

**Minutes of the Regular Meeting of the  
LEMOORE CITY COUNCIL  
August 7, 2007**

**ATTENDANCE:**

**Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin; City Manager Briltz; Special Counsel Bacigalupi; Parks and Recreation Director Hernandez; Finance Director Cota; Police Chief Morrell; Redevelopment Project Manager Holwell; Planning Director Smyth; Administrative Analyst Tyler; Recreation Secretary Woodcock; City Clerk Lima.**

**ABSENT: Council Member Rodarmel**

**PUBLIC COMMENT:**

**There was no comment.**

**PROCLAMATION – VICTIMS OF NORTHGATE APARTMENT FIRE:**

**Mayor Murray presented Fire Chief Gibson with a proclamation in remembrance of the victims of the Northgate Apartment tragedy.**

**INTRODUCTION – HILARY BAIRD – GRASS ROOTS REPRESENTATIVE – LEAGUE OF CALIFORNIA CITIES:**

**Administrative Analyst Tyler introduced Hilary Baird, the Grass Roots Representative from the League of California Cities. Ms. Baird expressed her pleasure at participating in National Night Out, stating Lemoore is a great community. The League helps with education and Ms. Baird passed to Council two recent publications from the League “A Toolbox to Help You Engage Public Support for Affordable Housing” and an “Acronym Guide for Housing”. Opportunities hosted by the local division included a new Council Member training and the League also has a local training for Planning Commissioners, an effort to help cities save on the cost of training. The League is available to help cities and Ms. Baird is available.**

**The Council thanked Ms. Baird for her continued work.**

**VOLUNTEEN PROGRAM RECOGNITION:**

**Recreation Supervisor Nelson and Mayor Murray recognized the following Volunteers and Jr. Volunteers:**

<b>Tyler Beck</b>	<b>Joey Frankhauser</b>
<b>Alex Betancourt</b>	<b>Jacob Hill</b>
<b>Torie Briltz</b>	<b>Salome Ornelas</b>
<b>Trevor Flores</b>	<b>Jordan Yoakum</b>
<b>Sarah Hamilton</b>	
<b>Kelsey Morrell</b>	

**EMPLOYEE OF THE QUARTER – 2<sup>ND</sup> QUARTER 2007:**

Mayor Murray presented Mellanie Woodcock with the Employee of the Quarter Award for the 2<sup>nd</sup> Quarter of 2007.

**SWEARING-IN POLICE OFFICER JESS RAMOS:**

Police Chief Morrell administered the Oath of Office to Officer Ramos, his girlfriend Allison Dennis pinned on his badge. Mayor Murray welcomed Officer Ramos to the City.

**CONSENT CALENDAR:**

It was moved by Council Member Grego, seconded by Council Member Hornsby and carried that the Council approve the following Consent Calendar:

- A. Approval – Minutes – July 17, 2007
- B. Approval – Warrant Register 06-07 & Warrant Register 07-08
- C. Approval – City Quarterly Investment Report
- D. Approval – Resolution 2007-27 – Weed Abatement Assessment
- E. Approval – Parks Department 2007-2008 Budget Amendment in the Amount of \$7,600
- F. Approval – Resolution 2007-34- Supporting AB 783 Safe Drinking Water Systems.

Ayes: Grego, Hornsby, Martin, Murray

Absent: Rodarmel

**DISCUSSION SENATOR DEAN FLOREZ:**

Senator Florez had to cancel due to a State budget committee meeting.

**PUBLIC HEARING – RESOLUTION 2007-28 ASSESSMENTS – CITY OF LEMOORE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, ZONES 5, 7, AND 10:**

Council Member Hornsby recused herself, as she owns property in Zone 10.

At 7:59 pm. Mayor Murray opened the Public Hearing to take testimony regarding proposed assessments in the City of Lemoore Landscaping and Lighting Maintenance District No. 1, Zones 5, 7, and 10.

City Clerk Lima reported that ballots had been mailed to the property owners in Zone 5, 7, and 10. The proposed assessments increases if approved would be:

<i>Zone</i>	<i>Areas Included</i>	<i>2006-07</i>	<i>2007-08</i>
5	Wildflower Meadows	\$ 62.32	\$ 82.32
7	Silverado Estates	\$ 78.23	\$120.00
10	Avalon	\$125.76	\$132.76

Mayor Murray continued the public hearing directed the City Clerk to count the ballots and continued the item to Item 16A of the Council meeting.

**PUBLIC HEARING – RESOLUTION 2007-29 ASSESSMENT – CITY OF LEMOORE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, ZONES 1, 2, 3, 4, 6, 8, 8A, 9, 11, 12, 12A AND 13:**





It was moved by Council Member Martin, seconded by Council Member Hornsby, and carried that the Council approve Resolution 2007-31 Initiating Zoning Amendments on Certain Properties in the City of Lemoore to Conform to Pending Changes in the Lemoore General Plan.

