



AGENDA
REGULAR MEETING
CHOWCHILLA CITY COUNCIL

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

October 25, 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. 102 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/Board Clerk who will distribute them to the Council 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 would prejudice the position of the City in these matters. The City Attorney will provide a report, in open session, which details any reportable actions following conclusion of the closed session agenda.

1. Public Employee Performance Evaluation California Government Code Section 54957:

Title: City Administrator

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. Alfred Hansen

CLOSED SESSION REPORT:

CEREMONIAL / PRESENTATIONS – Section 1

1.1 Proclamation – Honoring Veteran’s Day

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 October 11, 2016 City Council Meeting Minutes (McClendon)**3.2 Monthly Financial Report for September 2016 (Pruett)****PUBLIC HEARINGS – Section 4**

4.1 Second Reading and Possible Adoption of Ordinance # 478-16 of the City Council of the City of Chowchilla, Amending the Chowchilla Municipal Code Title 9, Establishing a Proposed Ordinance Regarding the Public Use/Consumption of Non-Medical Marijuana (Riviere/Ritchie)

4.2 Second Reading and Possible Adoption of Ordinance #479-16 of the City Council of the City of Chowchilla, Amending the Chowchilla Municipal Code Title 18, Zoning, Adding Section 18.03.090 – Uses Related to Non-Medical Marijuana Prohibited (Riviere/Ritchie)

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| DEFERRED BUSINESS – Section 5 |
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| NEW BUSINESS – Section 6 |
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- 6.1 Council Resolution # -16, Approving Re-Activating the Heritage Preservation Commission and Appointing Commissioners to Fully Impanel the Body (McClendon/Ritchie)**
- 6.2 Council Resolution # -16, Authorizing the Discontinuance of the CATLinX Transit Service, Effective on December 23, 2016 (McClendon)**
- 6.3 Council Resolution # -16, Authorizing the City Administrator to Enter into a Contract with Steve Dovali Construction for the Robertson and 11th Street Sidewalk Project and Approve the Allocation of an Additional \$17,000 in Construction Funding (Locke)**
- 6.4 Consideration of the City Council Supporting Measure J – a Chowchilla Elementary School District \$13,000,000 Bond (Haddix)**
- 6.5 Informational Item Regarding Industrial Development Strategic Planning Services (Haddix)**
- 6.6 Council Resolution # -16, Approving the Application Submittal for Youth Soccer and Recreation Development Program Grant Funds (Piepenbrok)**
- 6.7 Presentation of the Council Strategic Objectives Report 2016-2016, 5th Quarter – Informational Only (Piepenbrok)**

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| ANNOUNCEMENTS – Section 7 |
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|--------|---|
| OCT 28 | CITY HALL CLOSED |
| OCT 29 | TRUNK OR TREAT HALLOWEEN, CHOWCHILLA FAIRGROUNDS, 5-7PM |
| OCT 31 | HALLOWEEN (OFFICIAL) |
| NOV 4 | CITY HALL CLOSED |
| NOV 5 | CHOWCHILLA LIONS PANCAKE BREAKFAST, CHOWCHILLA FAIRGROUNDS, 7-11AM CHOWCHILLA ROTARY DRAWING DINNER, CHOWCHILLA FAIRGROUNDS, 6PM |
| NOV 6 | DAYLIGHT SAVINGS TIME ENDS, 2AM (“FALL BACK” ONE HOUR) |
| NOV 8 | ELECTION DAY CITY COUNCIL MEETING CANCELLED |
| NOV 10 | CITY HALL CLOSED |
| NOV 11 | VETERAN’S DAY / CITY HALL CLOSED VETERANS MEMORIAL CEREMONY, VETERANS PARK, 11AM |
| NOV 15 | COFFEE WITH A COP, STARBUCKS, 8AM SPECIAL CITY COUNCIL MEETING, CITY HALL, 7:00PM |

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| ADJOURNMENT |
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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 21st day of October 2016 at or before 5:00 p.m.

/s/

Joann McClendon, CMC, City Clerk



**MINUTES
REGULAR MEETING**

CHOWCHILLA CITY COUNCIL

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

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October 11, 2016

CALL TO ORDER

ROLL CALL:

Mayor: Waseem Ahmed

Mayor Pro Tem: Mary Gaumnitz

Council: John Chavez, Dennis Haworth, Richard Walker (absent)

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

PUBLIC ADDRESS – CLOSED SESSION

None.

CLOSED SESSION – 6:00 PM

1. **Public Employee Performance Evaluation California Government Code Section 54957:**
Title: City Administrator
2. **Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9
Number of Cases: 2

OPEN SESSION – 7:00 PM

PLEDGE OF ALLEGIANCE: Mayor Ahmed

INVOCATION: Mr. Alfred Hansen

CLOSED SESSION REPORT: No reportable action.

CEREMONIAL / PRESENTATIONS – Section 1

- 1.1 Recognition: Officer Inzunza – Mothers Against Drunk Driving Award
Officer Chambers – Officer of the Year Award from the American Legion
Owen Sailing Post 148

WORKSHOPS**PUBLIC ADDRESS**

No one spoke.

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

Legislative Items

Oral / Written Reports

Mayor Pro Tem Gaumnitz attended the Chowchilla Union High School 100 Year Anniversary celebration and a Trinity Pregnancy Fundraising Dinner.

Council Member Chavez attended the Chowchilla Union High School 100 Year Anniversary celebration and a California High Speed Rail Authority Board meeting in Sacramento.

Council Member Haworth attended Mothers of Preschool Students meeting, noting the different services offered in the City. Thanked staff involved with getting the order form for the Chowchilla Redskin Way sign out on Facebook.

Mayor Ahmed attended the 2016 League of California Cities Conference in Long Beach with Council Member Walker and City Administrator Haddix. The Mayor also attended the Trinity Pregnancy Center Fundraising Dinner; and a developer meeting.

2.2 STAFF REPORTS

Written/Oral Reports

City Administrator Haddix attended an industrial area land owner meeting regarding potential development; the 2016 League of California Cities Annual Conference; a California High Speed Rail Authority Board meeting.

Community Relations Manager Piepenbrok reported that the Chowchilla District Chamber of Commerce has sold twenty-five "Chowchilla Redskin Way" signs so far. The next Community Task Force will be meeting on the first Tuesday of the month.

City Clerk McClendon announced that since the General Election is being held on November 8, the same date a City Council meeting is scheduled, she will be cancelling the November 8 regular City Council meeting. A Special City Council meeting will be held on Tuesday, November 15. The cancellation and notice of the Special meeting will be posted on the City's website, Facebook and in the kiosk just outside City Hall.

CONSENT CALENDAR – Section 3

3.1 Approval of the September 27, 2016 City Council Meeting Minutes (McClendon)

3.2 Review of General Payments for the Month of September 2016 (Pruett)

- 3.3 Council Resolution #101-16, Authorizing a Regional Application for Assistance to Firefighter's Grant with Madera County Fire Department as the Lead Agency (Turner)**
- 3.4 Council Resolution #102-16, Authorizing the City Administrator to Accept the Dedication of Easement From Oriole Homes (Locke)**
- 3.5 Council Resolution #103-16, Authorizing the Application for Federal Aviation Administration 2016-17 Entitlement Funds to be Applied for Planning Activities at the City of Chowchilla Airport (Locke)**

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

PUBLIC HEARINGS – Section 4

DEFERRED BUSINESS – Section 5

NEW BUSINESS – Section 6

- 6.1 Council Resolution #104-16, Authorizing the City Administrator to Execute a Professional Service Agreement With Acquisition Partners of America for Grant Research and Writing (Haddix)**

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to Approve Council Resolution #104-16, Authorizing the City Administrator to Execute a Professional Service Agreement with Acquisition Partners of America for Grant Research and Writing. Motion passed unanimously by roll call vote with Council Member Walker absent.

- 6.2 A Presentation of a Proposed Ordinance Amending the Chowchilla Municipal Code Title 9, Establishing a Proposed Ordinance Regarding the Public Use/Consumption of Non-Medical Marijuana; Waiving First Reading of the Ordinance; and Setting a Public Hearing Prior to Adoption of the Ordinance (Riviere/Ritchie)**

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to Waive the First Reading of the Proposed Ordinance Amending the Chowchilla Municipal Code Title 9, Establishing a Proposed Ordinance Regarding the Public Use/Consumption of Non-Medical Marijuana and to set up a Public Hearing to be Determined by Staff Prior to Adoption. Motion passed unanimously by roll call vote with Council Member Walker absent.

- 6.3 A Presentation of a Proposed Ordinance Amending the Chowchilla Municipal Code Title 18, Zoning, Adding Section 18.03.090 – Uses Related to Non-medical Marijuana Prohibited; Waiving First Reading of the Proposed Ordinance and Setting a Public Hearing Prior to Adoption of the Ordinance (Riviere/Ritchie)**

Motion by Council Member Haworth, seconded by Mayor Pro Tem Gaumnitz to Waive the First Reading of the Proposed Ordinance Amending the Chowchilla Municipal Code Title 18, Zoning, Adding Section 18.03.090 – Uses Related to Non-Medical Marijuana Prohibited and Setting a Public Hearing to be Determined by Staff Prior to Adoption of the Ordinance. Motion passed unanimously by roll call vote with Council Member Walker absent.

6.4 Council Resolution #105-16, Authorizing the Temporary Suspension of Sewer and Water Development Impact Fees for Commercial Development (Haddix)

Motion by Council Member Haworth, seconded by Council Member Chavez to Approve Council Resolution #105-16, Authorizing the Temporary Suspension of Sewer and Water Development Impact Fees for Commercial Development. Motion passed unanimously by roll call vote with Council Member Walker absent.

The Mayor called for a five minute recess at 8:11 p.m., returning at 8:15 p.m.

6.5 Discussion Regarding Consideration to Deactivate the Parks and Recreation Commission (Piepenbrok)

Motion by Council Member Haworth, seconded by Council Member Chavez to Place the Parks and Recreation Commission on Inactive Status; Direct all Authority and Responsibilities to be Brought Back Under the City Council; Staff to Return to the Council in 12 Months with a Review of the Current Ordinance and Recommendation on Whatever Changes Need to be Made. Motion passed unanimously by roll call vote with Council Member Walker absent.

6.6 Discussion Regarding Proposal of New City Hall Business Hours (McClendon)

ANNOUNCEMENTS – Section 7

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|--------|---|
| OCT 14 | CITY HALL CLOSED |
| OCT 15 | CHAMBER OF COMMERCE FARM FEST DINNER, EASTMAN HALL, 6PM |
| OCT 18 | COMMUNITY CONVERSATION-LET'S TALK CHOWCHILLA, VETERAN'S MEMORIAL PARK, 5:30PM |
| OCT 19 | PLANNING COMMISSION MEETING, CITY HALL, 7PM |
| OCT 22 | FRIENDS OF THE LIBRARY TACO SALAD DINNER, HARVEST VALLEY CHURCH, 4:30-6:30PM |
| OCT 25 | CITY COUNCIL MEETING, CITY HALL, 7PM |

ADJOURNMENT

The City Council Adjourned in Memory of Mr. Curtis Bennett

Motion by Council Member Haworth to adjourn the October 11, 2016 Council Meeting at 8:48 p.m. Motion passed unanimously by voice vote.

ATTEST:

APPROVED:

Joann McClendon, CMC
City Clerk

Mayor Waseem Ahmed



CITY COUNCIL STAFF REPORT

Item 3.2

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Meeting October 25, 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 September 2016 Financial Statements shown in the attachment

HISTORY / BACKGROUND:

Staff provides Council with monthly financial information as an ongoing financial status update.

DISCUSSION:

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 25%.

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

FINANCIAL IMPACT:

Revenues- Most Revenues will be under the 25% benchmark due to the vast majority of our revenues coming from cyclical revenue streams such as property taxes/VLF and reimbursements that have to be billed out and are received later. There was nothing that was identified as out of the ordinary at this point in the fiscal year.

Expenses- Many departments will be over the 25% benchmark due to paying the annual unfunded liability amount for PERS up front in July. We could make monthly payments but by paying it up front, we saved roughly \$20k. We would have paid \$565k over monthly payments but by paying up front that amount was reduced to \$545k. Not all of that expense/savings belongs to the General Fund but a large portion does and is the reason for the variance from the benchmark in most cases.

General Services is at 56% because the 1st bond payment for the City Hall Building was due in July in the amount of \$264,767.

K-9 is a result of the above mentioned PERS annual payment. Classic Safety Employees have a large portion of the unfunded liability and K-9 has 2 classic officers in it.

Planning & Zoning had the Housing Element updated and the Downtown Design Guidelines updated which were collectively \$50k. This caused the department to be over the 25% benchmark. Those were 1 time expenses

Recreation Programs has the concerts in the park and the movies in the park in July so a large portion of the annual expenses are incurred in July, as well as August.

NOTE: The overall budgeted surplus has decreased from the August report by \$78k. August report showed \$443,684 and this report shows \$365,540. The decrease is due to the following reasons:

- 1) The downtown design guidelines update was approved by council after the budget was done. We had to use existing fund balance to pay for it- \$26,550
- 2) The Housing Element update was approved by council in FY 15/16 and a PO was created. We thought we would incur the expense in FY 15/16 so it was not budgeted for in FY 16/17 but we did not incur the expense until FY 16/17. This comes from fund balance but the fund balance for FY 15/16 was increased from expected since we did not incur the expense in FY 15/16. This is just a timing issue-\$25,000
- 3) We added \$26,500 of expense for a Fire Air Compressor System that, the same as item #2 above, was budgeted for in FY 15/16 and the expense was anticipated to be incurred in FY 15/16 when the FY 16/17 budget was done. Since we did not incur the expense until FY 16/17 a budget amendment was needed. This expense came from fund Balance and as with item #2, it is just a timing issue. No net change to fund balance.

ATTACHMENTS:

September 2016 Budget vs Actual and Balance Sheet

| | Prior Budget | Prior Actual | Percent | Current Budget | Current Actual | Difference | Percent |
|---|--------------|--------------|---------|----------------|----------------|--------------|---------|
| GENERAL FUND | | | | | | | |
| GENERAL ADMINISTRATION | | | | | | | |
| Total Expenditure: | 51,876.00 | 34,460.82 | 9% | 18,500.00 | 1,657.68 | 16,842.32 | 9% |
| Total Revenue: | 5,298,899.00 | 5,167,524.14 | 2% | 5,932,317.00 | 638,555.47 | 5,293,761.53 | 11% |
| CITY COUNCIL | | | | | | | |
| Total Expenditure: | 75,289.00 | 44,109.78 | 5% | 70,373.00 | 6,552.84 | 63,820.16 | 9% |
| Total Revenue: | 20,160.00 | 20,830.05 | 0% | .00 | .00 | .00 | 0% |
| CITY CLERK | | | | | | | |
| Total Expenditure: | 70,309.00 | 57,759.34 | 1% | 138,524.00 | 35,942.95 | 102,581.05 | 26% |
| Total Revenue: | 42,288.00 | 42,399.95 | 0% | .00 | .00 | .00 | 0% |
| CITY ATTORNEY | | | | | | | |
| Total Expenditure: | 546,306.00 | 546,304.85 | 3% | 200,000.00 | 25,959.63 | 174,040.37 | 13% |
| Total Revenue: | 35,000.00 | 48,306.66 | 0% | 514,000.00 | 514,666.67 | 666.67- | 100% |
| GENERAL SERVICES | | | | | | | |
| Total Expenditure: | 643,579.00 | 649,226.37 | 34% | 527,103.00 | 292,802.99 | 234,300.01 | 56% |
| Total Revenue: | 74,233.00 | 74,234.00 | 0% | .00 | .00 | .00 | 0% |
| ADMINISTRATIVE SERVICES | | | | | | | |
| Total Expenditure: | 475,132.00 | 431,567.39 | 6% | 450,422.00 | 111,675.04 | 338,746.96 | 25% |
| Total Revenue: | 128,088.00 | 129,548.22 | 0% | .00 | .00 | .00 | 0% |
| CITY PROPERTY - RENTS | | | | | | | |
| Total Expenditure: | 28,850.00 | 22,092.98 | 1% | 10,500.00 | 1,111.11 | 9,388.89 | 11% |
| Total Revenue: | 106,300.00 | 109,869.12 | 7% | 89,960.00 | 21,579.13 | 68,380.87 | 24% |
| FINANCE DEPARTMENT | | | | | | | |
| Total Expenditure: | 637,695.00 | 614,541.06 | 6% | 651,350.00 | 176,839.72 | 474,510.28 | 27% |
| Total Revenue: | 314,451.00 | 320,879.90 | 1% | .00 | 937.15 | 937.15- | 0% |
| PROPERTY TAXES | | | | | | | |
| Total Expenditure: | 550.00 | 539.40 | 0% | 550.00 | 539.40 | 10.60 | 98% |
| POLICE - SWORN | | | | | | | |
| Total Expenditure: | 2,640,142.17 | 2,619,604.61 | 7% | 3,037,381.00 | 772,300.22 | 2,265,080.78 | 25% |
| Total Revenue: | 421,436.87 | 419,837.47 | 2% | 510,000.00 | 84,809.94 | 425,190.06 | 17% |
| POLICE - NET | | | | | | | |
| Total Expenditure: | 120,778.00 | 84,534.42 | 0% | 192,580.00 | 22,162.47 | 170,417.53 | 12% |
| Total Revenue: | 109,250.00 | 84,534.42 | 0% | 157,300.00 | .00 | 157,300.00 | 0% |
| SPECIAL INVESTIGATIONS UNIT | | | | | | | |
| Total Revenue: | .00 | 25,954.41 | 0% | .00 | .00 | .00 | 0% |
| POLICE - K-9 | | | | | | | |
| Total Expenditure: | 285,794.00 | 251,342.10 | 6% | 291,837.00 | 97,298.00 | 194,539.00 | 33% |
| Total Revenue: | 10,000.00 | 10,047.09 | 0% | 15,000.00 | 33,625.81 | 18,625.81- | 224% |
| FIRE SERVICES | | | | | | | |
| Total Expenditure: | 578,004.00 | 505,072.30 | 4% | 887,827.00 | 108,620.36 | 779,206.64 | 12% |
| Total Revenue: | 232,152.86 | 246,536.46 | 0% | 409,500.00 | 415.00 | 409,085.00 | 0% |
| ANIMAL CONTROL | | | | | | | |
| Total Expenditure: | 131,815.00 | 103,530.35 | 6% | 129,734.00 | 35,798.49 | 93,935.51 | 28% |
| Total Revenue: | 5,000.00 | 9,636.94 | 14% | 4,700.00 | 2,259.00 | 2,441.00 | 48% |
| PLANNING & ZONING | | | | | | | |
| Total Expenditure: | 252,591.00 | 178,138.37 | 3% | 320,564.00 | 93,647.96 | 226,916.04 | 29% |
| Total Revenue: | 30,642.00 | 27,913.52 | 3% | 8,700.00 | 679.11 | 8,020.89 | 8% |
| COMMUNITY & ECONOMIC DVLPMNT | | | | | | | |
| Total Expenditure: | 2,865.00 | 2,314.04 | 0% | .00 | .00 | .00 | 0% |
| BUILDING & CODE ENFORCEMENT | | | | | | | |
| Total Expenditure: | 156,412.00 | 146,475.20 | 6% | 226,609.00 | 36,684.13 | 189,924.87 | 16% |
| Total Revenue: | 189,230.54 | 188,758.41 | 8% | 198,950.00 | 60,308.61 | 138,641.39 | 30% |
| COMMUNITY PROMOTION | | | | | | | |
| Total Expenditure: | 19,047.00 | 18,158.43 | 0% | 25,800.00 | 5,094.77 | 20,705.23 | 20% |
| SENIOR SERVICES | | | | | | | |
| Total Expenditure: | 32,646.00 | 31,477.18 | 8% | 32,542.00 | 8,673.65 | 23,868.35 | 27% |

| | Prior Budget | Prior Actual | Percent | Current Budget | Current Actual | Difference | Percent |
|---------------------------------|--------------|--------------|---------|---------------------|---------------------|---------------------|--------------|
| Total Revenue: | 9,100.00 | 10,657.01 | 28% | 9,050.00 | .00 | 9,050.00 | 0% |
| PARKS AND FACILITIES | | | | | | | |
| Total Expenditure: | 360,482.00 | 274,241.84 | 6% | 319,688.00 | 83,760.22 | 235,927.78 | 26% |
| Total Revenue: | 108,731.00 | 117,552.24 | 4% | 70,497.00 | 17,194.63 | 53,302.37 | 24% |
| RECREATION PROGRAMS | | | | | | | |
| Total Expenditure: | 27,450.00 | 12,579.92 | -2% | 30,050.00 | 8,254.31 | 21,795.69 | 27% |
| Total Revenue: | 7,500.00 | 12,265.00 | 3% | 7,500.00 | 2,450.00 | 5,050.00 | 33% |
| GENERAL FUND Revenue Total: | | | | | | | |
| | 7,142,462.27 | 7,067,285.01 | 3% | 7,927,474.00 | 1,377,480.52 | 6,549,993.48 | 17% |
| GENERAL FUND Expenditure Total: | | | | | | | |
| | 7,137,612.17 | 6,628,070.75 | 8% | 7,561,934.00 | 1,925,375.94 | 5,636,558.06 | 25% |
| Net Total GENERAL FUND: | 4,850.10 | 439,214.26 | -8277% | 365,540.00 | 547,895.42- | 913,435.42 | -150% |
| Net Grand Totals: | 4,850.10 | 439,214.26 | -8374% | 365,540.00 | 547,895.42- | 913,435.42 | -150% |

