



**CITY COUNCIL MEETING
ACTION SUMMARY MINUTES
February 4 2014**

**COUNCIL CHAMBERS, CIVIC AUDITORIUM
400 N DOUTY ST**

STUDY SESSION WILL BEGIN AT 5:30 PM

CLOSED SESSION WILL BEGIN IMMEDIATELY FOLLOWING THE STUDY SESSION.

ROLL CALL BY THE CITY CLERK:

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

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

Absent: None

Non-action Item./ . 0-0.

PUBLIC COMMENT:

None.

Non-action Item./ . 0-0.

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 regarding the Climate Action Plan

ADJOURN TO CLOSED SESSION

1. CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- 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: 5
- 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
CASE NAME: Albert Talavera Aguilar v. City of Hanford, et al.
CASE NUMBER: Kings County No. 13C0341
- E. 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
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code 54957**
- TITLE: CITY MANAGER

2. CLOSED SESSION ACTION REPORT:

A. Closed Session Action Report

The City Attorney reported out that the GEMA MOU was negotiated and Council is in agreement with negotiated terms as outlined in the MOU and the City Attorney and City manager were directed to sign the agreement.

The City Attorney also reported out regarding a public comment at the last meeting related to a loan with a city, that a person utilized the city of Hanford with loan assistance, and that the individual thought the loan was \$14,000, and it ended up being \$30,000, there was some discrepancy in the loan documents signed. The City documents do not indicate that the \$14,000 was the amount, and the title company that company has closed, the company that took over does not have those records. Council has directed staff to seek copies from individual lodging complaint, and staff will report back to Council.

The City Attorney repored out the two items listed in the minutes above./ . 0-0.

REGULAR COUNCIL MEETING - 7:00 PM

ROLL CALL BY THE CITY CLERK:

Mayor Pannett called the meeting to order at 7:00 PM.

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

Absent: None

Non-action Item./ . 0-0.

FLAG SALUTE:

Led by: RC

Non-action Item./ . 0-0.

INVOCATION:

Led by: Pastor Bud Haskell

Non-action Item./ . 0-0.

RECOGNITIONS/PROCLAMATIONS:

PUBLIC COMMENT:

Robin Mattos: read into the record a letter from her daughter, it was related to the land around Hidden Valley Park and her wish for the city to keep it, signed Andrea Mattos.

Glenda Dwyer: Spoke regarding the constitution documents, stated the documents were donated for the purpose to be hung in the peoples chambers. Gave a recollection of the vote to hang them in the Court House. Stated that documents were not hung in the Courthouse. Stated that council member Lou Martinez asked her to not let the issue die. That Councilman Martinez asked Justin Mendes and Congressman Valadao to donate a second set, and that Martinez told her that the documents would be given to the City Manager. Stated had a conversation with Martinez who told her that the council did not have the authority to hang anything on the walls, that it was the City Manager who had the authority. She asked the City Manager if he had received the second set, and was told no, so asked Martinez about them again. Stated that Martinez told her that Mayor Pannett had instructed him to give them back to the Congressman's office.

Bob Ramos: Spoke regarding the documents on the back wall, stated he was there the evening it was voted on, was embarrassed by the discussion and outcome. Stated there was a second set of documents, that they need to be hung in these chambers, where peoples' business is conducted, cannot think of any reason other than petty jealousy among council persons as to why they are not hung on the wall. Suggested that council come together and decide whatever style or method they want but to put the documents on the wall.

Paul Roba: Spoke regarding expanding the park area around Hidden Valley Park, asked that the City maintains and expands the area.

Michal Lamb: Spoke regarding the declaration of independence documents, stated was flabbergasted that there was a decision not to hang them on the wall of this chamber. Spoke also regarding the "in God We Trust" on the wall, was here when that was discussed, and that didn't get taken down.

John Reyes: Spoke regarding the constitution issue, surprised this is an issue here in Hanford, told council to put it up.