Ayes: Martin, Hornsby, Murray Noes: Grego

Absent: Rodarmel

**REPORT AND RECOMMENDATION – HOME FUNDS:**

**A. RESOLUTION 2007-32 - HOME GRANT APPLICATION FOR OLEANDER TERRACE**

**B. RESOLUTION 2007-33 – HOME PROGRAM INCOME FOR OLEANDER TERRACE**

Housing Specialist Austin reported that staff has been working with Simpson Housing, the developer of Oleander Terrace, preparing a grant application for \$2,000,000 for the City to compete for State Department of Housing and Community Development Department (HCD) HOME funds. As part of the application process, the City Council must pass a resolution authorizing the submittal of the application and, if funding is approved, the use of the funds in accordance with HOME requirements.

Currently the City has a HOME Program Income balance of \$167,083, which staff would like to commit to this project. These funds are from the repayment of deferred loans from participants in the former HOME assisted First-Time Homebuyer and Owner Occupied Rehabilitation Programs. To use these funds the City would have to receive approval from HCD, and would require the City to go through the procurement process to use an administrative subcontractor, submit revised guidelines and environmental documentation to HCD and comply with HOME Regulations and Federal overlays. All of these activities would already be performed for the project as part of the HOME application and allocation process and Site Plan Review. A resolution authorizing the commitment of this Program Income of \$167,083 to the project may help the application earn more points in the competitive rating system.

If HOME funding is approved by HCD, the amount of RDA assistance for this project would be reduced from an original estimate of \$1,750,000 to approximately \$900,000. Additionally the Program Income may further reduce the amount of RDA assistance required.

It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council approve Resolution 2007-32 authorizing the submittal of the HOME Grant Application and, if awarded, the execution of any related documents.

Ayes: Martin, Grego, Hornsby, Murray

Absent: Rodarmel

It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council approve Resolution 2007-33 authorizing the commitment of the Program Income to the Oleander Terrace Project and authorize the submittal of this resolution with the HOME Grant Application

**Ayes: Martin, Grego, Hornsby, Murray**

**Absent: Rodarmel**

**REPORT AND RECOMMENDATION – APPOINTMENT – COMMISSION ON GANG AWARENESS:**

Police Chief Morrell reported that staff, working with Council Member Martin, has developed a list of anticipated topics and a recommendation of persons to serve on the commission. The first meeting would be Monday, August 27, 2007 at the Lemoore Police Department with subsequent meetings scheduled for the first and third Monday of the month. The goal would be for the commission to report back to the Council in January 2008 with their recommendations and findings.

Council Member Martin asked that Eric Smyers, Principal of Liberty Middle School also be added to the commission.

It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council create the Commission on Gang Awareness and appoint the following persons to the Commission withholding the appointment of the second Council Member until the next Council meeting:

Debbie Muro	LHS-Education
Ed Martin	Lemoore City Council
Steve Rossi	Lemoore Police Department
Gerardo Almeida	LHS former gang member – Student
Oscar Lucio	LPD Youth Development Officer
Sandy Brown	Local Churches
Jolie Harris	CSD Call Center – Business
Colleen Kohns	Navy Federal Credit Union- Citizen
Wilber Keel	Local Churches/Parks and Recreation Commissioner
John Plourde	Involved Citizen
TBA	Lemoore City Council
Gabriella Herrera	Probation Officer
Eric Smyers	Liberty Middle School

and direct the Commission to study the relevant issue related to gangs, and report back to the Council on findings and recommendations no later than January 2008.

**Ayes: Martin, Grego, Hornsby, Murray**

**Absent: Rodarmel**

**CONTINUATION OF PUBLIC HEARING – RESOLUTION 2007-28 ASSESSMENTS – CITY OF LEMOORE LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, ZONES 5, 7, AND 10:**

City Clerk Lima reported the following ballot tally:

	In Favor	Opposed
Zone 5	1	9
Zone 7	5	16
Zone 10	9	33

**At 8:58 p.m. the Public Hearing closed.**

**It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council approve Resolution 2007-28 Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2007-2008 for Landscaping and Lighting Maintenance District No. 1, Zones 5, and 7 modifying the language to leave the assessments as they are today.**

**Ayes: Martin, Grego, Hornsby, Murray**

**Absent: Rodarmel**

**Council Member Hornsby recused herself, as she owns property in Zone 10.**

**It was moved by Council Member Martin, seconded by Council Member Grego and carried that the Council approve Resolution 2007-28 Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2007-2008 for Landscaping and Lighting Maintenance District No. 1, Zone 10 modifying the language to leave the assessments as they are today.**