**CITY OF CHOWCHILLA
BALANCE SHEET
SEPTEMBER 2016
GENERAL FUND**

ASSETS

| | | | |
|------------------------|----------------------------|-----------------|---------------------|
| 100-0100-0000-0200-000 | CASH - COMBINED FUND | (7,710,260.53) | |
| 100-0100-0000-0201-000 | PETTY CASH | 200.00 | |
| 100-0100-0000-0201-001 | CASH DRAWER | 2,400.00 | |
| 100-0100-0000-0202-000 | PRE-PAID POSTAGE ACCOUNT | 1,048.98 | |
| 100-0100-0000-0208-000 | CASH IN US BANK - RESTRICT | 369,740.13 | |
| 100-0100-0000-0209-000 | CASH IN LAIF | 9,022,180.18 | |
| 100-0100-0000-0221-000 | A/R - ACCRUED REVENUES | (3,408.60) | |
| 100-0100-0000-0224-000 | A/R MODULE ONLY RECEIVALB | 14,193.96 | |
| 100-0100-0000-0226-000 | ADVANCE TO OTHER FUNDS | 557,442.34 | |
| 100-0100-0000-0227-000 | LIENS RECEIVABLES GENERAL | 68,200.51 | |
| 100-0100-0000-0228-000 | PENDING CHARGES OR REFU | 272.95 | |
| 100-0100-0000-0229-000 | A/R BUSINESS LICENSE | 92,164.07 | |
| | | | |
| | TOTAL ASSETS | | <u>2,414,173.99</u> |

LIABILITIES AND EQUITY

LIABILITIES

| | | | |
|------------------------|--------------------------|--------------|------------|
| 100-0200-0000-0420-000 | TRADE PAYABLES | 160,679.27 | |
| 100-0200-0000-0421-001 | BONDS FOR WORK-REFUNDAB | 5,000.00 | |
| 100-0200-0000-0425-000 | TAX LIABILITY | (78,678.33) | |
| 100-0200-0000-0465-000 | UNCLAIMED PROP/STALE DAT | 287.07 | |
| 100-0200-0000-0480-000 | DEFERRED REVENUE | 78,678.33 | |
| | | | |
| | TOTAL LIABILITIES | | 165,966.34 |

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 | 652,188.94 | |
| 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 | 303,040.02 | |
| | REVENUE OVER EXPENDITUR | (547,895.42) | |
| | | | |
| | BALANCE - CURRENT DATE | 1,690,765.31 | |
| | | | |
| | TOTAL FUND EQUITY | | <u>2,248,207.65</u> |
| | | | |
| | TOTAL LIABILITIES AND EQUIT | | <u>2,414,173.99</u> |



CITY COUNCIL STAFF REPORT

Item 4.1

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

October 25, 2016

AGENDA SECTION: Public Hearing

SUBJECT: **Second Reading and Possible Adoption of Ordinance #478-16 of the City of Chowchilla, Amending the Chowchilla Municipal Code Title 9 amending the Chowchilla Municipal Code Title 9, Establishing a proposed Ordinance Regarding the Public Use/Consumption of Non-Medical Marijuana**

PREPARED BY: Dave Riviere, Police Chief
David Ritchie, City Attorney

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

On October 11, 2016, Ordinance # 478-16 adding Sections 9.10.010 et. seq. to the Chowchilla Municipal Code Title 9, Public Peace, Morals and Welfare; prohibiting the use, consumption or possession of non-medical marijuana in any manner inconsistent with the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA") and further prohibiting possession, consumption, use in any city-owned, leased or occupied premises was presented for first reading and setting of a public hearing.

Council, hearing no objections, waived first reading of the ordinance and set the public hearing for October 25, 2016. Subsequent to the setting for public hearing, the City Clerk posted public notice of the hearing. Confirmation of such notices are attached as exhibits to this agenda item.

Additional prohibitions contained in the ordinance include:

- prohibiting the establishment or operation of state-licensed marijuana businesses including, but not limited to those involved in dispensing, cultivating, manufacturing, distributing, transporting and testing, within the geographic boundaries of the City,
- prohibiting deliveries of non-medical marijuana from state-licensed retailers, microbusinesses, non-profits or other businesses to delivery locations within the geographic boundaries of the City;
- establishing enforcement mechanisms for violations of the new sections of municipal code.

This ordinance would take effect only in the event that Proposition 64 is passed by the voters of the State of California in the election held on November 8, 2016.

Following the public hearing, Council may choose to adopt Ordinance 478-16

HISTORY / BACKGROUND:

On November 8, 2016 the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA") will come before California voters as Proposition 64. If passed, the AUMA will legalize the nonmedical use of marijuana by persons age 21 and over and will permit the personal cultivation of up to six (6) marijuana plants.

If passed, the AUMA will create a state licensing and regulatory system over commercial cultivation, manufacturing, dispensing, distributing transportation and testing of nonmedical marijuana products.

Previously, the Medical Marijuana Regulation and Safety Act (MMRSA) was approved in California; and the new AUMA predominantly mirrors this prior Act with several key differences:

- unlike the MMRSA, the AUMA does not require applicants for state licenses to prove local permission and will issue a license unless a City's municipal code prohibits it.
- unlike the MMRSA, the AUMA allows the regulation of personal indoor cultivation, but does not permit an outright ban of personal indoor regulation
- the AUMA repeals all local bans on outdoor personal cultivation if and when the Attorney general determines that nonmedical marijuana use in California is lawful under federal law
- under the AUMA, deliveries from state-licensed marijuana businesses or non-profits can be made unless prohibited by local ordinance unlike the MMRSA which requires deliveries come from a state-licensed dispensary.

Local governments can:

- Regulate or ban all personal outdoor cultivation until the Attorney General determines the use of nonmedical marijuana is lawful in the State of California under federal law.
- Reasonably regulate, but not ban personal indoor cultivation of non-medical marijuana.
- Regulate or ban businesses involved in non-medical marijuana or adopt land use regulations pertaining to such businesses.

If adopted, the Ordinance would go into effect in the event that Proposition 64 is approved by voters on November 8, 2016.

FINANCIAL IMPACT:

The City does, as an alternative, have the ability to consider imposing local taxes on non-medical marijuana, and if it were to choose to do so would be obligated to comply with Proposition 218 in order to enact such taxes.

It is not known what amount, if any, revenue would be received by the City if it were to adopt a taxation model rather than a ban on nonmedical marijuana businesses.

SUPPLEMENTS ATTACHED:

Certification of Notice of Public Hearing
Ordinance 478-16

ANIMALS**Dogs**

Puppies!

MATLESE SWEETS PUPPIES
For Sale \$500 Creamy White
2-Female 1-Male Puppies Are In
Modesto 209-606-1716

Pets Lost & Found

FOUND dog brown and black small dog.
Near Thomas Oleta school Atwater.
Must identify sex. 209-635-0033

FOUND Yorkie Puppies cherry/milly
needs a good new home contact now
559-9326 or henryscoton016@aol.com

YORKIE pups m/f up for grabs text 559
9326 or henryscoton016@aol.com if
interested.

Pet Services & Supplies

**LOW Cost Vaccination Clinic in
Merced**



Every Saturday 2:30 pm to 4 pm at
Merced Dog Park at R St. &
Yosemite
Upcoming clinics: October 8th,
October 15th, October 22nd
NO APPOINTMENT NEEDED

Clinics held rain or shine! Clinics will
not be canceled due to weather.

Cash and credit cards accepted

Quick, friendly, personalized service
from a local, family owned
business.

Offering distemper/parvo, rabies,
bordetella, deworming, flea
treatment and microchipping.
Cat vaccines also offered.

Rabies vaccine \$10
Other vaccines \$15 each
Packages available

Microchip \$35 includes registration
Visit our website for more info
www.lowcostvaccines.net

Email (best way to contact us)
lowcostshots@yahoo.com
(209) 410-2364

AUTOMOTIVE**Automobiles**

Tow-Bar W/Car Bracket, Denco
New Cond. 7000 Pounds Capacity;
Over \$1200, New Asking \$375
OBOATW (209)-761-4124

CLASSIFIEDS AND

Automobiles

**CHOWCHILLA Elem. School
Surplus Sale**
Sealed Bid Surplus Item
1 - '93 Thomas Bus
Vehicle can be viewed at 300 N.
13th St. 8:30a.m. to noon on
October 17-21, 2016. Sealed bids
are due to the District Office by
4p.m. on October 21, 2016. Bid to
be awarded at the 10/24/16
Board Meeting & property must be
taken possession of by
Oct. 28th, 2016.

Misc. Automotive

ALL CONSIGNMENTS WANTED
Toscano RV 209-826-2488
Best Service Department
Huge Discounts on new RV's

LEGAL NOTICES**Legals & Public Notices**

**NOTICE OF PROPOSED
ORDINANCE 478-16
OF THE CITY COUNCIL OF THE
CITY OF CHOWCHILLA
AND SUMMARY THEREOF**

NOTICE IS HEREBY GIVEN THAT
The City Council of the City of
Chowchilla will consider the adop-
tion of a proposed Ordinance No. 478-
16 at the regular meeting of the City
Council to be held October 25, 2016 at
7:00 p.m. in the City Council Cham-
bers located at 130 S Second Street,
Chowchilla, CA 93610. A certified
copy of the full text of the proposed
ordinance is posted in the Office of
the City Clerk at Chowchilla City
Hall at least five days prior to said
Council Meeting and is available for
public review.

A summary of the proposed Ordinance
No 478-16 is as follows: an Ordinance
of the City Council of the City of
Chowchilla Amending Title 9
of the Chowchilla Municipal Code
Pertaining to "The Regulation of"
Non-Medical Marijuana Use, Con-
sumption and Cultivation.

/s/
Joann McClendon, CMC
City Clerk

DATE: October 12, 2016
CN-2728552 10/19

Notice 2 Creditors

**NOTICE TO CREDITORS OF
BULK SALE
(SECS. 6101-6111 U.C.C.)**

Notice is hereby given to the cred-
itors of AVA FITNESS SPA, LLC
("Seller"), whose business address is
1505 E. Robertson Blvd.,
Chowchilla, CA 93610, that a bulk
sale is about to be made to
CHOWCHILLA MEMORIAL

CHOWCHILLA NEWS**Notice 2 Creditors**

tura Avenue, Chowchilla, CA
93610.

The property to be transferred is lo-
cated at 1505 E. Robertson Blvd.,
City of Chowchilla, County of
Madera, State of California. Said
property is described as: ALL IN-
VENTORY, STOCK IN TRADE,
FIXTURES, EQUIPMENT AND
GOODWILL OF THE BUSINESS
KNOWN AS AVA FITNESS SPA.

The bulk sale will be consummated
on or after November 4, 2016, at
First American Title Company,
7010 North Palm Avenue, Fresno,
CA 93650 pursuant to Division 6 of
the California Code.

[This bulk sale is subject to Section
6106.2 of the California Commercial
Code. ALL CLAIMS TO BE SENT
C/O First American Title Compa-
ny, 1004-5303643, 7010 North Palm
Avenue, Fresno, CA 93650. The
last date for filing claims shall be
November 3, 2016.]

So far as known to Buyer, all busi-
ness names and addresses used by
Seller for the three years last past, if
different from the above, are:

Name: NONE
Address: NONE

Dated: October 11, 2016

Buyer:

CHOWCHILLA MEMORIAL
HEALTH DISTRICT

By:

Name: CATHY J. FLORES
Title: C. E. O.
CN- 2728873 10/19

Fictitious Names

**FICTITIOUS BUSINESS
NAME STATEMENT**

FILE NO. 20160552
The following person(s) is (are)
doing business as:

FICTITIOUS BUSINESS NAME(S)

E. FLORES & SON TRUCKING

ADDRESS: 21689 RD. 19 1/2

CHOWCHILLA, CA 93610

IN: Madera County

Full Name of Registrant, Residence

Street address:

ARMANDO FLORES

21689 ROAD 19 1/2

CHOWCHILLA, CA 93610

This business is conducted by:

INDIVIDUAL

The registrant commenced to trans-
act business under the fictitious

business name or names listed

above on: N/A

I declare that all information in this

statement is true and correct. (A

registrant who declares as true any

material matter pursuant to Section

17913 of the Business and Profession-
al Code that the registrant knows to

Fictitious Names

be false is guilty of a misdemeanor
punishable by a fine not to exceed
one thousand dollars (\$1,000.)

SIGNATURE OF REGISTRANT:

/S/ ARMANDO FLORES

This statement was filed with RE-

BECCA MARTINEZ, MADERA

COUNTY CLERK ON 2016 SEP 7

NOTICE - In accordance with subdivi-

sion (a) of Section 17920, a ficti-

tious business statement generally

expires at the end of five years from

the date on which it was filed in the

office of the County Clerk, except as

provided in subdivision (b) of Sec-

tion 17920, where it expires 40 days

after any change in the facts set

forth in the statement pursuant to

Section 17913 other than a change in

the residence address of a registered

owner. A new fictitious business

name statement must be filed before

the expiration.

The filing of this statement does not

of itself authorize the use in this

state of a fictitious business name in

violation of the rights of another un-

der federal, state, or common law

(see Section 14411 et. seq., Business

Professions Code).

CN- 2687310 9/28, 5, 12, 19

FICTITIOUS BUSINESS

NAME STATEMENT

FILE NO. 20160585

The following person(s) is (are)

doing business as:

FICTITIOUS BUSINESS NAME(S)

MIKE'S COUNTRY CLIPPERS

ADDRESS: 37184 AVE 12, SUITE

104

MADERA, CA 93636

IN: Madera County

Full Name of Registrant, Residence

Street address:

ELAINE MARION

37905 DUBLIN DRIVE

MADERA, CA 93636

This business is conducted by:

INDIVIDUAL

The registrant commenced to trans-
act business under the fictitious

business name or names listed

above on: N/A

I declare that all information in this

statement is true and correct. (A

registrant who declares as true any

material matter pursuant to Section

17913 of the Business and Profession-
al Code that the registrant knows to

be false is guilty of a misdemeanor

punishable by a fine not to exceed

one thousand dollars (\$1,000.)

SIGNATURE OF REGISTRANT:

/S/ ELAINE MARION

This statement was filed with RE-

BECCA MARTINEZ, MADERA

COUNTY CLERK ON 2016 SEP 23

NOTICE - In accordance with subdivi-

sion (a) of Section 17920, a ficti-

Fictitious Names

owner. A new fictitious business
name statement must be filed before
the expiration.

The filing of this statement does not

of itself authorize the use in this

state of a fictitious business name in

violation of the rights of another un-

der federal, state, or common law

(see Section 14411 et. seq., Business

Professions Code).

CN-2717203 10/12, 19, 26, 2

FICTITIOUS BUSINESS

NAME STATEMENT

FILE NO. 20160592

The following person(s) is (are)

doing business as:

FICTITIOUS BUSINESS NAME(S)

PARKWOOD MART

ADDRESS: 12893 HIGHWAY 145

MADERA, CA 93637

IN: Madera County

Full Name of Registrant, Residence

Street address:

DALJIT SINGH CHOHAN

947 SAN JOSE AVE

MADERA, CA 93637

RANI KAUR CHOHAN

947 SAN JOSE AVE

MADERA, CA 93637

This business is conducted by:

A MARRIED COUPLE

The registrant commenced to trans-
act business under the fictitious

business name or names listed

above on: N/A

I declare that all information in this

statement is true and correct. (A

registrant who declares as true any

material matter pursuant to Section

17913 of the Business and Profession-
al Code that the registrant knows to

be false is guilty of a misdemeanor

punishable by a fine not to exceed

one thousand dollars (\$1,000.)

SIGNATURE OF REGISTRANT:

/S/ DALJIT S. CHOHAN

This statement was filed with RE-

BECCA MARTINEZ, MADERA

COUNTY CLERK ON 2016 SEP 27

NOTICE - In accordance with subdivi-

sion (a) of Section 17920, a ficti-

tious business statement generally

expires at the end of five years from

the date on which it was filed in the

office of the County Clerk, except as

provided in subdivision (b) of Sec-

tion 17920, where it expires 40 days

after any change in the facts set

forth in the statement pursuant to

Section 17913 other than a change in

the residence address of a registered

owner. A new fictitious business

name statement must be filed before

the expiration.

The filing of this statement does not

of itself authorize the use in this

state of a fictitious business name in

violation of the rights of another un-

der federal, state, or common law

(see Section 14411 et. seq., Business

Professions Code).

CN- 2710114 10/5, 12, 19, 26

CLASSIFIEDS ADS

Monday-Friday, 8:30am-5:00pm
1-209-385-2403

WEDNESDAY, OCTOBER 19, 2016

**NOTICE OF PROPOSED
ORDINANCE 479-16
OF THE CITY COUNCIL OF THE
CITY OF CHOWCHILLA
AND SUMMARY THEREOF**

NOTICE IS HEREBY GIVEN THAT
The City Council of the City of
Chowchilla will consider the adop-
tion of a proposed Ordinance No. 478-
16 at the regular meeting of the City
Council to be held October 25, 2016 at
7:00 p.m. in the City Council Cham-
bers located at 130 S Second Street,
Chowchilla, CA 93610. A certified
copy of the full text of the proposed
ordinance is posted in the Office of
the City Clerk at Chowchilla City
Hall at least five days prior to said
Council Meeting and is available for
public review.

A summary of the proposed Ordinance
No 479-16 is as follows: an Ordinance
of the City Council of the City of
Chowchilla Adding Chapter
18.03.090 to the Chowchilla Municipal
Code Establishing That Uses Related
to Non-Medical Marijuana Are
Prohibited.

/s/
Joann McClendon, CMC
City Clerk

DATE: October 12, 2016
CN- 2728563 10/19

Legal Notice of Central Counting
Place

NOTICE IS HEREBY GIVEN
that all Official Ballots cast at the
November 8, 2016 Consolidated Pres-
idential General Election will be
tabulated in the office of the County
Clerk/Registrar of Voters, located at
200 West 4th Street, Madera.

The semi-official canvass commen-
ces at the time the polls close, 8:00
p.m. on November 8, 2016.

Dated: October 17, 2016
REBECCA MARTINEZ
County Clerk Recorder/Registrar
of Voters

SPANISH VERSION

**AVISO DEL LUGAR CENTRAL
DE CONTEO DE VOTOS**

Por la presente se notifica que los
votos por correo y los votos en las
casillas electorales emitidos para la
Elección Presidencial General
Consolidada serán tabulados en la
oficina de la Administradora del
Condado/Registro de Votantes,
localizado en el 200 West 4th Street
en Madera California.

El sondeo semi-oficial empezara al
tiempo de cierre de las Casillas
Electorales, a las 8 p.m. el día 8 de
noviembre de 2016.

