

**Minutes of the Study Session of the  
LEMOORE CITY COUNCIL  
June 5, 2007**

**ATTENDANCE:**

**Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin, Rodarmel; City Manager Briltz; City Attorney Cantú Montoy; Public Works Director Wlaschin; Finance Director Cota; Police Chief Morrell; Redevelopment Project Manager Holwell; Planning Director Smyth; Administrative Analyst Tyler; Administrative Analyst Prichard; City Clerk Lima.**

**PUBLIC COMMENT:**

**There was no comment.**

**PRESENTATION – SAN JOAQUIN VALLEY POWER AUTHORITY/PG&E:**

**Administrative Analyst Tyler updated the Council on the status of CCA participants and referred the Council to Mr. Orth's response to their questions from the previous presentation. Mr. Tyler turned the presentation over to PG&E. Mr. Ken Cooper, Project Manager stated that PG&E supports CCA, they even supported the legislation that allowed CCA. While reviewing a handout given to the Council Mr. Cooper highlighted some of what PG&E addresses as negatives:**

- **Approval of Program Agreement 1(PA-1) is the last realistic opportunity to opt out.**
- **To approve PA-1 the City would be taking a leap of faith.**
- **The City is depending on KRCD to deliver on verbal promises to negotiate a good power deal with Citigroup.**
- **The Power Authority set rates at levels that don't disadvantage anyone.**
- **The exit fees might not be fair.**
- **The City might be held responsible for all the CCA exit fees if all the constituents left the JPA.**

**Mr. John Nelson from PG&E's Government Relations Director addressed questions of the JPA:**

- **Why isn't the promised 5% rate cut guaranteed in PA-1?**
- **Why isn't the 2% annual increase in PA-1?**
- **Will the JPA use the same residential tiers as the utilities when setting rates?**
- **Who will pay the \$2.5 million in startup costs, if the CCA does not go forward?**
- **How much will the CCA charge in exit fees?**

**Mr. Nelson also addressed costs and risks that PG&E had identified.**

**Mayor Murray reiterated his opinion that the City should wait to sign PA-1 until the CCA has a proven record and the Power Authority would allow the City to join at the same rate as today.**

**Mr. Mark McKenna, Board President of KRCD, differed with Mayor Murray's opinion.**

**Council Members Martin and Grego stated their opinions that if the City is going to be part of CCA then the City should join at the ground level.**

**Council discussed solar generation and net metering. Under the CCA, would the residents be able to have net metering or would they be able to sell excess power from self generation back to the CCA? Would the City's proposed solar project also be able to sell excess power from self generation?**

**Thomas Haglund, Chairman of the San Joaquin Valley Power Authority, said that PA-1 sets forth the contractual relationship with the 14 entities. Each member will become a Community Choice Aggregator if certain conditions are met. PA-1 is a sequential important step that contains commitments on the part of the entities. It does not answer every question to be dealt with by the Power Authority Board as the programs phased implementation is completed. It is an agreement between the membership only.**

**Once the entities have considered and a minimum of nine have signed PA-1 a load profile will be available. That load profile will be submitted to KRCD so they can negotiate an agreement with Citigroup. The specificity needed for Citigroup to be able to assess the risk of their position in the market and as a partner in this program is reliant on a commitment of each of the entities to do the heavy lifting.**

**Council Member Rodarmel asked if the City makes the commitment to sign PA-1 the JPA will know what our projected power load would be. But if the City joins, yet all the residents opt-out, wouldn't that throw a curve into the calculations.**

**Dave Houston of Citigroup responded that historically 90% of the residents stay in. The implementation is tiered with the cities on-line first, then the large industrial users, the small industrial users, and finally the residents. By the time the residents are scheduled to come on-line the CCA should have a good idea of how many are joining.**

**David Orth of KRCD addressed the net metering issue. Currently net metering is not available to customers of CCA. The Power Authority has been working on the issue of net metering to take back to the CPUC. The CCA would be required to meet the 20% renewable energy requirements; and would be very interested in buying power if the City wishes to build a solar generation system.**

**Dr. Ron Meade, Superintendent of the Lemoore Elementary School District, stated the school district is very interested in having the option to participate in the program if it is available. The district has six schools and two other facilities and is one of the larger power users in the City. The opportunity to save 5% off**

the generation rate or 2.5% off the total bill is very attractive in terms of what it means to a classroom. More pencils, books, field trips, equipment, etc.

