



LEMOORE

CALIFORNIA

**LEMOORE CITY COUNCIL
COUNCIL CHAMBER
429 C STREET
October 3, 2023
5:30 P.M.**

MEETING AGENDA

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

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

1 – STUDY SESSION

No Study Session.

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.

- 1. Government Code Section 54956.9
Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9
Four Cases:
Paullette Jones, et al. v. City of Lemoore (22C-0041)
Joe Sanchez v. City of Lemoore (22C-0253)
City of Lemoore v. Everest Reinsurance Company (23CU0259)
Jeramey Climer v. JR Filanc Construction Company, Inc. (23CU0182)

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. The public will have an opportunity to comment on items on the agenda once the item has been called and the Mayor opens the item to the public.

2 – CEREMONIAL / PRESENTATION

No Ceremonies or Presentations.

3 – DEPARTMENT AND CITY MANAGER REPORTS

- 3-1 Department & City Manager Reports

4 – CONSENT CALENDAR

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.

- 4-1 Approval – Minutes – Regular Meeting – September 19, 2023
- 4-2 Approval – Resolution 2023-33 – Declaring all Businesses in the City as Essential Businesses
- 4-3 Approval – Resolution 2023-34 – Declaring Masks and Vaccines a Matter of Personal Preference
- 4-4 Approval – Letter of Opposition – Opposing any New Lockdowns, Mask Mandates, and Vaccine Mandates to Kings County Health Department, Kings County Office of Education, California Department of Public Health, California Office of Emergency Services, State and Federal Officials representing Lemoore and all surrounding Kings County Cities
- 4-5 Approval – Resolution 2023-35 – Authorizing a Joint Application with Pacific West Communities, Inc., and Kings County Area Public Transit Agency from the Affordable Housing and Sustainable Communities Program Smith Avenue Apartments
- 4-6 Approval – Budget Amendment – City Clerk – Polling and Public Engagement Services

5 – PUBLIC HEARINGS

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

- 5-1 Public Hearing – Resolution 2023-32 – Approving Tentative Subdivision Map Tract No. 939 and Major Site Plan Review No. 2022-02, and Adopting a Mitigated Negative Declaration for the Development of a Residential Subdivision on an Existing 52.61-Acre Agricultural Parcel, located at 488 East Bush Street and SR 198 in the City of Lemoore and Introduction and First Reading of Ordinance 2023-12 – Adopting Planned Unit Development No. 2022-01 (Brandt)

6 – NEW BUSINESS

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

- 6-1 Report and Recommendation – Option to Purchase Real Estate Termination Agreement between the City of Lemoore and People's Properties, LLC for APN: 024-080-069 (18 Acres) (Olson)
- 6-2 Report and Recommendation – Amendment No. 1 to the Real Property Lease Agreement between the City of Lemoore and People's Properties, LLC for APN 024-054-076 (19 Acres) (Olson)
- 6-3 Report and Recommendation – Amendment No. 1 to the Real Property Lease between the City of Lemoore and People's Properties, LLC for the Property located at APNs: 024-054-074, 024-080-076 and 024-080-052 (26.65 Acres) (Olson)
- 6-4 Report and Recommendation – Amendment No. 1 to the Real Property Lease between the City of Lemoore and People's Properties, LLC for APNs: 024-080-068 and 024-080-070 (35 Acres) (Olson)

7 – BRIEF CITY COUNCIL REPORTS AND REQUESTS

- 7-1 City Council Reports / Requests

ADJOURNMENT

Upcoming Council Meetings

- City Council Regular Meeting, Tuesday, October 17, 2023
- City Council Regular Meeting, Tuesday, November 7, 2023

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 Regular City Council Agenda for the meeting of October 3, 2023 at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore, CA on September 29, 2023.

Marisa Avalos, City Clerk



CITY COUNCIL REGULAR MEETING OCTOBER 3, 2023 @ 5:30 p.m.

The City Council will hold its public meetings in person, with a virtual option for public participation based on availability. The City of Lemoore utilizes Zoom teleconferencing technology for virtual public participation; however, the City makes no representation or warranty of any kind, regarding the adequacy, reliability, or availability of the use of this platform in this manner. Participation by members of the public through this means is at their own risk. (Zoom teleconferencing/attendance may not be available at all meetings.)

The meeting may be viewed through the following Zoom Meeting:

- Please click the link below to join the webinar:
- <https://us06web.zoom.us/j/82137483796?pwd=xkxsDbXet8fYHI4M2mbiwaYGvjKIgN.1>
- Meeting ID: 821 3748 3796
- Passcode: 694975
- Phone: +1 669 900 6833

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so via Zoom during the meeting** or by **submitting public comments by e-mail to: 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, public comments can be made via Zoom during the meeting or 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.