Fechado: 17 de octubre de 2016
REBECCA MARTINEZ
Administradora del Condado/
Registro de Votantes



AP FILE PHOTO

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002 Legals

FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:

MARIA'S FLOWERS AND GIFTS SHOP
1108 N. D ST # 112
MADERA, CA 93638

Armando Hernandez, 3404 N. Millbrook Ave, Fresno, CA 93726
This business is conducted by an individual.

The registrant commenced to transact business under the fictitious business name or names listed above on:

I declare that all the information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000).) Armando Hernandez

This statement was filed with the Madera County Clerk on January 6, 2016. File No. 2016 0535 No. 4145 - Sept. 28, Oct. 5, 12, 19, 2016.

CITY OF MADERA REQUEST FOR BID PROPOSALS

The City of Madera is soliciting proposals for BUS SHELTERS. All interested vendors must obtain a copy of RFP #201617-01, from the City of Madera Purchasing Office, 1030 South Gateway Drive, Madera, CA 93637 or the City website www.madera-ca.gov on the Purchasing Dept. bid announcement page.

The deadline for submission of sealed bid proposals is Tuesday, December 20, 2016 at 3:00 PM, 1030 South Gateway Drive, Madera, CA 93637. The City of Madera reserves the right to reject any and all bids.

Questions regarding this RFP package may be referred to Becky McCurdy, Procurement Services Manager, 1030 South Gateway Drive, Madera, CA 93637, or by calling (559) 861-5463. No. 4159 - October 12, 19, 2016

COUNTY OF MADERA SUMMARY OF PROPOSED ORDINANCE PERTAINING TO SPEED LIMITS ON ROAD 417

On November 1, 2016, at 10:00 a.m. in the Chambers of the Madera County Board of Supervisors, 200 West 4th Street, Madera, California, the Board of Supervisors will consider adoption of an Ordinance pertaining to speed limits on Road 417 in Madera County. The Ordinance amends Chapter 10.35 of the Madera County Code to (1) establish a speed limit of 25 miles per hour on Road 417 from State Route 41 to 600 feet east of State Route 41; and (2) establish a speed limit of 40 miles per hour on Road 417 from 600 feet east of State Route 41 to Huron Road. The Ordinance will become effective thirty (30) days after its adoption on November 15, 2016, and after appropriate signs giving notice of the speed limit established by this Ordinance have been erected. A full copy of the proposed Ordinance is available at the office of the Clerk of the Board of Supervisors, Madera County Government Center, 200 West 4th Street, Madera, California 93637.

RHONDA CARGILL
Chief Clerk to the Board of Supervisors
NO. 4161 - October 19, 2016

Notice of Public Review and Comment Period
The draft Land Conservation and Conveyance Plan (LCCP) for PG&E Retained Lands at Willow Creek planning unit in Madera County is being made available for public review and comment from October 19, 2016 to November 17, 2016. Comments must be submitted in writing and postmarked or e-mailed no later than 5:00 pm on November 17, 2016.

Attn: Willow Creek (PG&E Retained Lands)- LCCP Comments
3300 Douglas Boulevard, Suite 250 Roseville, CA 95661
Email: comments66@stewardshipcouncil.org

The draft LCCP can be viewed online at www.stewardshipcouncil.org (under "What's New!"). Alternatively, to receive a copy of the draft LCCP by

002 Legals

NOTICE OF PUBLIC SALE

Pursuant to the California Self-Service Storage Facility Act, (B&P Code 21700 et. seq.), the undersigned will sell on www.storage-treasures.com, on October 26, 2016, personal property including but not limited to furniture, clothing, toys, tools, other household goods and/or miscellaneous items located at:

Clove Storage & Executive Suites, 2491 Alluvial, Clovis Ca 93611 (559) 324-9675 - 10:00 A.M.

Stored by the following person(s):
B2006 Donald Huft
B2019 Brigitte Siskels
C3021 Nelson Crabbs
C3215 Jennifer Olivas
C4113 Luis Mojica
C4307 Jorge Alarcon
D5136 Latasha King
E7007 Tamika Thomas
All sales are subject to prior cancellation. Terms, rules and regulations are available at sale. Published in The Madera Tribune on October 12, 2016, and October 19, 2016.
No. 4169 - October 12, 19, 2016

NOTICE TO TAXPAYERS

The first installment of the 2016-2017 property taxes will become delinquent after December 12, 2016. If unpaid a 10% penalty will be added to each parcel.

NOTICE TO NEW PROPERTY OWNERS: If you have not received your tax bill, please contact our office. All deeds may not have been processed as of this date, therefore, they would not have been entered into the property tax system. However, the taxpayer is responsible to pay their taxes timely, whether or not, they receive a bill.

Payments made by mail must be postmarked by December 12, 2016. Office hours are: 8am to 5pm Mon-Fri

Tracy Kennedy Desmond
Treasurer-Tax Collector
200 W. 4th Street,
Madera, Ca. 93637,
(559) 675-7713
No. 4171 - October 19, 26, 2016

NOTICE OF PROPOSED ORDINANCE 478-16 OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA AND SUMMARY THEREOF

NOTICE IS HEREBY GIVEN THAT THE City Council of the City of Chowchilla will consider the adoption of a proposed Ordinance No. 478-16 at the regular meeting of the City Council to be held October 25, 2016 at 7:00 p.m. in the City Council Chambers located at 130 S Second Street, Chowchilla, CA 93610. A certified copy of the full text of the proposed ordinance is posted in the Office of the City Clerk at Chowchilla City Hall at least five days prior to said Council Meeting and is available for public review.

A summary of the proposed Ordinance No 478-16 is as follows: an Ordinance of the City Council of the City of Chowchilla Amending Title 9 of the Chowchilla Municipal Code Pertaining to "The Regulation of" Non-Medical Marijuana Use, Consumption and Cultivation.

Joann McClendon, CMC
City Clerk
DATE: October 12, 2016
No. 4172 - October 15, 19, 2016

002 Legals

NOTICE OF PROPOSED ORDINANCE 479-16 OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA AND SUMMARY THEREOF

NOTICE IS HEREBY GIVEN THAT THE City Council of the City of Chowchilla will consider the adoption of a proposed Ordinance No. 479-16 at the regular meeting of the City Council to be held October 25, 2016 at 7:00 p.m. in the City Council Chambers located at 130 S Second Street, Chowchilla, CA 93610. A certified copy of the full text of the proposed ordinance is posted in the Office of the City Clerk at Chowchilla City Hall at least five days prior to said Council Meeting and is available for public review.

A summary of the proposed Ordinance No 479-16 is as follows: an Ordinance of the City Council of the City of Chowchilla Adding Chapter 18.03.090 to the Chowchilla Municipal Code Establishing That Uses Related to Non-Medical Marijuana Are Prohibited.

Joann McClendon, CMC
City Clerk
DATE: October 12, 2016
No. October 15, 19, 2016

Crown Castle is proposing to collocate antennas at a centerline height of 75 feet on an existing 90 foot communications tower and expand the tower compound area with the addition of a new 24 foot by 10 foot lease area at the following site: 40080 Highway 49, Oakhurst, Madera County, CA 93644, LAT: 37-20-1.65, LONG: -119-39-44.71. The proposed lighting on the tower is medium intensity dual red and white lights. Crown Castle invites comments from any interested party on the impact of the proposed action on any districts, sites, buildings, structures or objects significant in American history, archaeology, engineering or culture that are listed or determined eligible for listing in the National Register of Historic Places and/or specific reason the proposed action may have a significant impact on the quality of the human environment. Specific information regarding the project is available by calling Andrew Cavalcant at (480)850-0575 during normal business hours. Comments must be received at 2121 W Chandler Blvd, Suite 203, Chandler, AZ 85211 ATTN: Andrew Cavalcant within 30 days of the date of this publication. 10/19/16
CNS-2936947#
MADERA TRIBUNE
No. 4183 - October 19, 2016

MADERA COUNTY DISTRICT ATTORNEYS OFFICE ASSET FORFEITURE DIVISION
2725 Falcon Drive
Madera, CA 93637
Phone: (559) 675-7940
Fax: (559) 675-7621
PUBLISHED NOTICE OF SEIZURE AND NON-JUDICIAL FORFEITURE

On 10/10/2016, at approximately 2238 hours, at 26298 Florence Way, Madera, CA, officers of Madera County Sheriff's Department seized property for forfeiture in connection with controlled substance violation(s), to wit, Section(s) 11358 and 11359 of the California Health and Safety Code. The estimated/appraised value of the property is \$11,083.00. The seized property is described as follows: Eleven Thousand Eighty-three dollars in United States currency (various denominations). Case No. 16-4256 has been assigned to this case. Use this number to identify this property in any correspondence.

Pursuant to Section 11488.4(i) of the California Health and Safety Code, procedures to forfeit this property without judicial proceedings are under way. If you claim an interest in this property, you must, within 30 days of the first publication of this Notice of Seizure and Administrative Forfeiture, file a verified claim in the Superior court clerk's Office located at 200 South G Street, Madera, CA 93637. You must also provide a verified copy of the claim to the Madera County District Attorney's Office to the attention of Luz Mora. If your claim is not filed in a timely manner, Madera County District At-

002 Legals

NOTICE OF PETITION TO ADMINISTER ESTATE OF: CHARLES LOUIS MARTINEZ

Case No. MPR013657
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of CHARLES LOUIS MARTINEZ A Petition for Probate has been filed by STANLEY MEDVED in the Superior Court of California, County of Madera. The Petition for Probate requests that STANLEY MEDVED be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in this court as follows:
Date: November 29, 2016 Time: 8:30 a.m. Dept.: #45 located at 200 South G Street, Madera, CA 93637.

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Attorney for petitioner: STEVE R. MORTIMER #054187. 110 NORTH D STREET MADERA, CA 93638 (559) 674-8712 No. 4191 - October 19, 26, 29, 2016

FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:

COOL CARS
14794 HWY 41 STE 5
MADERA, CA 93636

Bobby Joe Clowers Jr., 6591 E. Alta, Ave., Fresno, CA 93727
This business is conducted by an individual.

The registrant commenced to transact business under the fictitious business name or names listed above on:

I declare that all the information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000).) Bob Clowers
This statement was filed with the Madera County Clerk on October 17, 2016. File No. 2016 0615 No. 4192 - October 19, 26, Nov 2, 9, 2016

ORDINANCE 478-16

**AN ORDINANCE OF THE CITY OF CHOWHCILLA
AMENDING CHAPTER 9 OF THE CHOWCHILLA MUNICIPAL CODE
PERTAINING TO NON-MEDICAL MARIJUANA USE, CONSUMPTION AND
CULTIVATION**

The City Council of the City of CHOWCHILLA hereby does ordain as follows:

SECTION 1 PURPOSE

In light of Proposition 64 (also known as the Control, Regulate, and Tax Adult Use of Marijuana Act (“AUMA”)) on the November 8, 2016 statewide general election, the purpose of this Ordinance is to amend Chapter 9 of the Chowchilla Municipal Code in order to regulate personal use, consumption and cultivation of marijuana in the City of Chowchilla, but only in the event said Proposition passes at said general election.

SECTION 2 AMENDMENT TO CODE

Chapter 9.10, “Public Use, Consumption and Cultivation of Non-Medical Marijuana” is hereby added to the Chowchilla Municipal Code as follows:

Chapter 9.10

**PUBLIC USE, CONSUMPTION AND CULTIVATION OF NON-MEDICAL
MARIJUANA**

- 9.10.010 Purpose and intent.**
- 9.10.020 Definitions.**
- 9.10.030 Public Use/Consumption Prohibited**
- 9.10.040 Outdoor Cultivation.**
- 9.10.050 Regulations Governing Indoor Cultivation of Non-medical marijuana for personal use.**
- 9.10.060 Indoor cultivation of non-medical marijuana restricted to authorized growers.**
- 9.10.070 Establishment and operation of non-medical marijuana businesses prohibited.**
- 9.10.080 Deliveries prohibited.**
- 9.10.090 Public nuisance prohibited.**
- 9.10.100 Penalties not exclusive; violation constitutes a crime.**
- 9.10.110 Severability.**
- 9.10.120 Sunset clause.**

9.10.010 Purpose and intent.

The City Council finds as follows:

A. Purpose. The purpose and intent of this Chapter is to promote the health, safety, morals, general welfare and enjoyment of private property of the residents within the City of Chowchilla by regulating the use, consumption and cultivation of non-medical marijuana consistent with restrictions that may be imposed by a local government agency by Proposition 64 (2016) also known as the “Control, Regulate and Tax Adult Use of Marijuana Act (“AUMA”).

B. Applicability. All indoor or outdoor, non-medical use, consumption or cultivation of marijuana remains prohibited in all zones and districts of the City of Chowchilla until and unless AUMA is passed at the November 8, 2016 statewide general election. Upon the passage of AUMA at said election, the use, consumption and cultivation of marijuana in the City shall be controlled and regulated by the provisions of this Chapter of the Municipal Code.

C. Non-conflicting enactment. No part of this Chapter shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. §§ 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation.

9.10.020 Definitions.

As used herein the following definitions shall apply:

A. “Authorized Grower” means a person 21 years and older who is authorized by, and in compliance with, federal or state law to cultivate marijuana indoors for personal or medical use.

B. “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or otherwise processing of marijuana plants or any part thereof.

C. “Fully enclosed and secure structure” means a fully-enclosed space within a building that complies with the California Building Code (“CBSC”), that has a complete roof, four solid walls made of masonry, metal or wood; a foundation, slab, or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, is accessible only through one or more lockable doors, and is not visible from a public right-of-way. Walls and roofs must be constructed of solid materials that cannot be easily broken through such as two inch by four inch nominal or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement. For purposes of this Chapter, any building within which cultivation of medical marijuana

occurs, and any improvements within such building, shall meet all applicable building and zoning requirements (including but not limited to required setbacks, height limitations and fire sprinkler requirements), and the structure and improvements themselves shall have been properly permitted and inspected.

D. “Immature marijuana plant” means a marijuana plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination.

E. “Indoors” means within a fully enclosed and secure structure as that structure is defined above in subsection C.

F. “Mature marijuana plant” means a marijuana plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.

G. “Outdoor” means any location within the City of Chowchilla that is not within a fully enclosed and secure structure.

H. “Parcel” means property assigned a separate parcel number by the Madera County assessor.

I. “Private residence” means a house, apartment unit, mobile home, or other similar dwelling unit.

9.10.030 Public Use/Consumption Prohibited.

It is hereby declared to be unlawful, a public nuisance, and a violation of this Chapter for any person to smoke, ingest, use, or otherwise consume non-medical marijuana in any public place, in or on streets, sidewalks or other areas open to public view, or in or on any City owned, leased or occupied premises. This prohibition does not apply to use or consumption so long as such use or consumption, otherwise in compliance with this Chapter, occurs entirely inside a private residence, and where no smoke or odor resulting from that use or consumption may be detected from any neighboring property or residence.

9.10.040 Outdoor cultivation.

It is hereby declared to be unlawful, a public nuisance, and a violation of this Chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City to cause or allow such premises to be used for the outdoor cultivation of marijuana plants.

9.10.050 Regulations Governing Indoor Cultivation of Non-medical marijuana for personal use.

To the extent that the City is required to permit cultivation of non-medical marijuana for personal use under State law, the rules set forth in this section shall apply. All other cultivation is prohibited, and nothing in this section shall be interpreted to permit operation of non-medical marijuana businesses including dispensing, cultivation, manufacturing, processing, distributing, transporting and testing within the geographic boundaries of the City that are otherwise prohibited by this Chapter:

A. The marijuana cultivation area shall be located indoors within a residential “fully enclosed and secure structure” as such is defined by this Chapter. The cultivation area shall not exceed fifty square feet and not exceed ten feet in height, nor shall it come within twelve (12) inches of the ceiling or any cultivation lighting.

B. Marijuana cultivation lighting shall not exceed one thousand two hundred watts in total for the total cultivation area within the residence.

C. The use of gas products such as but not limited to CO₂, butane, methane, or any other flammable or non-flammable gas for marijuana cultivation or processing is prohibited.

D. There shall be no exterior visibility or evidence of marijuana cultivation outside the private residence from the public right-of-way, including but not limited to any marijuana plants, equipment used in the growing and cultivation operation, and any light emanating from cultivation lighting.

E. Cultivation may only be conducted by the property owner of the subject property or a resident of the subject property with written permission of the property owner of the subject property to conduct cultivation.

F. The authorized grower shall not participate in marijuana cultivation in any other location within the City.

G. The residence shall include fully functional and usable kitchen, bathroom, and bedroom areas for their intended use by the resident authorized grower, and the premises shall not be used primarily or exclusively for marijuana cultivation.

H. The marijuana cultivation area shall comply with the current adopted edition of the California Building Code § 1203.4 Natural Ventilation or § 402.3 Mechanical Ventilation (or equivalent), as amended from time to time.

I. The building official may require additional specific standards to meet the California Building Code and Fire Code, including but not limited to installation of fire suppression sprinklers.

J. The marijuana cultivation area shall not result in a nuisance or adversely affect the health, welfare, or safety of the resident or nearby residents by creating dust,

glare, heat, noise, noxious gasses, odors, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes.

K. No more than 6 marijuana plants collectively, whether mature or immature, are permitted for indoor personal cultivation under this Chapter.

L. Marijuana in excess of 28.5 grams produced by plants kept for indoor personal cultivation under this Chapter must be kept in a locked space on the grounds of the private residence not visible from the public right-of-way.

M. City code enforcement shall have the right to inspect the premises of all persons holding permits for cultivation to ensure compliance with this Chapter upon 24-hours advance notice to the permit holder.

9.10.060 Indoor cultivation of non-medical marijuana restricted to authorized growers.

A. It is hereby declared to be unlawful, a public nuisance and a violation of this Chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the City to cause or allow such parcel to be used for the cultivation of marijuana, unless the person is authorized by state law to grow marijuana for a specifically authorized purpose within a private residence in a residential zone, and such authorized grower is complying with all requirements of this Chapter.

B. No person shall grow marijuana upon any parcel until and unless they first secure a permit from the building department, pay such fee as may be required and set forth by resolution of the City Council and pass an inspection by the City's Code Enforcement Officer. Upon passing inspection, permits must be signed by the City Code Enforcement Officer and Chief of Police, or his or her designee, Cultivation is prohibited until such time as the requirements of this Section are fully satisfied.

9.10.070 Establishment and operation of non-medical marijuana businesses prohibited.

The establishment and/or operation of State licensed marijuana businesses, including, but not limited to, those involved in dispensing, cultivating, manufacturing, processing, distributing, transporting and testing is prohibited within the geographic boundaries of the City of Chowchilla.

9.10.080 Deliveries prohibited.

The delivery of non-medical marijuana from a state-licensed retailer, microbusiness, non-profit or other business to any delivery location or address within the geographic boundaries of the City of Chowchilla is prohibited.

9.10.090 Public nuisance prohibited.

It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within the City to create a public nuisance in the course of use, consumption or cultivation of marijuana plants or any part thereof in any location, indoor or outdoor. A public nuisance may be deemed to exist, if such activity produces:

A. Odors which are disturbing to people of reasonable sensitivity residing or present on adjacent or nearby property or areas open to the public.

B. Repeated responses to the parcel by law enforcement personnel.

C. A repeated disruption to the free passage of persons or vehicles in the neighborhood, excessive noise which is disturbing to people of normal sensitivity on adjacent or nearby property or areas open to the public.

D. Any other impacts on the neighborhood which are disruptive of normal activity in the area including, but not limited to, grow lighting visible outside the dwelling, excessive vehicular traffic or parking occurring at or near the dwelling, and excessive noise emanating from the dwelling.

E. Outdoor growing and cultivation of marijuana.

9.10.100 Penalties not exclusive; violation constitutes a crime.

The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any other criminal, civil, or administrative remedy or penalty authorized by, or set forth in, the Chowchilla Municipal Code. None of the penalties or remedies authorized by, or set forth in, the Chowchilla Municipal Code shall prevent the City from using any other penalty or remedy under state statute which may be available to enforce this section or to abate a public nuisance. Violation of this Chapter shall constitute a crime punishable as a misdemeanor or infraction in the discretion of the City Attorney.

