

**ITEM 3A**

Minutes of the Study Session of the  
LEMOORE CITY COUNCIL  
December 20, 2011

**ATTENDANCE:**

Mayor Rodarmel; Mayor Pro Tem Plourde; Council Members Gordon, Murray, Siegel; City Manager Britz; City Attorney Behrens; Parks and Recreation Director Simonson; Administrative Analyst Apone; City Clerk Lima.

**PUBLIC COMMENT:**

There was no comment.

**URGENCY CLOSED SESSION ADDITION:**

City Manager Britz requested that the Council add two urgency items to the closed session agenda. The items came to staff's attention after the agenda was posted and required action before the next Council meeting.

It was moved by Council Member Plourde, seconded by Council Member Murray that an urgency item be added to the closed session agenda - Conference with Legal Counsel – Threatened Litigation – 2 Cases.

Ayes: Plourde, Murray, Gordon, Siegel , Rodarmel

**ADJOURN TO LEMOORE CITY COUNCIL CLOSED SESSION:**

At 6:33 p.m., the Council adjourned to closed session regarding conference with Real Property Negotiators, Threatened Litigation, and Labor Negotiator. There was no announcement.

**ADJOURNMENT:** At 7:23 p.m., Council adjourned to the Regular Meeting at 7:30 p.m.

Minutes of the Regular Meeting of the  
LEMOORE CITY COUNCIL  
December 20, 2011

**ATTENDANCE:**

Mayor Rodarmel; Mayor Pro Tem Plourde; Council Members Gordon, Murray, Siegel; City Manager Britz; City Attorney Behrens; Public Works Director Wlaschin; Parks and Recreation Director Simonson; Parks & Facilities Superintendent Greenlee; Interim Finance Director Sanchez; Police Chief Laws; Re-development Project Manager Holwell; Assistant Planner Hobbs; Administrative Analyst Apone; City Clerk Lima.

**PUBLIC COMMENT:**

There was no comment.

**CONSENT CALENDAR:**

Item 3D Approval – Ballot Regarding Amending Paragraph 3 of CC&Rs related to Tract #783 – Lemoore Country Club Villas #2 affecting golf course abutting lots was pulled for separate consideration.

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

- A. Approval – Minutes – December 6, 2011
- B. Approval – Minutes – Special Meeting December 12, 2011
- C. Approval – Warrant Register 11-12 – December 16, 2011
- E. Approval – Resolution 2011-47 – San Joaquin Valley Air Alternative Fuel Vehicle Grant

Ayes: Plourde, Siegel, Gordon, Murray, Rodarmel

It was moved by Council Member Gordon, seconded by Council Member Siegel, and carried that the Council approve Ballot Regarding Amending Paragraph 3 of CC&Rs related to Tract #783 – Lemoore Country Club Villas #2 affecting golf course abutting lots was pulled for separate consideration.

Ayes: Gordon, Siegel, Murray, Plourde, Rodarmel

**PUBLIC HEARING – REPORT AND RECOMMENDATION – FIRST READING ORDINANCE 2011-07 – E.I.A. # 2011-24/PREZONE #2011-02 – APPLICATION BY PAT NEWTON ET AL:**

At 7:39 p.m., the Mayor opened the public hearing to accept testimony regarding Ordinance 2011-07.

Spoke:  
Dirk Pushell

At 7:40 p.m., the public hearing closed.

It was moved by Council Member Plourde, seconded by Council Member Gordon, and carried that the Council waive the first reading and pass to a second reading Ordinance 2011-07.

Ayes: Plourde, Gordon, Siegel, Murray, Rodarmel

**PUBLIC HEARING – REPORT AND RECOMMENDATION – AB 1600 ANNUAL REPORT:**

At 7:51 p.m., the Mayor opened the public hearing to accept testimony regarding the AB 1600 Annual Report.

Spoke:  
No one spoke.

At 7:52 p.m., the public hearing closed.

It was moved by Council Member Murray, seconded by Council Member Plourde, and carried that the Council accept and file the FY 10/11 Develop-

ment Impact Fee Annual Report as required by Government Code section 66006.

Ayes: Murray, Plourde, Gordon, Siegel, Rodarmel

**REPORT AND RECOMMENDATION – RESOLUTION 2011-46 – APPEALS HEARING: LENNAR FRESNO, INC. APPLICATION TO REVISE FLOOR PLANS, ELEVATIONS, AND OVERALL PLOT PLANS FOR 37 LOTS IN PLANNED UNIT DEVELOPMENT FOR TRACT 821 PHASE II:**

Spoke:

Les Peterson  
Michael Noland  
Ty Hartman  
John Palisoo  
Loren Reith

It was moved by Council Member Siegel, seconded by Council Member Murray, and carried that the Council approve Resolution 2011-46 reversing the Planning Commission’s decision.

