

**Minutes of the Regular Meeting of the
LEMOORE CITY COUNCIL
April 17, 2007**

ATTENDANCE:

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

PRESENTATION – K-9 DEMONSTRATION:

Police Chief Morrell introduced Officer Henderson, Kimo’s handler. Officer Henderson ran Kimo through a number of training drills. Kimo is two years old and brought home two trophies from a K-9 competition this past weekend.

PROCLAMATION – WEEK OF THE YOUNG CHILD:

Mayor Murray presented a proclamation declaring April 22 through April 28, 2007 the Week of the Young Child; David Droker from Kings Community Action Organization accepted the proclamation.

CONSENT CALENDAR:

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

- A. Approval – Minutes – April 3, 2007 and April 9, 2007**
- B. Approval – Warrant Register**
- C. Approval – Authorization to Release for Proposal Wastewater Land Application Study**
- D. Approval – Authorization to Bid In-pavement Crosswalk Lights Project**
- E. Approval – Resolution 2007-11 – Street Name Change – Brooke Avenue to Marsh Drive**
- F. Approval – Resolution 2007-12 – Amending Resolution 9224**

Ayes: Grego, Martin, Rodarmel, Hornsby, Murray

PUBLIC HEARING – REPORT AND RECOMMENDATION – RESOLUTION 2007-13 ANNEXATION AND INCLUSION IN PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1, ZONE 2:

Council Member Martin is purchasing property within the proposed zone and recused himself. Council Member Hornsby owns property within 500 feet of the proposed zone and recused herself.

City Clerk Lima reported that on February 20, 2007 the Council approved Resolution 2007-05, the resolution of intention to annex and include territories in the Public Facilities Maintenance District. The ballots have been mailed to the property owners and returned to the City. If, after the public hearing, the ballots

submitted are in favor of the proposed annexation staff recommends that the Council approve Resolution 2007-13.

At 7:53 p.m. Mayor Murray opened the Public Hearing to accept testimony regarding the proposed annexation and inclusion of additional territories into the Public Facilities Maintenance District.

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

City Clerk Lima reported the following ballot tally:

	In Favor	Opposed
Zone 2	236	0

It was moved by Council Member Grego, seconded by Council Member Rodarmel, and carried that the Council approve Resolution 2007-13 ordering the annexation and inclusion of additional territories in the Public Facilities Maintenance District No. 1 as Zone 2 thereof; and confirming the diagram and assessment of annual levy for Fiscal Year 2007-2008 for Public Facilities Maintenance District No. 1, Zone 2.

Ayes: Grego, Rodarmel, Murray

Abstain: Hornsby, Martin

REPORT AND RECOMMENDATION – RESOLUTION 2007-14 – MASTER USER FEE SCHEDULE:

Administrative Analyst Tyler reported that the Home Builders Association of Tulare/Kings Counties objected to the adoption of Resolution 2007-06 stating that they were not duly noticed, in writing, as they had requested. Upon investigation it was determined that they had a valid claim. The Home Builders Association has been duly noticed of tonight’s meeting and the fee schedule. The resolution before the Council rescinds Resolution 2007-06 and adopts a new Master Fee Schedule, the same content with these exceptions:

Public Improvement PC & Inspection

(\$0-\$5,000)	9%
(\$5,001-\$25,000)	\$450 + 7%
(25,001-\$100,000)	\$1,850 + 6%
(100,001-\$250,000)	\$6,350 + 5%
(\$250,001 +)	\$13,850 + 4%

It was moved by Council Member Martin, seconded by Council Member Grego, and carried that the Council approve Resolution 2007-14 to establish the 2007 Master User Fee Schedule.

Ayes: Martin, Grego, Rodarmel, Hornsby, Murray

REPORT AND RECOMMENDATION – WATER/SEWER SERVICES AT 18920 HANFORD-ARMONA ROAD:

Council Member Hornsby owns the property at issue and recused herself from the dais and moved to the audience to represent herself.

Public Works Director Wlaschin reported that in June 2006 the City received a request from Mary Hornsby for connection to City water and sewer services for her mobile home park at 18920 Hanford-Armona Road, located just outside the City limits. The request was made by Ms. Hornsby after learning from the county that she was unable to make improvements to the septic system since the property is within 300 feet of existing City sewer lines. Staff brought the request before Council in July, and Council directed staff to assist Ms. Hornsby in her efforts to explore connection by providing information on the location of City water and sewer service for her engineer to study connection options and sewer capacity in existing lines. Council was willing to consider allowing water and sewer services to be provided outside the City limits, provided other improvements were made and all applicable cost and fees paid.

The connection to City services is discretionary and would be treated as a new development which would require the following:

- A. Dedication of a 42 ft. right-of-way on Hanford-Armona Road along with a 10 ft. public utility easement. This could be an irrevocable offer of dedication that the City would be given by the owner but it could be held for acceptance until required improvements were installed.
- B. Installation of curb, gutter, sidewalk, transitional paving, street lights, and landscaping.
- C. Undergrounding of overhead utilities on Hanford-Armona Road along frontage.
- D. Undergrounding per agreement with Lemoore Canal & Irrigation Company of canal lateral on north property line.

