

**Minutes of the Study Session of the
LEMOORE CITY COUNCIL
December 19, 2006**

ATTENDANCE:

Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin, Rodarmel; City Manager Britz; City Attorney Cantú Montoy; Public Works Director Wlaschin; Finance Director Cota; Police Chief Morrell; Redevelopment Project Manager Holwell; Planning Director Smyth; Housing Specialist Austin; City Clerk Lima.

PUBLIC COMMENT:

There was no comment.

DISCUSSION – INCLUSIONARY HOUSING:

Planning Director Smyth led the discussion on inclusionary housing. She reported as part of the Redevelopment Agency Implementation Plan 15% of the housing needs in the RDA Area should be moderate to very-low income housing. By the 2030 the target for Lemoore is to provide 504 units, to date we have provided 310 units. Lemoore's goal has been 40%-60% split between rentals and homeownership. To completely fulfill that goal by 2030 \$111,000,000 is needed, and the City is projecting at best to only have one-third of the funding to achieve that ratio. Staff has been working on an ordinance that will define the problem, what it means, and come up with incentives such as RDA assistance and grant funds. Ms. Smyth stated we need to establish how much of the need does the City want to try and serve.

Mayor Murray inquired as to the lack of condominiums in the City. With the cost of single family housing units so high, the multi-family condominiums would allow homeownership at a lower cost.

Ms. Smyth stated in the General Plan Update low-medium density was being addressed and would include condominiums.

Bob Keenan, Executive Vice President, Home Builders Association of Tulare/Kings Counties, Inc., stated that since the passage of SB 800 in 2005 which protects builders from defect lawsuits condominiums are making a come back in the industry.

DISCUSSION – CLIMATE PROTECTION:

Council Member Martin led the discussion on climate protection. Council directed staff to bring back a resolution without reference to the Kyoto Protocol, include green concepts in the General Plan Update, ensure new municipal buildings are energy efficient, forward any approved climate protection resolution to

state and federal representatives, and explore the cost of joining the Mayors for Climate Protection.

Brian Castadio of 12427 16th Avenue supports the Council taking a position on global warming. He stated he was denied the opportunity to reduce global warming when he was denied the ability to install solar panels on a proposed canopy at the service station he is building because of aesthetics.

DISCUSSION – RECYCLING UPDATE:

Public Works Director Wlaschin reported that the curbside recycling program has diverted 23% from the waste stream during the two months it has been in place. The goal is a diversion rate of 30%, which the City hopes to achieve through education of the citizenry. After that goal is achieved the program may be expanded to commercial customers.

RDA MEETING: At 6:13 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore and reconvened as City Council at 7:00 p.m.

CLOSED SESSION PUBLIC COMMENT:

There was no comment.

CLOSED SESSION:

At 7:01 p.m., the Board adjourned to Closed Session regarding Labor Negotiations. There was no announcement.

ADJOURNMENT: At 7:20p.m., Council adjourned to the Regular Meeting of the City Council at 7:30 p.m.

**Minutes of the Regular Meeting of the
LEMOORE CITY COUNCIL
December 19, 2006**

ATTENDANCE:

Mayor Buford; Mayor Pro Tem Murray; Council Members Grego, Martin, Plourde; City Manager Brittz; City Attorney Cantú Montoy; Public Works Director Wlaschin; Parks and Recreation Director Hernandez; Finance Director Cota; Police Chief Morrell; Redevelopment Project Manager Holwell; Planning Director Smyth; Administrative Analyst Prichard; Public Facilities Superintendent Simonson; City Clerk Lima.

PUBLIC COMMENT:

Brian Castadio of 12427 16th Avenue does not believe Council believed him regarding his comments during the climate protection discussion. Mr. Castadio handed a financial sheet to the Council.

Caroline Daley of 295 W. Burlwood Lane thanked the Council for proceeding with the adult daycare program.

CONSENT CALENDAR:

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

- A. Approval – Minutes – December 5, 2006**
- B. Approval – Warrant Register**
- C. Approval – Resolution 2006-47 – Amending the Conflict of Interest Code**
- D. Denial – Claim Bojorquez**

Ayes: Grego, Rodarmel, Martin Hornsby, Murray

CONTINUED PUBLIC HEARING – IMPACT FEES:

A. REPORT AND RECOMMENDATION – RESOLUTION 2006-48 – IMPACT FEES FOR WATER SUPPLY AND STORAGE FACILITIES:

Council Member Hornsby owns property at 18920 Hanford-Armona Road and could be affected by the Water Supply and Storage Facilities impact fees; she recused herself and left the Chambers.