Allen Scott: spoke regarding a fundraiser to raise money for legal fees to battle High Speed Rail to protect the valley and agriculture in this valley. To be held on the 20th from 11-2, provided a hand out. Also spoke regarding the issue of the constitution and the declaration of independence.

Ron Bates: spoke to state he is opposed to selling the land, it's park land, it's a community asset, originally purchased to be a park many years ago, we don't have enough parks for a city our size and it's a neighborhood park and a park for the entire city. Stated that he and his wife do not want Council to sell that land, and to use it instead. Also stated that it's not a good place to build houses its next to the rail road track.

Dick Williams: Stated that this body is a trustee of the assets of the public, and this is the public's asset, and this was meant to be a park, hasn't materialized yet, but hopes we can take a look at how to finish it, doesn't think that the council has done their due

diligence to determine what the public really wants with this park.

Maxine Wade: Stated she was putting a face to a letter that she wrote to the editor and sent to the council, then read the letter. Letter begins with "I have a dream that someday Hidden Valley Park will extend all the way to the Amtrak railway..." asked that we work together to extend the park.

Andrew Mattos: Spoke regarding the Rotary Play fields on Campus drive, said he was glad to see that council discussed \$10,000 to rehab this park land. Spoke regarding the \$1+ million in park reserves, hopes city spends the money before the 5 year limit is up and has to give money back to developers. Made the suggestion of forming a committee to use that money.

Daniel Hollar: Spoke regarding taking away the park, stated that there isn't much to do in this town and it's sad to take away one small thing, suggested making a public gym, a cheap thing for the public to do.

Non-action item./ . 0-0.

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Written Correspondence:

3. COUNCIL REPORTS/COMMENTS:

Jl: Attended: Chamber Board Meeting, City Dinner, Kings Economic Development Corp board meeting.

JJ: Attended: Main Street meeting, City Dinner.

LM: Attended: City Dinner, Planning Commission, Tree Commission, water meeting at the supervisors chamber.

RC: Attended: Mayor and Vice Mayor academy in Sacramento, City Dinner.

GP: Attended: Mayor Conference in Sacramento, Main Street Meeting to meet their board of directors, Tree commission, meeting with City Manager and Jeff Garner from KCAO, City Dinner.

Non-action Item./ . 0-0.

4. STAFF COMMUNICATIONS:

City Manager Darrel Pyle: asked council to check the date for a budget workshop possibly on 2/21 from 9am to 4pm, said we would look at Saturday date. (GP - stated that Saturday would be easier for he and RC, LM stated he could do either Friday or Saturday). Attended a water committee meeting meeting hosted by Rudy Salas.

Public Works Director Lou Camara: Starting water conservation enforcement with day light savings in March through October; informed by BNSF railroad that they will come in next week to work on street crosses, and again potentially on the 23rd for the second phase. RC asked about signals at Campus and Brown, and Lou Camara stated that was a separate project and was scheduled to start in March. Crossings for this maintenance project would cause closures for 4 days. Jl asked if there would be notice published regarding the water conservation measures, and Lou Camara indicated yes there would be notices in utility bill and on City's website. Also brought up the 12th avenue coordination project, to coordinate signals begins February 18th.

Community Development Manager Melody Haigh: Planning Commission approved two conditional use permits, TKI in the industrial park and carwash on 11th and Lacey, 5 general plan amendments working on climate action plan, and comp plan and action plan for CDBG.

Non-action Item./ . 0-0.

5. CONSENT CALENDAR:

Motion made to approve the consent calendar items 5A, B, D, E, F, G, H, K by Joleen Jameson/Lou Martinez. 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. City Clerk: Approve Meeting Minutes for December 3, 2013
- B. City Clerk: Approve Meeting Minutes for December 17, 2013
- C. Community Development: Adopt resolution 14-02-R, authorizing the application for the Sustainable Communities Planning Grant and Incentives Program and authorizing the City Manager to execute agreement for the same.

Item 5C was pulled by Councilmember JI.

