Worker's Compensation Insurance with a ten (10) day written Notice of Cancellation in favor of the City.
3. Automobile Insurance: Automobile insurance covering automotive liability at least as broad as Insurance Services Office (ISO) Commercial General Liability Form CA 00 01 06 92 covering Automobile Liability, Code 1 "any auto". Automobile Liability: \$1,000,000 per accident for bodily injury and property damage. Automobile liability policies are to contain, or be endorsed to contain, the following provisions:
 - i. The City, its officers, officials, employees, agents, and volunteers are to be covered as insured with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of Cornerstone, its agents, and its contractors; and with respect to liability arising out of work or operations performed by or on behalf of Cornerstone including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to Cornerstone's insurance, or as a separate owner's policy.
 - ii. For any claim related to this Agreement, Cornerstone's insurance coverage shall be primary insurance with respect to the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents, or volunteers shall be excess of Cornerstone's insurance and shall not contribute to it.
 - iii. Each insurance policy required by this clause shall be endorsed to read: "Coverage shall not be cancelled by any party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City."

D. Insurance Endorsement: Said policy or policies shall name the City as an additional insured of said policy or policies. Cornerstone shall provide an endorsement of said insurance prior to or concurrent with Cornerstone's execution and tender of this Agreement.

9. Time is of the essence of this Agreement and this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their successors and assigns.

10. All notices or other communication made pursuant hereto shall be in writing and shall be deemed properly delivered, given or served when (i) personally served; or (ii) mailed by certified or registered postage prepaid to the parties at the following addresses:

Cornerstone Church
208 Fig Tree Road
Chowchilla, CA 93610

City of Chowchilla
130 S Second Street
Civic Center Plaza
Chowchilla, CA 93610

11. All exhibits or attachments hereto and referred to in the Agreement are hereby incorporated by this reference as though they were fully set forth herein.

12. In the event it becomes necessary for either party to bring an action with respect to enforcement of the provisions of this Agreement, the prevailing party of such action shall be awarded reasonable attorneys' fees and costs. Jurisdiction for any such action shall be the Superior Court of California, Madera County.

13. The recitals of this Agreement are specifically incorporated into this Agreement as though set forth fully herein.

14. This Agreement constitutes the entire understanding and agreement of the parties with respect to its subject matter and supersedes all negotiations or previous agreement between the parties with respect to all or any of the subject matter hereof.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this ____ day of _____, 2016.

CORNERSTONE CHURCH

CITY OF CHOWCHILLA

Signature: _____

Printed Name: _____

Brian Haddix
City Administrator

Title: _____

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 6.10

[CLICK HERE
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THE AGENDA](#)

March 22, 2016

AGENDA SECTION: New Business

SUBJECT: A Resolution Approving a Proposal from Quad Knopf to Prepare the 2016 – 2020 Chowchilla Housing Element Update

PREPARED BY: Brian Haddix, City Administrator

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

That the City Council authorize Quad Knopf to conduct the Housing Element Update as part of its contract city planning services for the City of Chowchilla

HISTORY / BACKGROUND:

All localities are required to prepare and adopt a housing element as part of their General Plan. The Housing Element must include, among other things, identification and analysis of existing and projected housing needs, an identification of resources and constraints to address these needs, and goals, policies and scheduled programs for the maintenance, improvement and development of housing for all economic segments of the community.

The City of Chowchilla updated its Housing Element on May 2, 2011. This comprehensive revision became part of the 2040 General Plan March 2004 and was subsequently certified as legally adequate by the California Department of Housing and Community Development (HCD) for the planning period from 2009 to 2014. City staff have contacted HCD, on March 17, 2016 and confirmed that the current housing element remains in place while the update to the housing element is in progress.

California Government Code sections 65580-65589.8, require that Housing Elements be updated every five years and, in addition to other state mandates, that the element include analysis and provision of the regional fair share housing (RHNA) allocation. The process of updating the Housing Element is the duty of the City Planner. To assist with the City of Chowchilla's planning needs, the City contracted with Quad Knopf to handling these responsibilities. Based on the strength and experience of this firm, staff is recommending that Quad Knopf take on the duty of updating the Housing Element.