Ayes: Siegel, Murray, Plourde, Rodarmel          Abstain: Gordon

**REPORT AND RECOMMENDATION – RESOLUTION 2011-48 – INTENT TO ABANDON RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT ALONG A PORTION OF BUSH STREET WEST OF MARSH DRIVE ALIGNMENT REQUESTED BY PHARRIS:**

It was moved by Council Member Plourde seconded by Council Member Murray, and carried that the Council approve Resolution 2011-48 declaring the Council’s intent to abandon the westerly portion of Bush Street west of West Hills College and the Marsh Drive alignment which will begin the abandonment proceedings.

Ayes: Plourde, Murray, Gordon, Siegel, Rodarmel

**REPORT AND RECOMMENDATION – RESOLUTION 2011-45 – 2011-2013 CAPITAL IMPROVEMENT BUDGET:**

It was moved by Council Member Gordon, seconded by Council Member Murray and carried that the Council adopt Resolution 2011-45 approving the two year Capital Improvements Program for fiscal years 2011-2013.

Ayes: Gordon, Murray, Siegel, Plourde, Rodarmel

**REPORT AND RECOMMENDATION – FULL CIRCLE RENEWABLES**

**A. AGREEMENT TO TERMINATE LEASE – WASTEWATER TREATMENT PLANT:**

It was moved by Council Member Plourde, seconded by Council Member Gordon, and carried that the Council authorize the City Manager to sign the Lease Termination agreement for the wastewater treatment plant site; approve the Purchase Agreement for the wastewater treatment plant site and authorize the City Manager to execute the agreement and other documents necessary to support the transaction; approve the Addendum to the Purchase Agreement,

which would create a trust for the site and authorize the City Manager to execute the agreement and other documents necessary to support the transaction; and approve the Early Access Agreement for the site and authorize the City Manager to execute the agreement.

Ayes: Plourde, Gordon, Siegel, Murray, Rodarmel

**REPORT AND RECOMMENDATION – AMENDMENT TO JPA WITH KINGS WASTE AND RECYCLING AUTHORITY:**

It was moved by Council Member Plourde, seconded by Council Member Gordon, and carried that the Council approve the Amendment Five to the KWRA JPA agreement to allow the City of Lemoore to be exempted from transferring fee ownership of the Lemoore City Site to KWRA and authorize the Mayor to sign the amendment.

Ayes: Plourde, Gordon, Siegel, Murray, Rodarmel

**REPORT AND RECOMMENDATION – ImMODO CALIFORNIA 1 LLC – OPTION TO LEASE A PORTION OF APN 024-051-031:**

It was moved by Council Member Murray, seconded by Council Member Plourde, and carried that the Council approve the Option to Lease Agreement and ImMODO California 1 LLC while it pursues an interconnection agreement with PG&E and authorize the City Manager to execute said Agreement.

Ayes: Murray, Plourde, Gordon, Siegel, Rodarmel

**REPORT AND RECOMMENDATION – COMMISSION APPOINTMENTS:**

**A. PLANNING COMMISSION:**

Mayor Rodarmel appointed Bill Wynne to the Planning Commission with the consensus of Council Members Gordon and Siegel.

**B. PARKS & RECREATION COMMISSION:**

Mayor Rodarmel appointed Jack L Wilderson, Ernest Smith, Allan McGhuey, and Robert V. Escalera to the Parks and Recreation Commission with the consensus of all Council Members.

**DEPARTMENT/CITY MANAGER REPORTS:**

Public Works Director Wlaschin reported last Tuesday a water line was hit on Cinnamon Drive; approximately 100 homes were out of water until after midnight.

Redevelopment Project Manager Holwell reported that there is a new Code Enforcement Officer through JTO.

City Manager Britz reported that City offices will be closed from noon December 24 through December 26 and again from noon December 30 through January 2.

COUNCIL REPORTS AND REQUESTS FOR INFORMATION:

Council Member Gordon inquired about Presents on Patrol. Police Chief Laws reported that Presents on Patrol went very well; \$14,000 was raised, over 200 kids were given gifts and 90 families received meals.

Mr. Gordon reported that he had been informed that during a recent Planning Commission meeting a City employee was unprofessional during the meeting and a Planning Commissioner was addressed in a disrespectful manner. He would provide City Manager Briltz with the details.

Council Member Murray reported that he had heard the Lemoore Senior Center is down to \$70,000 in their CDs from \$300,000 a few years ago. He requested that an item regarding this issue be placed on the January 17 agenda.

Mayor Pro Tem Plourde reported that the Cross Valley Rail Corridor JPA has a meeting on January 20 and he has a conflict. He asked that the appointment of an alternate for the JPA be placed on the January 17 agenda.

Mayor Rodarmel wished everyone a safe and Merry Christmas and Happy New Year.

ADJOURNMENT:

At 9:37 p.m. the meeting adjourned.

Full digital audio recording is available.

Approved the 17<sup>th</sup> day of January, 2012.

Attest:

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Willard J. Rodarmel, Mayor

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Nanci C. O. Lima, MMC  
City Clerk