

Mayor
 John Murray
Mayor Pro Tem
 John Grego
Council Members
 Mary Hornsby
 Ed Martin
 William Rodarmel



**Public Works
 Department**

711 W. Cinnamon Drive
 Lemoore CA 93245
 Phone ☐ (559) 924-6735
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Staff Report

Item # _____

To: Lemoore City Council
From: David Wlaschin, Public Works Director
Date: April 2, 2007
Subject: Request - City Services Connection – 18920 Hanford-Armona Road

Background:

Staff received a request for connection to City water and sewer services from Mary Hornsby in June of 2006 for her mobile home park at 18920 Hanford-Armona Road which is not located within the City limits. Staff came before the Council in July with Ms. Hornsby's request. (See Attachment A.) An audio recording of this discussion is also available.

The City's current policy is that water and sewer services are only available to property within the City limits. This policy has been in place for the last 15 years to discourage fringe area development not in the City limits. The City, prior to the last 15 years, has allowed areas outside the City limits to have City services such as Cimmaron Park, Elk Meadows and Kings Christian School, which still have service. The decision is discretionary and is the option of the City Council. Providing water or sewer service outside of the City limits is allowed by the municipal code. If the decision was to allow for connection of water, LAFCO would have to approve the request. We do not anticipate that to be a problem.

The Council's direction on July 18, 2006 was that the City assist Ms. Hornsby in her efforts to explore connection by providing information on location of City water and sewer services so that her engineer could study connection options and sewer capacity in existing lines. (See Attachment B.) The Council was willing to consider allowing such services to be provided outside the City limits, provided other improvements were made, and all applicable costs/fees were paid.

The action of the Council for this connection to City services is discretionary and would be looked at as a new development which would require the following items:

- 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 owner but it could be held for acceptance until improvements were required to be 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. (See Attachment C.)

The current configuration of the property has several structures which encroach into the future dedications identified in Item A above. Any relocation or removal of these units would be under the approval and inspection of the State of California as neither the County nor City do inspections within mobile home parks. An Encroachment Permit could be issued to allow for the use of this area if the dedication was to be accepted before the public improvements were started. The City could also choose to have the improvements (Items B, C & D) deferred until development to the west were to occur or the City deem them necessary. This would allow the property to be used by the owner but allow the City the ability to have improvements installed at a later date. This would also require some type of deferment agreement which would require improvements when development to the west occurred or 10 years, whichever comes first.

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

Wastewater Treatment & Disposal	\$ 421
Wastewater Collection	\$ 373
Water Supply	\$1,513
Water Distribution	<u>\$ 124</u>
	\$2,431/unit

The impact fees are charged when units are constructed and would, therefore, be charged for all developed services as we do not issue any on-site permits for mobile homes. In addition to impact fees, the rates charged as owner stated would be 150% of City residents' monthly bill.

Plans for improvements for infrastructure would be submitted to Kings County and we would provide our input into the project.

Kings County has provided what information they have on the development. The project was constructed in 1958 as a special use permit for 37 auto trailer units. The County Planning Department has no other permits on this property and, as mentioned previously, the State does all of the mobile home installation and remodeling inspections. The Kings County Environmental Health has no current issues with water or sewer service for this trailer park. If sewer connection is not allowed then Mary may return to the County for septic system upgrades.

On Wednesday, March 21, I met with Mary to discuss the requested improvements and Staff's recommendation. She requested that the City credit her for hook up fees against the price of the Hanford-Armona Road right-of-way and have improvements installed when needed. I told Mary my recommendation to Council would be to not purchase right-of-way but to propose that the development stand on its own and be treated as a new development and that this action was totally discretionary for Council.

Budget Impact:

Based on 70 units, the expected monthly revenue for water and sewer is estimated to be approximately \$1894 plus the one time initial charge of \$170,170 for impact fees.

Recommendation:

It is recommended that Council:

1. Provide direction for Attorney Dale Bacigalupi to draft agreement to allow owner of Lemoore Trailer Park at 18920 Hanford-Armona Road to connect to City services.
2. Authorize City Manager to sign agreement when executed by property owner.