Attached is a "Proposal for Preparation of the 2016-2020 Chowchilla Housing Element Update." Also included is a spreadsheet detailing the various activities within the Housing Element update and the costs associated with each activity.

FINANCIAL IMPACT:

The Housing Element update will be paid for with the savings on the Amphitheater project. There was a local match of \$75,000 that was originally budgeted in the General Fund that is no longer needed due to a donor making a \$75,000 contribution to the city for the Amphitheater project. The Amphitheater was a one-time expense and the Housing Element upgrade is a one-time expense, so they are compatible funding sources.

ATTACHMENTS:

Proposal

Resolution

SPECIAL INSTRUCTIONS:

None.

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA,
CALIFORNIA APPROVING AN AMENDMENT TO THE FY 2015/16 BUDGET
APPROPRIATING FUNDS FOR PREPARATION OF THE CITY OF CHOWCHILLA'S
HOUSING ELEMENT UPDATE;
AUTHORIZE CITY OF CHOWCHILLA'S CONTRACT CITY PLANNER, QUAD
KNOPF, TO CONDUCT THE PREPARATION OF THE HOUSING ELEMENT
UPDATE;
AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE NECESSARY
BUDGETARY AND ACCOUNTING ENTRIES**

WHEREAS, the last Housing Element of the General Plan was adopted May 2, 2014 and was certified by the California Department of Housing and Community Development Department (HCD) and;

WHEREAS, Housing Elements are required by state law to be updated and brought current every five to eight years, and;

WHEREAS, on February 9, 2016, the City Council approved entering into a contract with Quad Knopf to serve as its contract city planner; and

WHEREAS, the firm Quad Knopf has prepared dozens of housing elements over the last decade; and

WHEREAS, the Finance Department has identified savings within the General Fund to offset the \$65,383 requested by Quad Knopf for preparation of the Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. Approve an amendment to the FY 2015/16 budget appropriating additional funds for preparation of the City of Chowchilla's Housing Element Update;
2. Approve having Quad Knopf conduct the Housing Element Update as part of its contract city planning services for the City of Chowchilla; and
3. Authorize the Finance Director to make the necessary budgetary and accounting entries.

* * * * *

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of March, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk



Quad Knopf

March 17, 2016

Brian Haddix, City Manager
City of Chowchilla
130 South Second Street
Chowchilla, CA 93610

Subject: Proposal for Preparation of 2016-2020 Chowchilla Housing Element Update

Dear Mr. Haddix:

Thank you for providing Quad Knopf the opportunity to submit the attached Proposal for preparation of the City's 2016-2020 Housing Element update. This Proposal outlines a cost-efficient, yet thorough process to facilitate preparation of a document that both meets the City's housing needs and is compliant with State housing law.

Quad Knopf has an exemplary history of producing objective, cost-effective, and timely work products that have undergone rigorous public and legal scrutiny. Our team offers you our unique expertise specifically related to housing elements, including:

- ◆ **Local Experience.** Quad Knopf's planning team has more than 50 years of experience working directly for public agencies throughout California, giving them a vast knowledge of local planning processes. Quad Knopf has prepared dozens of housing elements over the last decade.
- ◆ **Proven Results.** Quad Knopf's planning team has demonstrated their ability to meet their client's objectives. We have an established relationship with the City that will serve this project well.

Ginger White, Senior Planner will serve as the Project Manager for the City's Housing Element update, although Annalisa Perea and Desmond Johnston will be the City's primary contacts. This team of specialists will provide the primary interaction in the execution of the Housing Element process, attending meetings and addressing any other needs that the City may have.

Thank you for your consideration of our proposal. Please contact Ginger White at **(559) 449-2400** if you have any questions.

