



**CITY COUNCIL MEETING
ACTION SUMMARY MINUTES
December 3 2013**

**COUNCIL CHAMBERS - CIVIC AUDITORIUM
400 North Douty St**

Please note the order change: Closed session will begin at 5:30 PM, prior to the Study Session at 6:30 PM

ROLL CALL BY THE CITY CLERK:

Mayor Martinez called the meeting to order at 5:30 PM.

Present: Russ Curry (RC), Jim Irwin (JI), Joleen Jameson (JJ), Gary Pannett (GP), Lou Martinez (LM).

Absent: None.

Non-action Item./ . 0-0.

PUBLIC COMMENT:

Any person may directly address the Council at this time on any item on the agenda, or on any item that is within the subject matter jurisdiction of the Council. A maximum of five minutes is allowed for each speaker.

1. STUDY SESSION FOR THE DISCUSSION OF THE FOLLOWING:

- A.** City Manager: Presentation by Kendall Flint from Flint Strategies regarding work being done with Kings County Association of Governments on its Regional Transportation Plan - Kings Regional Vision.

ADJOURN TO CLOSED SESSION

1. CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

The closed session was continued to after the regular meeting.

Non-action item./ . 0-0.

- A.** CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code 54957.6

Agency designated representatives:
Robert Dowd

Unrepresented Employee:
City Manager

- B.** CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code 54957.6

Agency designated representatives:
Darrel Pyle, Robert Dowd, and Mario Zamora

Employee Organization:
Executive Management Employees Association (E.M.E.A.)

- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant to Government Code §54956.9(d)(2)

NUMBER OF POTENTIAL CASES: 2

- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant to Government Code §54956.9(d)(4)

NUMBER OF POTENTIAL CASES: 1

- E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code §54956.9(d)(1):

CASE NAME: Hanford Executive Management Employee Assoc. et al v City of Hanford, et al

CASE NUMBER: Eastern District of California No. 1:11-CV-00828

CASE NAME: Lindsay v. City of Hanford

CASE NUMBER: Kern County No. S-1500-cv-280112

CASE NAME: Gunner Ohnstad v. City of Hanford, et al.

CASE NUMBER: Kings County No. 13C0158

CASE NAME: Nathan Warmerdam, et al. v. City of Hanford, et al.

CASE NUMBER: Kings County No. 13C0172

CASE NAME: Michael Hamburger, et al. v. City of Hanford, et al.

CASE NUMBER: Kings County No. 13C0256

CASE NAME: Myeong-Ok Park v. Macario Medina, et al.

CASE NUMBER: Kings County No. 13C0281

CASE NAME: Lance Tomlinson v. Scott Woodhouse, et al.

CASE NUMBER: Kings County No. 13C0285

2. **CLOSED SESSION ACTION REPORT:**

A. Closed Session Action Report

No reportable actions.

No reportal actions./ . 0-0.

REGULAR COUNCIL MEETING - 7:00 PM

ROLL CALL BY THE CITY CLERK:

Mayor Martinez called the meeting to order at 7:03 PM.

Present: Russ Curry (RC), Jim Irwin (JI), Joleen Jameson (JJ), Gary Pannett (GP), Lou Martinez (LM).

Absent: None.

Non-action item./ . 0-0.

FLAG SALUTE:

Led by: JJ

Non-action item./ . 0-0.

INVOCATION:

Led by: Jeff Acton

Non-action item./ . 0-0.

RECOGNITIONS/PROCLAMATIONS:

PUBLIC COMMENT:

Kevin Henshaw: Spoke against the parking ordinance, feels current ordinance is enforceable as is, doesn't think the definitions of vehicles are not clear, the state is over regulated, need less, spoke regarding the fiscal impact as negligible to the PD but will cause some people to leave, enabling neighborhood bullying, ordinance is discriminatory because it's complaint driven. This ordinance is only a tool for the bullies in neighborhoods to pester those they don't like.

Glenda Dwyer: spoke regarding the parking ordinance, doesn't think this ordinance will fix issues, doesn't think its up to the police to take a side, and if for one vehicle then all vehicle, so if enforcing for big vehicles should enforce for small cars. Also spoke regarding the Constitution on the wall, felt that it is a good idea, stated chambers were the perfect place, as it is the chief law of the land, compared to pledge of allegiance. Stated that all at the dias had taken an oath to defend the Constitution, urged council to put back up on back wall.

Robert Ramos: spoke regarding the parking ordinance, spoke regarding the 160 hour rule, this will take man hours for the PD to enforce, they have more important things to do. Also spoke regarding the Constitution, stated carried a pocket copy with him, doesn't understand why it was put up and then taken down. Oaths were made to uphold and protect constitution, and in favor of putting back up on the wall and using as our guide.

