



**CITY COUNCIL MEETING
ACTION SUMMARY MINUTES
January 21 2014**

**Council Chambers, Civic Auditorium
400 N Douty**

STUDY SESSION WILL BEGIN AT 6:00 PM

ROLL CALL BY THE CITY CLERK:

Mayor Pannett called the meeting to order at 6:01 PM

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

Absent: Jim Irwin (JI)

Public Comment: 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.** Community Development: Discussion to consider raising Building Permit fees to more reasonably reflect costs.

Item presented by Tom Webb.

Council gave staff direction to move forward with proposed changes for future review and discussion for second meeting in February, and possible action at the first meeting in March./ . 0-0.

- B.** City Manager: Overview and discussion regarding revenue and expenditure projections versus actuals as of December 31, 2013.

Presented by Darrel Pyle and Tom Dibble.

Non-action item./ . 0-0.

THE CLOSED SESSION WILL BE HELD IMMEDIATELY FOLLOWING THE CITY COUNCIL REGULAR SESSION

REGULAR COUNCIL MEETING - 7:00 p.m.

ROLL CALL BY THE CITY CLERK:

Mayor Pannett called the meeting to order at 7:03 PM

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

Absent: Jim Irwin (JI)

Non-action item./ . 0-0.

FLAG SALUTE:

Led by: JJ.

Non-action item./ . 0-0.

INVOCATION:

None.

Non-action item./ . 0-0.

RECOGNITIONS/PROCLAMATIONS:

Hanford Police Department: Swearing in of new Officers: Jacob Snow, Natasha Souza, Jonathon Rivera and David Maldonado.

Animal Control officer was introduced, and Officers were introduced by Chief Mestas and sworn in by the City Clerk.

Non-action item./ . 0-0.

Hanford Police Department: Introduction of New Animal Control Officer Ashley Rico

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.

Written Correspondence:

Glenda Dwyer: spoke regarding a letter to the editor regarding meeting on 12/3, "Time to step up to the plate", spoke regarding an error in the statement regarding council member Jameson leaving the meeting upset for the reason of not hanging the constitution on the walls and not related to the selection of the new mayor. Also spoke regarding a second set of the constitution prints believed they were delivered to Council member Martinez in December and would like to see the discussion of this second set brought back to the agenda.

Brian Thoburn: with Southern California Edison, gave an update on progress and update on current project in the City, next phase is a high profile and intensive piece involving the downtown area, attempting to minimize impacts to customers.

Bob Ramos: spoke regarding constitution documents, stated there was a second set that was presented to the council and wants to see them displayed in chambers.

Kathleen Jorgensen: spoke regarding the safety tax, stated that feels that council is losing their courage when it comes to safety tax, can't sell their way out of a new police department and fire station. Council needs to show more courage to ask for pennies on the dollar to provide more safety for our city. Also stated she was against selling the park, and said please don't mess up Costco.

Andrew Mattos: spoke regarding public safety tax, impact fees collected over the year that should've been used for police station and fire station, but went else where, hasn't seen an accounting of the use, stated we need to look at the revenue side, look at impact fees. Need to look at impact fees and revenue enhancements, look at surrounding cities, compared sales tax rates.

Pam Johnson: Spoke before in opposition of a consultant, but wants the Council to put the tax up for a vote. Need to keep our trained officers here in Hanford.

Mark Tretsa: Spoke regarding frustration of relating quality of life as a low tax rate.

Vick Bonia: regarding Diana Galavese, spoke to an article in the paper related to a loan from the city, \$40,000 amount received in 2006, amount not to be started to be repaid for 5 years with a payment of \$73 starting in 2011. In 2011 she was sent a letter stating her payments were \$214 per month, 3 times the amount than she was told, stated that City Employees altered the documents and attached her paperwork, had a meeting with a City employee named Barbra (couldn't recall the last name), and was told that that it was a template error, and she apologized but that the amount would have to be paid, or they would foreclose. Stated they have sent out 5 certified letters, and received one response from Mr. Chin, who stated that city manager would call. Stated that after they did not receive a call, Mr. Chin told them that he had done what he could and had no further comment. Stated that Deed is correct, but the actual contract was altered.

Non-action item./ . 0-0.

