

**April 16, 2019 Minutes
Study Session
City Council Regular Meeting**

CALL TO ORDER:

At 5:35 p.m., the meeting was called to order.

ROLL CALL: Mayor: NEAL
Mayor Pro Tem: BILLINGSLEY
Council Members: BROWN, LYONS
Absent: BLAIR

City Staff and contract employees present: City Manager Olson; Assistant City Manager Speer; City Attorney Van Bindsbergen; Police Chief Smith; Community Development Director Holwell; Finance Manager Beyersdorf; City Clerk Avalos.

PUBLIC COMMENT

There was no Public Comment.

5:30 p.m. STUDY SESSION

SS-1 Biannual Ethics and Brown Act Training – Part I

City Attorney Van Bindsbergen provided Biennial Ethics and Brown Act Training.

Part I of Training included the following:

- *Part I:*
 - *Brown Act*
 - *Governmental Transparency and Fair Processes*
 - *General Ethics Principles Beyond the Law (Whistleblowing)*
- *Brown Act*
 - *What does the Brown Act require?*
 - *What is a Meeting?*
 - *Majority of the members*
 - *At same time and place*
 - *To hear, discuss, or deliberate*
 - *Any item in Agency's jurisdiction*
 - *Types of Meetings*
 - *Schedule must be set by official action*
 - *72 hours' notice*
 - *Post agenda*
 - *Special Meeting*
 - *Called at any time*
 - *24 hours' advance notice*

- *Time, place, business*
 - *Public comment on agenda items*
- *What does not constitute a meeting?*
 - *Individual contact*
 - *Public conferences*
 - *Community meetings*
 - *Social gatherings*
 - *Other local agency meetings*
- *Serial Meetings are prohibited*
 - *The Brown Act prohibits the use of technology or intermediaries by a quorum of members to conduct a meeting*
 - *What is a serial meeting?*
 - *Conducted through a series of communications by individual board members or less-than-a-quorum groups, ultimately involving a majority of the body's members.*
 - *What do serial meetings look like?*
 - *Linear or chain meeting*
 - *Hub and spoke meeting*
- *Bottom line on communications*
 - *Majority of members cannot discuss issues outside of the meeting*
- *Attendance by Teleconference*
 - *Post agenda at all locations*
 - *At least quorum must participate from within City*
 - *Identify location in notice; freely accessible*
- *Closed Session*
 - *Permitted for certain matters*
 - *Identify items on agenda*
 - *Announce in open session*
 - *Allow public comment*
 - *Council members & Necessary staff*
 - *Information is confidential*
 - *Any communication relating to reason for closed session*
 - *Members may not publicly disclose information*
 - *Unless authorized by law*
- *Penalties and Remedies*
 - *Violation of the Brown Act can be a crime*
 - *Attorney's fees*
 - *If you think something runs afoul of the Brown Act: bring it up!*
- *Governmental Transparency and Fair Processes*
 - *Financial Interest Disclosure*
 - *Charitable Fundraising*
 - *Consequences of Violations*
 - *Public Records*
 - *Agendas and meeting materials*
 - *Must respond within 10 days*
 - *Cost of duplication only*
 - *Incompatible Offices*
- *Whistleblowers*
 - *Passive*
 - *Active*
 - *Incipient*
 - *Whistleblower Protection*
 - *Not Retaliation or Interference*

Council adjourned to Closed Session at 6:20 p.m.

CLOSED SESSION

This item has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54956.9(d)(4). The Mayor will provide an oral report regarding the Closed Session at the beginning of the next regular City Council meeting.

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
City of Lemoore v. Holly Andrade Blair
Case No. 19C-0043
2. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d)
of Section 54956.9
One Case

ADJOURNMENT

At 7:05 p.m., Council adjourned.

**April 16, 2019 Minutes
Lemoore City Council
Regular City Council Meeting**

CALL TO ORDER:

At 7:30 p.m., the meeting was called to order.

ROLL CALL: Mayor: NEAL
Mayor Pro Tem: BILLINGSLEY
Council Members: BLAIR, BROWN, LYONS

City Staff and contract employees present: City Manager Olson; Assistant City Manager Speer; City Attorney Van Bindsbergen; Public Works Director Rivera; Community Development Director Holwell; Police Chief Smith; Finance Manager Beyersdorf; Management Analyst Champion; City Clerk Avalos.

AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS:

Removal of Item 5-2, Amended staff report for item 5-3, Warrant register has been added to the agenda.