At 7:37 p.m. Mayor Murray opened the continued Public Hearing to take testimony regarding the Water Supply and Storage Facilities impact fees.

Administrative Analyst Prichard reported to the Council that the proposed impact fees for Water Supply and Storage Facilities was \$2,441 per dwelling unit and did not include arsenic treatment.

At 7:43 p.m. Mayor Murray closed the Public Hearing regarding Water Supply and Storage Facilities fees.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council approve Resolution 2006-48 establishing and imposing Water Supply and Storage Facilities Fees for development projects.

Ayes: Martin, Rodarmel, Grego, Murray

Abstain: Hornsby

B. REPORT AND RECOMMENDATION – RESOLUTION 2006-49 – IMPACT FEES FOR FIRE PROTECTION FACILITIES AND EQUIPMENT, COMMUNITY AND RECREATION FACILITIES, GENERAL MUNICIPAL FACILITIES, AND STREETS AND THOROUGHFARES:

At 7:43 p.m. Mayor Murray opened the continued the Public Hearing to take testimony regarding Fire Protection Facilities and Equipment, Community and Recreation Facilities, General Municipal Facilities, and Streets and Thoroughfares.

The following spoke in opposition to the proposed Impact Fees:

Paul Daley, 1356 E. Tulare Avenue, Tulare

Bob Keenan, Executive Vice President, Home Builders Association of Tulare/Kings Counties, Inc.

**Brian Castadio, 12427 16th Avenue, Lemoore
Tim Palmquist, TWA Communities, Santa Anna
Andrew Pitarre, Cambridge Homes, 8080 N. Palm, Fresno
Craig Pedersen, 12285 16th Avenue, Lemoore**

Joe Colgan, of Colgan Consulting Corporation, the consultant for the study addressed the issues brought up by those who spoke in opposition particularly the challenges to the Community and Recreation Facilities Fees as allowed by the Quimby Act and the Mitigation Fee Act.

City Attorney Cantú Montoy stated she had not reviewed the legal issues brought forth by Mr. Palmquist and had only received a copy of the letter from his attorney at this meeting.

At 9:05 p.m. Mayor Murray closed the Public Hearing regarding Fire Protection Facilities and Equipment, Community and Recreation Facilities, General Municipal Facilities, and Streets and Thoroughfares.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council approve Resolution 2006-49 establishing and imposing Fire Protection Facilities and Equipment, General Municipal Facilities, and Streets and Thoroughfares Fees for development projects; removing the Community and Recreation Facilities Fees and the language referring to Community and Recreation Facilities Fees from the title of the resolution.

Ayes: Martin, Rodarmel, Murray

Noes: Hornsby, Grego

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT – PROGRAM INCOME REUSE PLAN:

At 9:07 p.m. Mayor Murray opened the Public Hearing to take testimony regarding the Community Development Block Grant Program Income Reuse Plan.

At 9:08 p.m. Mayor Murray closed the Public Hearing regarding the Community Development Block Grant Program Income Reuse Plan.

It was moved by Council Member Martin, seconded by Council Member Hornsby, and carried that the Council adopt the City of Lemoore Program Income Reuse Plan for Community Development Block Grant via minute action and forward to the State for final approval.

Ayes: Martin, Hornsby, Rodarmel, Grego, Murray

PUBLIC HEARING – AB 1600 ANNUAL REPORT:

At 9:09 p.m. Mayor Murray opened the Public Hearing to take testimony regarding the AB 1600 Annual Report.

At 9:10 p.m. Mayor Murray closed the Public Hearing regarding the AB 1600 Annual Report.

It was moved by Council Member Hornsby, seconded by Council Member Grego, and carried that the Council accept and file the FY05/06 Development Impact Fees Annual Report.

Ayes: Hornsby, Grego, Martin, Rodarmel, Murray

REPORT AND RECOMMENDATION – RESOLUTION 2006-50 – SITE PLAN REVIEW - CONDITIONAL USE PERMIT – DASSELS’ PETROLEUM:

Planning Director Smyth recommended that Council approve Resolution 2006-50 affirming the Planning Commission’s approval and modifying the expiration date to December 19, 2007.

Graham Mackie of 65 Uwing Drive, Hollister representing Dassles’ Petroleum spoke in favor of the project.