Jl: said he pulled the item to ask about what was meant by sustainable elements, regarding building, and parking?

Item was outlined by Community Development Manager Melody Haigh.

Motion made to approve item 5C as presented by Russ Curry/Joleen Jameson. Passed. 4- 1. Ayes: Martinez , Jameson , Pannett , Curry . Nays: Irwin .

- D. Public Works: Approve a Notice of Completion for the Grangeville Boulevard Cold In-Place Recycle (C.I.R.) and Overlay Project from 11th Avenue to Douty Street, and authorize the Mayor to execute and the City Clerk to attest and file said Notice with the Kings County Recorder's Office.

Item 5D was pulled by JI:

Jl asked regarding specific wording and if it should be kept as written.

Lou Camara pointed out the 3rd sentence or paragraph 2 in exhibit A, and it makes reference to a prior contract. Stated that he was comfortable with language as it is written.

Motion to approve Item 5D by Jim Irwin/Joleen Jameson. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

- E. Public Works: Permission to Advertise the FY 13-14 Cape Seal Treatment Project
- F. Public Works: Permission to Advertise the FY 13-14 Slurry Seal on Residential Streets Project.
- G. Public Works: Authorize the City Manager to Execute the attached Agricultural Lease Agreement with Steven Walker, an individual, for leasing 123 acres adjacent to the Hanford Municipal Airport.
- H. Public Works: Authorize the City Manager to Execute the attached Hanger Lease Agreement with NOR CAL AIR, Inc., for leasing Hanger C1 at the Hanford Municipal Airport.
- I. Public Works: Permission to Advertise the Sixth/Douty Street Parking Lot Renovation Project
- J. Public Works: Approval of a Professional Services Agreement with Provost and Pritchard Consulting Group, to provide Engineering Services for the Regional Consolidation of Three Water Systems Project, in an amount not to exceed \$230,000.00.
- K. Public Works: Permission to Advertise the Regional Consolidation of Three Water Systems Project.
- L. Finance: Approve warrant register for 1-16-2014 through 1-29-2014

Item 5L pulled by RC

RC asked if the list included warrants from the prior meeting, Tom Dibble clarified that there was an error in the warrants submitted, that yes the list included the list from prior meeting and new warrants and that it was only the additional \$600,000 that should have been submitted as action was already taken on the \$1.3 million.

Motion to approve item 5L, warrants as clarified by Tom Dibble by, Russ Curry/Joleen Jameson. Passed. 5-0. Ayes: Curry, Irwin, Jameson, Martinez, Pannett.

6. PUBLIC HEARING:

- A.** City Manager: Continue the public 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 public hearing regarding the resolution 14-01-R, the sale of surplus land was continued from the January 21, 2014 City Council Meeting.

Public comment was reopened for those who hadn't already spoken on this topic.

Jack Soares: Spoke against the sale of the property. stated that was park of the Rotary when Rotary field was built. Was here when 10 years ago council wanted to sell this land to complete freedom park, and this was done without selling the property.

Ross Browning: Lives in County, but wanted to speak against the sale of the property. Spoke about good feelings evoked by park, that the money earned would be spent quickly, asked Council to keep as a park, or a potential park.

Jen Gudmonson: Parks and recreation commissioner, reiterated her disappointment in the way this topic was presented to the parks commission and the planning commission. personally feels that the city was trying to sneak this through.

City Attorney clarified that the city

Charles Sandafer: represents Adventist Health, epicenter of health is in our kitchens, our parks, opportunity for exercise, voiced their support to expanding parks and recreation in this town. asked the question does the selling of this asset that has been dedicated to a park and recreation facility, does it increase or decrease the capacity of this town to provide....

John Hernandez: spoke regarding a lack of green space in many communities visited, looking for opportunity, compared to city of Sanger, thinks this is a wrong thing for Hanford, urged council to vote down and not sell asset

Jim Shewmaker: spoke against the sale of the property, stated the 1.3 million is equate of \$23 per person in city, selling is the wrong side of public opinion, develop it, and if they can't to just leave it and don't do any damage.