**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 Britz; 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 sub-

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

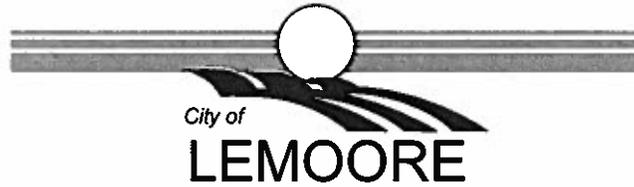
REPORT AND RECOMMENDATION – CITY FACILITES SOLAR INSTALLATION:

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.

Mayor
Tom Buford
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John Murray
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John Grego
Ed Martin
John Flourde



**Public Works
Department**

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Lemoore □ CA 93245
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To: Lemoore City Council
From: David Wlaschin, Director of Public Works
Date: July 11, 2006
Subject: Request for Connection to City Services at 18920 Hanford-Armona Road

Background

The City has been approached by Mary Hornsby, owner of Lemoore Mobile Home Park at 18920 Hanford-Armona Road, about providing sewer and water services to her property (letter attached).

City policy is that only property within the City limits can utilize City services. This would require that the property be annexed to the City and, as stated in Ms. Hornsby's letter, the property is bordered by the City on two sides.

While the property is within our sphere of influence and we anticipate no protest from Local Area Formation Commission (LAFCO), we would recommend, based on discussion with Michael Dyett, General Plan Consultant, that we review property during the General Plan update. This would allow for changes we may want to enact here or in other areas of the City.

Kings County Environmental Health has no current health violations on this property. However, the property is in need of improvements as stated by the owner.

Budget Impact

Extension of Police and Fire services as lead agencies along with code enforcement.

Recommendation

It is recommended that the City include area in General Plan update and work with owner on proposed upgrades as conditions of annexation.

MARY HORNSBY
1592 FIRESIDE WAY
LEMOORE, CA 93245

June 2, 2006

Lemoore City Council
119 Fox Street
Lemoore, CA 93245

Please consider providing the city services of sewer and water to the county development located at Lemoore Mobile Home Park 18920 Hanford-Armona Road in Lemoore. This parcel is bordered by the city on two sides making it within the city's realm of influence.

I recently acquired this property in March 2005. Since that time I've made a lot of changes: left units vacant rather than rented to potential problems, cleaned up, enforced rules and regulations, increased rents, all residents must sign a drug-free addendum, replaced dilapidated front fence and retained an attorney for violators of rules and regulations. As a representative of Lemoore Mobile Home Park I've also taken an active role within the community and the chamber of commerce.

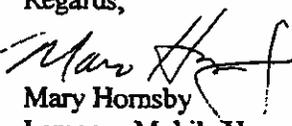
Revitalization and redeveloping the property have been my primary plans. A major obstacle has been the aging utilities. Upon approaching the county I learned that I am not able to make improvements to the septic systems since the property is located within 300 feet of existing city sewer lines and that I would need to connect to the city sewer lines. Since I would be incurring the costs for installation I would also like to update all utilities: sewer, water, gas and electric concurrently. Therefore, I am requesting permission from Lemoore City Council to connect to city sewer and water services. Upon approval John Zumwalt of Zumwalt, Hansen & Associates a civil engineer firm can begin to draw up the new plans.

My future plans once securing a solid utility infrastructure is to make additional significant improvements. I'd like to move in newer modular home units and replace older mobile homes creating a financially obtainable home site community with home prices estimated in the \$60K - \$90K range. Other plans include disposing of the front block storage building, redo the front entrance and provide on-site storage for residents along with additional amenities.

Benefits to the City of Lemoore include updating a current "eye sore" and beautifying a major entryway into the city with a nice development. The city will incur no cost and charge a higher price for sewer and water services since the property is located within the county.

Thank you for your time and consideration to provide city sewer and water services to 18920 Hanford-Armona Road in Lemoore. I will be available to answer any questions or concerns.

