

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
WESTMORLAND FOR December 2, 2009

The City Council of the City of Westmorland met in a regular meeting in City Hall on Wednesday, December 2, 2009 at 6:00 PM. Mayor Henry Graham called the meeting to order at 6:00 PM. Invocation led by Joel Hamby.

Present at time of roll call: Council members Stanley Brummett, Gus Sanchez, Thomas Landrum and Mayor Henry Graham. Also present were Teri Nava, Joel Hamby, Joe Diaz, Wayne Walker, Anne Graham, City Treasurer, Mitch Driskill, City Attorney and City Clerk Sally Traylor. Absent: Councilman Freddie Beltran, Jr., Fred Beltran, Chief of Police and Fire Chief Sergio Cruz

Oral Communication - Public: 1). Dick Holiman was present to discuss stray dogs pooping in his yard and the leash law not being enforced. The city has hired a part-time animal control officer that is allowed to work just so many hours a month. Mayor Graham would like the animal control officer to contact Mr. Holiman on the specific types of dogs, time variations so he can do some concentration around Mr. Holiman's house. In January's newsletter Mr. Holiman would like to see in bold print that there is a leash law in this town and that they need to keep their dogs on a lease and in their yards. The clerk suggested having copies at the rabies clinic on the 12th. Councilman Brummett took down Mr. Holiman's cell phone number so he could pass the information on to the dog catcher. The Mayor requested that Mr. Holiman let the city get through the holidays incase it doesn't work. 2). the clerk reminded everyone about the last League of CA Cities dinner for 2009. RSVP's are needed on Monday the 7th.

Public Hearings to discuss the FY 2009/2010 CDBG General Planning & Technical Assistance Applications and to solicit citizen input for the following eligible activities: Mayor Graham opened the public hearing for the below listed items for comments. With no comments the public hearings were closed.

A). Preparation of sections pertaining to the General Plan and Adoption of Resolution 09-19 approving submission of the application for funding and execution of a grant agreement and any amendments thereto; and

B). Household Income Survey and Adoption of Resolution 09-20 approving submission of the application for funding and execution of a grant agreement and any amendments thereto.

M – Gus Sanchez to approve the submittal of the grant applications and to adopt Resolutions 09-19 and 09-20 as presented S – Stanley Brummett M/C

Adjourned Public Hearing for Public Comment on Draft Ordinance 09-01 known as the Development Impact Fee Ordinance to establish fees, prescribing procedures and repealing all ordinances and parts of ordinances in conflict herewith – Joel Hamby / Stan Weiler: Rather than prepare another memo, Mr. Hamby furnished copies of the ordinance highlighting the sections he felt council should concentrate on. Each individual fee will need to have its own account stated Mr. Hamby. Once the fees are established by Ordinance they can be changed by Resolution so the ordinance exercise is not needed every time. Fees can not be used for capital improvements to the plants stated Joel. Prior to the adoption of the annual budget capital improvement plan a staff report must be prepared listing the balance of the funds in the special account.

The first reading of the ordinance can take place tonight if all the concerns are addressed. Mr. Brownyard still does not agree with the Sphere of Influence issue. Mayor Graham and Councilman Brummett have some issues with the fee schedules that have been presented (too high). Discussion continued on the fees

and how they were arrived at. A percent reduction can be voted on based on the current economy, etc and can be adjusted by resolution stated Stan Weiler. The study that is reflected in the ordinance supports the fees as they currently exist. The ordinance also allows the City Council at their discretion to reduce the amounts of the fees and can be done by resolution. The ordinance does not set the fees. Once the ordinance is in place supporting the study council can set the fees by resolution stated Stan W.

M – Gus Sanchez to approve the introduction and first reading of Ordinance 09-01 as read by title only S – Stanley Brummett M/C This ordinance will come back at the next meeting for adoption with the resolution to follow.

7th Street Rehabilitation Project Update – Wayne Walker: 7th Street from North Center has been pulverized. Because the awarded bid (\$149,951) came in under the Engineers estimate (\$228,500) IVAG wants to take the difference (\$78,549) away from the city. Mr. Lai has sent a letter to Caltrans protesting the de-obligation of the money promised to the city and has a meeting scheduled with Caltrans tomorrow. Wayne wants to define the approaches on 7th Street and North H Street. Councilman Brummett would have like to see something done with the IID ditch that runs parallel with 7th Street, but any work on the ditch triggers the NEPA process and in this case sits in the county.

Approval of Minutes for November 18, 2009 and City Warrants: M – Gus Sanchez to approve the minutes of November 18, 2009 as presented and to pay the city warrants S – Stanley Brummett M/C

Closed Session: Council adjourned into closed session at 6:50 PM. Council re-adjourned back into regular session at 7:53 PM. Council in entirety instructed the City Attorney to prepare the release of employment and termination of contract with Teri Nava, Community & Economic Development Director due to the counted on funding sources from the State not being received to continue employment for this position.

Improvements to North H Street – Mitch Driskill: Some plans have been developed to improve the drainage along H Street with some rough estimates of costs to be brought back at the next meeting with specific requests for council action

Adjournment: With no further business, council adjourned this meeting at 7:55 PM.

/s/Sally Traylor
Sally Traylor, City Clerk

/s/ Henry Graham
Henry Graham, Mayor