Kevin Blackwood: spoke regarding the parking ordinance, asked if this was about parking more than one car in your driveway (staff explained this was a comment section only), made suggestion that permits could be issued regarding parking additional vehicles, that the police have other things to do.

Non-action item./ . 0-0.

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Written Correspondence:

3. COUNCIL REPORTS/COMMENTS:

RC: Attended several meetings/events: Christmas Parade, Main Street Hanford, KART, Planning Commission. reported that finished up RFP for KART on 11/20 and the recommendation will be brought to that board at the 12/5 meeting. Main Street Hanford board encourages everyone to attend the Main Street Wine and Chocolate event. The planning commission recommended that the property at hidden valley be declared surplus and that the City sale the property.

City manager Darrel Pyle indicated that the property would be brought up in a future agenda to answer questions and to get direction.

Jl: No reportable actions.

JJ: Attended: Christmas Parade. No reportable actions.

GP: Attended several meetings/events: Coe Park Thanksgiving program, Christmas Parade, KCAO Personnel Committee, several business owners regarding downtown. No reportable actions.

LM: Attended several meetings/events: Planning Commission, Coe Park Thanksgiving program with KCAO, Christmas parade. No reportable actions.

Non-action item./ . 0-0.

4. STAFF COMMUNICATIONS:

DP: Indicted that staff has posted notice of the vacancies for various commissions, posting notice on the outside board, on the city website, in the Hanford Sentinel and with the Hanford Branch Library.

LC: Leaf pickup program is in full swing, CA transportation commission is meeting to vote on 12/11 on funding our 12th Ave/198 project.

MH: CVS tentative parcel map, and PUD for Lennar at next planning commission meeting.

Non-action item./ . 0-0.

5. CONSENT CALENDAR:

Motion made to approve the Consent Calendar 5A & B by Russ Curry/Joleen Jameson. Passed. 5-0. Ayes: Martinez , Jameson , Pannett , Irwin , Curry .

All items listed under the Consent Calendar are considered routine and will be enacted by one motion (**ROLL CALL VOTE required**). For discussion of an item on the Consent Calendar, it will be removed at the request of any member of the City Council or any person in the audience and made a part of the regular agenda.

- A. Public Works: Authorize the City Manager to Execute an Amendment to an Existing Agricultural Lease Agreement with Sanchez Brothers Farming, Inc.
- B. Finance: Approve warrant register for 11-13-14 through 11-27-13

6. DEFERRED BUSINESS:

- A. Police Department: Waive the second reading, and approve the proposed Recreational Vehicle Parking Ordinance, No. 13-06, and associated Fines Resolution 13-53-R, and direct staff to publish in accordance with GC36933.

One comment was made by Mrs. Hall at the 5:30 public comment section, suggesting that the 72 hour notification be changed to 5 days. This was discussed with Captain Sever. Captain Sever clarified that the current state law was for 3 days, didn't want to confuse with different laws than state law. Could possibly solve with a permit system but the PD doesn't have the systems in place to track the permits or implement the permits.

JJ: asked if Code enforcement would have any enforcement powers with this ordinance?

Captain Parker Sever stated that this ordinance only dealt with on the street parking, which was dealt that on the street was only dealt with by the PD, code enforcement deals with once off the street onto private property.

JJ: asked if Captain Sever had spoken to individuals that have these vehicles.

Captain Parker Sever stated no.

JJ: suggested that the item be put on hold to allow for the PD to speak with those present that are upset by the ordinance.

Motion made to waive the second reading, and approve the proposed Recreational Vehicle Parking Ordinance, No. 13-06, and associated Fines Resolution 13-53-R, and direct staff to publish in accordance with GC36933 by Gary Pannett/Joleen Jameson. Passed. 4-1. Ayes: Curry , Jameson , Martinez , Pannett . Nays: Irwin .

- B. Council Request: Council Member Irwin requested the donated prints of the Constitution, Bill of Rights and Declaration of independence be brought to Council for discussion and direction on placement.

GP: Asked City Manager Darrel Pyle if topic of placement of the documents, or any documents, had been brought to council to be hung on the back wall.

City Manager Darrel Pyle said no, that they had not.

GP: Stated that the topic should've been a council discussion, and that is why they were taken down.

City Manager Darrel Pyle, said yes, that they were taken down at council direction.

JI: Stated that when he donated the documents to be to be hung on the council walls that there were no objections made, and that they accepted them.

GP: Stated that the minutes state 'possible' placement, and that these types of thing should be brought to the council for action, not just a nodding head vote.

LM: thanked Justin Mendez and Congressman Valadao for the donation and ensured him that they wanted to put them in a place where they could be enjoyed by the entire community.