Council directed staff to get further answers regarding; 1) rate structure; 2) net metering; and 3) the City Attorney to make a legal recommendation after a risk assessment reporting if it is a good deal for Lemoore citizens.

**DISCUSSION – GANGS IN SCHOOLS:**

Police Chief Morrell reported the subject was before Council for discussion since one of Council's goals is to expand efforts towards combating gang activities with a broad based community involvement. Chief Morrell introduced Sergeant Rossi; Sergeant Rossi is the last officer from Lemoore to serve on the Gang Task Force. There are two main gangs in Lemoore, members number from 200 to 400, and range in age from 13 to 24. Sergeant Rossi would characterize Lemoore's problem as moderate, but could possibly become worse since Fresno is cracking down on gangs.

Council Member Martin discussed the prevention program at the High School. Mr. Martin suggested a Committee to study the issue. Council directed Mr. Martin to bring back to the Council for approval a list of citizens to serve on the Committee.

**PRESENTATION – SAN JOAQUIN VALLEY RAILROAD:**

Redevelopment Project Manager Holwell reported Mr. Richard McGowan, Manager of Marketing and Sales, Customer Service Representative of SJVRR was present to help address some of the City's concerns regarding train speed and switching movements. There are times when the tracks are blocked for longer than ten minutes, there have been instances when children have been seen crossing under the trains, and the train is now allowed to travel through town at 40 mph. The speed is of concern because there are no gates at Fox or Follett streets.

Mr. McGowan stated the there was nothing the SJVRR could do about the children crossing under the train when it is stopped and would not be responsible if something happened to a child. Mr. McGowan reported that SJVRR has a new General Manager Randy Perry; and the other issues could possibly be addressed in a Memorandum of Understanding with the railroad. City Manager Britz challenged Mr. McGowan's statement regarding children since the City has requested the issue be addressed numerous times.

Council directed staff to work with Mr. Perry and attempt to negotiate a Memorandum of Understanding and report back to Council in thirty days.

**PRESENTATION – PROPOSED 2007-2008 OPERATIONS AND MAINTENANCE BUDGET:**

City Manager Britz referred the Council to the Budget. There will be a Study Session at the June 19<sup>th</sup> meeting to review the Budget.

**CLOSED SESSION PUBLIC COMMENT:**

There was no comment.

**CITY COUNCIL CLOSED SESSION**

At 6:51 p.m., the Council adjourned to Closed Session regarding Existing Litigation. There was no announcement.

**RDA MEETING:** At 7:00 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore.

**ADJOURNMENT:** At 7:10 p.m., Agency Board adjourned and reconvened to the Lemoore City Council and adjourned to the Regular Meeting at 7:30 p.m.

**Minutes of the Regular Meeting of the  
LEMOORE CITY COUNCIL  
June 5, 2007**

**ATTENDANCE:**

Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin, Rodarmel; City Manager Briltz; 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; Parks and Public Buildings Superintendent Simonson; Administrative Analyst Tyler; City Clerk Lima.

**PUBLIC COMMENT:**

Shirley Furr, 22 B Street. Ms. Furr alerted the Council to a problem in the alley between B & C Streets and Lemoore Avenue and Follett. Garbage cans are not taken back in by the residents and trash builds up in the alley.

City Manager Briltz said Code Enforcement would be there tomorrow and the refuse division would look at the possibility of changing from alley service to street service.

**EMPLOYEE OF THE QUARTER – 1<sup>ST</sup> QUARTER OF 2007:**

Mayor Murray presented Fred Jimenez with the Employee of the Quarter Award for the 1<sup>st</sup> Quarter of 2007.