2. COUNCIL REPORTS/COMMENTS:

JJ: Attended several meetings. Received two calls regarding behavior that was unbecoming of someone during planning commission and general plan meetings, was discussed by council in the past and the problem needs to be dealt with in a timely fashion, stated that Council needs to deal with issue.

LM: Attended several meetings/events, stated that the Council as a body never discussed anything about putting up a second set of constitutions in the Council chambers. Stated that he personally spoke to Congressman Valadao to ask for another set, has them in his office and would like to give them to City Manager and possibly brought back for council discussion. Asked staff to bring a staff report regarding public comment made regarding home loan. Also stated that he would like to make a new selection for the citizens advisory committee for the general plan, Katherine Willis, since his original selection of Fred Wills has not been available on a regular basis. Consensus was given to make the change as requested.

RC: Attended several meetings/events: meet and greet with delegates from Sister City in Japan; Planning Commission meeting, appointed new Chair, Judy Baird and Vice Chair as Steve Froberg; met with the Mayor and City Manager to go over agenda.

GP: Attended several meetings/events: Joint County coordination meeting in Lemoore; meet and greet with delegates from Sister City in Japan; KCAO Board of Directors meeting; met with the Vice Mayor, City Manager and City Clerk to go over agenda; Martin Luther King celebration with the vice Mayor.

Non-action item./ . 0-0.

3. STAFF COMMUNICATIONS:

City Manager Darrel Pyle: Stated that Mayor and Vice Mayor will be headed to the New Mayor's training, and it the City Manager's will have a league meeting in two weeks.

Community Development Manager Melody Haigh: stated that last week had a General Plan Citizens Advisory Committee meeting and a Planning Commission meeting; also that there would be another Planning Commission meeting next week.

Lou Camara: Busy with lots of construction projects, street widening project on South 10th.

Non-action item./ . 0-0.

4. CONSENT CALENDAR:

Motion to approve the Consent Calendar items 4A through 4H by :Russ Curry/Joleen Jameson. Passed. 4-0. Ayes: Martinez , Jameson , Pannett , Curry . Absent: Irwin .

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. City Clerk: Approve Meeting Minutes for November 5, 2013
- B. City Clerk: Denial of the following claim for damages and direct the City Clerk to send out notification of such: Betty Middleton, Travelers Insurance for Edgar Murray.
- C. City Clerk: Approve and authorize the Mayor to sign the Purchase & Sale Agreement for the City's sale of the 1950's Studebaker Fire truck to the Hanford Chamber of Commerce.
- D. City Clerk: Approve and authorize the Mayor to sign the Fourth Amendment to the Service Agreement and

Second Amendment to the Lease Agreement with the Hanford Chamber of Commerce.

- E. Hanford Police Department: Approve the removal of vehicle #109 also known as the "S.W.A.T. Transport Van" from fleet inventories, and accept a 2000 Ford E-450 to serve as the new S.W.A.T. transportation vehicle.
- F. Public Works: Approval of Final Map and Subdivision Agreement for Tract No. 794, Quail Park - Unit I and accept all easements and dedications offered for public use.
- G. Public Works: Approve the attached Quitclaim Deed for the relinquishment of rights to Pinnacle Pointe LLC, for the change of grade of East Lacey Boulevard from approximately 1880 feet west of Highway 43 to Highway 43 and authorize the City Manager to execute said quitclaim deed and City Clerk to record with the Kings County Recorder.
- H. Finance: Approve warrant register for 1-1-2014 through 1-15-2014

5. PULLED FROM CONSENT TO THE REGULAR AGENDA:

6. PUBLIC HEARING:

- A. City Manager: Hold a hearing regarding the sale of 18.1+/- acres of undeveloped land adjacent to the existing Hidden Valley Park and, by motion, adopt resolution 14-01-R.

The staff report was presented by Darrel Pyle.

Mayor Pannett asked how many people in the audience were in opposition versus in favor of and offered to give the option of a spokesperson with 15 minutes. The majority of the audience, of approximately 75 people in the room raised their hands.

City Attorney Bob Dowd stated that there were written documents emailed prior to the public hearing, in protest of the sale of the property submitted by Robin Mattos to the City Clerk and included as part of the official record of testimony.

Public Hearing was open at 7:58PM.