GP: also thanked Mr. Valadao, and stated that he had done research on where these documents are typically hung, and not hung in area that only people can see a couple of hours in a meeting, stated we have Mr. Valadao, Mr. Vidak and Mr. Rudy Salas all downtown and in the old courthouse and that's where the people have access to their representatives, thinks they should be hung where people have access to and will see them when they see their representative's. Also voiced concerns about the frames being in the way when chamber is packed, and stated that there was talk about the door needing to be moved. Thinks they should be hung in the Courthouse.

JI: Brought up that the City doesn't own the courthouse, and that he donated them to the City to be hung in the chamber.

LM: Stated that he also agreed they should be in an area where more people could see them, and agreed with concerns about them being bumped when chamber was full.

JI: Stated that if they wanted a set in the courthouse that they could order another set.

GP: made a motion to hang the documents in the courthouse.

LM: stated they were still in discussion and asked if there were any more comments.

RC: wanted to clarify what was said at the meeting when the documents were donated, stated the Council member Irwin asked that they be brought back on the agenda to be framed so that they could be displayed when people came in. He also stated that his preference was to put the pictures of all the council members, back from the beginning of Hanford to present back up on the back wall. State that he agreed with the Vice Mayor that they would get more viability in the Courthouse, or if he wants City property, then City Hall hallway where open more hours.

GP: stated that he had a motion on the floor and that the according to Roberts Rules of order, it needed to be seconded, let it die or amended but it needed to be addressed.

RC: seconded the motion.

LM: asked if there was anymore discussion.

JJ: agreed that the gifts were accepted as a gift to the community but that the chamber is where they do their work, and that they have maps on a wall, and maybe should replace those down with bylaws or ordinances of the City. Suggested possibly starting a rotation of things on display in the Chamber.

LM: stated that he would like to see them displayed in a place where more people could see them, and asked if there was such a place in the courthouse that they could be hung?

City Manager Darrel Pyle stated that staff would have to look to see if there was a space big enough to hang them all together.

JI: reiterated that he donated them with the intention of them being used in the council chamber, as their house of government.

The City Clerk clarified the motion, which was confirmed by GP.

Motion made to hang the documents in the Old Courthouse building by Gary Pannett/Russ Curry. Passed. 3- 2. Ayes: Curry , Martinez , Pannett . Nays: Irwin , Jameson .

7. NEW BUSINESS:

- A.** Hanford Police Department: Introduce and waive the first reading of the proposed Ordinance 13-07, an

amendment to Section 6.16.020, 6.16.030, 6.16.050 (C), 6.16.070(B) and 6.16.090, and direct staff to bring the ordinance back for a second reading and adoption

Motion made to introduce and waive the first reading of the proposed Ordinance 13-07, an amendment to Section 6.16.020, 6.16.030, 6.16.050 (C), 6.16.070(B) and 6.16.090, and direct staff to bring the ordinance back for a second reading and adoption by Gary Pannett/Russ Curry. Passed. 5-0. Ayes: Curry, Irwin, Jameson, Martinez, Pannett.

- B.** As it relates to the Contract for the extension of Campus Drive south of Sixth Street and across the San Joaquin Valley Railroad:
1. Award a contract to Bush Engineering Inc., in the amount of \$395,932.
 2. Establish a construction contingency of \$39,600.
 3. Approve an additional appropriation of \$122,101.42 from the Water Capital Reserves.

Motion made to award a contract to Bush Engineering Inc in the amount of \$395,932 for the Campus Drive Extension from Sixth Street to San Joaquin Valley Railroad Project, establish a construction contingency of \$39,600, and approve an additional appropriation of \$122,101.42 from the Water Capital Reserves by Russ Curry/Gary Pannett. Passed. 5-0. Ayes: Curry, Irwin, Jameson, Martinez, Pannett.

- C.** City Clerk: City Council to nominate and vote on Mayor and Vice Mayor for the Calendar Year 2014.

For the seat of Mayor:

RC Nominated GP

JI nominated JJ

Vote was taken -

RC: voted GP

JI: voted JJ

JJ: voted JJ

GP: voted GP

LM: voted GP

Gary Pannett was voted in as Mayor for 2014 by a vote of 3-2.

For the seat of Vice Mayor:

GP nominated RC

JI nominated JI

Vote was taken -

RC: voted RC

JI: voted JI

JJ: voted JI

GP: voted RC

LM: voted RC

Russ Curry was voted in as Vice Mayor for 2014 by a vote of 3-2.

Motion/. . 0-0.

8. **ADJOURNMENT:**

December-2013							January-2014						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

	CITY COUNCIL MEETING: 1st & 3rd Tuesdays @ 5:00PM/7:00PM
	Parking & Traffic Commission Meeting: 4th Thursday @ 5:30PM
	Parks & Recreation Commission: 2nd Monday @ 5:30PM
	Planning Commission Meeting: 2nd & 4th Tuesdays @ 7:00PM
	Tree Commission Meeting: 4th Monday @ 5:30PM