**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 – May 15, 2007
- B. Approval – Warrant Register
- C. Approval – Authorization to Bid – Well #6
- D. Approval – Second Reading – Ordinance 2007-05 – Amending Title 3, Chapter 6 Article A of the Municipal Code – Taxicab Permits
- E. Approval – Second Reading – Ordinance 2007-06 – Redevelopment Agency’s Program to Acquire Real Property by Eminent Domain Program in the Lemoore Redevelopment Project Area
- F. Approval – Resolution 2007-17 – Authorization Rule 20A
- G. Approval – Resolution 2007-18 – Revised CalTrans Master Agreement for State Funded Projects

**H. Approval – Resolution 2007-19 – Conditional Use Permit No. 2007-02 – Lemoore Assembly of God**

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

**PUBLIC HEARING – RESOLUTION 2007-20 – AFFIRMING THE PLANNING COMMISSION RESOLUTION 2007-10 FOR CONDITIONAL USE PERMIT NO. 2006-02 – HERITAGE ACRES/SUGAR PLUM:**

Planning Director Smyth stated the Planning Commission on May 14, 2007 approved the overall plot plan, elevations and floor plans with nine conditions. Ms. Smyth briefly reviewed the project; there are six floor plans with three elevations each ranging from 1,200 square feet to 2,900 square feet.

At 7:47 p.m. Mayor Murray opened the Public Hearing to accept testimony regarding the Heritage Acres project.

Mr. Norman Allinder, 111 Park Avenue, Modesto, CA, a representative of the developer, gave a brief slide presentation showing various proposed elevations.

At 7:54 p.m. the Public Hearing closed.

It was moved by Council Member Rodarmel, seconded by Council Member Hornsby, and carried that the Council adopt Resolution 2007-20 affirming Planning Commission Resolution 2007-10.

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

**REPORT AND RECOMMENDATION – LEMOORE MUNICIPAL GOLF COURSE BUDGET:**

City Manager Britz introduced Jeff Christensen of Sierra Golf Management. Mr. Christensen briefly reviewed the current year's performance against budget and proceeded to review the proposed budget. Rounds have increased for two consecutive years but the proposed budget reflects a 1% increase in rounds over the 06/07. The budget reflects a decrease in advertising due to a new Internet Marketing program, there is a 6% increase in expenses over 06/07 due to increased fuel costs, a tractor & mower leases, cart lease and payroll increases. Overall the budget before Council is a very conservative budget.

It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council approve the 2007/08 Lemoore Municipal Golf Course Budget.

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

**REPORT AND RECOMMENDATION – LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT – RESOLUTION 2007-21 – INTENTION TO LEVEY AND COLLECT THE ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1, (LLMD) ZONES 5, 7, AND 10 FOR THE CITY OF LEMOORE:**

City Clerk Lima reported that this resolution begins the Proposition 218 process of increasing, levying and collecting the Annual Assessments for the LLMD Zones 5, 7, and 10. Ms. Lima reported the following proposed increases:

**Zone 5 – Wildflower Meadows from \$62.32 to \$82.32 w/cost escalator  
Zone 7 – Silverado Estates from \$78.23 to \$120.00 w/cost escalator  
Zone 10 Avalon from \$125.76 to \$132.76 w/cost escalator**

**Zone 7, Silverado Estates, is the Zone that Council direct staff to work with the residents to come up with an acceptable assessment amount after last year’s defeat.**

**It was moved by Council Member Martin, seconded by Council Member Hornsby, and carried that the Council approve Resolution 2007-21- Intention to Levy and Collect the Annual Assessments for Landscaping and Lighting Maintenance District No. 1, (LLMD) Zones 5, 7, and 10 for the City of Lemoore.**

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

**DEPARTMENT/CITY MANAGER REPORTS:**

**Planning Director Smyth reported that the Magic Castle project won the 1<sup>st</sup> Place – Planning Project Award from the California Central Section of the American Planning Association. The award is to be presented July 13, 2007. Mayor Pro Tem Grego will attend the ceremony to accept the award.**

**Ms. Smyth reported the General Plan Steering Community is scheduled to meet June 18, 2007 at 6:00 p.m. in City Council Chambers.**

**COUNCIL REPORTS AND REQUESTS FOR INFORMATION:**

**Council Member Rodarmel asked that the issue of dead palm fronds be addressed; City Manager Britz replied the Code would be reviewed.**

**Mr. Rodarmel also asked that the City examine the possibility of changing internet providers since the current provider is experiencing difficulty delivering emails to himself and Council Member Hornsby.**

**ADJOURNMENT:**

**At 8:15 p.m. the meeting adjourned.**

**Full digital audio recording is available.**

**Approved the 19<sup>th</sup> day of June, 2007.**

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**John F. Murray, Mayor**

**Attest:**

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