The improvements could be deferred with a deferment agreement until development to the west occurs or 10 years, whichever comes first.

The impact fees would be calculated at the same level as apartments, since the current number of sites in the park is 70. The impact fee per unit would be as follows:

Wastewater Treatment & Disposal	\$ 421
Wastewater Collection	\$ 373
Water Supply	\$1,513
Water Distribution	<u>\$ 214</u>
	\$2,431/unit

In addition to the impact fees, the rate charged would be 150% of City residents' monthly bill.

Mr. Wlaschin stated during a March, 2007 meeting with Ms. Hornsby that she requested that the City credit her for hook-up fees against the price of the Hanford-Armona Road right-of-way and install improvements when needed.

Mayor Murray asked if the City entered into an agreement such as Ms. Hornsby requested, would the City be required to provide the same terms to all developers.

City Attorney Bacigalupi cited Government Code § 1090 to the Council which states that Council may not enter into a contract with a Council Member except for health and safety reasons, which this would be, but the Council and Council Member cannot enter into a contract that would be more advantageous to the Council Member than other citizens.

Ms. Hornsby stated she had no problem with the impact fees, but did not agree with the required improvements. Other residences had accessed City services and had not been required to install improvements. Ms. Hornsby stated it would cost close to \$1,000,000 for the connection and improvements the City wants. This would not allow her to update the homes within the park.

Council Members expressed their understanding of Ms. Hornsby's position and confirmed with Public Works Director Wlaschin that all developers would be required to make such improvements.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council direct Attorney Bacigalupi to draft an agreement that includes the four improvements to allow the owner of Lemoore Trailer Park at 18920 Hanford-Armona Road to connect to City services with LAFCO's approval, and authorize the City Manager to sign the agreement once executed by property owner.

Ayes: Martin, Rodarmel, Grego, Murray

Abstain: Hornsby

REPORT AND RECOMMENDATION – CITY FACILITES SOLAR INSTALLATION:

Administrative Analyst Tyler reported the feasibility study completed by Chevron Energy encompasses four City facilities: Lemoore Municipal Complex (LMC), Fire Department Building, City Hall and the Police Department. The main part of the project would be a 175 kW solar array on top of the LMC. Along with skylights and retrofitting of the existing lighting technology it will go far in the reduction of power consumption and cost at the LMC. The proposal also includes the new roof at LMC, the new roof and A/C units for the Fire Department which will be paid up front by the City, and retrofitting of any necessary lighting at the Police Department and City Hall as well as replacing the A/C units on the roof of City Hall. Even though the project does not pay for itself it would be a profound policy decision that could have impact on the way the City looks at energy and energy consumption and sets an example for citizens and other cities. Mr. Tyler introduced Mr. Ashu Jain of Chevron Energy Solutions.

Mr. Jain reviewed the proposed project through a slide presentation with the Council.

Council asked that the project be brought back at the next Council meeting.

REPORT AND RECOMMENDATION – UPDATE GENERAL PLAN CONTRACT:

Planning Director Smyth reported that staff was asking for the amendment to the General Plan Update contract because additional noise work was required to address issues from the military base; and the portion of the costs that were anticipated to be covered by Kings County for the traffic analysis would be significantly less. Ms. Smyth reported that with the increase, the General Plan Update contract would not exceed \$473,100.

It was moved by Council Member Martin, seconded by Council Member Hornsby, and carried that the Council approve the amendment to the original contract to accommodate the noise and traffic analysis work.

Ayes: Martin, Hornsby, Rodarmel, Grego, Murray

DEPARTMENT/CITY MANAGER REPORTS:

Planning Director Smyth referred Council to a draft handout they had in their notebooks regarding the Leprino expansion, and the General Plan Summary Report prepared by Dyett and Bhatia from the April 9th Special Meeting.

Administrative Analyst Tyler reminded Council of the Open House at the proposed Parlier Power Plant for San Joaquin Valley Power Authority.

City Manager Briltz reminded everyone that the upcoming weekend was the Annual Central Valley Pizza Festival, starting Friday night with Blues, Brews and BBQ at the Arbor.

COUNCIL REPORTS AND REQUESTS FOR INFORMATION:

Council Member Rodarmel asked that the City send a letter to the Kings County Board of Supervisors supporting county-wide recycling.

Mayor Murray asked that condominium rules be developed in the Municipal Code for developers. Mayor Murray continued he and the City Manager had lunched with former Assemblyman Steve Samuelian, now a consultant, and Mr. Samuelian would be at the May 1st Council meeting.

RDA MEETING: At 9:40 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore.

Approved the 1st day of May, 2007.

John F. Murray, Mayor

Attest:

Nanci C. O. Lima, City Clerk