Bob Ramos: Spoke to address potential negative traffic impacts to streets in area, and no current outlet as its blocked by railroad.

Rob Bentley: Spoke in opposition of selling the park land, there as a child for grand opening, and still dreams of it being finished.

Kathleen Jorgensen: Spoke in opposition of selling the park land, and the attempt to sell 10 years ago, less land now with dog park, and now all school yards are locked down at end of day.

Dave Eliason: Spoke in opposition of selling the park, spoke that council was supposed to continue prior council dream, Hanford needs the park space for the kids, and don't need more housing, housing will use up more water we don't have.

Mark Pratter: Spoke in opposition of selling the park, spoke to type of community do we want. Asked if we were overdeveloped as a community, listed off several examples of closed businesses and vacant buildings. Spoke to the ongoing air pollution and poor air quality, further development would just continue to pollute air. Need breathing space.

Mike Stoddard: Currently seated on Parks and Recreation Commission, spoke regarding commission's vote to note recommend sale. Stated that Parks and Rec Commission wasn't notified as requested when the item went to the planning commission, stated they never were told, and item was take to the planning commission twice.

Gary Weinberger: Submitted documents to the City Clerk for the record. Also stated that the City Park survey was not valid, stated that it was a neighborhood survey but it's a community park. Spoke regarding the attempt to sell the property to raise fund for Freedom Park, and that park was built without the sale. No effort regarding the planning the use of the park land.

Chris Sores: spoke in opposition of the sale of the park land, stated large need for active park land, all the parks in this city are overwhelmed with people. Asked council to vote against if they had even the smallest doubt.

Theresa Raposo: her father was landscape architect involved in the first phase of the park build, and remembers this project being a true community project to build what the city couldn't afford.

Paul Brusard: spoke in opposition of the sale of the park land, stated never received a survey, and was never asked in person. Doesn't think that the parks should be used to offset funding needs, stated ok paying a few more pennys in a tax instead.

Noor Memon: spoke in opposition of the sale of the park land, stated that we could build more jail space instead of parks if we sell it. Keep the park for the kids.

Andrew Mattos: spoke in opposition of the sale of the park land, doesn't agree with the staff report, referenced an article in the Hanford Sentinel in the 70's, that the park was to be built in phases at 9 acres at a time. The planning commission staff report doesn't accurately reflect the effects of SEQUA, and potential environmental impact, these impacts need to be studied further. Also spoke regarding the parks master plan survey, 74% of people wanted it developed as some sort of park land. Stated that thinks that the property appraisal is too low, industrial park being used as comps.

Andrew Youngblood: spoke in opposition of the sale of the park land, stated that the park needs more growth, like the dog park, stated that the city is dirty, and that needs more nature areas.

Kelsie Burnett: spoke in opposition of the sale of the park land, stated that its the only park she can take her daughter and feel safe.

Maureen Fakuda: spoke in opposition of the sale of the park land, spoke regarding public officials and elected serving at the will of the people, asked for transparency in this issue.

Robin Mattos: spoke in opposition of the sale of the park land, spoke regarding staff report government code referenced, and that there was more code about the disposition of park land, stated that the Council could put it to a vote to the people. Spoke regarding the property being dedicated for park land.

Richard Haramon: asked to appear on behalf of Mr. and Mrs. Mattos and others, submitted a copy of the deed of sale, stated that he felt that the council was barred from the signing the resolution of the undivided property because public funds have been used on property, spoke regarding mitigation fees, expected to see information from CIP and plan of improvements, and an accounting of fees collected in 2 mile radius around park, and more detailed expenditure list of actual expenditures on underdeveloped portion of the park, suggested the City look at California Civil Code section 526a. Also submitted a copy of the County's general plan that noted there were some endangered species on land, suggested look at this idea in the context of the General Plan update.

Randy Shaw: spoke in opposition to the sale of the park land, made comment regarding it not being used as a regional park, but it is already a regional park.

Tammy Nichols: spoke in opposition to the sale of the park land, when purchased house they new there was going to be new development close to them, and though it took time, it has started again, and this has already increased the noise and traffic in that area, the sale of the park is going to create more hazard. Spoke about the street being lined with cars, already difficult for safety vehicles to get through on Cortner.

