

**May 21, 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; Parks and Recreation Director Glick; Public Works Director Rivera; City Clerk Avalos.

5:30 p.m. STUDY SESSION

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

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

Part II of Training included the following:

- *Public Corruption*
 - *Operation Rezone*
- *Personal Financial Gain*
 - *Bribery*
 - *California Political Reform Act 1974*
 - *General Rule*
 - *“General Public” Exception*
 - *The Fair Political Practices Commission*
 - *Materiality Standards*
 - *Types of Economic Interests*
 - *Business Entities*
 - *Source of Income*
 - *Source of Gifts*
 - *Real Property*
 - *Real Property*
 - *Special Rules for Contracts*
 - *Public officers may not financially interested in a contract*
 - *Applies to both oral and written contracts*
 - *A legislative body cannot enter into a contract if a members has a financial interest in the contract.*
- *Personal Advantages and Perks*
 - *Two Kinds of Perk Rules*
 - *Perks that others offer you*
 - *Perks that you give yourself*
 - *Gifts from Others to Officials*

- *Tickets, meals, and travel expenses*
 - *Gifts from sources that do business with the City*
- *Gift filers report \$50 and up single source calendar year*
- *Gift filers limited to \$500 single source per calendar year*
- *Gifts from others to City*
 - *Must be used for official City business*
 - *City Manager must control who uses the gift*
 - *Must complete FPPC Form 801*
- *Gifts from City to Officials*
 - *Considered reportable gifts to the official unless food, beverage, etc., of nominal value or lawful expenditure of public funds*
 - *Gift rules apply to City raffles unless an employee donates gift or gift is paid for by City*
 - *Gift exchanges are okay as long as gifts are of similar value*
- *Tickets and Passes*
 - *Gift rules apply to event tickets and passes, even if provided to the City and passed through to the official*
 - *Includes admission to events the City operates.*
 - *Within 45 days of distribution, City must complete and post FPPC Form 802*
- *Gifts from family and Friends*
 - *Gifts from spouses, children, parents, grandparents, grandchildren, siblings, in-laws, aunts, uncles, nieces and nephews, first cousins, are not "gifts," unless intermediary for someone else*
 - *Gifts among friends exchanged at holidays, birthdays, or similar occasions if not substantially disproportionate value*
 - *Wedding gifts must be reported at 50% value, but there is no limit on the amount*
 - *Exception for bereavement offerings, acts of neighborliness, dating relationships, acts of human compassion*
- *Travel Payments from Others to City*
 - *Must be made directly to City of coordinated with City*
 - *Must be for official City business, as defined, but confer no personal benefit*
 - *Must be consistent with City's travel reimbursement policy*
- *Authorized Expenditures*
 - *Pursuant to City reimbursement policy*
 - *May only be for actual and necessary expenses*
 - *Know City policy and limits*
- *Misuse of Public Funds*
 - *When not authorized or for a public purpose*
 - *Occurs when personal benefit is not merely incidental*
- *Consequences of Violations*
 - *Civil penalties: \$1,000/day*
 - *Criminal penalties: 2-4 year prison term*
 - *Income tax complications*
 - *Costs for hiring defense lawyers*
- *Best Practices*
 - *Avoid perks and the temptation to justify them*
 - *Legally risky*
 - *Public relations headache*

PUBLIC COMMENT ON CLOSED SESSION

There was no Public Comment.

Council adjourned to Closed Session at 6:35 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

ADJOURNMENT

At 6:55 p.m., Council adjourned.

**May 21, 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:	BROWN, LYONS
	Absent:	BLAIR

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; Police Chief Smith; City Clerk Avalos; Management Analyst Champion.

REPORT OUT OF CLOSED SESSION

There was no report out.

PUBLIC COMMENT

Amy Ward, Lemoore Chamber CEO informed Council that the Business 101 class is Wednesday, May 22nd. The registration is over 70 people. It is a free event. Rockin' the Arbor is right around the corner, May 31st. It will run every Friday in June.

Raquel White with Construction Industry Force Account Council (CIFAC) stated they are a nonprofit. They are dedicated to bringing jobs to the Central Valley. They monitor agencies to ensure they are in compliance with the public contract code. She stated that CIFAC can be a resource to the City and provided handouts and business cards.