Dave Eliason: asked that the council put it on the ballot.

Mayor Pannett, reiterated that the public comment was opened back up that had not yet had a time to speak.

Comment section closed.

City Council asked the city manager to provide more background information on purchase of land.

Pyle stated that financial records could not be located to clarify what funding source was used so the City Clerk pulled archived minutes from the 1960's and was able to locate the minutes for the purchase of the property.

JJ: general plan states to sell it or develop it, would need to develop it right, but would take time. spoke to director Craig Miller and talked about forming a committee of citizens of Hanford, some park commissioners, director Miller, some of his staff, and from council myself and Ms. Jameson, with the purpose of coming up with ideas and a plan on how to make this area a passive park, with low or zero maintenance. we are a member of Tree City USA, so no prob getting trees, but would look at drought resistant plants, bathrooms, adequate parking, look at maybe some solar, walkways. we have 1.9 million in park impact fees, and need to look at different groups in the community and how that money could be used to meet their individual needs. Also brought up the old fire house on Lacey Blvd and possible uses as a teen center and parks and recreation office. stated he would not be voting to sell this property but work on getting a committee started to develop the property.

JJ: spoke regarding parks and her own memories, lost a park near old fire station, agrees with some of Jim's ideas, and is going to support his ideas, if we aren't going to sell it we shouldn't be wasting the money on (\$282k spent on the land over last 47 years and its not being used, waste of money). Cares about community and parks, and will recind the thought on ever selling on one condition that they actually develop it.

LM: asked mr. pyle regarding current ration of parks to population (number provided by DP) stated we need more park space, and sounds like making the hidden valley park bigger would be good to our community. not important how we purchased it, but that we do have it and we can use it now. would like to see the park expanded and more parking added, areas for sports activities to keep kids busy and keep them out of trouble, current park area at hidden valley doesn't allow for kids to play football, etc. The people have come out and spoken that they don't want to sell the property, and perhaps its a blessing in disguise because now we can focus on developing the park and not let it sit for another 47 years.

RC: Spoke that city has a committee, the Parks and Recreation Commission, don't need another committee, and that don't need another committee. stated that this topic started in august of last year. since in my district I took the lead on this, lots of comments regarding a survey I did, and yes I did, I covered a two block area around this land. I was told, sell this land i'm tired looking at this land, don't expand because I don't want more litter and trash, some afraid that apartments would be built, doesn't want house. comments about looking at dirt for 15 years, spoke to daycare provider said she didn't care either way, just to do something with it, sell it or develop it. doesn't agree that we don't have enough park space, subdivisions have been approved and parks built in. What's going to happen to the money? city manager made some suggestions..... brought up the suggestion of a CFD, maybe Adventist Health could help contribute funds to develop. Options out there to develop it and doesn't want to sell at this point.

GP: spent last two weekends at parks in the area and took pictures, asked staff to display photos on the presentation screen, expressed concerns about the safety of the property as it sits now, concerns regarding the parking issues that would be created if park is extended. Stated that he's not in favor of selling the land next to the park if they can do something with it , but that it has been 47 years and nothing has been done, doesn't want it to sit another 47 years.

Motion made NOT to adopt resolution 14-01-R by :Lou Martinez/Jim Irwin. Passed. 5-0. Ayes: Martinez , Jameson , Pannett , Irwin , Curry .

7. DEFERRED BUSINESS:

Motion made to extend the meeting past 10:00 PM by :Lou Martinez/Russ Curry. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

A. City Clerk: Approve Meeting Minutes for November 19, 2013

Motion made to approve meeting minutes from November 19, 2013 byRuss Curry/Joleen Jameson. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

B. Parks & Recreation: Allocation of Park Impact Funds for the Renovation of the Rotary Sports Field

Motion made to approve the allocation of \$10,000 from Park Impact Funds for the renovation of the irrigation and turf of the Rotary Sports Field byRuss Curry/Jim Irwin. Passed. 5-0. Ayes: Martinez , Jameson , Pannett , Irwin , Curry .