9.10.110 Severability.

If any section, subsection, 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, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

9.10.120 Sunset clause.

In the event AUMA fails to pass at the November 8, 2016 statewide general election, the code sections enacted in this Chapter, and defined in Section 9.10.010 through 9.10.120, shall not go into effect, all use, consumption and cultivation of non-medical marijuana shall remain prohibited in all zones and districts of the City of Chowchilla.

SECTION 3 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on _____, 2016, and the second reading occurred at the regular meeting of the City Council on _____, 2016.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing Ordinance was passed and adopted by the City Council of the City of Chowchilla, State of California, this ____ day of _____, 2016 by the following vote, to wit:

- AYES: Council Member(s)
- NOES: Council Member(s)
- ABSENT: Council Member(s)
- ABSTAIN: Council Member(s)

Waseem Ahmed, MAYOR

ATTEST:

Joann McClendon, CMC, CITY CLERK



CITY COUNCIL STAFF REPORT

Item 4.2

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

October 25, 2016

AGENDA SECTION: Public Hearing

SUBJECT: **Second Reading and Possible Adoption of Ordinance #479-16 of the City of Chowchilla, Amending the Chowchilla Municipal Code Title 18, Zoning, adding Section 18.03.090 – Uses Related to Non-medical Marijuana Prohibited**

PREPARED BY: Dave Riviere, Police Chief
David Ritchie, City Attorney

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

On October 11, 2016, Ordinance # 479-16 adding Section 18.03.090 to the Chowchilla Municipal Code Title 18, Zoning; prohibiting uses related to non-medical marijuana including, but not limited to, dispensing, cultivating, manufacturing, distributing, transporting and testing of non-medical marijuana in the City of Chowchilla, was presented for first reading and setting of a public hearing.

Council, hearing no objections, waived first reading of the ordinance and set the public hearing for October 25, 2016. Subsequent to the setting for public hearing, the City Clerk posted public notice of the hearing. Confirmation of such notices are attached as exhibits to this agenda item.

This Ordinance would prohibit permits, variances, conditional use permits, or other applicable entitlements or approvals be accepted, approved or issued for any individual or establishment related to non-medical marijuana or the operation of a non-medical marijuana business including state-licensed retailers, microbusinesses, or non-profits.

This ordinance would take effect only in the event that Proposition 64 is passed by the voters of the State of California in the election held on November 8, 2016.

Following the public hearing, Council may choose to adopt Ordinance 479-16.

HISTORY / BACKGROUND:

On November 8, 2016 the Control, Regulate and Tax Adult Use of Marijuana Act (“AUMA”) will come before California voters as Proposition 64. If passed, the AUMA will legalize the nonmedical use of marijuana by persons age 21 and over and will permit the personal cultivation of up to six (6) marijuana plants.

If passed, the AUMA will create a state licensing and regulatory system over commercial cultivation, manufacturing, dispensing, distributing transportation and testing of nonmedical marijuana products.

Under a permissive zoning code, any use not enumerated in the code is presumed to be prohibited unless an authorized City official finds that the proposed use is substantially the same in character and intensity as an existing land use that is listed in the code.

In 2013, in *County of Tulare v. Nunes* (2013) 215 Cal.App4th 1188 the Court held that medical marijuana collectives would not qualify as an agricultural land use because marijuana is a controlled substance and thus not to be treated the same as other crops or horticultural products. However, the AUMA specifically designates non-medical marijuana as an agricultural product. The result of this is that marijuana may be found to be a proposed use that is substantially the same as agricultural use where zoning allows for agricultural uses and there is no express prohibition in the zoning code.

If adopted, the Ordinance would go into effect in the event that Proposition 64 is approved by voters on November 8, 2016.

FINANCIAL IMPACT:

None

SUPPLEMENTS ATTACHED:

Certification of Notice of Public Hearing
Ordinance 479-16

ANIMALS**Dogs****Puppies!**

MATLESE SWEETS PUPPIES
For Sale \$500 Creamy White
2-Female 1-Male Puppies Are In
Modesto 209-606-1716

Pets Lost & Found

FOUND dog brown and black small dog.
Near Thomas Oleta school Atwater.
Must identify sex. 209-635-0033

FOUND Yorkie Puppies cherry/milly
needs a good new home contact now
559-9326 or henryscoton016@aol.com

YORKIE pups m/f up for grabs text 559
9326 or henryscoton016@aol.com if
interested.

Pet Services & Supplies

**LOW Cost Vaccination Clinic in
Merced**



Every Saturday 2:30 pm to 4 pm at
Merced Dog Park at R St. &
Yosemite
Upcoming clinics: October 8th,
October 15th, October 22nd
NO APPOINTMENT NEEDED

Clinics held rain or shine! Clinics will
not be canceled due to weather.

Cash and credit cards accepted

Quick, friendly, personalized service
from a local, family owned
business.

Offering distemper/parvo, rabies,
bordetella, deworming, flea
treatment and microchipping.
Cat vaccines also offered.

Rabies vaccine \$10
Other vaccines \$15 each
Packages available
Microchip \$35 includes registration
Visit our website for more info
www.lowcostvaccines.net
Email (best way to contact us)
lowcostshots@yahoo.com
(209) 410-2364

AUTOMOTIVE**Automobiles**

Tow-Bar W/Car Bracket, Denco
New Cond. 7000 Pounds Capacity;
Over \$1200, New Asking \$375
OBOATW (209)-761-4124

CLASSIFIEDS AND

Automobiles

**CHOWCHILLA Elem. School
Surplus Sale**
Sealed Bid Surplus Item
1 - '93 Thomas Bus
Vehicle can be viewed at 300 N.
13th St. 8:30a.m. to noon on
October 17-21, 2016. Sealed bids
are due to the District Office by
4p.m. on October 21, 2016. Bid to
be awarded at the 10/24/16
Board Meeting & property must be
taken possession of by
Oct. 28th, 2016.

Misc. Automotive

ALL CONSIGNMENTS WANTED
Toscano RV 209-826-2488
Best Service Department
Huge Discounts on new RV's

LEGAL NOTICES**Legals & Public Notices**

**NOTICE OF PROPOSED
ORDINANCE 478-16
OF THE CITY COUNCIL OF THE
CITY OF CHOWCHILLA
AND SUMMARY THEREOF**

NOTICE IS HEREBY GIVEN THAT
The City Council of the City of
Chowchilla will consider the adop-
tion of a proposed Ordinance No. 478-
16 at the regular meeting of the City
Council to be held October 25, 2016 at
7:00 p.m. in the City Council Cham-
bers located at 130 S Second Street,
Chowchilla, CA 93610. A certified
copy of the full text of the proposed
ordinance is posted in the Office of
the City Clerk at Chowchilla City
Hall at least five days prior to said
Council Meeting and is available for
public review.

A summary of the proposed Ordinance
No 478-16 is as follows: an Ordi-
nance of the City Council of the
City of Chowchilla Amending Title 9
of the Chowchilla Municipal Code
Pertaining to "The Regulation of"
Non-Medical Marijuana Use, Con-
sumption and Cultivation.

/s/
Joann McClendon, CMC
City Clerk

DATE: October 12, 2016
CN-2728552 10/19

Notice 2 Creditors

**NOTICE TO CREDITORS OF
BULK SALE
(SECS. 6101-6111 U.C.C.)**

Notice is hereby given to the credi-
tors of AVA FITNESS SPA, LLC
("Seller"), whose business address is
1505 E. Robertson Blvd.,
Chowchilla, CA 93610, that a bulk
sale is about to be made to
CHOWCHILLA MEMORIAL

CHOWCHILLA NEWS**Notice 2 Creditors**

tura Avenue, Chowchilla, CA
93610.

The property to be transferred is lo-
cated at 1505 E. Robertson Blvd.,
City of Chowchilla, County of
Madera, State of California. Said
property is described as: ALL IN-
VENTORY, STOCK IN TRADE,
FIXTURES, EQUIPMENT AND
GOODWILL OF THE BUSINESS
KNOWN AS AVA FITNESS SPA.

The bulk sale will be consummated
on or after November 4, 2016, at
First American Title Company,
7010 North Palm Avenue, Fresno,
CA 93650 pursuant to Division 6 of
the California Code.

[This bulk sale is subject to Section
6106.2 of the California Commercial
Code. ALL CLAIMS TO BE SENT
C/O First American Title Compa-
ny, 1004-5303643, 7010 North Palm
Avenue, Fresno, CA 93650. The
last date for filing claims shall be
November 3, 2016.]

So far as known to Buyer, all busi-
ness names and addresses used by
Seller for the three years last past, if
different from the above, are:

Name: NONE
Address: NONE

Dated: October 11, 2016

Buyer:

CHOWCHILLA MEMORIAL
HEALTH DISTRICT

By:

Name: CATHY J. FLORES
Title: C. E. O.
CN- 2728873 10/19

Fictitious Names

**FICTITIOUS BUSINESS
NAME STATEMENT
FILE NO. 20160552**

The following person(s) is (are)
doing business as:

FICTITIOUS BUSINESS NAME(S)
E. FLORES & SON TRUCKING

ADDRESS: 21689 RD. 19 1/2
CHOWCHILLA, CA 93610

IN: Madera County
Full Name of Registrant, Residence
Street address:

ARMANDO FLORES
21689 ROAD 19 1/2
CHOWCHILLA, CA 93610

This business is conducted by:
INDIVIDUAL

The registrant commenced to trans-
act business under the fictitious
business name or names listed
above on: N/A

I declare that all information in this
statement is true and correct. (A
registrant who declares as true any
material matter pursuant to Section
17913 of the Business and Profession-
al Code that the registrant knows to

Fictitious Names

be false is guilty of a misdemeanor
punishable by a fine not to exceed
one thousand dollars (\$1,000.)
SIGNATURE OF REGISTRANT:
/S/ ARMANDO FLORES

This statement was filed with RE-
BECCA MARTINEZ, MADERA
COUNTY CLERK ON 2016 SEP 7

**NOTICE - In accordance with subdivi-
sion (a) of Section 17920, a ficti-
tious business statement generally
expires at the end of five years from
the date on which it was filed in the
office of the County Clerk, except as
provided in subdivision (b) of Sec-
tion 17920, where it expires 40 days
after any change in the facts set
forth in the statement pursuant to
Section 17913 other than a change in
the residence address of a registered
owner. A new fictitious business
name statement must be filed before
the expiration.**

The filing of this statement does not
of itself authorize the use in this
state of a fictitious business name in
violation of the rights of another un-
der federal, state, or common law
(see Section 14411 et. seq., Business
Professions Code).

CN- 2687310 9/28, 5, 12, 19

**FICTITIOUS BUSINESS
NAME STATEMENT
FILE NO. 20160585**

The following person(s) is (are)
doing business as:

FICTITIOUS BUSINESS NAME(S)
MIKE'S COUNTRY CLIPPERS

ADDRESS: 37184 AVE 12, SUITE
104

MADERA, CA 93636

IN: Madera County
Full Name of Registrant, Residence
Street address:

ELAINE MARION
37905 DUBLIN DRIVE
MADERA, CA 93636

This business is conducted by:
INDIVIDUAL

The registrant commenced to trans-
act business under the fictitious
business name or names listed
above on: N/A

I declare that all information in this
statement is true and correct. (A
registrant who declares as true any
material matter pursuant to Section
17913 of the Business and Profession-
al Code that the registrant knows to
be false is guilty of a misdemeanor
punishable by a fine not to exceed
one thousand dollars (\$1,000.)

SIGNATURE OF REGISTRANT:
/S/ ELAINE MARION

This statement was filed with RE-
BECCA MARTINEZ, MADERA
COUNTY CLERK ON 2016 SEP 23

**NOTICE - In accordance with subdivi-
sion (a) of Section 17920, a ficti-
tious business statement generally
expires at the end of five-years from
the date on which it was filed in the
office of the County Clerk, except as
provided in subdivision (b) of Sec-
tion 17920, where it expires 40 days
after any change in the facts set
forth in the statement pursuant to
Section 17913 other than a change in
the residence address of a registered**

Fictitious Names

owner. A new fictitious business
name statement must be filed before
the expiration.

The filing of this statement does not
of itself authorize the use in this
state of a fictitious business name in
violation of the rights of another un-
der federal, state, or common law
(see Section 14411 et. seq., Business
Professions Code).
CN-2717203 10/12, 19, 26, 2

**FICTITIOUS BUSINESS
NAME STATEMENT
FILE NO. 20160592**

The following person(s) is (are)
doing business as:

FICTITIOUS BUSINESS NAME(S)
PARKWOOD MART

ADDRESS: 12893 HIGHWAY 145
MADERA, CA 93637

IN: Madera County
Full Name of Registrant, Residence
Street address:

DALJIT SINGH CHOHAN
947 SAN JOSE AVE
MADERA, CA 93637

RANI KAUR CHOHAN
947 SAN JOSE AVE
MADERA, CA 93637

This business is conducted by:
A MARRIED COUPLE

The registrant commenced to trans-
act business under the fictitious
business name or names listed
above on: N/A

I declare that all information in this
statement is true and correct. (A
registrant who declares as true any
material matter pursuant to Section
17913 of the Business and Profession-
al Code that the registrant knows to
be false is guilty of a misdemeanor
punishable by a fine not to exceed
one thousand dollars (\$1,000.)

SIGNATURE OF REGISTRANT:
/S/ DALJIT S. CHOHAN

This statement was filed with RE-
BECCA MARTINEZ, MADERA
COUNTY CLERK ON 2016 SEP 27

**NOTICE - In accordance with subdivi-
sion (a) of Section 17920, a ficti-
tious business statement generally
expires at the end of five years from
the date on which it was filed in the
office of the County Clerk, except as
provided in subdivision (b) of Sec-
tion 17920, where it expires 40 days
after any change in the facts set
forth in the statement pursuant to
Section 17913 other than a change in
the residence address of a registered
owner. A new fictitious business
name statement must be filed before
the expiration.**

The filing of this statement does not
of itself authorize the use in this
state of a fictitious business name in
violation of the rights of another un-
der federal, state, or common law
(see Section 14411 et. seq., Business
Professions Code).
CN- 2710114 10/5, 12, 19, 26

CLASSIFIEDS ADS

Monday-Friday, 8:30am-5:00pm
1-209-385-2403

WEDNESDAY, OCTOBER 19, 2016

**NOTICE OF PROPOSED
ORDINANCE 479-16
OF THE CITY COUNCIL OF THE
CITY OF CHOWCHILLA
AND SUMMARY THEREOF**

NOTICE IS HEREBY GIVEN THAT
The City Council of the City of
Chowchilla will consider the adop-
tion of a proposed Ordinance No. 478-
16 at the regular meeting of the City
Council to be held October 25, 2016 at
7:00 p.m. in the City Council Cham-
bers located at 130 S Second Street,
Chowchilla, CA 93610. A certified
copy of the full text of the proposed
ordinance is posted in the Office of
the City Clerk at Chowchilla City
Hall at least five days prior to said
Council Meeting and is available for
public review.

A summary of the proposed Ordi-
nance No 479-16 is as follows: an Ordi-
nance of the City Council of the
City of Chowchilla Adding Chapter
18.03.090 to the Chowchilla Municipal
Code Establishing That Uses Related
to Non-Medical Marijuana Are
Prohibited.

/s/
Joann McClendon, CMC
City Clerk

DATE: October 12, 2016
CN- 2728563 10/19

Legal Notice of Central Counting
Place

NOTICE IS HEREBY GIVEN
that all Official Ballots cast at the
November 8, 2016 Consolidated Presi-
dential General Election will be
tabulated in the office of the County
Clerk/Registrar of Voters, located at
200 West 4th Street, Madera.

The semi-official canvass commen-
ces at the time the polls close, 8:00
p.m. on November 8, 2016.

Dated: October 17, 2016
REBECCA MARTINEZ
County Clerk Recorder/Registrar
of Voters

SPANISH VERSION

**AVISO DEL LUGAR CENTRAL
DE CONTEO DE VOTOS**

Por la presente se notifica que los
votos por correo y los votos en las
casillas electorales emitidos para la
Elección Presidencial General
Consolidada serán tabulados en la
oficina de la Administradora del
Condado/Registro de Votantes,
localizado en el 200 West 4th Street
en Madera California.

El sondeo semi-oficial empezara al
tiempo de cierre de las Casillas
Electorales, a las 8 p.m. el día 8 de
noviembre de 2016.

Fechado: 17 de octubre de 2016
REBECCA MARTINEZ
Administradora del Condado/
Registro de Votantes



AP FILE PHOTO

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002 Legals

FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:

MARIA'S FLOWERS AND GIFTS SHOP
1108 N. D ST # 112
MADERA, CA 93638

Armando Hernandez, 3404 N. Millbrook Ave, Fresno, CA 93726
This business is conducted by an individual.

The registrant commenced to transact business under the fictitious business name or names listed above on:

I declare that all the information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000).) Armando Hernandez

This statement was filed with the Madera County Clerk on January 6, 2016. File No. 2016 0535 No. 4145 - Sept. 28, Oct. 5, 12, 19, 2016.

CITY OF MADERA REQUEST FOR BID PROPOSALS

The City of Madera is soliciting proposals for BUS SHELTERS. All interested vendors must obtain a copy of RFP #201617-01, from the City of Madera Purchasing Office, 1030 South Gateway Drive, Madera, CA 93637 or the City website www.madera-ca.gov on the Purchasing Dept. bid announcement page.

The deadline for submission of sealed bid proposals is Tuesday, December 20, 2016 at 3:00 PM, 1030 South Gateway Drive, Madera, CA 93637. The City of Madera reserves the right to reject any and all bids.

Questions regarding this RFP package may be referred to Becky McCurdy, Procurement Services Manager, 1030 South Gateway Drive, Madera, CA 93637, or by calling (559) 861-5483. No. 4159 - October 12, 19, 2016

COUNTY OF MADERA SUMMARY OF PROPOSED ORDINANCE PERTAINING TO SPEED LIMITS ON ROAD 417

On November 1, 2016, at 10:00 a.m. in the Chambers of the Madera County Board of Supervisors, 200 West 4th Street, Madera, California, the Board of Supervisors will consider adoption of an Ordinance pertaining to speed limits on Road 417 in Madera County. The Ordinance amends Chapter 10.35 of the Madera County Code to (1) establish a speed limit of 25 miles per hour on Road 417 from State Route 41 to 600 feet east of State Route 41; and (2) establish a speed limit of 40 miles per hour on Road 417 from 600 feet east of State Route 41 to Huron Road. The Ordinance will become effective thirty (30) days after its adoption on November 15, 2016, and after appropriate signs giving notice of the speed limit established by this Ordinance have been erected. A full copy of the proposed Ordinance is available at the office of the Clerk of the Board of Supervisors, Madera County Government Center, 200 West 4th Street, Madera, California 93637.

RHONDA CARGILL
Chief Clerk to the Board of Supervisors
NO. 4161 - October 19, 2016

Notice of Public Review and Comment Period
The draft Land Conservation and Conveyance Plan (LCCP) for PG&E Retained Lands at Willow Creek planning unit in Madera County is being made available for public review and comment from October 19, 2016 to November 17, 2016. Comments must be submitted in writing and postmarked or e-mailed no later than 5:00 pm on November 17, 2016.

Attn: Willow Creek (PG&E Retained Lands)- LCCP Comments
3300 Douglas Boulevard, Suite 250 Roseville, CA 95661
Email: comments66@stewardshipcouncil.org

The draft LCCP can be viewed online at www.stewardshipcouncil.org (under "What's New!"). Alternatively, to receive a copy of the draft LCCP by

002 Legals

NOTICE OF PUBLIC SALE

Pursuant to the California Self-Service Storage Facility Act, (B&P Code 21700 et. seq.), the undersigned will sell on www.storage-treasures.com, on October 26, 2016, personal property including but not limited to furniture, clothing, toys, tools, other household goods and/or miscellaneous items located at:

Clove Storage & Executive Suites, 2491 Alluvial, Clovis Ca 93611 (559) 324-9675 - 10:00 A.M.