Connie Wlaschin stated that she is very disappointed with the article in the Hanford Sentinel. She feels that the Mayor is a good and godly man but does not have any confidence for him to lead the City Council. She would like the Council Members to consider a vote of no confidence in him as Mayor but as possibly Vice Mayor.

Tom Reed said he does not have a problem with the Mayor. He stated that there were a few items in the article that were disturbing, such as the racial issue.

John Frankhauser informed Council that he is a resident of Lemoore since 1992. He has confidence in the Mayor and hope it continues.

CEREMONIAL / PRESENTATION – Section 1

There were no Ceremonial / Presentations.

DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

City Manager Olson just returned from ICSC in Las Vegas. The City had a booth at the event. Kristie Baley, Judy Holwell, and Jay Salyer with Kings EDC attended as well. He informed Council that a new location for the Sarah Mooney mural. Dr. Garcia is allowing the mural to be placed on the Tropicana building. He will be hosting a Community Round Table on May 30th.

Chief German provided an update for the month of April. The LVFD responded to 22 fire calls, 131 EMT calls, 4 trainings, for a total of 162 calls in April. The YTD total is 660 calls. The department hung their flag for the homecoming at NAS Lemoore.

CONSENT CALENDAR – Section 3

3-1 Approval – Minutes – Regular Meeting – May 7, 2019

3-2 Approval – Contract Modifications with J.R Filanc Construction for Water Treatment Plant Design-Build

Motion by Mayor Pro Tem Billingsley, seconded by Council Member Lyons, to approve Consent Calendar as presented.

Ayes: Billingsley, Lyons, Brown, Neal

Absent: Blair

PUBLIC HEARINGS – Section 4

There were no public hearings.

NEW BUSINESS – Section 5

5-1 Report and Recommendation – Single Audit Report for Year Ended June 30, 2018

Motion by Council Member Brown, seconded by Council Member Billingsley, to receive and file the Single Audit Report for Year Ended June 30, 2018.

Ayes: Brown, Billingsley, Lyons, Neal

Absent: Blair

Spoke: Fausto Hinojosa, Price Paige and Associates

5-2 Report and Recommendation – American Legion Post 100's Request to Rename City Park to Veterans Park

Motion by Council Member Brown, seconded by Council Member Lyons, to approve American Legion Post 100's Request to Rename City Park to Veterans Park.

Ayes: Brown, Lyons, Billingsley, Neal

Absent: Blair

5-4 Report and Recommendation – Tract 839 - Resolution 2019-17 of Intention to (i) Annex and Include Additional Territories in Landscape and Lighting Maintenance District No. 1 in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in Such Annexed Territories for Fiscal Year 2019/2020 and Thereafter

Motion by Council Member Brown, seconded by Council Member Lyons, to approve Tract 839 - Resolution 2019-17 of Intention to (i) Annex and Include Additional Territories in Landscape and Lighting Maintenance District No. 1 in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in Such Annexed Territories for Fiscal Year 2019/2020 and Thereafter.

Ayes: Brown, Lyons, Billingsley, Neal

Absent: Blair

CITY COUNCIL REPORTS AND REQUESTS – Section 6

6-1 City Council Reports / Requests

Council Member Brown stated that earlier this month was National Police Week. He thanked Lemoore PD and LVFD. Memorial Day is on Monday, he asked everyone to take a moment to honor those who made the ultimate sacrifice. He asked for consensus to direct staff to draft a resolution to allow only one meeting a month with an expiration date of December 2020, the City Council can adjust as needed. This would increase efficiency, save staff-attorney costs, and allow staff more to work on daily tasks.

Consensus was received to direct staff to draft a resolution to bring back as an agenda item.

Council Member Lyons stated that all is well with KCAO and the Commission on Aging. He recognized Council Member Brown for being named Veteran of the Year.

Mayor Pro Tem Billingsley has the first Central Valley Air Board meeting this week. A special meeting for the Kings Mosquito Abatement has been scheduled.

Mayor Neal attended the San Joaquin Valley Policy Conference at Tachi Palace with Council Member Brown. He stated that he was appointed to the County Air Pollution Board and attended the meeting in Fresno.

ADJOURNMENT

At 8:25 p.m., Council adjourned.

Approved the 4th day of June 2019.

APPROVED:

Edward Neal, Mayor

ATTEST:

Mary J. Venegas, Deputy City Clerk