Regards,


Mary Hornsby
Lemoore Mobile Home Park
(559) 924-2572 home
(559) 469-7048 mobile

**Minutes of the Study Session of the
LEMOORE CITY COUNCIL
July 18, 2006**

ATTENDANCE:

Mayor Buford; Mayor Pro Tem Murray; Councilmembers Grego, Martin, Plourde; City Manager Britz; City Attorney Bacigalupi; Redevelopment Project Manager Narbaitz; City Clerk Lima.

PUBLIC COMMENT:

Brian Castadio of Gary Burrows Inc. Mr. Castadio asked that the Council consider tabling Item 7 on the 7:30 p.m. Agenda. Since the current owner is in violation of his purchase agreement Mr. Castadio would like the Council to reconsider his offer to acquire the property and move his bulk petroleum plant to the property.

RDA MEETING:

At 5:48 p.m., Council adjourned to sit as the Redevelopment Agency of the City of Lemoore and reconvened as City Council at 6:15 p.m.

CLOSED SESSION:

At 6:16 p.m., the Board adjourned to Closed Session regarding Public Employee Performance Evaluation, City Manager and Public Employment, City Attorney. There was no announcement regarding the Public Employee Performance Evaluation, City Manager.

ADJOURNMENT: At 7:15 p.m., Council adjourned to the Regular Meeting at 7:30 p.m.

**Minutes of the Regular Meeting of the
LEMOORE CITY COUNCIL
July 18, 2006**

ATTENDANCE:

Mayor Buford; Mayor Pro Tem Murray; Councilmembers Grego, Martin, Plourde; City Manager Britz; City Attorney Bacigalupi; Public Works Director Wlaschin; Parks and Recreation Director Hernandez; Finance Director Cota; Police Chief Morrell; Fire Chief Gibson; Redevelopment Project Manager Narbaitz; Planning Director Smyth; Administrative Analyst Tyler; City Clerk Lima.

CLOSED SESSION ANNOUNCEMENT:

Mayor Buford announced, with regret, the resignation of City Attorney Bacigalupi and stated the City would begin the process to find his replacement.

tend four or five meetings during the year and two community meetings, and if they choose Planning Commission/City Council study sessions. Ms. Smyth reviewed suggestions of representatives from several community groups.

Mayor Buford asked Councilmembers to solicit three prospective members each; Councilmember Martin will solicit from the schools, senior citizens, and service clubs; Councilmember Grego will solicit from the Chamber of Commerce, real estate and developers; Councilmember Murray will solicit at large; Councilmember Plourde will solicit from the Volunteers in Policing and Volunteer Fire Department; and Mayor Buford will solicit from NAS Lemoore, Parks and Recreation Commission, and historic preservation. All names will be submitted to the City Manager by August 8, 2006.

REPORT AND RECOMMENDATION –ADDENDUM NO. 1 – REAL PROPERTY PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS – RICHARD AND CAROLYN GRESS:

It was moved by Councilmember Martin, seconded by Councilmember Murray, and carried that the Council table Addendum No. 1, Real Property Purchase and Sale Agreement and Joint Escrow Instructions, Richard and Carolyn Gress until the August 15, 2006 meeting.

Ayes: Martin, Murray, Grego, Buford

Noes: Plourde

DISCUSSION –CITY UTILITY SERVICE REQUEST:

Public Works Director Wlaschin reported that the City had received a request to provide sewer and water services to the Lemoore Mobile Home Park at 18920 Hanford-Armona Road which is currently outside the City limits. Mr. Wlaschin stated the County Health Department has no current health violations on the property. Staff recommendation is that the City includes the area in the General Plan update.

Mary Hornsby, the property owner, stated there is a problem from tree roots with the septic system on the property. The County denied the issuance of a permit to improve the septic system, citing a State Plumbing Code, since the property is located within 200 feet of existing sewer lines.

Council discussed at length possible annexation and details involved in annexation, connection to the City sewer lines including studies and upgrades needed, connection to the water system requires LAFCO approval, and improvements Ms. Hornsby plans for the property.

It was moved by Councilmember Martin, seconded by Councilmember Murray, and carried that the Council include the property in the General Plan Update for annexation and work with the owner on proposed upgrades including any needed conditions for the frontage.

Ayes: Martin, Murray, Plourde, Grego, Buford