Sincerely,

Ginger White, AICP
Project Manager

Garth Pecchenino, PE, PLS, QSD
Branch Manager

P160089

Proposal for Preparation of the City's 2016-2020 Housing Element

Descriptions of Work Phases and Tasks

BACKGROUND

The Housing Element is the only element of a General Plan that is required to be reviewed and certified by the Department of Housing and Community Development (HCD). In addition, State law dictates the timing for each jurisdiction to complete an update. As population and needs change, so must the plans governing local growth and the provision of City services for safe, decent, and affordable housing. Quad Knopf understands that the objectives of a successful Housing Element include:

- ◆ Articulating a long-term, consensus-based vision for housing that reflects community values and responds to State law requirements
- ◆ Making adequate provision for the housing needs of all economic segments and special needs groups of each community
- ◆ Building and maintaining credibility in the planning process and assuring consistency between the Housing Element and the remainder of the General Plan
- ◆ Facilitating future decision-making by establishing clear, comprehensive policy direction
- ◆ Defining indicators (i.e., measurable outcomes) to monitor success towards achieving the vision
- ◆ Actively involving housing professionals and the public to foster collaboration and create linkages in effective implementation of housing programs
- ◆ Providing compliance with State law

A well-developed process also provides the foundation for establishing a credible, consistent database to evaluate and monitor conditions and to enable the easy incorporation of new data. It facilitates inter-agency planning and policy coordination, and integrates implementation mechanisms for use in establishing annual review and priorities for budgeting and other actions.

Within this proposal, Quad Knopf offers our approach to facilitating the City's Housing Element update process, in conformity with HCD's Housing Element review requirements. City staff, a Housing Element Task Force, other identified representatives or stakeholders, members of the public, and the Quad Knopf team will work together to prepare a assure the document that includes information useful for determining policies and programs that meet HCD's requirements.

The project will be completed in four (4) phases, each of which requires a number of tasks to be completed sequentially. Phase One will include the preparation of the administrative draft policy document. Phase Two will include tasks associated with the submission of the document to State HCD, as well as revision of the document after State HCD review. When the draft policy document has been submitted to HCD, Quad Knopf will begin Phase Three, which includes preparation and circulation of the environmental document. Upon completion of Phases Two and Three, public hearings (Phase Four) will be held, so that the documents can be reviewed by the Planning Commission and approved by the City Council before final submission to State HCD.

PHASE ONE PROJECT INITIATION, DATA COLLECTION AND ANALYSIS

Quad Knopf will perform the tasks listed below to provide the City an updated General Plan Housing Element in conformance with State HCD Housing Element Certification requirements.

The Housing Element will include, but not be limited to:

- ◆ An introduction
- ◆ An assessment of current and future population, and existing and projected housing needs
- ◆ An evaluation of special housing needs
- ◆ An evaluation of the previous Housing Element goals, policies, and programs, and an assessment of accomplishments
- ◆ An assessment of employment and employment trends
- ◆ A detailed inventory and analysis of land for housing, including the probable unit-per-acre build-out by zone
- ◆ An analysis of constraints to housing and associated mitigation measures
- ◆ Proposed goals, policies and programs and five-year implementation plan
- ◆ A description and summary of the public participation process

The document will be reviewed by Quad Knopf to cross-reference its compliance with the City's General Plan, especially the Land Use and Public Facilities Elements' policies and programs. Recent legal requirements encouraging affordable housing, and discouraging discriminatory development, renting, and lending practices and ordinances will also be reviewed.

The tasks to be performed by Quad Knopf are described as follows:

TASK 1.0 PROJECT INITIATION

Task 1.1 Project Administration and Management

This task includes specific efforts necessary to provide adequate project administration and management, including coordination with the City as necessary, meeting coordination with State HCD staff and other affected parties, personnel management, budget preparation and tracking, and invoice preparation and tracking.

Task 1.2 Project Kick-Off Meeting

This task includes preparation for and initiation of one (1) kick-off meeting with City staff to establish a communication plan and mutually agree on performance measurements. This meeting will also serve to refine the scope of work, and allow Quad Knopf to define specific additional information needs for the update process to reach a successful conclusion.