**Ayes: Martin, Grego, Murray**

**Abstain: Hornsby**

**Absent: Rodarmel**

#### **DEPARTMENT/CITY MANAGER REPORTS:**

**City Manager Briltz reported that he and four Council Members attended the League of California Cities Mayor's and Council Members Executive Forum. Mr. Briltz was most interested in the discussions on housing issues.**

**Mayor Murray echoed Mr. Briltz's thoughts and asked Ms. Baird if she could take as an action item back to the League that there is interest in having someone from the mortgage industry address, especially with the current housing situation, what is going on with the foreclosures and the affect on the housing stock. It would be interesting for Councils to have a better understanding of just how the money and the housing stock are related.**

**Ms. Baird responded that while she has no control over programming at the statewide events, she certainly has input for the topics at the Division level. This might be better address at the regional level since the housing market in different areas of the State are affected differently. She will certainly submit the topic at the state level and also for a division meeting.**

#### **COUNCIL REPORTS AND REQUESTS FOR INFORMATION:**

**Council Member Martin was also most interested in the discussions on housing issues and learns that over a third of cities have inclusionary housing policies and that it is simply one tool used in those cities not the only tool.**

**Council Member Hornsby commended the response to the Northgate Apartment fire. Ms. Hornsby is interested in seeing procedure for this type of disaster, at least a de-brief on how what was done and how to improve in the future.**

City Manager Britz would get more details from Council Member Hornsby on what she is seeking. A report will be given to Council on what went well and many things did, what didn't go so well and a couple of things didn't, what policy type decision the Council might make that would prevent this type of disaster from occurring again. A full list of items that the Council might want to consider will be presented and ask for direction on which things the Council might wish to pursue. Mr. Britz expects this report will be made in September.

Ms. Hornsby is interested in the Red Cross involvement and the various agencies.

Council Member Grego commended Council Member Hornsby's role in setting up the bank accounts for the fire victims.

Mayor Murray met with Brian Castadio about his Chevron station at Bush and 19 1/2. Mr. Castadio has asked that the Council review the sign ordinance as he would like to install a highway sign and the current ordinance does not allow the sign. Mayor Murray asked Council if this issue could be brought before the Council, Council agreed to review the issue.

Mayor Murray asked the City's representative to the Power Authority what the contingency plan is now that Fresno has voted not to join the Power Authority.

**RDA MEETING:** At 9:10 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore and reconvened as a Joint Meeting of the Lemoore City Council and the Lemoore Redevelopment Agency at 9:11 p.m.

**REPORT AND RECOMMENDATION – AMENDMENT NUMBER 2 TO THE LEPRINO FOODS OWNER PARTICIPATION AGREEMENT:**

Redevelopment Project Manager Holwell reported that before the Council/Board was a draft Amendment Number 2 to the Leprino Foods Owner Participation Agreement (OPA). Leprino is proposing major expansion project that would create 175 new full-time jobs. In order for the expansion to occur, upgrades in excess of \$6,000,000 to the Wastewater Pretreatment System will be required to handle the increased flows. Certain requirements of Leprino's wastewater discharge permit have not been met and would be combined with this project. Leprino would incur the expense of the upgrades and requested reimbursement for up to \$6,000,000 to be paid from the incremental tax revenues the Redevelopment Agency would receive as a result of Leprino locating its expansion project in Lemoore.

Ms. Holwell reviewed a spreadsheet with the Council/Board titled Lemoore West Property Tax Estimate. Ms. Holwell reported that there are safeguards put into place in the draft OPA to protect the RDA's financial interest; 1) deductions will be taken if the number of new full-time employees drops below 175; 2) if either the west or east plant cease to operate as fully functioning dairy product manufacturing plant, 3) the assessed value drops below the current assessed value as of

January 1, 2007; or 4) the RDA no longer collects tax increment, whichever comes first.

John Plourde expressed odor mitigation needs to be part of the safeguards reducing payments for violations. City Manager Britz responded that as part of the expansion Leprino would be moving most of its wastewater treatment to the pretreatment site at the City's wastewater treatment plant, thus reducing the odor.

Mike Reidy from Leprino confirmed Mr. Britz statement addressing the odor issue. Leprino is grateful the Council/Board is willing to consider another OPA.

Ms. Howell reported the OPA will come back to the Council/Board for consideration after the Planning Commission considers the Site Plan Review for the project and the extensive environmental analysis at it's meeting of August 27, 2007 and if those are approved.

**CLOSED SESSION PUBLIC COMMENT:**

There was no comment.

**CLOSED SESSION:**

At 9:11 p.m., the Council/Board adjourned to Closed Session regarding Property Acquisition and Property Disposition. There was no announcement.

**ADJOURNMENT:**

At 10:10 p.m. the meeting adjourned.

Full digital audio recording is available.

Approved the 21<sup>st</sup> day of August, 2007.

---

**John F. Murray, Mayor**

**Attest:**

---

**Nanci C. O. Lima, City Clerk**