



LEMOORE

CALIFORNIA

LEMOORE CITY COUNCIL  
COUNCIL CHAMBER  
429 C STREET  
August 18, 2020

**AGENDA**

***Please silence all electronic devices as a courtesy to those in attendance. Thank you.***

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**6:30 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 City Attorney 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)  
State of California ex rel. OnTheGo Wireless, LLC v. Cellco Partnership d/b/a Verizon Wireless  
Case No. 34-2012-00127517
2. Government Code Section 54956.9  
Conference with Legal Counsel – Exposure to Litigation  
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9  
Two Cases

In the event that all the items on the closed session agenda have not been deliberated in the time provided, the City Council may continue the closed session at the end of the regularly scheduled Council Meeting.

## 7:30 pm REGULAR SESSION

- a. CALL TO ORDER
- b. INVOCATION
- c. PLEDGE OF ALLEGIANCE
- d. ROLL CALL
- e. CLOSED SESSION REPORT
- f. AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS

### PUBLIC COMMENT

**Public comment will be in accordance with the attached policy.** This time is reserved for members of the audience to address the City Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. It is recommended that speakers limit their comments to three (3) minutes each and it is requested that no comments be made during this period on items on the Agenda. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Council, any handouts for Council will be provided to the City Clerk for distribution to the Council and appropriate staff.

### CEREMONIAL / PRESENTATION – Section 1

No Ceremonial / Presentations

### DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

#### CONSENT CALENDAR – Section 3

Items considered routine in nature are placed on the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Council member or member of the public requests individual consideration.

- 3-1 Approval – Minutes – Regular Meeting – July 21, 2020
- 3-2 Approval – Declaring Public Nuisances and Ordering Public Hearing Regarding Weed Abatement – Resolution 2020-28
- 3-3 Approval – Appointment of Lemoore Planning Commissioner
- 3-4 Approval – COVID-19 Small Business Assistance Program
- 3-5 Approval – Purchase of Two New Side-Loading Refuse Trucks
- 3-6 Approval – Bid Award – Well 10 Pump Purchase and Installation

#### PUBLIC HEARINGS – Section 4

Report, discussion and/or other Council action will be taken.

- 4-1 Public Hearing – Introduction and First Reading – Ordinance 2020-08, Amending Section 4-8-4(C)(12) of the Lemoore Municipal Code Relating to the Distance within a School, Day Care Center, or Youth Center that a Licensed Commercial Cannabis Operation May Not Be Located (Olson)

#### NEW BUSINESS – Section 5

Report, discussion and/or other Council action will be taken.

- 5-1 Report and Recommendation – 1. Resolution and Agreement Rescinding Disposition and Development (“DDA”) and First Amendment to the DDA between the City of Lemoore (“City”) and KKAL, LP; and 2. Approval of an Option for KKAL, LP to Purchase Approximately Nine Acres of City Property and 3. Approval of an Addendum to Mitigated Negative Declaration dated November 6, 2018 to allow consideration of a future Project Development Agreement (“PDA”) and Cannabis Regulatory Permit between the City and NHC Lemoore, LLC (“NHC”) (Olson)

## BRIEF CITY COUNCIL REPORTS AND REQUESTS – Section 6

### 6-1 City Council Reports / Requests

#### ADJOURNMENT

##### Upcoming Council Meetings

- City Council Regular Meeting, Tuesday, September 1, 2020
- City Council Regular Meeting, Tuesday, September 15, 2020

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the Council Chamber, 429 C Street and the Cinnamon Municipal Complex, 711 W. Cinnamon Drive. Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call (559) 924-6744, at least 4 business days prior to the meeting.

#### PUBLIC NOTIFICATION

I, Marisa Avalos, City Clerk for the City of Lemoore, declare under penalty of perjury that I posted the above City Council Agenda for the meeting of August 18, 2020 at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore, CA on August 14, 2020.

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//s//  
Marisa Avalos, City Clerk

**CITY OF LEMOORE**  
**ALL CITY COUNCIL REGULAR AND SPECIAL MEETINGS**

Attendance and Public Comment Changes Due to COVID-19

Given the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes for attendance and public comment at all Council meetings until notified otherwise.

All upcoming regular and special City Council meetings will **only be accessible online**. The meeting may be viewed through the following options:

- Youtube: [www.Youtube.com/c/cityoflemoore](http://www.Youtube.com/c/cityoflemoore)

The City will also provide links to streaming options on the City's website and on its Facebook page. Unfortunately, physical attendance by the public cannot be accommodated given the current circumstances and the need to ensure the health and safety of the City Council, City staff, and the public as a whole.

If you wish to make a general public comment or public comment on a particular item on the agenda, **you must submit your public comments by e-mail to:** [cityclerk@lemoore.com](mailto:cityclerk@lemoore.com). In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

General Public Comments & Comments on City Council Business Items

For general public comments and comments regarding specific City Council Business Items, all public comments must be received by e-mail no later than 5:00 p.m. the day of the meeting. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the City Council meeting.

Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments

may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

**\*PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.\***

The City thanks you for your cooperation in advance. Our community's health and safety is our highest priority.