TASK 2.0 DATA COLLECTION

Task 2.1 Collect Background Data

Quad Knopf will collect background data as required by State HCD, utilizing the Building Blocks format, including baseline information from the previous Housing Element, census data, State Department of Finance, and other sources. Other data are compiled and managed by the City, and your staff will be called upon to assist when necessary.

Task 2.2 Update Background Information

Using the U.S. Census, local information from the General Plan, commercially available data, and information found in local records, Quad Knopf will update the Housing Element and Existing Housing Needs section, to the extent possible, relative to information availability, to determine the following:

- ◆ Number of existing households and units
- ◆ Lower income households overpaying for housing
- ◆ Special needs housing
- ◆ Overcrowded households
- ◆ At-risk assisted housing units
- ◆ New construction needs by income group
- ◆ Land inventory and availability of residential land for immediate development
- ◆ Availability of services and facilities for the sites identified in the land inventory
- ◆ Employment and population trends
- ◆ Job growth and housing affordability by job category
- ◆ Costs of construction, government constraints, and other constraints to affordable housing
- ◆ All other data required by State HCD
- ◆ Extent of housing needs for the disabled in accordance with the requirement of SB 520
- ◆ Compliance with all other State laws including, but not limited to:
 - AB 1866 regarding second units
 - AB 1802 regarding housing for farm workers
 - AB 2348 requiring sites to be identified that can be developed for housing within the planning period, in order to accommodate the RHNA
 - SB 1087 regarding water and sewer service for housing affordable to lower-income households
 - SB 303 requiring the Housing Element to identify land to accommodate a 10-year supply of housing and other requirements
 - SBs 2 and 53 addressing homeless and transient housing needs
 - AB 2280 imposing certain restrictions and procedures for a density bonus request
 - AB 802 restricting new housing developments in flood zones, and other protections against flood hazards
 - SB 375, linking transportation to land use, includes a requirement for regional transportation agencies to develop a "Sustainable Communities Strategy" that takes into account the region's housing needs.

Task 2.3 Prepare Housing Quality Analysis

Information revealed in the analysis would be included in the Existing Housing Needs section of the Housing Element. If the City determines that a full Housing Quality Survey is necessary, we can complete this survey for a separate fee.

Task 2.4 Coordinate Land Inventory

Quad Knopf will work with City staff to coordinate preparation of the required land inventory and map, which will include an analysis of the number of units that can be accommodated given present zoning and site restrictions. We would anticipate City staff involvement to prepare the initial land inventory, with Quad Knopf's staff providing technical assistance and ultimately incorporating the results into the remainder of the document. We will work with staff to ensure that the completed land inventory is adequate and an analysis is prepared that includes AB 2348 requirements.

TASK 3.0 ANALYSIS OF BACKGROUND INFORMATION AND PROGRAM DEVELOPMENT

Task 3.1 Review of Current Goals, Objectives, Policies, and Programs

Quad Knopf will assist City staff, and the Housing Element Task Force, as appropriate, in the review of the previous Housing Element's goals, objectives, policies, and programs as accomplished by the various housing agencies serving the jurisdictions. Reports and records provided by City staff usually provide a sufficient level of detail, so that any unmet objectives or unsuccessful programs can be noted and revised for the next planning period.

Specific efforts will include:

- ◆ Quantifying results of information obtained
- ◆ Analyzing significant differences between what was projected or planned in the previous element and what was achieved
- ◆ Quantifying housing achievements
- ◆ Collating information and input from non-profits, City staff, citizens, businesses, and community and civic groups, agencies, and other sources

Task 3.2 Assessment of Housing Constraints

State Government Code requires that each jurisdiction prepare an assessment of the constraints to providing affordable housing. Accordingly, this task will do the following:

- ◆ Assess governmental constraints, including land use controls (e.g., zoning, growth controls, open space requirements), on/off-site improvements, building codes and enforcement, fees and exactions, processing and permit procedures (e.g., processing times, approval procedures), FEMA flood zones, and other such constraints
- ◆ Analyze non-governmental constraints, including availability of financing, price of land, energy costs, and cost of construction
- ◆ To the extent possible, provide measures to mitigate or minimize the constraints. Measures may also be included as new or revised programs