Stored by the following person(s):
B2006 Donald Hupt
B2019 Brigitte Siskels
C3021 Nelson Crabbe
C3215 Jennifer Olivas
C4113 Luis Mojica
C4307 Jorge Alarcon
D5136 Latasha King
E7007 Tamika Thomas
All sales are subject to prior cancellation. Terms, rules and regulations are available at sale. Published in The Madera Tribune on October 12, 2016, and October 19, 2016.
No. 4169 - October 12, 19, 2016

NOTICE TO TAXPAYERS

The first installment of the 2016-2017 property taxes will become delinquent after December 12, 2016. If unpaid a 10% penalty will be added to each parcel.

NOTICE TO NEW PROPERTY OWNERS: If you have not received your tax bill, please contact our office. All deeds may not have been processed as of this date, therefore, they would not have been entered into the property tax system. However, the taxpayer is responsible to pay their taxes timely, whether or not, they receive a bill.

Payments made by mail must be postmarked by December 12, 2016. Office hours are: 8am to 5pm Mon-Fri

Tracy Kennedy Desmond
Treasurer-Tax Collector
200 W. 4th Street,
Madera, Ca. 93637,
(559) 675-7713
No. 4171 - October 19, 26, 2016

NOTICE OF PROPOSED ORDINANCE 478-16 OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA AND SUMMARY THEREOF

NOTICE IS HEREBY GIVEN THAT THE City Council of the City of Chowchilla will consider the adoption of a proposed Ordinance No. 478-16 at the regular meeting of the City Council to be held October 25, 2016 at 7:00 p.m. in the City Council Chambers located at 130 S Second Street, Chowchilla, CA 93610. A certified copy of the full text of the proposed ordinance is posted in the Office of the City Clerk at Chowchilla City Hall at least five days prior to said Council Meeting and is available for public review.

A summary of the proposed Ordinance No 478-16 is as follows: an Ordinance of the City Council of the City of Chowchilla Amending Title 9 of the Chowchilla Municipal Code Pertaining to "The Regulation of" Non-Medical Marijuana Use, Consumption and Cultivation.

Joann McClendon, CMC
City Clerk
DATE: October 12, 2016
No. 4172 - October 15, 19, 2016

002 Legals

NOTICE OF PROPOSED ORDINANCE 479-16 OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA AND SUMMARY THEREOF

NOTICE IS HEREBY GIVEN THAT THE City Council of the City of Chowchilla will consider the adoption of a proposed Ordinance No. 479-16 at the regular meeting of the City Council to be held October 25, 2016 at 7:00 p.m. in the City Council Chambers located at 130 S Second Street, Chowchilla, CA 93610. A certified copy of the full text of the proposed ordinance is posted in the Office of the City Clerk at Chowchilla City Hall at least five days prior to said Council Meeting and is available for public review.

A summary of the proposed Ordinance No 479-16 is as follows: an Ordinance of the City Council of the City of Chowchilla Adding Chapter 18.03.090 to the Chowchilla Municipal Code Establishing That Uses Related to Non-Medical Marijuana Are Prohibited.

Joann McClendon, CMC
City Clerk
DATE: October 12, 2016
No. October 15, 19, 2016

Crown Castle is proposing to collocate antennas at a centerline height of 75 feet on an existing 90 foot communications tower and expand the tower compound area with the addition of a new 24 foot by 10 foot lease area at the following site: 40080 Highway 49, Oakhurst, Madera County, CA 93644, LAT: 37-20-1.65, LONG: -119-39-44.71. The proposed lighting on the tower is medium intensity dual red and white lights. Crown Castle invites comments from any interested party on the impact of the proposed action on any districts, sites, buildings, structures or objects significant in American history, archaeology, engineering or culture that are listed or determined eligible for listing in the National Register of Historic Places and/or specific reason the proposed action may have a significant impact on the quality of the human environment. Specific information regarding the project is available by calling Andrew Cavalcant at (480)850-0575 during normal business hours. Comments must be received at 2121 W Chandler Blvd, Suite 203, Chandler, AZ 85211. ATTN: Andrew Cavalcant within 30 days of the date of this publication. 10/19/16
CNS-2936947#
MADERA TRIBUNE
No. 4183 - October 19, 2016

MADERA COUNTY DISTRICT ATTORNEYS OFFICE ASSET FORFEITURE DIVISION
2725 Falcon Drive
Madera, CA 93637
Phone: (559) 675-7940
Fax: (559) 675-7621
PUBLISHED NOTICE OF SEIZURE AND NON-JUDICIAL FORFEITURE

On 10/10/2016, at approximately 2238 hours, at 26298 Florence Way, Madera, CA, officers of Madera County Sheriff's Department seized property for forfeiture in connection with controlled substance violation(s), to wit, Section(s) 11358 and 11359 of the California Health and Safety Code. The estimated/appraised value of the property is \$11,083.00. The seized property is described as follows: Eleven Thousand Eighty-three dollars in United States currency (various denominations). Case No. 16-4256 has been assigned to this case. Use this number to identify this property in any correspondence.

Pursuant to Section 11488.4(i) of the California Health and Safety Code, procedures to forfeit this property without judicial proceedings are under way. If you claim an interest in this property, you must, within 30 days of the first publication of this Notice of Seizure and Administrative Forfeiture, file a verified claim in the Superior court clerk's Office located at 200 South G Street, Madera, CA 93637. You must also provide a verified copy of the claim to the Madera County District Attorney's Office to the attention of Luz Mora. If your claim is not filed in a timely manner, Madera County District At-

002 Legals

NOTICE OF PETITION TO ADMINISTER ESTATE OF: CHARLES LOUIS MARTINEZ

Case No. MPR013657
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of CHARLES LOUIS MARTINEZ. A Petition for Probate has been filed by STANLEY MEDVED in the Superior Court of California, County of Madera. The Petition for Probate requests that STANLEY MEDVED be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in this court as follows:
Date: November 29, 2016 Time: 8:30 a.m. Dept.: #45 located at 200 South G Street, Madera, CA 93637.

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk. Attorney for petitioner: STEVE R. MORTIMER #054187. 110 NORTH D STREET MADERA, CA 93638 (559) 674-8712 No. 4191 - October 19, 26, 29, 2016

FICTITIOUS BUSINESS NAME STATEMENT

The following person is doing business as:

COOL CARS
14794 HWY 41 STE 5
MADERA, CA 93638

Bobby Joe Clowers Jr., 6591 E. Alta, Ave., Fresno, CA 93727
This business is conducted by an individual.

The registrant commenced to transact business under the fictitious business name or names listed above on:

I declare that all the information in this statement is true and correct. (A registrant who declares as true any material matter pursuant to section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000).) Bob Clowers
This statement was filed with the Madera County Clerk on October 17, 2016. File No. 2016 0615 No. 4192 - October 19, 26, Nov 2, 9, 2016

ORDINANCE 479-16

AN ORDINANCE OF THE CITY OF CHOWCHILLA, CALIFORNIA ADDING CHAPTER 18.03.090 TO THE CHOWCHILLA MUNICIPAL CODE ESTABLISHING THAT USES RELATED TO NON-MEDICAL MARIJUANA ARE PROHIBITED

The City Council of the City of Chowchilla hereby does ordain as follows:

SECTION 1 - PURPOSE

In light of Proposition 64 (also known as the Control, Regulate, and Tax Adult Use of Marijuana Act (“AUMA”)) on the November 8, 2016 statewide general election, the purpose of this Ordinance is to add section 18.03.090 to Chapter 18 of the Chowchilla Municipal Code in order to expressly prohibit non-medical marijuana uses in the zoning code of the City of Chowchilla, but only in the event said Proposition passes at said general election.

SECTION 2 – AMENDMENT TO CODE

SECTION 18.03.090 is hereby added to Chapter 18 of the Chowchilla Municipal Code as follows:

18.03.090 - Uses related to non-medical marijuana prohibited.

A. Uses related to non-medical marijuana including, but not limited to, dispensing, cultivating, manufacturing, distributing, transporting and testing non-medical marijuana are hereby prohibited in the City of Chowchilla.

B. No use permit, variance, conditional use permit, or other applicable entitlement or approval will be accepted, approved or issued for any individual or establishment related to non-medical marijuana or the operation of a non-medical marijuana business including state-licensed retailers, microbusinesses, or non-profits.

SECTION 3 - SCOPE

Except as set forth in this ordinance, all other provisions of the Chowchilla Municipal Code shall remain in full force and effect.

SECTION 4 - SEVERABILITY

If any section, subsection, 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, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 5 - EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

The foregoing Ordinance was passed and adopted by the City Council of the City of Chowchilla, State of California, this _____ day of _____, 2016 by the following vote, to wit:

AYES: Council Member(s)

NOES: Council Member(s)

ABSENT: Council Member(s)

ABSTAIN: Council Member(s)

Waseem Ahmed, MAYOR

ATTEST:

Joann McClendon, CMC, CITY CLERK



CITY COUNCIL STAFF REPORT

Item 6.1

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

October 25, 2016

AGENDA SECTION: New Business

SUBJECT: A Resolution Authorizing Reactivation of the Heritage Preservation Commission and Appointing Commissioners to Fully Impanel the Body

PREPARED BY: David Ritchie, City Attorney
Joann McClendon, City Clerk

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

That the City Council approve the resolution authorizing the reactivation of the Heritage Preservation Commission, appointing Commissioners to fully impanel the body.

HISTORY / BACKGROUND:

On January 13, 2015, the City Council deactivated the Heritage Preservation Commission due to a chronic inability to fill vacancies resulting in a period approaching two and a half years for lack of quorum. In addition, over a lengthy period, there had been few, if any, activities requiring the participation of the Commission. In the January 13 staff report it was noted that "In the meantime if an issue arises regarding Heritage Preservation, the Staff will reach out to the four members for consultation."

Section 2.25.040 of the Chowchilla Municipal Code defines the powers and duties of the Commission. These include, but are not limited to, protecting and promoting the retention of and use of heritage resources; recommend and encourage the protection, appreciation and use of structures of historical, architectural or aesthetic values which have not been officially designated; upon request of any heritage resource owner, to give advice and guidance for the preservation of such heritage resource.

With the City rolling out incentive programs to promote growth and help revitalize neglected areas, there has been interest in applying these incentives to buildings that happen to be of historical value. Before building permits can be issued to these heritage properties, the plans must be reviewed by the Heritage Preservation Commission members to help provide advice if the plans deviate from any historical structure. City staff reached out to the four members for consultation purposes and have determined that only one of the four commissioners is confirmed as ready and able to continue to perform in that capacity.

There is one recently previous member who is interested in a new term for the Commission. Staff recommends that council appoint 5 seats of the person of their choosing and one staff person to fill the remaining six vacancies.

FINANCIAL IMPACT:

Once the Commission is reestablished and meetings resume, staff will be spending additional time creating agenda packets, noticing and clerking meetings.

ATTACHMENTS:

Resolution

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE REACTIVATION OF THE HERITAGE PRESERVATION COMMISSION AND
APPOINTING COMMISSIONERS TO FULLY IMPANEL THE BODY**

WHEREAS, at their January 19, 2015 meeting, due to two and a half years of lack of quorum and inactivity, the City Council placed the Heritage Preservation Commission on inactive status; and

WHEREAS, due to the recently enacted building incentives, there has been a rise of interest in updating some of the downtown structures; and

WHEREAS, the City of Chowchilla seeks guidance from the Heritage Preservation Commission regarding refacing heritage buildings; and

WHEREAS, in order to not impede the building permit process, the City Council has the ability to appoint Commissioners into the vacant seats to fully impanel the body, allowing for a quorum; and

WHEREAS,

NOW, THEREFORE, LET IT BE 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. City Council authorizes the reactivation of the Heritage Preservation Commission with appointments as follows:
 - Patrick DeWall
 - ...
 - ...
 - ...
 - ...
 - ...
 - ...
 - ...
3. This resolution is effective immediately upon adoption

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 25th day of October, 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 6.2

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

October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Authorization to Discontinue the CATLinX Transit Service, Effective December 23, 2016

PREPARED BY: Joann McClendon, City Clerk
Robin Roman, Transit Coordinator

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION

After completing the request of City Council, Staff recommends that Council move forward with the discontinuance of CATLinX Service. Due to low ridership and non-compliance of 10% Farebox return.

HISTORY / BACKGROUND

At the September 27, 2016 City Council meeting, direction was given to staff to conduct outreach to the current CATLinX riders to ascertain their views and assess possible alternatives to meet their transit needs if the CATLinX inter-city link service was discontinued.

Over the last few weeks the Transit Coordinator communicated with one of the three riders that indicated they had questions about the service ending. This one person was principally interested to know when the service would no longer be provided. In addition, notices regarding the proposed action were posted on the CATLinX bus(es), including the Council meeting date in which this topic was going to be discussed. Staff also researched other transit opportunities that might exist so as to inform riders of other transportation resources such as carpools, van pool programs, apps (Lyft and Uber), and school districts.

Originally the CATLinX inter-city link transit service to Merced was initiated as a pilot program in anticipation that it would generate sufficient ridership to prove beneficial and somewhat economically feasible. After four years of struggling to meet the required fare box recovery percentage staff has determined that the service operates at a substantially inordinate drain on the City's transit fiscal resources and the time has arrived to discontinue a pilot program that unfortunately never achieved sustainability. Staff proposes continuing the CATLinX service until Friday, December 23 to provide current or potential riders time to arrange alternative transportation and to comply with any requirements stipulated in the current agreement with the transit contractor, Merced Transportation Company.

The following information was included as part of the staff report for the September 27 City Council meeting and is included here for reference:

CATLinX operates weekdays with two daily round-trips between Chowchilla and Merced, one early morning and one late afternoon. There are three pickup/drop-off stops in Chowchilla, Dollar General Market, RC Wisener Park/City Hall, and Savemart Supermarket, and the CATLinX bus is housed at the City's Corp Yard. The cost for a one-way ride on CATLinX is \$2.50 and children under 3 years ride free.

Operational costs for both of the City transit services, CATX and CATLinX, are funded from a variety of sources some of which are specific to just transit systems. These funding sources include the Federal Transit Administration (FTA), State Transit Assistance (STA), Local Transportation Fund (LTF), State Proposition 1B, local Measure T, Section 5311, and fare box revenue. The total cost of both City transit services is more than the total amount of funding the City receives from the funding sources, exclusive of LTF, that can only be spent on transit activities. LTF monies pay for a substantial portion of the City transit services. They are the only funds that can be spent on

other transportation projects in addition to transit services. However, transit services must be funded first through LTF before any other activities. Once all transit service expenditures are fulfilled the remaining LTF monies can then be used for other transportation related projects such as local streets and roads improvements, bicycle pathways and pedestrian access projects.

Statistics show that ridership is extremely low for the CATLinX transit service and the operating costs are quite expensive. After nearly four years the average one-way ride for each person going to or from Merced costs the transit program an average of nearly \$35.00. For the last fiscal year the average cost was just over \$50.00 for each one-way ride for each person. Further, the fare box recovery percentage has only averaged 6.1% for the nearly four years, only 4.5% last fiscal year, whereas the Federal government requires a minimum recovery of 10%. In the near future the City may be forced to make up the difference through other funding sources, e.g. general fund or LTF monies.

The following table provides the historical performance summary of the CATLinX transit service.

| CATLinX HISTORICAL PERFORMANCE | | | | | |
|---------------------------------------|----------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------|
| | 2012-2013* Fiscal Year | 2013-2014 Fiscal Year | 2014-2015 Fiscal Year | 2015-2016 Fiscal Year | Total |
| TOTAL OPERATING COSTS | \$44,342 | \$55,906 | \$44,951 | \$48,841 | \$194,040 |
| FARE BOX REVENUE | \$2,516 | \$4,185 | \$2,995 | \$2,200 | \$11,896 |
| NET OPERATING COSTS | \$41,826 | \$51,721 | \$41,956 | \$46,641 | \$182,144 |
| PAID ONE-WAY RIDES | 1,129 | 1,840 | 1,317 | 924 | 5,210 |
| DAYS OF SERVICE | 166 | 250 | 250 | 250 | 916 |
| AVG ONE-WAY RIDES/DAY | 6.8 | 7.4 | 5.3 | 3.7 | 5.7 |
| AVG COST/ ONE-WAY RIDE | \$37.05 | \$28.11 | \$31.86 | \$50.48 | \$34.96 |
| FARE BOX RECOVERY % | 5.7% | 7.5% | 6.7% | 4.5% | 6.1% |

**Partial fiscal year service; initiated November 2012*

TOTAL OPERATING COSTS – contract expenses and fuel costs

FARE REVENUE – amount paid by the rider at \$2.50 per one-way ride

NET OPERATING COSTS – total operating costs minus fare box revenue

PAID ONE-WAY RIDES – number times a paying rider has stepped on the bus for a one-way ride

DAYS OF SERVICE – number of operational service days

AVG ONE-WAY RIDES/DAY – number of paid one-way riders divided by days of service

AVG COST PER ONE-WAY RIDE – net operating costs divided by paid one-way rides

FARE BOX RECOVERY % – fare box revenue divided by total operating costs*

**Federal requirements stipulate a minimum 10% return and in the near future the Madera County Transportation Commission (MCTC) is expected to start monitoring this requirement and future deficits may have to be met from other funding sources such as general fund or LTF monies*

FINANCIAL ANALYSIS

The current 2016-2017 fiscal year budget has allocated \$52,826 to the CATLinX transit service. If CATLinX is discontinued a substantial portion of this allocation might not be spent from the LTF monies. Thus, the amount of funds available to assign to other transportation oriented projects could increase. It is projected that discontinuing the CATLinX service by the end December 2016 could reduce expenditures by approximately \$26,500.

ATTACHMENTS

Ridership numbers graphic

Surveys submittals

Resolution

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE DISCONTINUANCE OF THE CATLINX TRANSIT SERVICE, EFFECTIVE
DECEMBER 23, 2016**

WHEREAS, on October 9, 2012 the City Council approved an agreement with Merced Transportation Company to launch CATLinX, a fixed route between Chowchilla and Merced for a free-to-the-customer trial period; and

WHEREAS, on November 13, 2012 a public hearing was held establishing a fare amount as the CATLinX route was gaining steady ridership; and

WHEREAS, on March 12, 2013 the City Council approved the continuance of the CATLinX service but noting that the transit service could be discontinued by council action at any time due to poor performance or other circumstances; and

WHEREAS, ridership tracking has shown ridership and performance of the CATLinX service have been steadily declining while operating costs have been rising; and

WHEREAS, per City Council direction from the September 27, 2016 meeting, staff has completed their due diligence of reaching out to the CATLinX riders with surveys and phone calls, offering up alternative transportation suggestions; and

WHEREAS, the CATLinX service has not proven to be financially cost-effective as originally intended, deeming the service as a misappropriation of public funds.

