

**Minutes of the Study Session of the
LEMOORE CITY COUNCIL
May 1, 2007**

ATTENDANCE:

Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin, Rodarmel; City Manager Brittz; City Attorney Cantú Montoy; Police Chief Morrell; Administrative Analyst Tyler; City Clerk Lima.

PUBLIC COMMENT:

There was no comment.

PRESENTATION – KINGS PARTNERSHIP FOR PREVENTION – METHAMPHETAMINE USE:

Mayor Murray introduced Cheryl Calhoun of the Kings Partnership for Prevention. Ms. Calhoun gave an educational slide presentation on methamphetamine use that included the ways it is used, the affects on the person, family and society, the many names, and that normal rehabilitation methods are not successful for meth addicts.

Methamphetamine is a relatively inexpensive drug compared to other drugs. The District Attorney has said that 70-75% of the cases through the court system are methamphetamine related. The youngest addict in Kings County is 10 years old and the recovery rate is around 3%.

Ms. Calhoun requested that the Council become proactive in the community in the fight against methamphetamine use by purchasing an educational kit and putting on informational programs.

Council directed Police Chief Morrell to determine how many educational kits to purchase and work with the schools through the Youth Development Officers on educational programs. City Manager Brittz suggested educational programs at the teen center.

DISCUSSION – CITY ATTORNEY SERVICES FOR GENERAL PLAN UPDATE:

City Attorney Cantú Montoy recused herself because her firm would be directly impacted by the discussion.

City Manager Brittz reported that he had been informed that Council Member Hornsby would not be signing the requested conflict of interest waiver. Since City Attorney Cantú Montoy's firm Dowling, Aaron, & Keeler, Inc. has represented Council Member Hornsby in probate related matters, the City Attorney will not be able to advise the City on matters related to the General Plan Update adoption.

Council directed City Manager Britz to secure the services of former City Attorney Dale Bacigalupi as Special Counsel for the General Plan update and in an effort to reduce expenses attempt to avoid having two attorneys at a meeting.

CLOSED SESSION:

At 6:27p.m., the Board adjourned to Closed Session regarding Labor Negotiations and Threatened Litigation. There was no announcement.

ADJOURNMENT: At 6:55 p.m., Council adjourned to the Regular Meeting at 7:30 p.m.

**Minutes of the Regular Meeting of the
LEMOORE CITY COUNCIL
May 1, 2007**

ATTENDANCE:

Mayor Murray; Mayor Pro Tem Grego; Council Members Hornsby, Martin, Rodarmel; City Manager Britz; City Attorney Cantú Montoy; Public Works Director Wlaschin; Parks and Recreation Director Hernandez; Finance Director Cota; Police Chief Morrell; Administrative Analyst Tyler; City Clerk Lima.

PROCLAMATION – NATIONAL COMMUNITY ACTION MONTH:

Mayor Murray presented a proclamation in recognition of National Community Action Month to Tim O’Connell, Deputy Director of Kings Community Action Organization.

PUBLIC COMMENT:

There was no comment.

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 – April 17, 2007**
- B. Approval – Warrant Register**
- C. Approval – City Quarterly Investment Report**
- D. Approval – Budget Adjustment – Refuse Truck**
- E. Acknowledgement – Irrevocable Offer of Dedication – Dalton Property**
- F. Approval – Resolution 2007-15 Affirming Planning Commission Resolution 2007-06 for Conditional Use Permit No. 2007-01 – First Baptist Church of Lemoore**
- G. Denial – Claim – Stella Mendez**

Ayes: Grego, Rodarmel, Martin, Hornsby, Murray

REPORT AND RECOMMENDATION – FIRST READING – ORDINANCE 2007-03 – AMENDING TITLE 5, CHAPTER 1, ARTICLE 5 OF THE LEMOORE MUNICIPAL CODE – ANIMAL CONTROL:

Police Chief Morrell reported that the City Attorney had drafted the ordinance which amends the City’s current Animal Control Ordinance consistent with the City Council’s direction. Language has been added to distinguish definitions and procedures for potentially dangerous animals and dangerous animals, an administrative appeals process, and clarifying text.

It was moved by Council Member Martin, seconded by Council Member Hornsby, and carried that the Council waived the first reading and pass to a second reading Ordinance 2007-03 amending Title 5, Chapter 1, Article 5 of the Lemoore Municipal Code regarding Animal Control.

Ayes: Martin, Hornsby, Rodarmel, Grego, Murray

REPORT AND RECOMMENDATION – FIRST READING – ORDINANCE 2007-04 - ADMINISTRATIVE HEARINGS:

Police Chief Morrell reported that the proposed ordinance was drafted from Council direction to find an alternative to prosecuting municipal code violations through the District Attorney’s office and the Kings County Court system. The proposed ordinance establishes an administrative hearing process which may be used by the Police Department, Code Enforcement and any other Department in the City that issues an order, citation, decision or determination pursuant to the Municipal Code.