Task 3.3 Development of Goals, Objectives, Policies, and Programs

Once an analysis of the background information, housing needs, accomplishments of the current Housing Element, and constraints has been completed, Quad Knopf will assist in developing appropriate goals, objectives, policies, and programs for the next planning period. The goals, policies, and programs must

support State HCD's intended purpose and the RHNA, as well as the specific needs of the City's residents. Policy and Program topics will include:

- ◆ The need for new construction
- ◆ Promotion of equal housing opportunities
- ◆ Conservation and rehabilitation of dwelling units
- ◆ Provision of adequate sites for all needed housing types
- ◆ Governmental and non-governmental constraints and at-risk housing

TASK 4.0 PUBLIC OUTREACH AND PARTICIPATION

Public participation is an important component in the development of the Housing Element, and includes group representation at formal Housing Element Task Force and public meetings, personal participation at workshops, or comments made in writing or by telephone.

Task 4.1 Housing Element Task Force Meetings

We recommend the City establish a Housing Element Task Force consisting of three to seven individuals from the community, as well as City staff, with experience in the City's housing-related and social services issues. Quad Knopf will meet with the Housing Element Task Force to introduce the project and explain the functions to be completed. The first meeting will include a brief overview of the General Plan, role of the Housing Element, and distribution of materials for the Housing Element Task Force to review and consider, such as an analysis of the policies and programs of the last planning period. The next two meetings will be dedicated to information gathering, including the members' feedback on policies and programs, accomplishments of the last planning period, and constraints and concerns about future housing needs. The last (fourth) meeting will be a review of the Administrative Draft policy document to assure it addresses the needs of the City's residents, meets the RHNA requirements, and satisfies other requirements of State HCD.

Task 4.2 Public Participation

As mentioned above, public participation is an important part of the Housing Element update process. HCD is most likely to consider as compliant those Housing Element updates that provide frequent, diverse, and early opportunities for the general public to participate. In order to most effectively utilize City staff's resources, we recommend that the Housing Element Task Force meetings be open to the general public, and that other methods are used to encourage early, public involvement. We will work with the City early in the process to determine the best avenues to garner public comments. These could include public workshops, use of an anonymous questionnaire, booths at public events, contacting public leaders, or other venues. We will assist the City in providing notices and materials explaining the project and publicizing announcements of scheduled public meetings. Notices may include newspaper announcements, website notices, letters to agencies and other stakeholders, radio announcements, or other formats as appropriate. Quad Knopf will work with City staff to coordinate meeting schedules and deadlines for public input, and provide background data necessary for staff and stakeholders to effectively begin to address the issues required in the Housing Element update.

In addition to formal meetings, residents and representatives of special needs groups may be encouraged to provide ideas by responding to announcements made on the City's website, in newspapers, and in mass mailings. Quad Knopf and City staff can develop a plan for public participation that might include an FTP site, phone message number, or survey to attain a variety of residents' recommendations for the upcoming planning period.

Task 4.3 Incorporation of Recommendations

Recommendations and suggestions from the public and the Task Force will be incorporated into the draft Housing Element. Comments received from the public by mail, E-mail, in person, or telephone will be discussed during Task Force meetings.

PHASE TWO SUBMISSION AND REVIEW OF DRAFT HOUSING ELEMENT BY HCD

Quad Knopf will prepare an administrative draft document that includes the background information and reflects the comments of City staff and stakeholders. This document will be provided to the Housing Element Task Force for final review. Once the document has been reviewed and is found to be satisfactory by City staff, Quad Knopf will prepare a Draft Housing Element for submittal to State HCD. Should any additional revisions to the Draft Housing Element be required once the document has been submitted to State HCD, they will be charged on a time-and-materials basis.

