

**May 7, 2019 Minutes
Study Session
City Council Regular Meeting**

CALL TO ORDER:

At 5:30 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; Parks and Recreation Director Glick; Public Works Director Rivera; City Clerk Avalos.

AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS:

City Manager Olson asked Council to move item SS-1 to the next Council meeting, proceed to Closed Session, and have Study Session at 6:30 p.m.

Motion by Mayor Pro Tem Billingsley, seconded by Council Member Brown, to move Ethics and Brown Act Training to the May 21st meeting, proceed to Closed Session, and continue Study Session at 6:30 p.m.

Ayes: Billingsley, Brown, Lyons, Neal

PUBLIC COMMENT

Brian Castadio stated that after the last meeting there was a discussion that was unprofessional. He was advised by City Attorney Van Bindsbergen that this time is for public comment in regards to closed session items only.

Council adjourned to Closed Session at 5:34 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 Real Property Negotiators
Government Code Section 54956.8
Property: "Lot 4" APN 024-051-013, "Lot 14" APN 024-051-015, "Lot 15" APN 024-051-019, "Lot 16" APN 024-051-018
Agency Negotiator: Nathan Olson, City Manager
Negotiating Parties: Tom Vorhees
Under Negotiation: Price and Terms
2. Conference with Legal Counsel – Existing Litigation

Government Code Section 54956.9(d)(1)
City of Lemoore v. Holly Andrade Blair
Case No. 19C-0043

3. 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
Two Cases

ADJOURNMENT

At 6:36 p.m., Council adjourned.

6:30 p.m. STUDY SESSION

SS-1 Biennial Ethics and Brown Act Training – Part 2

Item was moved to the May 21, 2019 meeting.

SS-2 Draft Cannabis Ordinance

City Manager Olson discussed a Cannabis Ordinance Proposal:

- *Why Now?*
 - *CA State Law has allowed the legal use of cannabis.*
 - *Home deliveries*
 - *General Fund Opportunities*
 - *Heightened interest*
- *Public Benefit*
 - *Additional foot traffic to downtown*
 - *General fund revenues*
 - *Additional jobs in both public and private sectors*
- *Fees*
 - *Business License*
 - *Regulatory License*
 - *Revenue raising*
- *Proposed Ordinance Highlights*
 - *Allows medicinal/commercial cannabis*
 - *Manufacturing @ \$15/sqft*
 - *Cultivation @ \$6/cubic ft.*
 - *Nurseries @ \$2/cubic ft.*
- *Other Considerations*
 - *Kmart – Potential opportunity*
 - *CMC – Potential opportunity*
- *Public Safety*
 - *Comparable cities do not show negative impact on City*
 - *24/7 surveillance of all cannabis*
 - *100% employee background checks*
 - *Administrative fines for non-compliance*
- *Plan for Revenues*
 - *Shore up general fund deficit*
 - *Replenish Reserves*
 - *Community beautification*

- *Public Safety*

*Spoke: Kevin Burdacky, Valley Pure
Jay Kelly,
Mariela Childress
Dr. Crystal Jackson
Connie Wlaschin*

Consensus was received from Council to direct staff to look into potential grants or programs that are available for Veterans business owners.

Consensus was received from City Council for a zoning text amendment be presented to the Planning Commission in regards to Cannabis.

Study Session was adjourned at 7:39 p.m.

**May 7, 2019 Minutes
Lemoore City Council
Regular City Council Meeting**

CALL TO ORDER:

At 7:40 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; Parks and Recreation Director Glick; Community Development Director Holwell; Police Chief Smith; City Clerk Avalos; Management Analyst Champion.

REPORT OUT OF CLOSED SESSION

There was no report out.

PUBLIC COMMENT

Tom Reed stated that the Lemoore High School softball team won their playoff game. He visited Mississippi for a couple of weeks and received a police shoulder patch. He read a written statement in regards to the agreement between the City and Council Member Blair. He stated that the City has expended \$100,000 for this agreement and \$38,000 of which has been paid to cover legal expenses of Council Member Blair. He explained that the City has been having issues with the phone system and the chambers could benefit from having a better sound and video system. The money expended on this agreement could have been used to resolve these issues.