Brian Castadio of 12427 16th Avenue, Lemoore alleged unfair business practices since his project site 400 feet away were denied above ground storage tanks.

John Plourde of 209 W. Spring Lane, Lemoore believes it would be good for the City to be able to conduct business with both suppliers.

Public Works Director Wlaschin recalled having a conversation with Mr. Castadio regarding above ground storage tanks at Mr. Castadio’s project site and at the time told him there were no above ground tanks approved in a Commercial Zone. Mr. Castadio and his developer did not pursue the issue. Dassles’ Petroleum came in and pursued above ground tanks at their location meeting with Mr. Wlaschin and the Fire Chief and following the project through to the Planning Commission.

It was moved by Council Member Rodarmel, seconded by Council Member Grego, and carried that the Council approve Resolution 2006-50 affirming the Planning Commission’s approval and modifying the expiration date to December 19, 2007.

Ayes: Rodarmel, Grego, Martin, Hornsby, Murray

REPORT AND RECOMMENDATION – LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT – ZONES 4, 6, 7, AND 11:

Public Facilities Superintendent Simonson reviewed the zones one at time with the Council for direction on each zone.

Zone 11 – Self Help

Council directed that the bushes and trees be removed through attrition.

Zone 7 – Silverado

Council directed staff to meet with property owners once more and come back with a plan endorsed by active residents.

Zone 6 – Capistrano

Council Member Martin owns property in Capistrano and could be affected by the direction given; he recused himself and left the Chambers.

Council directed staff to remove the grass in the median and leave the trees.

Zone 4 – Running Springs

Council directed staff to remove the gate, electrical, concrete, build 30'3" concrete wall, 100' wood fence and begin the process to eliminate the zone and deed the property over to the adjoining home owners.

REPORT AND RECOMMENDATION – APPOINTMENTS:

A. PLANNING COMMISSION

Mayor Murray re-appointed Angelina LeRoy and Melvin Ormonde to four-year terms to the Planning Commission with unanimous support of the Council.

B. PARKS AND RECREATION COMMISSION

Mayor Murray appointed Caroline Daley to finish the one-year term, appointed Anna Addison, Lori Rossiter, Keith Neal and re-appointed Jane Dart to two-year terms to the Parks and Recreation Commission with unanimous support of the Council.

C. STREET TREE COMMITTEE

Mayor Murray re-appointed Nancy Ahumada, Feliciano Ahumada, Carol Dias, Salli Day, and Marie Thayer to four-year terms to the Street Tree Committee with unanimous support of the Council.

D. DOWNTOWN ARCHITECTURAL REVIEW COMMITTEE

Mayor Murray re-appointed Salli Day, and appointed Irma Martinez and Christopher Brazil to two-year terms to the Street Tree Committee with unanimous support of the Council. Mayor Murray held one position temporarily open to search for an applicant with architectural or design background.

REPORT AND RECOMMENDATION – APPOINTMENTS OF COUNCIL MEMBERS TO BOARDS AND COMMISSIONS:

**The Council unanimously approved with the following appointments:
Kings County Emergency Shelter and food Committee – Mary Hornsby
Kings Waster & Recycling Joint Powers Authority Board – (Principal) Willard Rodarmel
Kings Economic Development Committee - (Principal) Mary Hornsby
Lemoore Economic Development Committee – (Alternate) Willard Rodarmel
Kings County Commission on Aging – John Murray**

Ms. Hornsby will no longer serve on the General Plan Steering Committee, but can attend as an interested citizen.

DEPARTMENT/CITY MANAGER REPORTS:

Police Chief Morrell reported \$11,000 had been raise from the community for Presents on Patrol, which will be delivered over two days.

City Manager Britz reported that Chevron Energy is conducting a solar power feasibility study for the City at no cost. Additionally, Mark Weber will be providing the City with revised numbers for solar power including the state rebates.

COUNCIL REPORTS AND REQUESTS FOR INFORMATION:

Council Member Martin asked that a Special Meeting be called to reconsider purchasing property at Fox and Cinnamon.

Council Member Rodarmel reported that the sign at West “D” and Bush Street is obstructing drivers view and appears to be a traffic hazard. Mr. Rodarmel also reported on his meeting with Finance Director Cota and the Lemoore Volunteer Fire Department

Mayor Murray wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT:

At 10:20 p.m. the meeting adjourned.

Full digital audio recording is available.

Approved the 16th day of January, 2007.

Attest:

John F. Murray, Mayor

Nanci C. O. Lima, City Clerk