TASK 5.0 COMPLETE AND SUBMIT DRAFT HOUSING ELEMENT TO HCD

Task 5.1 Completion of Administrative Draft Housing Element

Quad Knopf will work closely with the City's staff to assess the accomplishments of the last Housing Element, assess current housing needs, and develop goals and programs for the upcoming planning period. The background information and housing needs; review of goals, objectives, policies, and programs; inventory of land; analysis of constraints; and proposed goals and programs for the upcoming planning period will be compiled in the Administrative Draft Housing Element, following HCD's Building Blocks format. City staff and/or the Housing Element Task Force will review and revise the document. Once it is found to be sufficient by the City and Planning Commission, Quad Knopf will prepare a Draft Housing Element for submission to State HCD.

Task 5.2 Review of Draft Housing Element by State HCD

Two (2) copies of the Administrative Draft and one (1) electronic copy will be provided for review and comment. To reduce costs to the City, this Administrative Draft and any other in-house documents to be prepared will be printed in black-and-white, with a minimum number of oversized pages.

Ten (10) bound copies of the Draft Housing Element will be provided to the City's staff as well as one (1) electronic copy for public review. Of these 10 bound documents, two (2) will be submitted to State HCD.

Quad Knopf will also:

- ◆ Memorialize the agreements and understandings reached with State HCD at each meeting by formal memoranda and communications
- ◆ Provide analysis and recommendations as to State HCD requirements and participate in review discussions with City staff and decision makers
- ◆ Issue responses during State HCD's evaluation process until the document is deemed to be in substantial compliance and ready to be considered for adoption by the City

TASK 6.0 REVISION OF DRAFT HOUSING ELEMENT

Once HCD has deemed that the Draft document is in substantial compliance, Quad Knopf will prepare the revised Draft Housing Element, incorporating staff's responses to HCD comments. Quad Knopf will

provide up to fifteen (15) bound copies of the Revised Draft Housing Element and (1) electronic copy to the City.

PHASE THREE ENVIRONMENTAL DOCUMENTATION

TASK 7.0 COMPLETE CEQA DOCUMENTATION

Task 7.1 Prepare Initial Study

During the period the original Draft Housing Element is under review by State HCD, Quad Knopf will prepare an Initial Study as required by the State CEQA guidelines. It is assumed that a Negative Declaration (ND) or Mitigated Negative Declaration (MND) will be required for the project. Since the project is not anticipated to directly result in land use and zoning changes, an EIR is not considered likely. Where applicable, Quad Knopf will utilize existing program level environmental documents. Preparation up to an ND or MND is included in the budget, and includes costs for the Notice of Determination and the draft and final document preparation (the Department of Fish and Wildlife fee is not included as part of the cost estimate). Quad Knopf will also prepare responses to comments received on the draft environmental document, and will maintain records associated with public outreach efforts and responses, including a file of stakeholders' comments.

Task 7.2 Prepare/Publish/Distribute Negative Declaration or Mitigated Negative Declaration

Quad Knopf will provide two (2) copies of the ND or MND for staff review, and will prepare and provide a Notice of Availability of the document to the City for publication in the appropriate local newspaper.

Quad Knopf will provide one (1) unbound reproducible original and one (1) electronic copy of the document, so that additional copies can be made for distribution at public hearings. Additional copies can be provided to the City upon request and will be billed at an additional cost.

PHASE FOUR PUBLIC HEARINGS AND FINAL DOCUMENTS

TASK 8.0 PUBLIC HEARINGS

Upon receipt of comments on the original Draft Housing Element from State HCD, the document will be edited by City staff, with assistance from Quad Knopf. Once the City staff is satisfied that all State HCD comments have been addressed so that the document will be found to be substantially in compliance, the Planning Commission will review the Revised Draft Housing Element during a public hearing. The draft environmental document will be reviewed by the Planning Commission and approved by the City Council during two separate public hearings (which are anticipated to occur simultaneously with the meetings during which the Housing Element is reviewed and approved).

Upon adoption by the City Council, the Draft Housing Element and Draft ND or MND become the Final Housing Element and Final ND or MND.

TASK 9.0 FINAL DOCUMENT PRODUCTION

The Housing Element update will be considered complete once both the Housing Element and the associated environmental document have been approved by the City Council, and the Housing Element is found in substantial compliance by State HCD. If revisions are needed, Quad Knopf will provide fifteen (15) bound copies and 1 CD of each of the two final documents (Final Housing Element and Final ND or MND) for reproduction and public distribution.