Brian Castadio explained that he has four businesses in the City of Lemoore and he is best friends with Ray Madrigal. He loves Lemoore and states that this has become a circus. He explained that there was a situation that was on camera that was very unprofessional. He looks at those situations and thinks they can be handled better. He suggested looking into positions on the Council for the betterment of Lemoore and it is time to make changes for the good.

Connie Wlaschin asked if the settlement agreement with Council Member Blair allowed her to talk trash about the Council Members on Facebook but not on the dais. She counted two instances on Council Member Blair's Facebook page where she called out other Council Members. She is wondering if this is considered a violation of the agreement.

Kristen Curcio requested that the City create some type of policy that protects the citizens of Lemoore from slander. She stated it is time the City of Lemoore takes a stand.

Susie Banuelos stated that she has been contacted by a few fellow citizens and they feel the same way in regards to being slandered and labeled by a certain Council Member. She would like the City Council to consider something be done.

Shelly Reese feels that this back and forth needs to stop and some point need to move forward with what needs to be done in the City. She attended the Pizza Festival and stated it was a good turnout, but she believes Lemoore has more. She sees more houses, but Lemoore needs more activities and things to do.

Connie J. Willis submitted a letter to be read during public comment. It stated that she is concerned citizen and outlined an instance that happened on Council Member Blair's face book page. She states that she has given Council Member Blair respect and the opposite was given to her.

CEREMONIAL / PRESENTATION – Section 1

1-1 Lemoore Middle College Academic Decathlon Team

The Lemoore Middle College High School Academic Decathlon team was recognized for their achievement of winning National Division IV Championship in Minnesota.

DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

Chief Smith informed Council of two upcoming events. Wednesday, May 15th all law enforcement officers who were killed in the line of duty in 2018 will be honored at the Kings County Government Center. The Kings County Probation Department will be hosting the event. May 31st is the annual PAL golf tournament. The Lemoore Volunteer Fire Department will be providing lunch. He stated there was an emergency medical response call at the Police Department. He recognized Mayor Pro Tem Billingsley and Council Member Lyons for being the first to respond. The next two Volunteer Firefighters were local business owners who dropped everything they were doing to respond to the Police Department. He thanked the Volunteer Fire Department for their response and service to the community.

Parks and Recreation Director Glick invited the community to upcoming events. National Senior Health Fitness Day is Thursday, May 29th at 9:00 a.m. Elvis will be performing. A time capsule will be opened at Heritage Park on Friday, June 14th at 12:00 p.m. Prop 68 meetings have been held at Heritage Park. The last meeting at Heritage Park will be June 14th. Youth Spring Indoor Soccer

finished with 700 participants. Mother Son Camp Out had 50 couples. The department is helping with the Brew Fest being held at Kings Lions Park.

City Manager Olson presented Council with samples of water that have gone through laboratory testing at the Wastewater Treatment plant. The system is currently running at 2/3 of the technology. He presented one jar of water that comes from citizens household to be treated. And the second jar with water was passed through 2/3 technology and and still had a final clarifier to go through. Three million gallons of water in a day will be processed.

CONSENT CALENDAR – Section 3

- 3-1 Approval – Minutes – Regular Meeting – April 16, 2019
- 3-2 Approval – Minutes – Special Meeting – April 25, 2019
- 3-3 Approval – Change Order No. 2 for CIP 5203 – Test Hole Drilling and Construction of Production Well 15
- 3-4 Approval – Award Bid – 2019 Slurry Seal and Approve Budget Amendment

Council Member Blair pulled items 3-1, 3-2, 3-3, and 3-4 for separate consideration.

- 3-1 Approval – Minutes – Regular Meeting – April 16, 2019

Motion by Mayor Pro Tem Billingsley, seconded by Council Member Brown, to approve Consent Calendar item 3-1.