NOW, THEREFORE, LET IT BE RESOLVED, that City Council of the City of Chowchilla hereby finds, determines resolves and orders as follows:

1. The recitals above are true and correct.
2. CATLinX service will be discontinued December 23, 2016.

PASSED AND ADOPTED by the City of Chowchilla this 25th day of October 2016 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

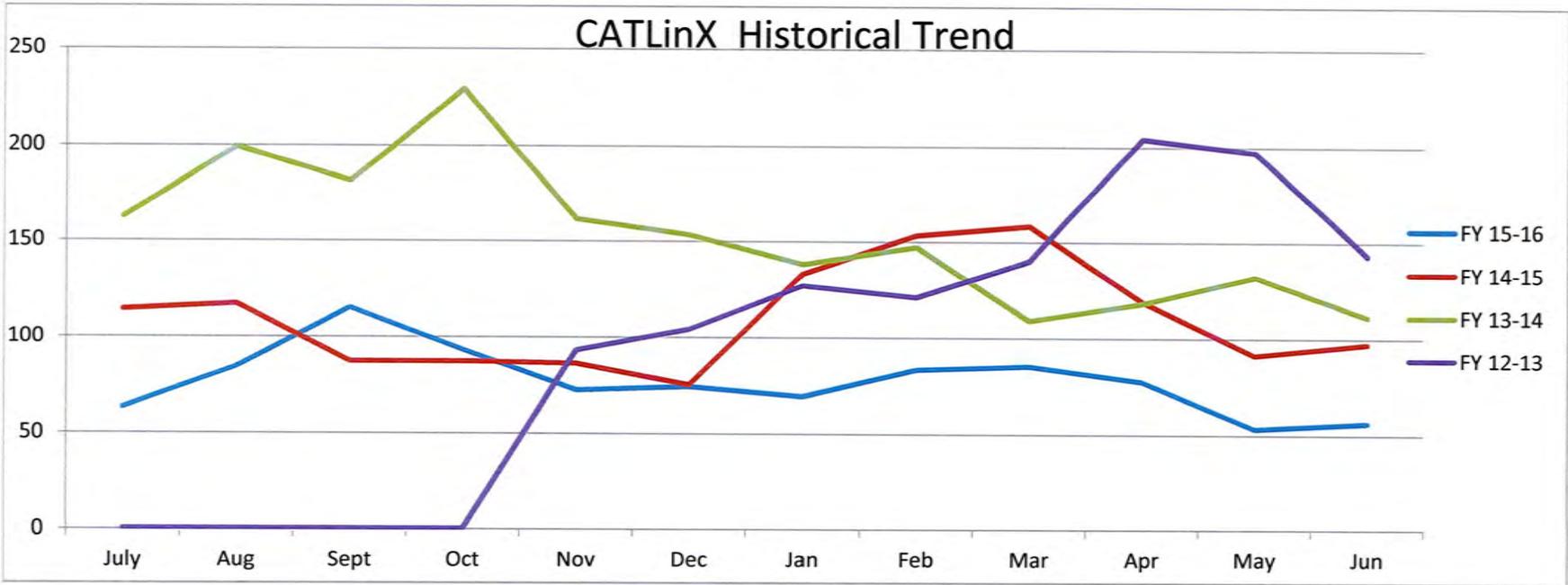
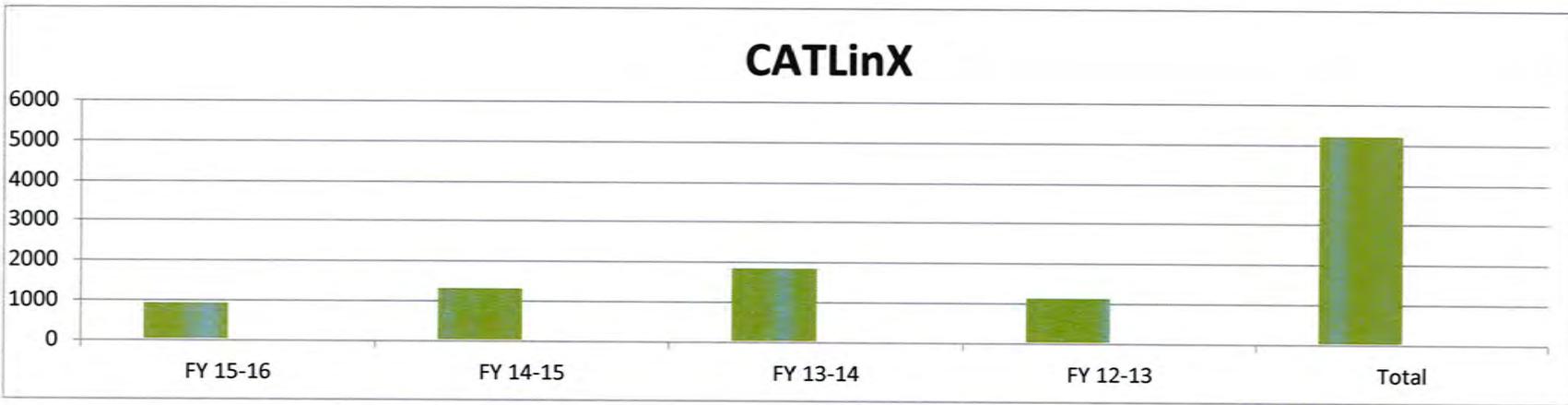
ABSENT:

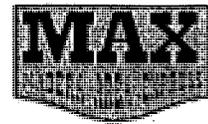
APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
City Clerk





DIAL-A-RIDE

Please help improve transit services by answering this survey and returning the form as you leave the bus.
If you have already filled out this form, you do not need to fill out another.

All responses are confidential. Thank you!

1. Which transit service are you using today?

- Madera Area Express (MAX)
- Madera County Connection (MCC)
- Dial-A-Ride
- Chowchilla Area Transit Express (CATX) *LYA X*

2. Which city do you currently reside in? Chowchilla

3. What stop did you board this bus today? Country Road

4. What stop will you be getting off this bus? M. P. Ct. + N. 43rd

5. What is the main purpose of your trip?

- Work
- School/College
- Shopping
- Medical
- Recreation
- Other

6. How often do you ride the bus?

- Daily (3-6 days/week)
- Weekly (1-2 days/week)
- Monthly (1-3 days/month)
- This is my first trip

7. Do you have a car for this trip?

- Yes
- No

8. How would you have made this trip if a bus were not available?

- Drive alone
- Bike
- Walk
- Taxi
- Get a Ride
- Other

9. Please rank on a scale of 1-5 (1 = poor; 5 = excellent) several service elements:

| | | | | | |
|------------------------------|---|---|---|---|---|
| a) Bus Comfort | 1 | 2 | 3 | 4 | 5 |
| b) Driver Courtesy | 1 | 2 | 3 | 4 | 5 |
| c) Dispatch Services | 1 | 2 | 3 | 4 | 5 |
| d) Bus Safety | 1 | 2 | 3 | 4 | 5 |
| e) Bus Cleanliness | 1 | 2 | 3 | 4 | 5 |
| f) On-time Arrival of Bus | 1 | 2 | 3 | 4 | 5 |
| g) Information about Transit | 1 | 2 | 3 | 4 | 5 |
| h) Overall Satisfaction | 1 | 2 | 3 | 4 | 5 |

10. What improvements would you like to see?

- More frequent service
- Earlier service
- Later service
- Weekend service
- Other (specify) _____

11. Are you a veteran?

- Yes
- No

12. Do you have a disability that limits driving?

- Yes
- No

13. What is your gender?

- Male
- Female

14. Are you:

- Employed full-time
- Employed part-time
- Student
- Retired
- Not employed

15. What is your ethnicity?

- White
- Black/African American
- American Indian
- Hispanic
- Asian/Pacific Islander
- Other

16. What is the estimated annual income of all members in your household?

- Less than \$10,000
- \$10,000-\$19,999
- \$20,000-\$29,999
- \$30,000-\$39,999
- \$40,000-\$49,999
- More than \$50,000

Por favor, vea el reverso para español.



DIAL-A-RIDE

Please help improve transit services by answering this survey and returning the form as you leave the bus.

If you have already filled out this form, you do not need to fill out another.

All responses are confidential. Thank you!

1. Which transit service are you using today?

- Madera Area Express (MAX)
- Madera County Connection (MCC)
- Dial-A-Ride
- Chowchilla Area Transit Express (CATX)

2. Which city do you currently reside in?

Chowchilla

3. What stop did you board this bus today?

BC Wisener Park / ~~Wendell Avenue~~

4. What stop will you be getting off this bus?

Dollar General (Countrywood Shopping Center)

5. What is the main purpose of your trip?

- Work
- School/College
- Shopping
- Medical
- Recreation
- Other

6. How often do you ride the bus?

- Daily (3-6 days/week)
- Weekly (1-2 days/week)
- Monthly (1-3 days/month)
- This is my first trip

7. Do you have a car for this trip?

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- No

8. How would you have made this trip if a bus were not available?

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- Bike
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- Get a Ride
- Other

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| | | | | | |
|------------------------------|---|---|---|---|---|
| a) Bus Comfort | 1 | 2 | 3 | 4 | 5 |
| b) Driver Courtesy | 1 | 2 | 3 | 4 | 5 |
| c) Dispatch Services | 1 | 2 | 3 | 4 | 5 |
| d) Bus Safety | 1 | 2 | 3 | 4 | 5 |
| e) Bus Cleanliness | 1 | 2 | 3 | 4 | 5 |
| f) On-time Arrival of Bus | 1 | 2 | 3 | 4 | 5 |
| g) Information about Transit | 1 | 2 | 3 | 4 | 5 |
| h) Overall Satisfaction | 1 | 2 | 3 | 4 | 5 |

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- \$20,000-\$29,999
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- \$40,000-\$49,999
- More than \$50,000

Por favor, vea el reverso para español.



CITY COUNCIL STAFF REPORT

Item 6.3

[CLICK HERE
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October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Authorization for the City Administrator to Enter into a Contract with Steve Dovali Construction for the Robertson and 11th Street Sidewalk Project and the Allocation of an Additional \$17,000 in Construction Funding

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

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Staff recommends that the City Council approve the authorization of the Robertson and 11th Street Sidewalk Project for construction with Steve Dovali Construction, and the allocation of an additional \$17,000 in funding for construction.

HISTORY / BACKGROUND:

City of Chowchilla applied for funding for Safe Routes to School (SRTS) – Active Transportation Program in May/June of 2014. City was awarded \$550,000 for the Robertson Blvd. and 11th Street Pedestrian Improvements Project from the California Transportation Commission and authorization to proceed with the project. A CEQA Notice of Exemption has been filed with the County of Madera.

A Request for Qualifications (RFQ) for design Services was released on May 12, 2015 and O'Dell Engineering was deemed the most qualified. On August 11, 2015 the City Council approved a contract of \$44,135 for project design. At 30% design it was determined that the RFQ and contract scope omitted certain sections of roadway identified in the grant application.

On March 8, 2016, the Council approved an amended contract consistent with the grant application. The amended contract was approved for \$63,935, well below the CalTrans allocation of \$80,000 for design services.

Preliminary cost estimates at the 30% plan completion stage placed construction costs at \$657,000. Council augmented the project budget by \$200,000 on April 12, 2016. This augmentation brings the total project budget to \$750,000.

On April 12, 2016 the City of Chowchilla City Council authorized staff to advertise a Request for Bids for the construction of this project. The project was advertised, and the City received two responsive bids in the amount of \$584,777.70 from Steve Dovali and \$759,361.53 from Dawson Maudlin. At this time staff is requesting authorization to enter into a contract with Steve Dovali Construction for his bid amount.

Staff is also requesting an additional \$17,000 be allocated to the project budget to provide contingency funds during construction. The project cost breakdown is as follows:

| | |
|---|------------------|
| Design (O'Dell) | \$64,000 |
| Construction Award with 10% Contingency | \$643,000 |
| Construction Staking (O'Dell) | \$20,000 |
| Material Testing/Inspection | \$20,000 |
| Project & grant admin/Tallies/Usage surveys | \$20,000 |
| TOTAL REQUIRED PROJECT FUNDS | \$767,000 |
| TOTAL ALLOCATED PROJECT FUNDS | \$750,000 |
| DEFICIT | \$17,000 |

Staff believes that this project budget includes will be adequate to ensure timely completion of the project and account for all unforeseen conditions.

The Bid Packet for this project is available to view at City Hall.

FINANCIAL IMPACT:

The project is funded with ATP grant funds in the amount of \$550,000, augmented with an additional \$200,000. The additional \$17,000 requested funding will likewise be drawn from existing Measure T, Gas Tax or RTIP funds.

ATTACHMENTS:

Resolution

Form of Contract – to be distributed at the meeting.

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH STEVE DOVALI
CONSTRUCTION FOR THE ROBERTSON AND 11TH STREET SIDEWALK PROJECT AND
APPROVE THE ALLOCATION OF AN ADDITIONAL \$17,000 IN CONSTRUCTION FUNDING**

WHEREAS, the City of Chowchilla is a Municipal Corporation which provides services and facilities to the citizens of the community; and

WHEREAS, on May 2014, the City of Chowchilla successfully applied for a Safe Route to School Grant under the Active Transportation program (ATP) to make pedestrian improvements on Robertson Blvd. from 7th to 15th street and on 11th street from Humboldt Ave. to Ventura Ave.; and

WHEREAS, on September 27, 2014, City of Chowchilla has been awarded with the grant of \$550,000 fully funded with reimbursement method; and

WHEREAS, the City of Chowchilla Public Works Department issued a Request for Qualifications, then on November 10, 2015 awarded a contract for Design Services to Odell Engineering; and

WHEREAS, on April 12, 2016 the Chowchilla City Council authorized the Advertisement of a Request for Bids in order to select a Contractor to construct the project; and

WHEREAS, the Chowchilla City Council augmented the Project Budget by \$200,000 on April 12, 2016, to accommodate the project scope consistent with the grant;

NOW, THEREFORE, LET IT BE RESOLVED, that City Council of the City of Chowchilla hereby finds, determines resolves and orders as follows:

1. The recitals above are true and correct.
2. The City Administrator is hereby authorized to enter into a Contract with Steve Dovali Construction for \$584,777.70 for construction of the project and the project budget will be augmented by \$17,000.
3. This Resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City of Chowchilla this 25th day of October 2016 by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
City Clerk



CITY COUNCIL STAFF REPORT

Item 6.4

[CLICK HERE
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October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Consideration of the City Council in Support of Measure J – a Chowchilla Elementary School District \$13,000,000 Bond

PREPARED BY: Joann McClendon, City Clerk

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

That the City Council consider its support of Chowchilla Elementary School District's ballot Measure J.

HISTORY / BACKGROUND:

For the November 8, 2016 general election, the Chowchilla Elementary School District has placed a Bond Measure "J" on the ballot. Measure J is a thirteen-million (\$13,000,000) dollar general obligation bond that will be repaid over a thirty (30)-year term. The Bond repayment comes from a tax on all taxable property which includes residential, commercial, agricultural and industrial properties located within the School District's boundaries.

According to the Fresno Bee Voter Guide, they defined the Measure as "To improve the quality of education with funding that cannot be taken by the state; increase student access to computers and modern technology; replace outdated heating, ventilation and air-conditioning systems; modernize/renovate or construct classrooms, restrooms and school facilities; replace portable classrooms; and make health and safety improvements..."

The Chowchilla Elementary School District has asked the Council for its support of the Measure.

FINANCIAL IMPACT:

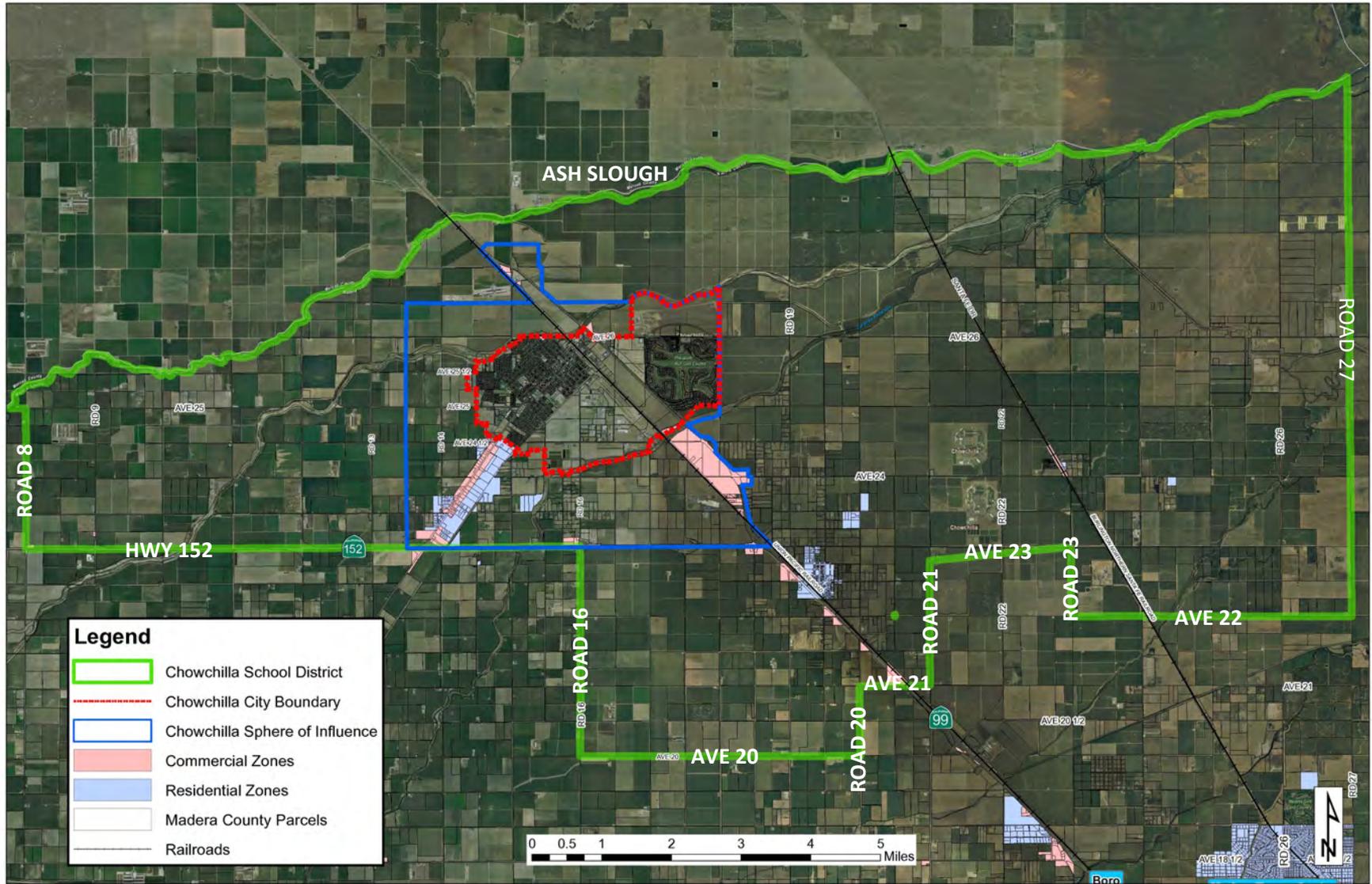
None to the City of Chowchilla.

ATTACHMENTS:

Chowchilla Elementary School District Boundary Map
Measure J Frequently Asked Questions Handout

CHOWCHILLA ELEMENTARY SCHOOL DISTRICT BOUNDARY MAP

Chowchilla School District



Measure J - Chowchilla Elementary School District Frequently Asked Questions Handout

Although it appears that our schools are in good shape based on achievements by our students, our school facilities need to be improved. Faced with aging classrooms, and the need to bring school facilities up to current standards, the Chowchilla Elementary School District has placed Measure J on the November 8th, 2016 ballot that would modernize and renovate our aging schools.

The following information is provided to assist voters in understanding the facts behind Measure J and how its passage will affect the District and our community.

What is Measure J?

Measure J is a \$13.0 million general obligation (G.O.) bond program. The measure is intended to address the needs of the student population through modernization and renovation projects at the District's five schools.

What is a G.O. bond?

G.O. bonds fund projects such as the renovation of classrooms and school facilities, as well as construction of new schools and classrooms. Similar to a home loan, G.O. bonds are typically repaid over 30 years. The loan repayment comes from a tax on all taxable property - residential, commercial, agricultural and industrial - located within the District's boundaries.

Why did the District place Measure J on the ballot?

Our schools are outdated and upgrades and renovations need to be made. While facilities have been well maintained, old classrooms must be upgraded since many do not meet 21st century education and technology standards. A local school improvement measure would allow the District to improve the quality of the school facilities and education provided to local children.

Why can't the District meet its facilities needs with its current budget?

Today, the scope of improvements needed at the Chowchilla Elementary School District is far more than the current funding sources available. The per pupil funding which the District receives from the state is intended to be used for the day-to-day business of educating children and not the cost of upgrading, modernizing, and repairing facilities.

How did the District come up with the project list for Measure J?

Over the several months with input from staff, teachers, parents, community leaders, and an architect, the District has prepared a School Facilities Needs Analysis. The Needs Analysis identifies the major repairs and upgrades that need to be made.