PROJECT BUDGET

We can perform the services identified in the Detailed Descriptions of Work Phases and Tasks for a fixed fee of \$65,383, plus the time and materials to prepare the revisions required by HCD. These are estimated at \$5,000, but could be higher or lower than this amount. The attached spreadsheet provides a breakdown of costs by phases and task.



CITY COUNCIL STAFF REPORT

Item 6.11

[CLICK HERE
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March 22, 2016

AGENDA SECTION: New Business

SUBJECT: Resolution Authorizing the City Administrator to Apply for the Proposition 1 Storm Water Grant Program Planning Grant

PREPARED BY: Craig Locke, City Engineer/Public Works Director

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends the Chowchilla City Council to authorize the City Administrator to apply for \$50,000 in Proposition 1 Storm Water Grant Program Planning Grant Funds.

HISTORY / BACKGROUND:

Prop 1 authorized a bond issuance of \$7.545 billion for water projects including surface and groundwater storage, ecosystem and watershed protection and restoration, and drinking water protection. The first round of funding provides planning grants for eligible applicants that do not have a Storm Water Resource Plan or have a functionally equivalent plan that requires modification to meet the Water Code requirements and Storm Water Resource Plan Guidelines.

Storm Water Resource Plans are required of public agencies, and the City of Chowchilla currently does not have one. Priority consideration is usually given to those applications that include large-scale or regional collaboration such as with IRWM regions, but the City was unable to develop support for a broader effort in the short time between grant identification and the deadline.

Applicants are typically required to provide a fifty percent minimum local funding match. The funding match may include: Federal grants and loans, local and private funding, or donated and volunteer ("in-kind") services. Disadvantaged Communities (DAC's), such as Chowchilla, may request a match reduction. Staff is recommending a reduction to the 10% local match level.

If the application is successful, the Storm Water Resource Plan must be completed within 90-days post award. The City will be required to provide details on the plan process, status of the plan, and assurances that the plan will be completed by this date. The City will be further required to show proof that the local IRWM group has received the plan and will incorporate into the IRWMP.

FINANCIAL IMPACT:

If the State Water Resources Control Board approves the grant application, the City will be liable for a 10% local match, so if the requested \$50,000 grant is awarded the financial impact will be \$5,000 paid for out of the Storm Drain Capital Reserve Fund.

ATTACHMENTS:

Resolution

SPECIAL INSTRUCTIONS:

None

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR THE PROPOSITION 1 STORM WATER
GRANT PROGRAM PLANNING GRANT**

WHEREAS, the California Water Code section 79747. Section 79747 provides \$200 million in grant funds for multi-benefit storm water management projects to improve regional water self-reliance, security, and adapt to the effects on water supply arising from climate change; and

WHEREAS, Prior to the passage of Prop 1 in November 2014, the California Legislature adopted Senate Bill (SB) 985 entitled the Storm water Resource Planning Act amending the Water Code to require the development of a Storm Water Resource Plan to receive grants from a bond act approved after January 1, 2014 for storm water and dry weather runoff capture projects.; and

WHEREAS, the Water Code allows up to ten percent of the SWGP Prop 1 grant funds for planning the development of a watershed-based Storm Water Resource Plan must meet the requirements of the Water Code and the Storm Water Resource Plan Guidelines.; and

WHEREAS, the CITY is committed to effectively collecting and transporting storm water runoff to a recharge basin to sustainably manage the ground water resource; and,

WHEREAS, a successfully completed Storm Water Resource Management Plan will empower the CITY to apply for grant funding for storm drain collections and groundwater recharge projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The recitals above are true and correct.
2. The City Council hereby authorizes the City Administrator to apply for a California Proposition 1 Storm Water Grant Program Planning Grant
3. This Resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 22nd day of March, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Waseem Ahmed, Mayor

ATTEST:

Joann McClendon, CMC
City Clerk