*Ayes: Billingsley, Brown, Lyons, Neal
Noes: Blair*

Tom Reed Spoke.

- 3-2 Approval – Minutes – Special Meeting – April 25, 2019

Motion by Council Member Brown, seconded by Council Member Lyons, to approve Consent Calendar Item 3-2.

*Ayes: Brown, Lyons, Billingsley, Neal
Noes: Blair*

Tom Reed Spoke.

- 3-3 Approval – Change Order No. 2 for CIP 5203 – Test Hole Drilling and Construction of Production Well 15

Motion by Council Member Brown, seconded by Council Member Lyons, to approve Consent Calendar Item 3-3.

Ayes: Brown, Lyons, Blair, Billingsley, Lyons

Chris Johnson spoke.

- 3-4 Approval – Award Bid – 2019 Slurry Seal and Approve Budget Amendment

Motion by Mayor Pro Tem Billingsley, seconded by Council Member Brown, to approve Consent Calendar Item 3-4.

Ayes: Billingsley, Brown, Lyons, Neal
Noes: Blair

PUBLIC HEARINGS – Section 4

- 4-1 Abatement of Public Nuisances - Properties located at 234 ‘G’ Street (APN 020-021-006) and Empty Lot located West of Cottonwood Lane and East of 19th Avenue between Cherry Lane and Tammy Lane (APN 023-290-030) (Rivera)

Public Hearing was opened at 9:15 p.m.

*Spoke: Judy Middleton
Bruce German*

Public Hearing was closed at 9:20 p.m.

Motion by Council Member Blair, seconded by Council Member Brown, to proceed with the abatement of the properties located at 234 “G” Street and Empty Lot located West of Cottonwood Lane and East of 19th Avenue between Cherry Lane and Tammy Lane and allow the Public Works Director to have purview to work with the property owners at APN 023-290-030 thirty days and the property owners at APN 020-021-006 ninety days to fix the issue.

Ayes: Blair, Brown, Lyons, Billingsley, Neal

NEW BUSINESS – Section 5

- 5-1 Report and Recommendation – Resolution No. 2019-16 – A Resolution of the Lemoore City Council Declaring Emergency and Authorizing Repairs for Well 10 and Approving a Budget Amendment for CIP 5227 – Mechanical Rehabilitation of City Wells (Rivera)

Motion by Council Member Blair, seconded by Council Member Brown, to approve Resolution No. 2019-16 – A Resolution of the Lemoore City Council Declaring Emergency and Authorizing Repairs for Well 10 and approving a Budget Amendment for CIP 5227 – Mechanical Rehabilitation of City Wells.

Ayes: Blair, Brown, Lyons, Billingsley, Neal

*Spoke: Chris Johnson
Tom Reed*

CITY COUNCIL REPORTS AND REQUESTS – Section 6

- 6-1 City Council Reports / Requests

Council Member Lyons stated all is well with KCAO and the Commission on Aging. Provided a flyer for the Senior Health Day hosted by Commission on Aging on May 22, 2019 at the Hanford Civic Auditorium.

Council Member Blair asked for consensus on two items. She stated she would like to have a detailed map on the Council webpage and Facebook to inform constituents which Council Members are represent each district. She would like a listing of all the City of Lemoore fees to

review if they are appropriate costs. She is requesting all fees be cut in half. Consensus was not received for both requests.

Mayor Pro Tem Billingsley thanked the Lemoore Police Department for all they do in the community.

Mayor Neal stated he has lived in Lemoore all his life. He does not agree with a lot of people but that does not mean he goes bashing. He supports LVFD and LPD. He stated the way that he got treated this evening was disheartening. He does not have any hard feelings.

ADJOURNMENT

At 9:45 p.m., Council adjourned.

Approved the 21st day of May 2019.

APPROVED:

Edward Neal, Mayor

ATTEST:

Marisa Avalos, City Clerk