John Plourde, 209 W. Spring Lane. Mr. Plourde heard that in the Bay area there has been a noise problem and an administrative hearing officer had fined the individual causing the noise \$1,000 and the problem ceased. We need to put some teeth in the process.

It was moved by Council Member Rodarmel, seconded by Council Member Grego, and carried that the Council waive the first reading of Ordinance 2007-04, Chapter 10, Article 10 to Title 1 of the Lemoore Municipal Code relating to Establishment of Administrative Hearing process and pass to a second reading.

Ayes: Rodarmel, Grego, Martin, Hornsby, Murray

REPORT AND RECOMMENDATION – CALIFORNIA CONSULTING:

City Manager Brittz introduced former Assembly Member Steve Samuelian. Mr. Samuelian reviewed the type of services his firm provides including grant writing, arranging meetings, and lobbying.

Mayor Murray stated he had heard about Mr. Samuelian from Selma City Manager D. B. Heusser, and that he and City Manager Brittz had had lunch with Mr. Samuelian.

Mr. Samuelian might be able to assist the City with the Cal-Trans issues and railroad issues.

John Plourde, 209 W. Spring Lane. Mr. Plourde suggested that Mr. Samuelian also help with a baseball facility.

It was moved by Council Member Martin, seconded by Council Member Rodarmel, and carried that the Council authorize the City Manager to enter into a 9 month contract with California Consulting for a monthly fee of \$2,500 plus expenses, the contract to be re-evaluated at the end of the 9 months.

Ayes: Martin, Rodarmel, Hornsby, Grego, Murray

REPORT AND RECOMMENDATION – CITY FACILITIES SOLAR FESAIBILITY:

Administrative Analyst Tyler reported that staff had asked Chevron to clarify some of the questions and concerns previously posed by Council, such as financing options and the use of local trade professionals. Staff asked Chevron to address some possible scenarios, i.e., what happens if the CCA program takes off and performs as expected? How will this affect rate forecasts? We asked Chevron to address the PG&E rate escalation at 2% and 6% with and without CCA rates. Mr. Tyler brought to Council’s attention that the PG&E incentive rebates have lowered due to the fact that the rebate structures put in place call for timeliness, the longer a customer waits the lower the rebate.

Mr. Tyler continued if the City proceeded with the CCA, later in the project the City could install a larger solar array on the Lemoore Municipal Complex roof and the City would then become a power generator. As a power generator the City would no longer be eligible for rebates; but would not be required to refund any rebates the City had already received. Whether the Council proceeds with the 175kW project or later becomes a power generator a comprehensive energy audit is needed.

Mr. Greg Triplee of Solar Energy Technology of Hanford, 1030 W. Windsor Court. Mr. Triplee expressed interest in being included in the list of potential subcontractors.

It was moved by Council Member Hornsby, seconded by Council Member Grego, and carried that the Council authorize the City Manager to enter into agreement for a comprehensive energy audit with Chevron Energy not to exceed \$23,782.

Ayes: Hornsby, Grego, Martin, Rodarmel, Murray

DEPARTMENT/CITY MANAGER REPORTS:

Police Chief Morrell announced that May 17 & 18 “Every 15 Minutes” will be presented at the high school, this is a DUI prevention education program.

City Manager brought the Council’s attention to the CCA letter in their notebooks; the Implementation Plan has been approved by the Public Utilities Commission. Also, in Council notebooks the City’s Financial Focus; revenues have exceeded expectations to date this year. Mr. Britz also announced the next General Plan Steering Committee meeting is scheduled for Wednesday, May 9th at 5:30 p.m. at West Hills College; the Navy will conduct over flights to address the potential noise issues.

COUNCIL REPORTS AND REQUEST FOR INFORMATION:

Council Member Rodarmel asked about the letter on county-wide recycling. City Manager Britz responded that the next meeting a discussion item will address the issue and Mike Adams will be in attendance.

Council Member Grego announced Lisa Elgin is working with a group that is putting on a spaghetti dinner/dance June 9 for Terra Bella Freeze Relief, tickets are \$10.00 each.

Mayor Murray announced he and Council Member Grego had attended the Indian Gaming Benefits Committee meeting and the City received an additional \$14,000 in funding.

ADJOURNMENT:

At 8:56 p.m. the meeting adjourned.

Full digital audio recording is available.

Approved the 15th day of May, 2007.

John F. Murray, Mayor

Attest:

Nanci C. O. Lima, City Clerk