Specific types of projects identified include:

- Increasing student access to computers and modern technology
- Repairing or replacing outdated heating, ventilation and air-conditioning systems
- Modernizing/renovating or constructing classrooms, restrooms, and school facilities
- Making health and safety improvements
- Replacing temporary portables with permanent classrooms

What will the passage of Measure J mean for our students and the community?

Measure J will provide our students with a better learning environment by making repairs and upgrades to existing classrooms and school facilities; many of which are also used by and available to the community such as the libraries and playing fields.

What will happen if Measure J does not pass?

If Measure J does not pass, our classrooms and school facilities will continue to deteriorate. In addition, funds that would otherwise go to classroom instruction will be needed to make critical safety repairs and improvements at our schools. Major repairs will need to be postponed and as a result will likely be more expensive to make.

What will Measure J cost?

The tax rate per property owner is estimated to be \$30 per \$100,000 of assessed valuation per year. (Do not confuse assessed valuation with market value. Assessed valuations are the value placed on property by the County and are lower than market values). Check your property tax statement for your current assessed valuation.

How can I be sure that Measure J funds will be spent on improving our local schools?

By law, all bond funds have to be spent locally and cannot be taken by the state. In addition, a local independent citizens' oversight committee will be established to ensure that bond funds are properly spent. Also by law, there must be annual audits of expenditures and no bond money can be used for teacher or administrative salaries.



CITY COUNCIL STAFF REPORT

Item 6.5

[CLICK HERE
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October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Informational Item Regarding Industrial Development Strategic Planning Services

PREPARED BY: Brian Haddix, City Administrator

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

This is an informational item only.

HISTORY / BACKGROUND:

John Quiring with Acquisition Partners of America provided the attached proposal to Chowchilla to assist the city in developing its industrial area. This links to the City of Chowchilla's Strategic Objective 5.2 to "define an economic development roadmap for the future." The goal of the project is to transform this area into a condition that is inviting for new industry. Included in this transformation is the determination of the specific types of industries best suited for the industrial area.

Mr. Quiring has shared his proposal with the Mayor and City Administrator. Specifically, Mr. Quiring will do the following:

Industrial Development Strategic Planning Services

- Industrial Development Plan for South Industrial Growth Area –this plan will develop a comprehensive overview of Chowchillas future industrial growth areas, identify existing development assets, explore impediments to growth, and identify methodology to remove those impediments and financing options to support those alternatives.
- Marketing Program to Initiate Targeted Outreach to Identified Market Sectors – initiate immediate marketing program to leverage existing industrial sites and advantages for industrial growth and complement existing county and regional efforts. Efforts will include assisting City with preparations for and attendance at two key targeted industry trade shows in the course of this contract. They include:
 - ICSC ReCON Show – Commercial- 5/22/2017
 - Pack Expo – Food Processors Industrial – 11/2/2016
- Certified Sites Program for up to Five Identified Industrial Sites – following completion of the industrial plan, identify and analyze up to five industrial sites for certification as future turnkey industrial sites.
- Financing Assessment for Infrastructure Financing Options to implement Industrial Growth Plan – prepare action plan that identifies long term infrastructure needs and the potential methodologies to overcome them. This will include analysis of key impediments and attributes of Enhanced

Infrastructure Financing District (EIFD) and Community Revitalization and Investment Authority (CRIA). Plan will include step by step plan for implementation.

At present, the City is utilizing the services of the Madera County Economic Development Corporation on a general basis. This is a relationship that has been ongoing for many years. What the attached proposal offers is different. This proposal provides enhanced targeting of the industrial area for economic development. This is similar to contracts between the City of Madera and the MCEDC for additional services separate from their standard MCEDC contract.

This is a time limited pilot program. Should it prove successful, it will be up to the Council to decide whether it should be allowed to continue.

FINANCIAL IMPACT:

The Procurement Section of the City of Chowchilla Administrative Policy and Procedures Manual provides a fiscal range within which department heads and the City Administrator can procure goods and services. This program falls within that range. The cost of the program is \$2,950 per month for the remainder of the fiscal year. Quarterly reviews for milestones and progress in achieving deliverables will be provided to Council.

ATTACHMENTS:

Acquisition Partners of America Services and Qualifications: Industrial Development Consulting Services.



**Services and Qualifications:
Industrial Development
Consulting Services**

**Prepared for:
Brian Haddix, City Manager
City of Chowchilla**

**Date:
June 21, 2016**

**Firm Name:
Acquisition Partners of America, LLC (APA)**



**A Results-Based Community
Development Company
www.Acquisition-Partners.com
Phone: (559) 251-1154**

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Introduction

Since our founding in 2010, Acquisition Partners of America, LLC (APA) has emerged as a preeminent economic and industrial development firm serving municipalities and businesses throughout California. Our team prides itself on providing highly professional and personal consulting services, based on a philosophy of transparency and accountability in all of our service delivery.

APA is a proactive, performance-based company. We study and learn quickly about our client's individual needs, strengths, and aspirations to enhance our ability to research and deliver solutions to our clients economic and industrial development needs. We supplement our solutions with a vigilant watch for competitive funding and revenue mechanisms that will assist you in implementation of the solutions we have helped you define. We maintain an alert watch on emerging legislative initiatives and actions that represent future expansion and economic opportunities for our clients. Finally, we always report accurately and openly on our process and results, to grow strong and long term client relationships.

Through our experience and expertise as a collaborative municipal partner, our ongoing experience as an industry based site-selector, our knowledge of State, Federal and foundation-based funding and our results-based approach to client accountability, APA is the right partner for the City of Chowchilla. Thank you for considering APA for your continuing industrial and economic development consulting needs.

Description of APA Services

APA provides a full range of industrial development consulting services; on a retainer as well as a project basis. The following describes the full range of services possible. A detailed proposal, designed around your specific needs is attached.

Industrial Development Strategic Planning

Without an effective plan for a community's industrial areas, your residents cannot enjoy sustainable growth and the tax revenue and job benefits provided by an active and vibrant industrial sector. We assist both in developing or enhancing strategies to guide short and long-term actions. APA provides expertise every step of the way: benchmarking, data collection and analysis, asset mapping, stakeholder and public facilitation, strategy development, and industrial park design.

APA's approach to strategic planning emphasizes inclusivity and transparency. At the heart of any planning process are the stakeholders, each offering a unique perspective and background critical to understanding the history and future of the community. Most importantly, we pride ourselves on developing actionable and measurable recommendations. These recommendations regarding infrastructure, size, conditions, financing, and targeted clients and markets, all lead to successful implementation of industrial parks, sustainable industrial growth and the growing benefits of jobs, income and municipal tax revenue.

Industrial Park Consulting/Marketing

Within well-planned areas identified for sustainable industrial growth, specific industrial parks and parcels must become fully developed for true, turnkey availability to industrial buyers and tenants. APA can assist you with services designed to complement the development of public or private industrial parks and parcels. We evaluate feasibility, establishes economic value, creates an effective business plan, provides finance plans, and arranges third-party development options. Our goal is to assist you in strengthening market position, financial health, and success implementing any part of the marketing plan necessary to attract industry.

Marketing Implementation Services Include:

- Development of specific target markets
- Analysis of primary and secondary marketing research
- Marketing planning including timetables and realistic goals
- Generation of sales through promotional activities and literature
- Follow-up procedures / training module for in-house staff
- Preparation of cost-benefit analysis for each prospect
- Presentations, seminars, and workshops for interested prospects
- Location of tenants and negotiations on behalf of municipality

- Distribution of direct mail and follow-up

The objective in marketing any industrial area is to identify significant economic differentiation. APA sets out to find those elements which distinguish the location from others and identifies the competitive advantages. A matching process comparing the advantages with the needs of various industries is performed to yield a strategy that creates more synergistic strengths and benefits.

Some of the elements of the marketing assessment include:

- Availability of turnkey industrial land or parks
- Infrastructure availability and limits
- Sources of raw materials
- Evaluation of incentives offered
- Inventory of local labor – skilled and unskilled
- Access to multiple modes of transportation
- Presence of advanced technology in existing industry
- Availability of public and private financing
 - Enhanced Infrastructure Financing Districts
 - Community Revitalization and Investment Authorities
- Attitude of public agencies towards economic development

Industrial Evaluation and Certification Program

The demand for project ready industrial sites continues to grow as decision making time frames for companies continue to shrink. Companies are looking for sites that are fully developed and relatively "risk free." Therefore, the location decision process demands available sites that are ready for development, have cleared environmental analysis and have access to needed infrastructure.

Communities that are seeking to recruit industrial development need to be armed with a wealth of information and data on both their sites and their community. Companies are not willing to wait for a community to find an appropriate site and determine its suitability for development – that due diligence needs to be completed in advance of a prospect visit.

The APA site readiness process is divided into two distinct phases – a site evaluation phase and a site certification phase. The purpose of the site evaluation phase is to provide the client with our analysis of the property's strengths and weaknesses and determine if the property is a candidate for certification. During this phase, APA will do an inspection of the proposed property, including reviewing any due diligence performed and conducting a site visit. A site

evaluation is conducted prior to embarking on the full site certification to allow for discontinuation if a fatal flaw is identified during the evaluation, and it prevents the spending of funds for due diligence on a property that will not meet the minimum certification criteria.

The certification phase delves into the property in much more detail than the evaluation phase by requiring evidence of engineered plans, environmental studies, etc. Once the applicant has completed all the certification requirements, APA certifies that the property is ready for development, enhancing the marketability of the site, and improving the community's inventory of industrial properties.

Economic Impact Analysis

Gauging the economic impact a new program, policy or infrastructure project is a critical component to any planning process. APA considers real-time information such as pending industry expansions or other development with the quantitative analysis to provide a more robust economic picture. We delve into a variety of data sources and information in order to analyze the economic structure and develop a keen understanding of a community's economic anatomy and how it links to the broader economy.

Site Selection Services

APA provides site selection and incentives negotiation services to leading companies worldwide. Our consulting services benefit firms seeking locations for new facilities or relocating operations, as well as those managing location decisions for competitive expansions or selective consolidations. In addition, APA's services provide value to firms faced with the complex mix of location decisions resulting from planned or executed mergers and acquisitions.

APA brings a proven process that provides a solid framework for a defensible location decision, while also allowing for the flexibility necessary to adapt to changing company elements and discoveries in the field. Our process from initial area review through to final site acquisition can employ up to four stages. Extensive financial analyses are performed during the project. In the end, all strategic and operational aspects of the location decision are identified and addressed.

There will be extensive communication between APA and our client team throughout the project. Our clients know what we are doing and why. Lastly, all of our assignments are executed with the highest level of confidentiality.

Project Management

We have the ability to serve as project managers on range of projects from startup of new initiatives to staffing for organizations in transition. We blend our expertise in strategic planning, collaboration facilitation, and marketing and communications to effectively manage your project. APA uses several online tools and latest technology to ensure effective and timely communication.

Grant Seeking and Grant Writing Services

In some industrial development engagements, a community will identify infrastructure or community needs that require outside additional funding from foundation, State or federal sources. In those situations, APA maintains a successful grant advisory, research, writing and management practice to facilitate those needs. Briefly, those services include:

Research – Our services center on and are supported by thorough and extensive research services designed to identify all potential funding through Federal, State, and Foundation sources. These services keep us abreast of ongoing and annual funding cycles as well as important one-time funding opportunities that may develop at the State and Federal level.

Needs Assessment/Grants Strategic Plan – Our services to your City will begin with an in-depth and thorough understanding of your City's needs, program priorities and organizational structure. This will include onsite assessment meetings with individual department heads and the City Manager to review grant funding priority areas for the City. Our assessment of your City occurs in the first weeks of our relationship and becomes the cornerstone of our Grant Strategic Plan. Unlike many plans, this Strategic Plan is an active guide for our efforts on your behalf. It guides our research into State and Federal grants as well as Corporate and Private Foundation sources.

Grant Development and Writing –Based upon our research and assessment activities, we will write and submit grant proposals to enhance your identified programs and projects. The actual process of researching, writing, reviewing and copy editing a competitive grant proposal will vary, but generally will follow the process described below. APA staff:

- Conducts a detailed review of the funding agency's solicitation.
- Engages the funding agency's designated lead staff throughout the proposal development process.
- Collaborates with the client to develop a competitive project design;
- Develops documents (e.g., Project Timeline, Project Task List) to guide the proposal development process.
- Develops all required narrative for a fully responsive and competitive grant application
- Provides a complete project for your review and approval

Cost Proposal

The services provided by APA exemplify our approach to quality industrial development, strategic marketing programs, financing approaches to quality and responsible Infrastructure funding and a commitment to a return on investment for each of our clients. We must and will understand your long term goals and objectives, help you refine your programs to fit community needs and push the envelope in terms of the range and quality of assistance we will provide.

To accomplish this, we have developed the following cost proposal for a fully integrated industrial development program designed to prepare the community for robust industrial growth, implement the needed infrastructure components, and initiate new marketing approaches to achieve your goals. The cost proposal for the City includes the following components and deliverables to be completed over the following 12 months:

- Industrial Development Plan for South Industrial Growth Area -this plan will develop a comprehensive overview of Chowchillas future industrial growth areas, identify existing development assets, explore impediments to growth, and identify methodology to remove those impediments and financing options to support those alternatives.
- Certified Sites Program for up to Five Identified Industrial Sites – following completion of the industrial plan, identify and analyze up to five industrial sites for certification as future turnkey industrial sites.
- Financing Assessment for Infrastructure Financing Options to implement Industrial Growth Plan – prepare action plan that identifies long term infrastructure needs and the potential methodologies to overcome them. Plan will include step by step plan for implementation.
- Marketing Program to Initiate Targeted Outreach to Identified Market Sectors – initiate immediate marketing program to leverage existing industrial sites and advantages for industrial growth and complement existing county and regional efforts.

Services will be delivered on a monthly retainer basis with quarterly reviews for milestones and progress in achievement of project deliverables. Project timelines will be agreed upon during initial 30 day assessment period between City Manager and APA staff.

Service Cost: \$2,950 per month

Project Team and Qualifications

APA is staffed by a team of highly qualified researchers, writers, program administrators and contractors who will provide the highest level of service to the City of Corcoran. Consistent communication is vital to a successful grant and revenue program; therefore APA staff is always available via phone and email and is prepared to attend staff meetings and council meetings at the discretion of the City Manager and Council.

APA Executive Staff/Principals

John Quiring, President/General Manager – John brings more than 30 years of experience in economic development, industrial assessment and corporate site selection. He has led both county wide economic development organizations as well as established regional ED associations. As an economic developer he enjoyed wide success, averaging more than 500 industrial jobs created annually and tens of millions of dollars in new annual investment. As a site selection and industrial development consultant he has assisted dozens of companies and developers secure new locations, create new jobs and income and create and certify new industrial development projects. He has secured in excess of \$35 million in funding in 15 years of workforce development and community development such as HUD, DOT, EDA and CDBG, community college funding and other non-profit experience doing grant related work. John's experience includes leadership of economic, redevelopment, industrial and community development agencies.

Sarah Higginbotham, Vice President of Client Services – Sarah has worked closely with elected officials to help public agencies navigate government red tape and increase their success rates. Sarah gained vast experience as a government liaison while serving on the staff of a prominent U.S. Congressman, managing outreach between his constituents and various Federal agencies. She has taken a leadership role in seeking new grant sources and has secured over \$20 million dollars in new grant revenue in the past five years. Sarah has experience working with industrial, transportation, housing rehabilitation programs, transportation, public works and community development programs. She has also assisted with the administration of Cal GRIP and CDBG grant funds. Sarah completed her undergraduate degree from UC Riverside, graduate studies at CSU Fresno, and is now in the process of becoming a Certified Grant Writer.

APA Senior Consultants

Jose Ramirez, Municipal Services Senior Consultant – Jose is an accomplished senior city management executive who brings a host of related experience and skills to the APA family. After completing his B.A. degree in California, Jose served in several analyst and management positions in valley cities. This was followed with more than 15 years of experience as a City Manager for the cities of Orange Cove, Firebaugh and Livingston. During those tenures he authored twenty million dollars in successful grant applications on behalf of his communities. In addition to this experience he is extensively involved in local and statewide Boards, Commissions and organizations related to municipal governance and community development.



Terry Schmal, Public Works /Municipal Services – Terry has a wide range of skills and expertise in city administration, planning, environmental policy and public works, as well as grant writing and media relations. He has served for more than twenty years as a Director of Public Works, Planner and Analyst for a city and two counties, and as a Community Development Specialist conducting environmental assessments, securing funding for large scale development projects and administering all aspects of those projects. He also spent more than 12 years in various management positions with central valley newspapers. A graduate of CSU Fresno, he is a member of the Association of Environmental Professionals and the American Planning Association. Professionally, he has worked on numerous professional committees and initiatives including Valley Planners Work Group and Smart Valley Places Workgroup.

Jeannie Neathery, Grant Writer – Jeannie brings a wealth of grant writing experience to the team. Jeannie has written dozens of grant proposals in the areas of law enforcement, transportation, energy, environmental quality, and parks. Over the past years, Jeannie has helped secure over \$10 million for cities and school districts. She has specific expertise in researching grant-making organizations, project budget analysis, and technical writing and serves on a wide range of community based organizations.

Michael N. Villines, Legislative Liaison – Mike was elected to the California State Assembly in 2004 to represent the 29th Assembly District. Mike served as one of the longest serving Minority Leaders in recent California history and served critical roles in negotiating 4 State budgets, a State water bond and a State “rainy day” fund. Mike serves as Vice President of Corporate and Government Affairs for the State Legislative Leaders Foundation. He is a Gubernatorial Appointee on the California Central Valley Flood Protection Board, which deals with the State’s Levee management policies, and a Member of the California Bay-Delta Conservancy. After serving six years in the California State Assembly, Mike opened Villines Group, Corporate and Government Relations consulting firm with offices in Sacramento and Fresno. Villines Group is focused on solutions and problem solving. Using discretion and a deep well of bipartisan relationships, Villines Group is able to focus on clients’ objectives and ultimately their success.



CITY COUNCIL STAFF REPORT

Item 6.6

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

October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Approve a Resolution to Apply for Youth Soccer and Recreation Development Program Grant Funds

PREPARED BY: D. Martin Piepenbrok, Community Relations Manager

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Council approves the application for Youth Soccer and Recreation Development Program Grant Funds.

HISTORY / BACKGROUND:

The State of California Department of Parks and Recreation Office of Grants and Local Services is accepting applications for a one-cycle grant program that has an application deadline of November 1, 2016. The intent of the California Youth Soccer and Recreation Development Program is to award grants on a competitive basis for "fostering the development of new youth soccer, baseball, softball, and basketball recreation opportunities in heavily populated, low-income urban areas with a high youth crime and unemployment rate" to Local Agencies and Community-Based Organizations. There is no minimum amount of dollar funding request but the maximum is \$1,000,000.

Upon review of the application document by the City's contracted grant research and writing firm, Acquisition Partners of America, along with staff, it is believed that the City of Chowchilla meets the qualifications to apply for these grant funds. There are two obligated intents with the grant that place an emphasis on creating NEW OPPORTUNITIES along with WATER CONSERVATION measures. We believe that elements of our proposed project will meet both of those intents that will qualify our application for consideration.

The selected project is the revitalization of the Edward Ray Park softball fields' complex. The proposed improvements may include:

- Leveling the grade of both softball fields to eliminate or substantially reduce the severe grade change in the outfields at the fence lines;
- Constructing a non-turf strip parallel to the outfield fence line (not a warning track) and on either side of the fence to reduce maintenance and irrigation needs;
- Adding a water retention agent (polymer) to the soil to reduce the required amount of irrigation;
- Replacing irrigation sprinkler heads and controllers with more efficient water-saving units;
- Add in-ground water sensors to monitor and control irrigation needs;
- Replace old field lights poles and relocate them beyond the outfield fence and outside the field of play;
- Replace the field light lamps with a computer control system and energy saving lamps;
- Replace the old perimeter fields fencing with new materials, ensure correct field dimensions for the youth softball programs, and add safety amenities such as fence top protectors.

As the application is finalized there may be some additional items added to this preliminary list.

A requirement of the grant application is that the governing body of the applicant must pass a resolution approving the application. Therefore, the resolution is attached for consideration by the City Council.