Motion by Mayor Pro Tem Billingsley, Second by Council Member Lyons to approve the agenda additions and deletions.

Ayes: Billingsley, Lyons, Brown, Blair, Neal

REPORT OUT OF CLOSED SESSION

There was no report out.

PUBLIC COMMENT

Amy Ward, Lemoore Chamber CEO, stated that they had their 19th annual Pizza Festival and Lemoore Days. The vision was to celebrate Lemoore. The Volunteer Fire department, Police department, Community members, members from Santa Rosa Rancheria, and service groups were present. She thanked Mayor Neal and Council Member Brown for judging the Pizza Decorating Contest. May 22nd there will be a class to help businesses create a business plan. There will be a Mixer at Circle T Ranch next week. Lemoore Middle College High School Academic Decathlon team will travel to Minnesota, representing the state of California at the National competition.

CEREMONIAL / PRESENTATION – Section 1

There were no Ceremonial / Presentations.

DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

Public Works Director Rivera provided an update on well #10. Another area 540 ft. down has subsidence that has been found. Two areas have been repaired. The third repair should be final. The cost will be approximately \$440,000 to repair. Final numbers will be provided next council meeting.

City Manager Olson stated that he traveled to Sacramento last week with Police Chief Smith to the California Cannabis Control Conference. Met with a lot of politicians, municipalities, and businesses. It was a lot of good information and will be bringing some of it back to Council in the near future.

CONSENT CALENDAR – Section 3

3-1 Approval – Minutes – Regular Meeting – April 2, 2019

3-2 Approval – Resolution 2019-14 – Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account Project List for Fiscal Year 2019-2020

Council Member Blair pulled Item 3-2 for separate consideration.

Motion by Council Member Brown, seconded by Mayor Pro Tem Billingsley, to approve Consent Calendar, excluding Item 3-2.

Ayes: Brown, Billingsley, Lyons, Neal

Noes: Blair

3-2 Approval – Resolution 2019-14 – Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account Project List for Fiscal Year 2019-2020

Motion by Council Member Brown, seconded by Council Member Lyons, to approve Resolution 2019-14 – Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account Project List for Fiscal Year 2019-2020.

Ayes: Brown, Lyons, Billingsley, Blair, Neal

Connie Waschin spoke.

PUBLIC HEARINGS – Section 4

There were no Public Hearings.

NEW BUSINESS – Section 5

5-1 Report and Recommendation – Award Contract for Design-Build Phase Services to J.R Filanc Construction for Water Treatment Plant (Rivera)

Motion by Council Member Brown, seconded by Mayor Pro Tem Billingsley, to Award Contract for Design-Build Phase Services to J.R Filanc Construction for Water Treatment Plant.

Ayes: Brown, Billingsley, Lyons, Neal

Noes: Blair

5-3 Report and Recommendation – Bid Award - CIP 5712 – Lemoore Police Department Dispatch Center (Speer)

Motion by Council Member Brown, seconded by Council Member Lyons, award bid to JTS Modular for the Lemoore Police Department Dispatch Center and allow the City Manager to sign the contract after review and approval.

Ayes: Brown, Lyons, Billingsley, Neal

Noes: Blair

Spoke: Dr. Gail Crooms
Dr. Crystal Jackson

CITY COUNCIL REPORTS AND REQUESTS – Section 6

6-1 City Council Reports / Requests

Council Member Brown stated he appreciates staff, and thanked the Fire and Police departments for everything they do. There is a job fair at Olam on the 22nd of May for their seasonal hire. He provided an update that there are proposed KART route changes in June 2019. The Kart website will have more information. He is in support of hiring local people.

Council Member Blair had 3 updates. She has had a number of trainings at the state level for ethics. She has received questions in regards to what she does for a living. She is an English teacher. Her subject matter expertise is on the communication of identity. Suggested that a new letter be written to the Santa Rosa Rancheria stating that we have an objection to the properties within the City, but we do not object the other properties listed. To offer a peace offering to the tribe.

Consensus was received by Council to have a new letter written and brought back as an agenda item to be voted on.

Mayor Neal thanked Amy Ward for the superb Pizza Festival. Would like to let everyone know that we stick together as a City. Thanked Pastor Ash for the prayer.

ADJOURNMENT

At 8:27p.m., Council adjourned.

Approved the 7th day of May 2019.

APPROVED:

Edward Neal, Mayor

ATTEST:

Marisa Avalos, City Clerk