Jason Wix: Spoke regarding comments related to the use of the land as low income housing and what that would do to current property owner values.

Aaron Fakuda: Spoke in opposition to the sale of the park land, spoke regarding SEQUA challenges, also regarding the City of Visalia being able to use grant funds to do a joint park pond, park during a regular time, and water basin during a flood. Found grant options available, for example proposition 84.

No speakers in favor.

Closed the public comment section of the hearing.

Copies of all documents will be made available to all council member.

Made a motion to continue this item until all 5 council members be available for discussion and vote by: Russ Curry/Joleen Jameson. Passed. 4-0. Ayes: Curry, Jameson, Martinez, Pannett. Absent: Irwin.

7. DEFERRED BUSINESS:

- A.** Community Development: Waive the second reading and approve Ordinances 13-08, 13-09, 13-10, 13-11, 13-12, 13-14, 13-15, 13-16, and 13-17, revising the Hanford Municipal Code Chapter 15, adopting the current editions of the California Code of Regulations; parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12 as amended and the Codes they are based on, and direct staff to publish in accordance to Government Code 36933.

Motion made to waive the second reading and approve Ordinances 13-08, 13-09, 13-10, 13-11, 13-12, 13-14, 13-15, 13-16, and 13-17, revising the Hanford Municipal Code Chapter 15, adopting the current editions of the California Code of Regulations; parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12 as amended and the Codes they are based on, and direct staff to publish in accordance to Government Code 36933 by :Russ Curry/Joleen Jameson. Passed. 4-0. Ayes: Curry, Jameson, Martinez, Pannett. Absent: Irwin.

8. NEW BUSINESS:

- A. Hanford Fire Department: Approve the appropriation of \$44,126.30 from Fleet Replacement Reserve Funds for the purchase of one (1) Command Vehicle (\$31,626.30) and emergency equipment (\$12,500.00); and authorize the purchase of a 2014 Ford Explorer from Keller Ford of Hanford in the amount of \$31,626.30.

Motion to approve the appropriation of \$44,126.30 from Fleet Replacement Reserve Funds for the purchase of one Command Vehicle (\$31,626.30) and emergency equipment (\$12,500.00); and authorize the purchase of a 2014 Ford Explorer from Keller Ford of Hanford in the amount of \$31,626.30 by :Russ Curry/Lou Martinez. Passed. 4-0. Ayes: Curry , Jameson , Martinez , Pannett . Absent: Irwin .

ADJOURN TO CLOSED SESSION

**CLOSED
SESSION**

1. CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Meeting was adjourned to closed session at 9:30 PM.

No reportable action./ . 0-0.

- A. 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.)

General Employees Management Association (G.E.M.A.)

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

NUMBER OF POTENTIAL CASES: 3

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

NUMBER OF POTENTIAL CASES: 1

- D. 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: Michael Hamburger, et al. v. City of Hanford, et al.

CASE NUMBER: Kings County No. 13C0256

CASE NAME: Miller v. Schmitz, et al.

CASE NUMBER: U.S. District Ct. (Eastern Dist.) No. 1:12-CV-137

CASE NAME: Pedro Cruz Plascencia v. Couty of Kings, et al.

CASE NUMBER: Kings County No. 13C0311

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

CASE NUMBER: Kings County No. 13C0285

- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code 54957

TITLE: CITY MANAGER

F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Sec. 54956.8

Property: APNs 014-251-044, 014-251-023, 014-251-051, 014-251-050, 014-251-051, 014-251-040, 014-251-045, 014-251-046, 014-251-006, 014-251-007, 014-260-077, 014-260-078

Agency Negotiators: Darrel Pyle, and Ty Mizote.

Negotiating Party: Pinnacle Pointe, LLC, Helena, Terry Johnson, Leroy Souza, SPCA, EBC Farms, LLC, and Daljit Singh.

Under Negotiation: Terms and Price

2. CLOSED SESSION ACTION REPORT:

A. Closed Session Action Report

Nothing to report out./ . 0-0.

THE CITY COUNCIL WILL CONVENE THE OPEN SESSION OF THE REGULAR MEETING AT 7:00 p.m.

REGULAR COUNCIL MEETING - 7:00 p.m.

3. ADJOURNMENT:

The meeting was adjourned at 10:45 PM./ . 0-0.