FINANCIAL IMPACT:

There is no financial impact at this time. If the grant application is approved and the project funded there could be some obligated match monies though there is also the opportunity to assign in-kind efforts to meet the match requirement. If the project application is approved staff will return to the City Council to address the next step in the project progress.

ATTACHMENTS:

Resolution

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA
APPROVING THE APPLICATION FOR YOUTH SOCCER AND RECREATION
DEVELOPMENT PROGRAM GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Youth Soccer and Recreation Development Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

NOW THEREFORE, the City Council of the City of Chowchilla hereby resolves to approve the filing of an application for the Edward Ray Park Softball Complex Revitalization, and:

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Administrator, or designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

PASSED AND ADOPTED by the City Council of the City of Chowchilla this 25th day of October, 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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October 25, 2016

AGENDA SECTION: New Business

SUBJECT: Presentation of the Council Strategic Objectives Report 2015-2016 5th Quarter – Informational Only

PREPARED BY: D. Martin Piepenbrok, Community Relations Manager

REVIEWED BY
ADMINISTRATOR

REVIEWED BY
ATTORNEY

REVIEWED BY
FINANCE

RECOMMENDATION:

Accept and comment on the Strategic Objectives 5th Quarter Status Report.

HISTORY / BACKGROUND:

In the spring of 2015 City Council and staff defined the five City Council Goals and soon after identified and categorized the projects and tasks to fulfill the appropriate goals. In June 2015 a Strategic Objectives Quarterly Status Report document was approved. This “report card” is to be presented to City Council on a quarterly basis to provide task/project updates, including opportunities to submit adjustments and comments.

Staff has compiled and is prepared to discuss with City Council the 5th Quarter Strategic Objectives Quarterly Status Report. The completed report is included as an attachment.

No action is required.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Council Strategic Objectives Report 2015-2016 5th QTR

SPECIAL INSTRUCTIONS:

None

**GOAL 1
BUILD ON THE COMMUNITY VALUES TO DEVELOP A SENSE OF PLACE AS A COHESIVE COMMUNITY**

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|-----|--|--------------------------|-----------------------------|--------|-----------|---------|---|
| | | | | DONE | ON TARGET | REVISED | |
| 1.1 | Develop 2-3 new community events that can attract regional attendees | M Piepenbrok | September 2016 | X | | | Continuing summer park movies and concerts programs; the yard sale event has been reconfigured to include handmade arts and crafts in addition to maintaining the opportunity for household goods sales; continue to evaluate opportunities to add other feasible events. |
| 1.2 | Develop community events to be conducted on the east side of Highway 99, e.g. elementary school, shopping center, golf course, etc. | M Piepenbrok | June 2017 | X | | | Staff considers this task done because of the challenges with trying to put on any events on the east side of Highway 99 due to limited program sites, and limited staff availability; Community CONVERSATION continues to meet monthly at various locations around town including at the Fig Tree Shopping Center; some ideas have been proposed to 1-2 business owners in Fig Tree wherein the City would help jump-start and assist the events but could not actually manage them on a regular basis; events at golf course are on hold due to unaddressed regulatory conditions at the site; the Fig Tree Shopping Center remains a program option but the lack of trees would preclude any events to be early spring or late fall. |
| 1.3 | Enhance the quality of existing community events | M Piepenbrok | Continuous | X | | | Though complete; staff continues to implement further improvements. |
| 1.4 | Develop new recreation activities for youth and adults; work with established parent-run organizations, service clubs and the school districts | M Piepenbrok | September 2017 | | X | | Worked with adult recreation group that started a grass volleyball program in fall 2015. Staff shared a program idea to offer an adult kickball league or tournament. Other event ideas will be shared as they are found. Started working with a group that wants to form a recreational youth soccer program under the umbrella of the Chowchilla Youth Athletic Foundation. |
| 1.5 | Work with local parent-run organizations and the high school to possibly develop aquatics activities | M Piepenbrok | June 2017 | | X | | The CUHS Superintendent is willing to work with the City to make the pool available for public use under the operational and management oversight of the City. The City received a private offer to donate funds to conduct some type of aquatics activities for the 2016 summer season. Staff researched the legal obligations under State laws including the requirements to provide lifeguarding since a municipality would be conducting the aquatics activities. A substantial commitment is required from the City including finding and hiring qualified personnel including an on-site supervisor, provide liability coverage, purchasing equipment supplementary to that available from the high school at the pool, and other legal obligations. The result was no activities could be put together for the 2016 summer season. The City will attempt to satisfy the legal statute requirements leading to the 2017 summer season, and devise a way to hire qualified lifeguards to try to offer aquatics activities next year. |
| 1.6 | Develop relationships with downtown businesses through workshops and events | M Piepenbrok B Haddix | November 2016 March 2017 | | | X | This project will be part of the downtown study contracted with QK, Inc, (formerly Quad Knopf, Inc.) the City's planning contractor; These relationships have been strengthened through direct communication with downtown businesses and through the marketing of incentive programs via the Chamber. |

**GOAL 2
ACHIEVE AND MAINTAIN A SAFE AND SECURE COMMUNITY**

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|------|--|-----------------------------------|--|--------|-----------|---------|---|
| | | | | DONE | ON TARGET | REVISED | |
| 2.1 | Research funding sources, including general fund, community facilities district, grants, etc. for new Fire Engine | H Turner | October 2015 | X | | | City Council approved the purchase of a Fire Engine; delivery will take +/- 12 months. |
| 2.2 | Maintain staff level of 20-25 volunteer fire fighters | H Turner | December 2016 | | X | | Current staffing of 18 volunteers; continuing to recruitment new volunteers. |
| 2.3 | Develop a fleet services equipment asset management system, evaluate resource funding opportunities and develop an equipment replacement schedule | H Turner R Pruett | November 2016 | | X | | Fleet management program in place; Input of data limited by a lack of available staff time. Will be working with CUHS for student with computer skills that needs to complete community service hours. |
| 2.4 | Continue to monitor interpretations from State Prop 47 and recreational marijuana use decisions and the potential effects on the community | D Riviere | Ongoing | | X | | Information continues to develop from the legislative side in Sacramento and staff provides updates as the updates as they become known; the Governor is proposing Proposition 57 that is worse than Proposition 47. |
| 2.5 | Utilize CDBG funding for additional code enforcement resources to increase property owners compliance; utilize Police and Community Resource Officer | H Turner R Pruett D Riviere | June 2017 | | X | | Developing processes to aggressively deal with code enforcement and adding assistance to current service abilities. Currently waiting for next CDBG cycle to include new salaries for code enforcement. Harry and Rod spoke with rep from Self Help regarding process and reimbursement criteria for using CDBG funds for Code Enforcement Officer. Need to use program income first. |
| 2.6 | Evaluate incentive methods to engage property owners to comply with municipal code, facilitate repairs, property infill and vacant lots cleanup | H Turner B Haddix | November 2016 April 2017 | | | X | Council has approved an infill program that waives developer impact fees in the older part of Chowchilla; the program has been well received in the building community. Fire Chief working with Code Enforcement Officer for required processes. Working with Dean Pucci. Forwarded several problem properties to start receivership process. |
| 2.7 | Evaluate and install needed stop signs in the area around schools and install needed signage | C Locke | December 2016 | | X | | A sign inventory will be a part of the Pavement Management Plan; Cartegraph firm was selected that provides unique technology to yield superior data at a lower price. |
| 2.8 | Conduct the community traffic flow, speed survey, stop sign evaluation and pedestrian safety needs | D Riviere C Locke | December 2016 June 2017 | | | X | Need to clarify if Cartegraph or Interwest will be used for the project; Measure T flex can be used; Considering including truck route delineation in scope. |
| 2.9 | Complete safe routes to schools and sidewalks infill projects and seek additional project grant funds | C Locke | December 2016 April 2017 | | | X | The Robertson and 11th project contract will be awarded 10/26; The Fuller neighborhoods project will bid this winter. |
| 2.10 | Initiate scope analysis of the truck routes and define opportunities for truck parking areas | C Locke | June 2017 | | X | | City Administrator has identified another potential parcel for truck parking; awaiting planner to ensure proper zoning. |

**GOAL 3
ENHANCE THE ENGAGEMENT WITH THE CITIZENRY TO CONVEY CONFIDENCE**

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|-----|--|---|--------------------------|--------|-----------|---------|---|
| | | | | DONE | ON TARGET | REVISED | |
| 3.1 | Place City web site on new host server; redesign look and accessibility of the City web site; identify resources to improve searchable options, e.g. agendas, minutes, staff reports; evaluate contracting | H Turner J Telford M Piepenbrok | June 2017 | | X | | The project is included on the VLF settlement funding list to contract to develop a new City web site. Currently working with vendor for redesign and hosting solutions. Receiving proposals. |
| 3.2 | Evaluate methods to place recorded City Council meetings on the City web site | H Turner M Piepenbrok | December 2015 | X | | | Current technology prohibits posting meeting recordings; future equipment funding would need to be part of CIP. |
| 3.3 | Enhance staff training to enhance customer service utilizing contracted trainers, online videos, etc, | J McClendon M Piepenbrok | Ongoing | | X | | Work continues as time allows; considering an online training site for software, communications, business methods, etc.; searching for free online training resources and taking full advantage of the workshops/training provided by Liebert Cassidy Whitmore and the CSJVRMA. Clerk has emailed training announcements and opportunities through CSJVRMA and Liebert Cassidy Whitmore. It is up to the employee/employee's supervisor/DH to encourage attendance. |
| 3.4 | Evaluate ways to improve customer engagements, e.g. flex scheduling to expand service hours, open City Hall on Fridays, etc. | B Haddix J McClendon M Piepenbrok | May 2016 January 2017 | | | X | Through a combination of Council Town Hall meetings and Community CONVERSATION sessions we have worked to enhance customer engagement and we continue to evaluate other ideas for future implementation; City Hall hours will be open from 8-5, M-F starting January 1, 2017; This date was chosen based on prior public notification of closures during the November and December holidays. |
| 3.5 | Foster engagement opportunities for Council members and staff at community events, with service clubs, school events, topical town hall meetings, business visits, etc. | B Haddix J McClendon M Piepenbrok | March 2016 | X | | | The task is completed but staff, and Council will continue to participate in community meetings and discussions with local organizations and groups; the Chowchilla Community Task Force has been initiated and is quickly developing; providing input to the Elementary School District strategic plan; continue to develop solutions for industrial park businesses. |
| 3.6 | Evaluate opportunities to conduct occasional Council meetings at off-site locations such as schools, senior center, etc.; take the meetings to the residents | B Haddix J McClendon M Piepenbrok | May 2016 | X | | | The task is completed but programs will continue and staff will evaluate other opportunities to engage the community with City Council and staff; continuing the monthly Community CONVERSATION – Let's Talk Chowchilla program; held a City Council Town Hall on the 2016-2017 budget. |
| 3.7 | Research and develop vacant properties inventory and place on the City web site | C Locke Planner M Piepenbrok | December 2016 | | X | | GIS system not quite underway; preliminary layers have been developed, additional information such as vacancy can be added once this phase is complete; web site placement will be dependent upon the new web platform being developed. |
| 3.8 | Develop and implement water conservation education materials for print and on the City web site | C Locke M Piepenbrok | Ongoing | | X | | Irrigation regulations are enacted on a seasonal basis; staff continues to monitor State directives; self-certification for SWRCB has been delayed with the intent to address in August; public outreach and information sharing continues. |

GOAL 3 (continued)

ENHANCE THE ENGAGEMENT WITH THE CITIZENRY TO CONVEY CONFIDENCE

| | | | | | | | |
|-----|--|--------------------------|------------|--|---|--|--|
| 3.9 | Evaluate developing a "Citizens Academy" conducted as workshops and/or as information web resource | M Piepenbrok B Haddix | March 2017 | | X | | This is a substantial and time-invested project that will have to be extended out to a future completion date. |
|-----|--|--------------------------|------------|--|---|--|--|

GOAL 4

DELIVER EXEMPLARY GOVERNMENT SERVICES

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|-----|--|-----------------------------|---------------|--------|-----------|---------|---|
| | | | | DONE | ON TARGET | REVISED | |
| 4.1 | Redesign employee recognition and exemplary service programs | J McClendon M Piepenbrok | December 2016 | | X | | In December, organizing an Employee Service Awards luncheon at City Hall, as is done annually at the same time. Staff is recognized for their longevity at the city. Other recognition programs are on hold due to budgetary reasons. |
| 4.2 | Assess staff retention opportunities, and enhance staff training utilizing contracted trainers, workshops, conferences and online video sessions | M Piepenbrok J McClendon | Ongoing | | X | | This project is underway. |
| 4.3 | Implement succession planning through cross-training and strengthen skill sets capabilities | All Managers | Ongoing | | X | | Efforts continue; searching to compile free online training sessions for staff; new hires have been placed into service; working to fill staff remaining vacancies. |
| 4.4 | Complete analysis for updating the municipal code, at least three title updates; special contract project | City Attorney | June 2017 | | X | | The analysis is underway on part of one section in the code revisions; 2.25. 2.26 and 2.27 are authorized and we are also going to be addressing code enforcement (already approved); Others will move forward as identified in priority order. |
| 4.5 | Complete policy updates to achieve compliance and establish best practices | J McClendon | June 2017 | | X | | Staff has placed this item on the Madera County settlement funds "wish list" to outsource. |
| 4.6 | Develop enhanced budget management tools, user friendly budget documents and formulate a service vs. loss analysis | R Pruet | Ongoing | X | X | | Some tasks remain to be completed; a new design for the 2016-2017 Fiscal Year budget document was completed |
| 4.7 | Establish processes to achieve financial stability and compliance with GASB 34 | R Pruet | December 2015 | X | | | Completed. |
| 4.8 | Develop policies for fiscal compliance, fixed assets, investment, and reserve funding | R Pruet | June 2016 | X | | | Completed. |
| 4.9 | Enhance engagement with Madera County Economic Development Corporation including regular updates and accountable activities | C Locke B Haddix | May 2016 | X | | | Completed, but strengthening EDC relationships; holding ongoing meetings as projects materialize; utilized EDC to help retain Brake Parts positions; worked with EDC to bring Madera Industrial Partnership to Chowchilla; working to establish contacts with foreign capital investment entities in the Bay Area; providing budget assistance. |

**GOAL 5
DEVELOP INFRASTRUCTURE TO MEET THE CURRENT NEEDS AND SUPPORT FUTURE GROWTH**

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|------|--|-----------------------|--|--------|-----------|---------|--|
| | | | | DONE | ON TARGET | REVISED | |
| 5.1 | Evaluate and update planning and zoning maps to ensure accuracy and consistency; designate zoning in annexed areas | City Attorney Planner | June 2017 | | X | | In process; principally dependent upon activating the Community and Economic Development Director to full-time involvement. |
| 5.2 | Define and develop an economic development road map for the future | B Haddix | December 2016 | X | X | | Incentives have been approved by City Council and implemented and additional incentives for development are being considered for viability; it is important to continue to market the projects in place and evaluate their success. |
| 5.3 | Evaluate outstanding needs to update the general plan and tasks to be accomplished | C Locke Planner | September 2016 | | X | | Bid received for creating a digital version of the plan and identifying inconsistencies. |
| 5.4 | Continue the efforts of the downtown committee to support the development of a downtown beautification and revitalization streetscape plan | B Haddix Planner | December 2016 April 2017 | | | X | The Planner began updating the Downtown Design Guidelines that requires close engagement of downtown businesses to assure the working document fits within their business plans. |
| 5.5 | Research community assessment tools to evaluate and promote the assets to potential businesses and developments; business developer conferences | B Haddix Planner | December 2016 | | X | | Implemented incentive programs; attended ICSC conference; new programs to be introduced the Community and Economic Development Director is engaged; Staff conduct quarterly meetings with developers and realtors to hear their concerns and market the economic incentives designed to enhance the local economy. |
| 5.6 | Obtain remote centralized "command and control" technology (SCADA) for all well sites | C Locke | December 2016 March 2017 | | | X | Investigating 'Mission Control' as an alternative to traditional SCADA. |
| 5.7 | Acquire property and subsequently construct well #15 and the water storage tank project | C Locke | June 2017 | | X | | Staff believes a replacement corporation yard well and above ground storage is preferable to well #15 and is working on developing this alternative. |
| 5.8 | Evaluate options for future upgrades to the wastewater treatment plant including the possible creation of a "gray water" distribution system; evaluate financing opportunities including future developments impact fees | C Locke | June 2017 | | X | | Grant proposal for study has been prepared; Awaiting review and submission of Urban Water Management Plan to proceed; Draft plan given to City on 10/19. |
| 5.9 | Continue to keep apprised and seek updates on the high speed rail project and community impacts; continue to be the "voice of the city/community" | B Haddix | Ongoing | | X | | All the groups support pushing the N/S alignment away from Rd 19; All but one group supports putting the E/W alignment on Ave 21 and as a result, HSR is now proposing that the N/S alignment be on Rd 11 but the E/W route is still undecided. |
| 5.10 | Strengthen relationships and funding opportunities with CalTrans, with an emphasis on Robertson Blvd and Hwy 99 improvements, particularly the overpass options | C Locke B Haddix | March 2017 | | X | | CalTrans has concluded the intersection control evaluation for Hwy 99 & Robertson Blvd and has provided the document to City; Attempting to schedule review meeting; Still no response from Caltrans regarding the Robertson Blvd Christmas Tree permit. |

GOAL 5 (continued)

DEVELOP INFRASTRUCTURE TO MEET THE CURRENT NEEDS AND SUPPORT FUTURE GROWTH

| | WHAT | WHO | WHEN | STATUS | | | COMMENTS |
|------|--|---------------------------|--|--------|-----------|---------|--|
| | | | | DONE | ON TARGET | REVISED | |
| 5.11 | Continue engagement with the current development projects (Rancho Calera & Legacy Ranch); finalize the development agreements and planning tasks | B Haddix City Attorney | December June 2016 2017 | | | X | Awaiting decisions by Rancho Calera as they decide whether to build out and reimburse the City by phases or hold back funds for the entire project; Staff has meet with the developer involved in the Infill Program as he is strongly interested in completing the development of the Legacy Ranch Project; RC is negotiating a Specific Plan Ordinance with the City to build Phase 1 on their East Robertson site; Staff continues to meet with the Fagundes' on their housing development project. |
| 5.12 | Analyze the current permitting and plan review processes and propose improvements to simplify the process and potentially reduce the timeline | C Locke Planner | December 2016 | | X | | Existing process has been partially flowcharted. |
| 5.13 | Assess and prioritize locations for storm drainage improvements and identify potential funding sources for projects | C Locke | January 2017 | | X | | Partnering with Chowchilla Water District resulted in mitigating problem spot at Chowchilla Blvd and 24; planning how best to address Washington and Santa Cruz chronic drainage problem; awaiting a Master Project Agreement with Chowchilla Water District from the City Attorney. |
| 5.14 | Evaluate current staffing capabilities to fully utilize GIS system; create an editable and layered GIS map of all city infrastructure assets; zoning and land uses, etc. | C Locke | January 2017 | | X | | Staff is investigating the option of an online GIS system. |
| 5.15 | Update the streets improvement plan, the pavement management plan and the sidewalk plan | C Locke | December June 2016 2017 | | | X | To be included in Pavement Maintenance and Management Plan (PMMP). |
| 5.16 | Complete State mandated storm drain retention plan; develop and implement elements of public education and noticing programs | C Locke M Piepenbrok | March 2017 | | X | | Progress made on entry into the Nation Flood Insurance Program but de-prioritized; storm water resources grant was rejected; a new source of funds must be identified. |
| 5.17 | Create public works capital improvements plan and prioritize projects and funding opportunities | C Locke | December June 2016 2017 | | | X | Previous CIP's and recently identified project lists provided to consultant; this task remains a work in progress; <u>Awaiting results of PMMP.</u> |
| 5.18 | Conduct a public works impact fees study | C Locke | December 2016 | | X | | No further progress thus far. |
| 5.19 | Complete a structural assessment of the old library structure to develop a plan of usefulness and potential funding needs for improvements | C Locke | December 2017 | | X | | No further progress. Funding source must be identified. |