8. NEW BUSINESS:

A. Community Development: Appeal of Administrative Citation issued for violation of HMC sections 17.44.020(K), 17.44.060 (F) and 17.44.050 (M). Sign Ordinance.

Item 8A. Administrative appeal was moved up in the agenda to be heard just before Item 6, right after the consent calendar.

John Phillips, attorney for Fiesta Insurance and Mr. Neary the owner, spoke on behalf his clients to ask that the council not fine his client. He argued that the codes used to do the citations did not really apply to the type of sign his clients were using.

Staff stated that the area was actually a separate parcel, and that the citations are valid, staff confirmed with the City Attorney.

City Attorney confirmed that the citations were valid, that the point is the notification to the person.

Motion made to table this appeal until council can review all ordinances related to signage ordinances, and to allow person to continue using sign for now.Russ Curry/Joleen Jameson. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

B. Public Works: As it relates to the 10th Avenue Widening and Reconstruction Project:

1. Approve a budget amendment revising funding for the 10th Avenue Widening and Reconstruction Project

- from Hanford Armona Road to Third Street to include \$750,000 of Proposition 1B funding.
2. Allocate an additional \$390,000.00 as identified on the attached amended budget page.
3. Award a contract to Papich Construction of Pismo Beach, CA, for the low bid of \$1,909,280.40.
4. Establish a construction contingency of \$190,000.00.

Motion made to approve a budget amendment to include \$750,000 of Proposition 1B funding, allocate an additional \$390,000, award contract to Papich Construction for the low bid of \$1,909,280.40 and establish a construction contingency of \$190,000 by Russ Curry/Lou Martinez. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

- C. Public Works: Authorize the Public Works Director to execute Work Order No. 17 for construction staking services with Lane Engineers, Inc., for the 10th Avenue Widening and Reconstruction Project, from Hanford Armona Road to Third Street, for the not to exceed amount of \$33,750.00.

Motion made to authorize the Public Works Director to execute Work Order No. 17 for construction staking services with Lane Engineers, Inc. for the 10th Ave Widening and Reconstruction Project, not to exceed \$33,750. Lou Martinez/Joleen Jameson. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

- D. Public Works: As it relates to the Corporation Yard Refuse Welding Shop Conversion/Storage Building Addition Project:
 1. Award a contract to Nick Champi Enterprises, Inc. of Hanford, CA for the low bid of \$388,491.00.
 2. Establish a construction contingency of \$38,000.00.
 3. Appropriate an additional 283,491.00 from Refuse Enterprise Reserves.

Motion made, as it relates to the Corporation Yard Refuse Welding Shop Conversion/Storage Building Addition project, to award a contract to Nick Champi Enterprises, Inc for the low bid of \$388,491, establish a construction contingency of \$38,000 and appropriate an additional \$283,491 from Refuse Enterprise Reserves by Russ Curry/Lou Martinez. Passed. 5-0. Ayes: Curry , Irwin , Jameson , Martinez , Pannett .

9. **ADJOURNMENT:**

The meeting was adjourned at 10:23 PM meeting was adjourned back into closed session.

The meeting was adjourned at 10:45 PM, and there were no further reportable actions.

Non-action Item./ . 0-0.

Items received and filed:

- Climate Action Plan Documents
- Hanford Existing Measures: Energy Measures
- Proposed GHG Reduction Measure Evaluation Handout
- Amended Warrant Register
- Invitation to CCHSRA Fundraiser
- Excerpts from prior City Council meeting minutes regarding the purchase land now known as Hidden Valley Park.
- Emails of protest to the sale of property next to Hidden Valley park, excerpts copied from the Hanford Sentinel
- Letter from Andrea Mattos

Respectfully Submitted,

Melanie Patrick,
City Clerk